

# IPR Awareness Programme

for

## Industry & Academia

Kochi | 22-23 August 2014



**Submitted by**

Federation of Indian Micro and Small & Medium Enterprises (FISME)

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## BACKGROUND

Intellectual Property Rights (IPRs) are a set of exclusive rights protected by law which are accorded to creators or persons over their creations for a certain time of period. An IP right holder can realize value from its intellectual assets through utilizing it internally for its own processes or share it externally through provision of goods and services to customers. The latter can be achieved through legal mechanisms such as licensing or assignment.

In today's globally competitive environment, intellectual property has placed itself on a pedestal in the context of economic growth and is becoming increasingly important. Intellectual Property (IP) is the fuel that powers the engine of prosperity, fostering invention and innovation. The increasing significance of intangible assets in the global economy is forcing business organizations to actively manage their IP as a key driver for building and sustaining their competitive advantage and achieving superior performance.

IPRs are now being used not only as a tool to protect creativity and generate revenue but also to build strategic alliances for socio-economic and technological growth. Accordingly, in order to foster the protection of innovations and creativity, the Intellectual Property Office under the Ministry of Commerce and Industry is dedicated to mobilize the use of such technological advancement for the economic development of the country.

The generation of IP largely takes place at the State level through small, medium and big industries, academic institutions and individuals. Most States have not yet evolved their IP strategies and ecosystems in terms of effective facilitating of services among MSMEs and start-ups, creating awareness, conducting training programmes, systems for utilization of IPR etc. States need to maximize the benefits from their intellectual property by stimulating higher levels of innovation through a judicious system of rewards, ensuring timely and effective legal protection for IPRs and leveraging strategic alliances for enhancing the value of the intellectual property created in the State.

## **Relevance and Importance of Intellectual Property Rights for States**

States have to formulate their IPR policies and action plans in various sectors such as education, industries including MSME, government offices, law enforcement agencies etc. IPRs will continue to play an important role in the industrial growth of States as technology-based industries rely more and more on innovations.

Management of IPR by various constituents of States needs to have proper focus and attention. Industries have to deal with IPRs in different situations in the competitive world; infringement of IPR can be a serious offence both in the domestic and international scenarios. Similarly, domestic industries must be watchful to ensure that their IPRs are not infringed in India and in other countries. Indian industries can benefit from the proper management of their IPRs such as patents, trademarks, copyrights, designs etc. Some Indian industries have suffered due to the copying of their trademarks but they have not been able to take requisite legal action in the absence of knowledge about the requirement of registration of their trademarks in the country of export in order to protect and enforce their intellectual property as also because of the lack of awareness regarding the mechanism available for such registration at international level.

Academic institutions will continue to play an important role in facilitating skilled human resource to industries, government institutions, academia & R&D. The knowledge society puts heavy demands on R&D in scientific, engineering and other areas in order to respond to market needs quickly. Collaborative Research and development among national and overseas institutions is likely to become very important for finding new solutions to problems. Therefore, the education, science & technology and industry departments have to create an environment which promotes knowledge about protection and management of IPRs generated in colleges and universities at different levels. This may call for a paradigm change in the manner research is done in the universities and emphasis would need to be placed on the practical business realities involved in technology development. IP policy has to be shaped accordingly.

States will do well to invest in IPR related activities from a long-term perspective. Some States like Punjab, West Bengal, Kerala, Uttarakhand and Madhya Pradesh have taken such

steps. Some other states like Gujarat and Uttarakhand have also started schemes for reimbursement of costs incurred by SMEs towards filing of patents, trademarks and GI applications.

**To increase IP portfolio in respective states by building a robust IP ecosystem with credible institutional mechanism**

The Intellectual Property Office has undertaken extensive outreach programs for the last several years for promoting intellectual property awareness in the country. In the year 2013-14, the IP office focused on the promotion of IP in the industrial clusters related to specific fields of technology. In the current financial year, IPO has decided to focus on creating awareness about IP in academic institutions such as higher educational institutions, universities as well as in industries based in the states and in government departments considering the vast potential of intellectual property generation at the state level. The Intellectual Property Office, in association with the Industry Associations, namely the Confederation of Indian Industry (CII), the Federation of Indian Chambers of Commerce & Industry (FICCI), The Associated Chambers of Commerce and Industry (ASSOCHAM), Federation of Indian Micro & Small & Medium Enterprises (FISME) and PHD Chamber of Commerce and Industry (PHDCCI) has planned to conduct a series of specific awareness programs on IP.

These will be 2-day programs out of which the first day will be used to impart awareness to local industry and government department officials while the second day will be devoted to creating awareness about IP in the academia. The programs will specifically target students, research scholars, lecturers and professors, MSMEs and start-ups and government officers.

## FISME'S APPROACH

FISME established three Intellectual Property Facilitation Centres at New Delhi, Bangalore and Hyderabad sponsored by Ministry of MSME, Govt. of India with the objective to guide and help MSMEs secure and protect their intellectual property in a convenient and cost effective way. FISME – IPFCs as part of the mandate given by the Ministry, not only help MSMEs to file for Patent, Trademarks and Industrial Designs but also provide additional services such as IP audit, IP management systems and an IP exchange in a bid to offer a complete business model for the Indian industries.

As part of its efforts to create more awareness on intellectual property rights FISME-IPFCs have organised awareness programmes in cities like Meerut, Nasik, Mangalore, Mysore, Ankleshwar, Vizag, Aurangabad, Firozabad etc. These programmes have been widely accepted and as a result the IPFCs have received many enquiries thereafter for which it has facilitated the filing as well.

FISME – IPFCs objective for the programme at Kochi also aimed to build greater awareness and develop insights into the complex mechanism of creation, ownership and protection of Intellectual Property (IP).

The objectives of the programme for were:

- To encourage widespread awareness and understanding of the role that intellectual property plays in fostering a creative and innovative culture.
- To encourage protection of IP achievements through increased registration of rights.
- Educate the participants on how to respond to infringements of rights including patent rights
- To educate about the protection and enforcement of IPRs from infringements.
- To raise the level of IP awareness in universities and colleges particularly among students and scholars.
- To establish a link between industry and academia on IPR.

The following subject/areas were covered in this 2 day programme:

Day 1: For Industry

International and national Framework of IPRs, Introduction to IPR tools such as Patents, Trademarks, Industrial Design, Geographical Indication, Copyright, Trade secrets, IP Enforcement and challenges, Leveraging IPR in Industry & Businesses, Success stories etc.

Day 2: For Academia

International and national Framework of IPRs, Introduction to IPR tools such as Patents, Trademarks, Industrial Design, IP Enforcement and challenges, Leveraging IPR in Academia and R&D institutions and Panel discussion on Industry – Academia collaboration

## AWARENESS PROGRAMME ON IPR

The Intellectual Property Facilitation Centre (IPFC) of Federation of Indian Micro and Small & Medium Enterprises (FISME) with the support of the O/o Controller General of Patents, Designs & Trade Marks, Ministry of Commerce & India, Govt. of India organised a two day Awareness Programme on “Intellectual Property Rights” for Industry and Academia in the city of Kochi on 22nd and 23rd of August 2014. The programme was organised in association with Cochin Chamber of Commerce & Industry and Kerala Chamber of Commerce & Industry.



The inaugural session was graced by the leadership of premier Industry associations from the state of Kerala along with Mr. R. Devan, Dy. Controller of Patents & Designs, Intellectual Property Office (Chennai) who gave the theme address and enlightened the audience on the importance of adoption of IPRs for the success of modern business.

The objective of the first day programme was to create a general awareness about Intellectual Property (IP), the advantages and the need of Small and Medium Enterprises (SMEs) to protect their own IPs.

The technical sessions was led by Mr. Vedant Pujari, Chief Consultant-IPR, FISME-Intellectual Property Facilitation Centre (IPFC) who spoke about the National & International Framework of Intellectual Property Rights giving an insight to International treaties, filing and dispute resolution mechanisms, mandates for member countries to the treaties and its impact on

national IPR regime. He also elaborated on the various IP instruments and their filing procedures including IPR Laws & Practices in India.



Others who spoke included Mr. Sagar Chandra, Member, Delhi High Court Bar Association who talked on IP Enforcement, the enforcement machinery in India, practical challenges in enforcing IP Rights and the current Judicial scenario.



A session on Leveraging IPR in Industry & Businesses was taken by Mr. Jayant Deshpande, Legal Counsel, Hindustan Unilever Ltd. He also talked about IP Audit, Exchange of IPRs, and Technology and Merchandise Licensing.

On the second day the focus was on the academia with participants including professors, scholars and students coming in from various universities and colleges. The speakers gave the participants an insight into the various IP instruments with special emphasis on patents and designs.



Ms. Madhuri Anand, Research Officer, MHRD Chair on IPR, Cochin University of Science and Technology shared her thoughts on Leveraging IPR in Academia and R&D institutions with emphasis on the use of existing research. This was followed by a panel discussion of relevant stakeholders on Industry – Academia collaboration on IPR.

The programme ended with vote of thanks by Mr. Mukesh Kalra, Joint Secretary - International Trade, Federation of Indian Micro and Small & Medium Enterprises (FISME).



Government of Kerala



Federation of Indian Micro and  
Small & Medium Enterprises



## IPR Awareness Programme

Hotel Dream, Cochin | 22<sup>nd</sup> August 2014

### Programme

#### 1000 hrs: Registration

#### 1030 hrs Inaugural Session

- Welcome Address  
**Mr. Mukesh Kalra**, Joint Secretary-International Trade, FISME
- Address by  
**Mr. C.P. Mammen**, President, Cochin Chamber of Commerce & Industry
- Address by  
**Mr. Mathew Kuruvithadam**, Chairman, Kerala Chamber of Commerce & Industry
- Address by  
**Ms. Nimmi J. Chakola**, Convenor, KCCI Ladies Forum
- Theme address  
**Mr. R. Devan**, Dy. Controller of Patents & Designs, Intellectual Property Office, Chennai
- Address by  
**Mr. V. Rajagopal**, CEO, Kerala Bureau of Industrial Promotion
- Special Address by Chief Guest  
**Mr. P. H. Kurian**, IAS, Principal Secretary, Department of Industries & Commerce, Government of Kerala

#### 1130 hrs: Tea break

#### 1200 hrs Introductory Session

- National & International Framework of Intellectual Property Rights
- Introduction to IP and IPR
- IPR Laws & Practices in India  
**Mr. Vedant Pujari**, Chief Consultant-IPR, FISME-Intellectual Property Facilitation Centre (IPFC)

#### 1300 hrs : Networking Lunch

#### 1400 hrs Technical Session 1

- IP Enforcement
- IP Enforcement Machinery in India
- Practical challenges in enforcing an IP right / Judicial Scenario  
**Mr. Sagar Chandra**, Member, Delhi High Court Bar Association, Bar Council of India & Managing Partner, Sagar Chandra & Associates

#### 1515 hrs: Tea break

**1545 hrs**

**Technical Session 2**

- Leveraging IPR in Industry & Businesses
- IP Audit / Exchange of IPRs / Technology and Merchandise Licensing  
**Mr. Jayant Deshpande**, Legal Counsel, Hindustan Unilever Ltd.

**1630 hrs**

**Concluding Session**

**1700 hrs: Question & Answer**

- Sharing of Success stories

**1715 hrs: Vote of thanks**



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## IPR Awareness Programme

Hotel Dream, Kochi | 23<sup>rd</sup> August 2014

### Programme

**1000 hrs: Registration**

**1030 hrs  
Inaugural Session**

- Opening remarks  
**Mr. Mukesh Kalra**, Joint Secretary- International Trade, FISME
- Welcome Address by  
**Representative** of Educational Institution
- Theme address  
**Mr. R. Devan**, Deputy Controller of Patents & Designs, IP Office

**1100 hrs  
Technical session 1**

- National & International Framework of Intellectual Property Rights  
(*giving an insight to International treaties, filing and dispute resolution mechanisms, mandates for member countries to the treaties and its impact on national IPR regime*)
  - Introduction to IP and IPR
  - IPR Laws & Practices in India
  - IPR Policy framework in India**Mr. Vedant Pujari**, Chief Consultant-IPR, FISME

**1200 hrs: Tea break**

**1230 hrs  
Technical Session 2**

- IP Enforcement
  - IP Enforcement Machinery in India
  - Practical challenges in enforcing an IP right
  - Judicial Scenario**Mr. Sagar Chandra**, Member, Delhi High Court Bar Association, Bar Council of India & Managing Partner, Sagar Chandra & Associates

**1315 hrs: Question & Answer**

**1330 hrs: Lunch**

**1430hrs  
Technical Session 2**

- Leveraging IPR in Academia and R&D institutions
  - Use of existing research
  - Licensing to the Industry
  - Govt. support in promoting IPR**Ms. Madhuri Anand**, Research Officer, MHRD Chair on IPR  
Cochin University of Science and Technology

**1500 hrs  
Technical Session 3**

- Panel Discussion on Industry – Academia collaboration  
(*Panelist representatives from institutions, industry associations,*

*industry and the O/o CGPDTM)*

**Representative** of Cochin Chamber of Commerce and Industry

**Ms. Madhuri Anand**, Research Officer, CUSAT

**Mr. Vedant Pujari**, Chief Consultant-IPR, FISME

**1545 hrs**

**Concluding session**

➤ Vote of Thanks

**1615 hrs: Tea break**

## **SPEAKER PROFILE**

**Mr. Vedant Pujari,**

Chief Consultant (IPR)

FISME – Intellectual Property Facilitation Centre

With a dynamic professional experience spanning over a decade, Mr. Vedant Vijay Pujari is a well-known figure in the legal circle in Delhi. After graduating from the prestigious ILS law college, Pune, he moved to New Delhi to pursue a career in the field of Corporate and Intellectual Property laws.

Vedant belongs to the rare breed of legal practitioners who fuses technology with law and thus, consistently breaks the status quo by revamping the traditional ways in which legal services are rendered in India. One of his notable contributions in the field of intellectual property is creating India's first searchable web-enabled commercial IP information platform. He is also credited with the development of a web-enabled tool to remotely manage patent annuities in India. Vedant was a part of the team appointed by the Department of Pharmaceuticals, Ministry of Chemical and Fertilizers to assess the impact of creation of IPR facilitation centre at Hyderabad. He is also an IP consultant to the Federation of Indian Small and Micro & Medium Enterprises (FISME).

Vedant is an exemplary leader, who has played pivotal roles in different organizations and headed variety of teams comprising lawyers, paralegals, information analysts, information scientists and marketing and sales professionals. His entrepreneurship instincts could not keep him in regular employment for long and consequently, he started his own legal practice under the name of ACCURES LEGAL - a full service law firm in the fields of Corporate Law, Commercial law and Intellectual Property law.

Vedant has trotted the globe as a speaker in several conferences and seminars of international repute. He has also conducted training programs in association with eminent industry organizations.

Being an enterprising and innovative individual himself, Vedant often collaborates with people from disparate disciplines to develop path breaking products to make lives simpler. He is also a part of the founding team of a fledgling, but promising intellectual property product development Company.

He is a cheerful and genial person who always looks for an opportunity to interact with new people. He is a loving husband and a 'helpless' father to a two year old daughter, who bosses him around the house every day after work.

**Mr. Sagar Chandra**

Member, Delhi High Court Bar Association, Bar Council of India &  
Managing Partner, Sagar Chandra & Associates

Sagar Chandra is the founding partner of Sagar Chandra & Associates. He also heads the Litigation and Enforcement Department of the firm.

An alumnus of the Indian Law Society (ILS) Law College, Pune, he started his practice in one of India's leading Intellectual Property Law Firms.

In 2009, Sagar Chandra founded Sagar Chandra & Associates, a boutique Intellectual Property Law firm based at New Delhi.

Sagar Chandra has a robust experience in Intellectual Property Litigation, enforcement as well as prosecution. His work encompasses enforcement and prosecution of trademarks, copyrights, patents as well as Intellectual Property Licensing.

He is also a Member of the Delhi High Court Bar Association, Bar Council of Delhi and an active member of the AIPPI India Group and APAA India Group.

**Mr. Jayant Deshpande**

Legal Counsel – IP, Hindustan Unilever Ltd

Jayant Deshpande looks after IPR issues and litigations including Anti-Counterfeiting - Enforcement tasks.

He is associated with HUL for over 25 years and handled many portfolio/roles like Regional Category Counsel, Commercial litigations.

He is closely working with Unilever global teams. Jayant Deshpande has over 20 years' experience in IP matters and is also associated with IP committees at CII, BCCI, FICCI.

**Ms. Madhuri Anand**

Research Officer, MHRD Chair on IPR

Cochin University of Science and Technology

She is currently working as Research Officer in MHRD Chair on IPR at School of Legal Studies, Cochin University of Science and Technology, Kalamassery, Ernakulum where she is teaches as well apart from carrying out research work and related activities

Prior to this she was heading the Intellectual Property wing of K LAW/ Krishnamurthy and Co., a law firm based in Bangalore.

**Publications**

Compulsory License under Indian Patent Law, along with Dr. N.S. Gopalakrishnan, Compulsory License, Max Planck Institute 2014 [forthcoming]

Intellectual Property through Patents, IP Corner Vo. 1 Issue 1 April September 2013, CSIR North East Institute of Science and Technology, Jorhat.

### **Federation of Indian Micro and Small & Medium Enterprises (FISME)**

Federation of Indian Micro and Small & Medium Enterprises (FISME) is a network of over 700 sectoral and geographical SME associations. Focusing on manufacturing SMEs and represented at all decision making fora of Government of India, including at National MSME Board, FISME is widely regarded today as the progressive face of SMEs and is recognized as such by all Ministries and related organizations of the Union Government. FISME works closely with all major multilateral and bilateral agencies to execute SME development projects in India.

### **FISME - Intellectual Property Facilitation Centres**

FISME established three Intellectual Property Facilitation Centres at New Delhi, Bangalore and Hyderabad sponsored by Ministry of MSME, Govt. of India with the objective to guide and help MSMEs secure and protect their intellectual property in a convenient and cost effective way. FISME – IPFCs as part of the mandate given by the Ministry, not only help MSMEs to file for Patent, Trademarks and Industrial Designs but also provide additional services such as IP audit, IP management systems and an IP exchange in a bid to offer a complete business model for the Indian industries.