

CONFERENCE BY UNIVERSITY OF
PENNSYLVANIA LAW SCHOOL AND
IDIA



HOSTED BY INDIAN LAW
INSTITUTE

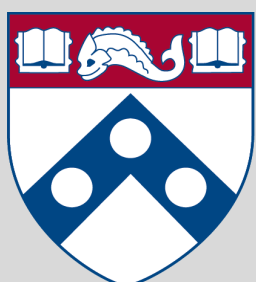


A 3-D PERSPECTIVE ON INDIAN INTELLECTUAL PROPERTY

DISTINCT, DIVERSE AND DEMOCRATIC?

Opening Address: Mr. Rajiv Aggarwal (Joint Secretary,
Department of Industrial Policy & Promotion)
Special Guest: Justice Aftab Alam (Former Judge, Supreme
Court of India)

5th March 2019
Indian Law Institute
Delhi



Penn Law
UNIVERSITY *of* PENNSYLVANIA LAW SCHOOL

CONCEPT NOTE

Indian patent law achieved international notoriety with section 3(d). A rather unique provision that sets the bar for drug patents relatively higher than most other countries. One which caused considerable consternation for a number of drug majors, and divided the world into two camps: those that hailed section 3(d) and those that hated it!

Notwithstanding this ideological divide, there is no gainsaying the fact that section 3(d) is a “distinct” provision. One that dared to do differently in a post TRIPS world, where the pressure to conform to a globalised patent script was intense. To this extent, section 3(d) promotes diversity in global patent norms.

Section 3(d) also showcases the strength of a democracy, in that it came after extensive advocacy by public interest groups that were able to have a say in an otherwise opaque law making process dominated in the past by largely industrial interests.

Drawing on these attributes of section 3(d), this conference (conceptualised by University of Pennsylvania Law School and IDIA) seeks to explore whether other provisions in Indian IP law (in particular, copyright law and plant variety protection law) reflect similar values: of distinctiveness, diversity and democracy. It will bring together different stakeholders in the Indian IP ecosystem, including lawyers, industry representatives, civil society activists and policy makers.

PROGRAM SCHEDULE

1. Registration (9.30 am onwards)
2. Welcome Address (10 – 10.15 am)
Prof Shyamkrishna Balganesh, Prof of Law, University of Pennsylvania Law School.
Prof (Dr) Manoj Sinha, Director, Indian Law Institute.
3. Introduction to Conference and Theme: (10.15 to 10.30) Prof (Dr)Shamnad Basheer, Bok Visiting Professor of Law, University of Pennsylvania Law School and Founder, IDIA.
4. Opening Address (along with Q/A) (10.30 -11.00 am)
Mr Rajiv Aggarwal, Joint Secretary, DIPP
5. Tea (11.00 to 11.15 am)
6. Panel 1 – Patents (11.15 am – 1 pm)
7. Lunch (1-2 pm)
8. Panel 2 – Copyright (2 -3.45 pm)
9. Tea (3.45 -4 pm)
10. Panel 3 – Plant Variety Protection, Biodiversity and Traditional Knowledge (4.00 – 5.45 pm)
11. Valedictory (6.00 pm)

SESSIONS AND SPEAKERS

Panel 1: Patents

- Dr KS Kardam (Senior Joint Controller of Patents and Designs, Indian Patent Office)
- Leena Menghaney (Regional Head (South Asia), Access Campaign at Médecins Sans Frontières)
- Dhruv Anand (Partner, Litigation, Anand & Anand)
- Industry Representative (Pharma: Originator/Generic)
- Industry Representative (Other sector)

Moderator: Prof (Dr) Shamnad Basheer, Bok Visiting Professor, University of Pennsylvania Law School and Founder, IDIA

Panel 2: Copyright

- Prof (Dr) VC Vivekanandan (Dean, School of Law, Bennett University)
- Ameet Datta (Partner, Saikrishna & Associates),
- Dr Arul George Scaria (Assistant Professor of Law and Co-Director of the Centre for Innovation, Intellectual Property and Competition, NLU Delhi)
- Deepak J (President and General Counsel – Legal and Regulatory Affairs at Star India Pvt Ltd) (TBC)
- GR Raghavender (Joint Secretary, Department of Justice, Ministry of Law and Justice, Government of India)
- Mishi Choudhary (SFLC) (TBC)

Moderator: Prof Shyamkrishna Balganesh, Professor of Law and Co-Director of the Centre for Technology, Innovation and Competition, University of Pennsylvania Law School.

Panel 3: Plant Variety Protection, Biodiversity and TK

- Suresh PJ (Regulatory Affairs Lead, Monsanto India Limited)
- M. Prabhakar Rao (CMD, Nuziveedu Seeds Ltd.)
- Dr VK Gupta (Director TKDL and Senior Advisor, CSIR)
- Dr. Deepa Kachroo Tiku (Partner, K&S Partners)

Moderator: Prashant Reddy (Senior Fellow, Vidhi Centre for Legal Policy)



Registration

1. Conference at ILI+ dinner at Taj Mansingh: Rs 5000
2. Conference only (with lunch and tea) at ILI: Rs 3000
3. Students: Rs 1500

Please RSVP to SVETLANA@IDIALAW.COM to register.

Hosted by: Indian Law Institute



About University of Pennsylvania Law School

A member of the Ivy League, the University of Pennsylvania Law School is the law school of the University of Pennsylvania, in Philadelphia, Pennsylvania. One of the oldest law schools in the world, Penn law's origins go back to 1790 when the University of Pennsylvania's first lectures in law was delivered to President George Washington and the members of his cabinet by James Wilson, a signer of the US Declaration of Independence and US Constitution. Penn Law began offering its first full time program in law in 1850. Today, it continues as a world leader in legal education with world-class faculty, emphasis on cross-disciplinary education and hosting various groups of highly competitive and motivated student pool on its campus. The law school publishes the University of Pennsylvania Law Review, the oldest continuously published legal periodical in the US. Among the schools alumni are a US Supreme Court Justice, several state Supreme Court Justices and supreme court justices of other countries, as well as several founders of law firms, university presidents and deans, business entrepreneurs, and politicians.

Website: <https://www.law.upenn.edu>

About IDIA

The IDIA project is a pan India movement to empower underprivileged communities by creating top quality lawyers from within. IDIA is run on the backbone of highly passionate student volunteers who travel to various parts of India to identify underprivileged students with an aptitude for the study of law. IDIA then rigorously trains these students for the leading law entrance examinations. Once selected to the top law schools, IDIA arranges for sponsorships/scholarships and mentorship schemes to help these students blossom to their fullest potential. IDIA's mission is to create a cadre of exceptional lawyers from within underprivileged communities who are Creative, Holistic, Altruistic, and Maverick Problem Solvers (CHAMPS).

Website: <https://www.idialaw.com>

About Indian Law Institute

Indian Law Institute (ILI) was founded in 1956 primarily with the objective of promoting and conducting legal research. Among the objectives of the Institute are- cultivating the science of law, promotion of advanced studies and research in law so as to meet the social, economic and other needs of the Indian people, promotion of systematization of law etc. Hon'ble CJI is the ex-officio President of the Institute. The Union Minister of Law & Justice is its Ex-officio Vice-President.

Website: <http://www.ili.ac.in>

