



## International Intellectual Property Index 2023

**For Prelims:** Universal Declaration of Human Rights, World Trade Organisation, National Intellectual Property Rights (IPR) Policy 2016, Trade Related Aspects of Intellectual Property (TRIPS Agreement).

**For Mains:** India and IPR, Issues Related to IPR.

### Why in News?

Recently, India ranks **42<sup>nd</sup> among 55 leading global economies on the International Intellectual Property (IP) Index 2023** released by the **U.S. Chambers of Commerce**, according to which India is ripe to become a leader for emerging markets seeking to transform their economy through **IP-driven innovation**.

- **US topped the International IP Index** followed by United Kingdom and France.

### What is International IP Index?

- The Index evaluates the **IP framework in each economy across 50 unique indicators** which industry believes represent economies with the most effective IP systems.
- The indicators create a snapshot of an economy overall IP ecosystem and span nine categories of protection: **Patents, Copyrights, Trademarks**, Design Rights, Trade Secrets, Commercialization of IP Assets, Enforcement, Systemic Efficiency, Membership and **Ratification of International Treaties**.

### What is Intellectual Property?

- **About:**
  - **Intellectual Property (IP)** refers to **creations of the mind**, such as **inventions, literary and artistic works, symbols, names, and images used in commerce**.
  - It is a form of legal protection in the form of **Intellectual Property Rights (IPR)** given to individuals or companies for their creative and innovative works.
    - These rights are outlined in **Article 27 of the Universal Declaration of Human Rights**.
  - These legal protections allow the creators to control use of their work and **prevent others from using or reproducing them without permission**.
- **Types:**
  - The main types of IP include **patents for inventions, trademarks** for branding, **copyrights** for artistic and literary works, **trade secrets** for confidential business information, and industrial designs for product appearance.
- **India and IPR:**
  - India is a member of the **World Trade Organisation** and committed to the Agreement on **Trade Related Aspects of Intellectual Property (TRIPS Agreement)**.
  - India is also a member of **World Intellectual Property Organization**, a body responsible for the promotion of the protection of intellectual property rights throughout the world.

- The [National Intellectual Property Rights \(IPR\) Policy 2016](#) was adopted in May 2016 as a vision document to guide future development of IPRs in the country.
  - Its clarion call is “**Creative India; Innovative India**”.
- **Issues Related to IPR:**
  - **Enforcement:** Despite efforts to strengthen IP enforcement, piracy and counterfeiting remain significant problems in India.
    - Enforcement agencies often lack the resources and expertise to effectively combat these issues, leading to low rates of prosecution and conviction.
  - **Patent Backlog:** The backlog of patent applications in India is a major challenge.
    - This leads to delays in granting patents and creates uncertainty for innovators seeking to protect their inventions.
  - **Lack of IP Awareness:** There is still a lack of awareness and understanding of IPR among many businesses and individuals in India.
    - This can lead to **inadvertent infringement of IP rights**, as well as challenges in enforcing these rights.

## Way Forward

- **Enhancing Enforcement:** India needs to strengthen its IP enforcement mechanisms, including increasing **resources and expertise for enforcement agencies, improving coordination between different agencies**, and streamlining legal procedures for IP disputes.
- **Streamlining Regulations:** India needs to simplify and streamline the regulatory environment for IPR, including **reducing administrative burdens** and increasing transparency in IP registration and enforcement procedures.
- **Encouraging Innovation:** India needs to incentivize innovation by offering tax incentives and funding for research and development, as well as **promoting collaborations between industry, academia, and government**.

## UPSC Civil Services Examination, Previous Year Questions (PYQs)

### Prelims

**Q1. With reference to the ‘National Intellectual Property Rights Policy’, consider the following statements: (2017)**

1. It reiterates India’s commitment to the Doha Development Agenda and the TRIPS Agreement.
2. Department of Industrial Policy and Promotion is the nodal agency for regulating intellectual property rights in India.

**Which of the above statements is/are correct?**

- (a) 1 only
- (b) 2 only
- (c) Both 1 and 2
- (d) Neither 1 nor 2

**Ans: (c)**

**Q2. Consider the following statements: (2019)**

1. According to the Indian Patents Act, a biological process to create a seed can be patented in India.
2. In India, there is no Intellectual Property Appellate Board.
3. Plant varieties are not eligible to be patented in India.

**Which of the statements given above is/are correct?**

- (a) 1 and 3 only
- (b) 2 and 3 only

- (c) 3 only  
(d) 1, 2 and 3

**Ans: (c)**

---

**Mains**

**Q.** In a globalized world, Intellectual Property Rights assume significance and are a source of litigation. Broadly distinguish between the terms—Copyrights, Patents and Trade Secrets. **(2014)**

**Source: TH**

PDF Reference URL: <https://www.drishtiias.com/printpdf/international-intellectual-property-index-2023>

