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on

**IPR Management in Biodiversity Conservation:
Implications of Access Benefit Sharing, TRIP/CBD
and Biodiversity Acts**

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INDEX

S. No.	Author(s)	Title	Page No.
1.	Dr. Abhishek Kr. Tiwari	Biodiversity and Genetically Modified Crops: Issues and Challenges	1-5
2.	Akanksha Ganda	Managing Intellectual Property Rights in the Advertising Industry	6-8
3.	Anamika Singh	Legal Issues and Environment Protection Laws in India	9-14
4.	Dr. Anita Gajraj	Intellectual Property Rights: A Significant Tool for Biodiversity Conservation	15-19
5.	Dr. Aparna B Rathore	Bioprospecting and Biopiracy: Impact on Biodiversity	20-24
6.	Bharati Pareek	Biodiversity and conservation of <i>Salvadora persica</i> (Linn.) in Indian Arid Zone	25-27
7.	Dr. Chetna Sharma, Dr. Shalini Sharma	Public Health and Intellectual Property Rights	28-31
8.	Divya Pareek	Intellectual Property Rights: Key to Entrepreneurs Sustainability	32-35
9.	Jyoti Kapil, Neetika Mathur	Intellectual Property Rights: Boon or Bane for Protecting the Farmer's Rights	36-40
10.	Prof (Dr.) Komal Audichya	The Biological Diversity Act 2002 and the Access and Benefit Sharing	41-47
11.	Dr. Kumud Tanwar, Dr. Swati Singh, Dr. Arti Mishra	Laws and Policy Framework for Environmental Protection	48-50
12.	Dr. Leena Bhatia	Intellectual Property Rights – A curse or a boon for India as a developing country	51-57
13.	Dr. Manisha Mathur	International Property Rights: An Overview of History of Patent Laws	58-63
14.	Medha Babel	Sustainable Forestry: An Approach of Biodiversity Management	64-65


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S. No.	Author(s)	Title	Page No.
15.	Dr. Meenakshi Punia	Bioprospecting and Biopiracy: Challenging Grounds for India and its Bio Diversity Laws	66-71
16.	Dr. Meenal Sharma	Role of Intellectual Property in Innovation and New Product Development	72-80
17.	Dr. Neelam Bageshwari, Dr. Sunita Shekhawat	Geographical Indication in Intellectual Property Rights	81-84
18.	Dr. Neeta Agrawa	Why Intellectual Property should be Protected	85-89
19.	Poonam Sharma, Kamakshi Tomar	Role of Government Agencies in the Regulation of IPR	90-92
20.	Priyanka Jangid	A Review: Legal Framework on Environmental Protection	93-95
21.	Dr. Ranjana Agrawa	Intellectual Property Rights in Science: Issues and Challenges	96-101
22.	Dr. Ritu Jain, Dr. Sunita Shekhawat	Bio-Diversity, Bio-Piracy & Bio-Prospecting: Indian Perspective	102-109
23.	Rukshar	Environmental Degradation and Management in India: A Review	110-113
24.	Dr. Surabhi Sharma	Awareness of IPR (Intellectual Property Rights) among the Research Scholars in Jaipur City	114-118
25.	Vandita Srivastava, Dr. Sangita Sinha	Enabling the Community through IPR Awareness	119-124
26.	Yogita Solanki, Reema Solanki, Pooja Mangal	Relevance of Access Benefit Sharing in Biodiversity Conservation	125-128
27.	डॉ. शीतल शर्मा	हमारी पारम्परिक बौद्धिक सम्पदा : अध्यात्म	129-132
28.	Dr. Nidhi Gupta	Biodiversity : A Review	133-136


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Role of Government Agencies in the Regulation of IPR

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Abstract

Intellectual property rights are the rights given to persons over the creations of their observances. They generally give the creator an exclusive right over the use of his/her creation for a certain period of time. Trade secrets, trademarks, copyrights and patents are types of Intellectual Property. The Trade Related Intellectual Property Rights (TRIPS) agreement is engrossed on global standards for protecting and enforcing IPR. It has scope for protections by being imprecise on implementation and competition issues. The Union Cabinet has approved the National Intellectual Property Rights (IPR) Policy on 12th May 2016 that shall lay the future road map for IPRS in India. Aim of the policy is to create and exploit synergies between all forms of IP concerned statutes and agencies. According to the patent act, 1970 there are some limitations like experimental or research use, use of patented invention on foreign containers etc., for attaining regulatory endorsement from authorities, collapse of patent rights and parallel imports, compulsory licensing and use or acquisition of inventions by government.

Keywords: Trade, rights, property, patent, limitations and research.

Introduction

IP is the security given to inventors or creators of intellectual products with moral and marketable value. The objectives of IP law are to provide incentives to create and serve the interests of the public by promoting economic growth. Some examples of IP are: Literary works, artistic works, scientific works, broadcasts, phonograms, performances of performing artists, scientific discoveries, inventions in any field of human endeavor, trademarks, service marks, commercial names, industrial designs, protection against unfair competition, other products of intellectual activity in artistic, literary, scientific, and industrial fields.

Objectives of IP Law

IP rights are important to the success of a business or brand. There are laws that protect owners of IP, mostly in the form of patents, copyrights, and trademarks. However, destruction of the terms of these protections

can lead to dishonesty and unfair competition. It is not good for commercial success and can be inhibit the production of new ideas and content. Generally, the objectives of IP law include:

- IP rights give creators of IP a financial incentive.
- IP law can enable economic growth by giving statutory expression to the creator's economic.
- Protect and enforce IP rights covering new and upcoming technologies and new transmission and distribution methods.
- Eliminate or prevent discrimination in matters that affect the availability, scope, acquisition, use, maintenance, and enforcement of IP rights.
- Enable U.S. citizens who need IP protection to gain fair and equitable market access opportunities.
- Play an active role in developing the IP regime of the World Trade Organization