

preface

The book titled "Demystifying Intellectual Property Rights" will be useful for beginners & professionals as it tries to remove the misconceptions relating to Intellectual Property Rights (commonly known as IPRs). The book covers in general the various important aspects of Intellectual Property Rights, which are currently in force in India, namely—Patents, Designs, Trade Marks, Copyrights & Geographical Indications.

The subject of IPR, especially Patents is a highly complicated subject and has assumed a great importance in the country in recent times, due to the establishment of the World Trade Organization (WTO) along with bringing into force of the TRIPS Agreement (Trade Related Aspects of Intellectual Property Rights). This is because the TRIPS Agreement makes the WTO member countries, including India, bring their legislations relating to IPR at par with the international standards.

Accordingly, India has not only modified its various legislations relating to Patents, Designs, Trade Marks, Copyrights but has also brought into force a new legislation relating to registration of Geographical Indications. It is very well known that the subject, Patents, is not only one of the important component of IPR but is also a specialised and complicated one, as it involves both scientific & legal issues. Similarly, the other component of IPR mentioned above, is also complicated, though to a small extent as compared to patents.

In India, the knowledge about the subject of IPR amongst the various cross-sections of the people is very limited. As a result, people very often get confused and misunderstand the various issues concerning IPR.

Consequently, the value and the importance of the IPR system is not adequately appreciated. This has resulted in an inadequate protection of the intellectual property generated which is commercially or otherwise important, under appropriate IPR legislations.

This book has been prepared based on my long experience as the former Controller of Patents, Patent Office, Government of India, (for 22 years), as former Head of the Intellectual Property Management Division, CSIR, the largest public sector R & D institution in the world (for 13 years) and as an IPR Consultant (for 11 years).

The book covers not only the basic aspects of all the components of IPR but also provides guidelines for drafting the techno-legal patent documents, namely, the Patent Specification. It also includes questions and their answers to the Qualifying Examination for registering as patent agents held by the Controller of Patents, during the last few years. The format of various agreements relating to IPR have also been included in the book. The book intends to remove the misconceptions about IPR, which currently prevail in the minds of the Indian public. With the above intention, the presentation of the book has been structured in the form of Frequently Asked Questions (FAQ). Such a unique presentation, it is hoped, would help those who desire to utilise the IPR system by understanding the complicated subject clearly and easily, which is otherwise very difficult to grasp, and consequently would appreciate the importance and value of the system adequately.

It is the earnest hope of the author that the above objectives will be achieved to a certain extent, if not completely, by the book.

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