



Standing Committee Report Summary

The Protection and Utilisation of Public Funded Intellectual Property Bill, 2008

- The Standing Committee on Science and Technology, Environment and Forests (Chairperson: Dr T. Subbarami Reddy) tabled its 211th Report on ‘The Protection and Utilisation of Public Funded Intellectual Property Bill, 2008’ on August 2, 2010. The Bill was introduced in the Rajya Sabha on December 15, 2008.
- The Statement of Objects and Reasons of the Bill states that the resources generated out of intellectual property will prompt self-reliance among universities and minimise dependence on public funds. The Committee states that it is an unfounded assertion. Also, the government cannot absolve itself of the responsibility of providing adequate funds. Therefore, it recommended that this para be amended.
- The Committee suggested that a separate Bill on Research and Development be introduced which could encourage research on matters of interest to the common man such as malaria, cholera, tuberculosis, diabetes etc.
- The Committee is of the view that the Bill needs to maintain a balance between the social sector and market driven model. Therefore, it proposed that a uniform policy on licencing cannot be adopted. It has to be decided on a case by case basis. For example, drugs for malaria or tuberculosis should be given non-exclusive licencing. However, revenue maximisation by allowing exclusive licencing can be allowed for drugs which are not used much in India. There should be a provision for reviewing the operation of license at regular intervals. Also, the government should have the power to revoke a licence to ensure societal benefit in extreme cases.
- The penal provisions, recommended the Committee, should be more moderate so that it does not deter genuine researchers and scientists.
- The Committee suggested that there should be more transparency in public funded intellectual property.

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