

**Dr. Abhishek Sir**  
Class will Start Shortly



IPA, 1970 (as amended till 2005) balances

✓ (1) adherence to global norms (obligations / standards) and (2) protecting the interests of the society. Explain with examples.

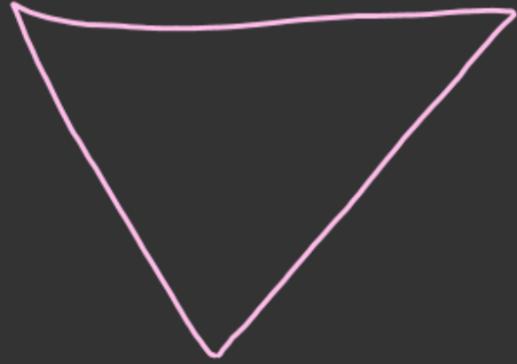
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6 ✓ (1) IPA, 1970 (2)  
| (2) Amd. upto 2005 (4)

8 → (3) Adherence to global std. (c eg.)

8 → (4) Protecting public interest (c eg.)

(5) Concl. — 2 + 1 = 3



(1)

IPA, 1970

Amended several times, most extensively in 2005 for compliance

TRIPS provisions

↳ currently in force ✓  
patent law in India

↳ covering all permissible, ✓  
✓ industrially-relevant inventions

(2)

(1) amended several times to encourage innovation & safeguard public int.

(2) TRIPS compliance required 2 major changes in 2005

(3) (1) Product & Process patents both

(4) (2) Dur<sup>n</sup> of all patents for min. of 20 yrs.

Covers all  
aspects of  
industrially  
relevant

inventions until  
prohibited by 3 & 4.

(2) Covers  
all inventions  
at product  
level. → (1) the inventive  
process too  
(Continuation  
from original  
provisions)

(3) (significant  
departure from  
the original prov. in 1970.)  
↳ when for Pharma,  
Chemicals & Food  
only process patent  
was allowed)

(5) All categories  
for 20 yrs  
(as mandated  
by TRIPS  
• a change from  
1970 provisions)

(7) Covers GM  
microbes, plants  
& animals  
(to include the  
products of modern  
sc.)

(8) With all the above  
provisions. . . . .

# Compulsory Licensing

↳ Not enough production

↳ Unaffordable prices

eg. Nexavar

CL from Bayer to Natco,

↳ Public Emergency (2012)

( Favipiravir to Glenmark Pharma in 2020 for COVID-19 )

( Patent Evergreening )

eg. \* Novartis

Case 2013

\* J&J Bedaquiline, 2023 )

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lies known invention of earlier "ing organisms until GM wares

an existing invention

Concl.

