

# National Workshop on Strategic Intellectual Property Management for Agriculture

25-27 April 2013

Venue: Aalankrita Resorts, Hyderabad

- Plant Variety Protection
- Seeds
- Irrigation
- Farm Mechanization
- Fertilizers & Chemicals



Associate Partner



**“Sowing the seeds of IPR in Indian Agri Industry for Business Excellence”**

## Overview:

Intellectual Property Management has emerged as a major area of business competence. It has become as important as understanding innovation, technology, marketing, finance, corporate governance, industrial economics and strategy to maximize IP Assets.

Historically, systems for the protection of intellectual property were applied principally to Mechanical inventions of one kind or another, or to artistic creations. The assignment of IPRs to living things is of relatively recent origin in developed countries. Vegetatively propagated plants were first made patentable in the US only in 1930. And the protection of plant varieties (or plant breeder's rights-PBRs), a new form of intellectual property, only became widespread in the second half of the 20th Century. Thus systems for the protection of plants derive from the economic structure and circumstances of agriculture that prevailed in developed countries in this period. That such systems came into being reflected the growing interest of private breeders in protecting their intellectual property.

There are many legal complexities about definitions arising from the wording of TRIPS, such as the exact meaning of a plant variety, a "microorganism" or an essentially biological process. But it is important to note here that TRIPS does not mention whether or not genes should be patentable, whether derived from plants, humans or animals. The issue raised by TRIPS is what constitutes an invention in relation to genetic material. For instance, should genetic material identified in nature be patentable on the grounds that isolating and purifying it differentiates it from an unpatentable discovery? This is a matter for national legislation. The only specific requirement, other than for microorganisms, is that plant varieties be protected.

The use of genetic engineering and biotechnology in agriculture has attracted worldwide attention over the past decade. Gene technology appears to be an effective and highly adaptable mechanism with which to address the challenges of producing agricultural products, but appropriate intellectual property systems do not adequately exist or are not enforceable. This advanced technology appears to offer several significant advantages, including the potential to provide seed companies with a safe and efficient way to maximize the benefits from their protected products and processes. The socio-economic issues surrounding GM crops encompass the growing power of multinational corporations over traditional farming. The involvements of large multinational corporations (particularly chemical corporations) in the creation and marketing of agricultural bio-technologies, and the use of intellectual property in the form of patents, are raising new and interconnected social and ethical questions.

Strict legislation on contamination is therefore vital to protect non-GM growers against the multinational companies that develop and own the intellectual property rights in the GM crop causing the contamination. There is also a need for the recognition of an innocent bystanders defense and a farmer's privilege under patent law.

Therefore creating an effective IP Ecosystem is so much more than filing a few patents. It involves a detailed understanding of the overall Business Goals and Strategy, and the core and other intangibles owned or managed by the company. The need is to be coupled with an effective intellectual property management portfolio analysis to be competitive in this sector.

Hence with this background we propose to organize this workshop to train and sensitize various stakeholders from this sector to get an insight on the various IPR rights available for protection under International and National Legislations, how to develop strategies on Managing IP rights and make them aware of the benefits and challenges of IPR in CBD, GM crops and TK and Medicine.

The workshop will not just help participants with legal protection aspects in the agri- sector but also make them understand the intricacies of IP Management in a broader sense for Business Excellence.

## The Need:

When Intellectual property is discussed, people generally think of filing patents, registering trademarks and designs. But an enterprise's value is contained in its wider intangible assets. This includes so-called 'know-how' as well as branding, skills, policies and processes. Ideas and inventions may be fundamental to the company but the wider intellectual capital often drives growth, profitability and access to markets. Written materials, customer contact lists and bespoke materials can all form part of your intangible assets vital for success in today's globalised world.

As its ongoing initiative to create a 'Strong IP Ecosystem', APTDC is working on several capacity building programs for the Indian Industry and academia to attain global leadership by harnessing and leveraging IP. APTDC is organizing this workshop with the theme "Strategic IP Management for Agriculture" for the benefit of Indian Industry and Academia.

Over the years APTDC has conducted many IP Management programmes for Indian Industry, R&D and Academia but this is the first of its kind to have a sector specific three day Intensive IP Management workshop on Strategic IP Management by IP experts from India and Abroad.





## Objectives:

The three day workshop on Strategic IP Management for the Agriculture Industry will provide a platform to create and foster seeds of innovation culture in PVP, Fertilizers, and Seed, Irrigation Farm Mechanization Industry sectors and discuss on various IP Management strategies & tools used for business excellence and sustainable development.

The workshop will help in gaining an insight into best practices in Managing IP assets in an organization.

The objectives of the workshop will be to:

- Train the participants on the strategies of Intellectual property rights protection and IP Management to gain competitive advantage.
- Understand the role to IP Management in any industry's structure to gain vertical power along the value chain.
- Learn about what options does IP Management offer vis-à-vis competitors.
- Sensitize them on the benefits and concerns of IP rights in relation to GM Crops, CBDTK and Traditional Medicine.
- Learn basic skills of Drafting and Negotiation of Licensing Agreements
- Chalk out a road map for a holistic Intellectual property strategy and Management for the organization.
- Generate a strategy for integrating IP Management in R&D, design, manufacturing, and marketing for these sectors.

## Program: Day Wise:

### Day 1: • Role of IPRs in Agricultural Value Chain- Introduction

- Recent trends on IP Management in Agriculture- A Global Perspective
- Special Sessions on PPVFRA and Biodiversity
- Structuring an IP Regime to provide synergy between private and public sector research – Challenges in setting partnerships among Industry and Public Sector

### Day-2 • Innovation Vs IP: Interface between Patents and PVP in a Company: How to strategise your research to get the best results and benefits?

- IP Protection for Agri Sector-Worldwide- How to go in for a water tight protection for better market penetration and outreach? Do's and Don'ts
- Evaluation and Commercialization of IP Assets- A Case study from Agri Sector
- Session on IP Licensing & Litigation

### Day-3 • Intersection between IPR and Regulatory Processes: Challenges and Way Forward

- Wrap up session and Review

## Invited Speakers / Faculty for the Workshop:

**Dr. S K Datta**, Chairperson, PPVFRA Ministry of Agriculture, Government of India

**Dr. Balakrishna Pisupati**, Chairman, National Biodiversity Authority, Ministry of Environment and Forest, Government of India

**Dr. S Mauria**, ADG - IPR, ICAR

**Dr. R Kalpana Sastry**, Head - RSM, NAARM

**Ms. Kalpana Reddy**, First Secretary for IP, USPTO, US Embassy, New Delhi

**Dr. Ramkaundinya**, MD - Advanta Seeds

**Dr. A R Sadananda**, Global Technical Head, Vibha Seeds

**Dr. Sateesh Kumar**, Director Research, NSL Seeds

**Ms. Sunita K Sreedharan**, Head - SKS Law Associates

**Ms. Amrita Chatterjee**, Legal Counsel from Monsanto India

**Ms. Madhavi Char**, Head-Legal, MAHYCO

**Mr. Rajvir Rathi**, GM, Seeds-Market Acceptance, SE ASIA, Bayer CropScience

## Target Audience:

The workshop is mainly designed for mid to senior level executives, entrepreneurs, members CEOs, presidents, Vice presidents, managers/executives in functional areas such as marketing, brand management, research and development, design, finance, legal and IP department; heads of human resources and operations in large firms and SMEs, directors of Plant Variety Protection, Seed Industry, Farm Mechanization and Fertilizers who seek to integrate IP strategy into Business Management for Excellence

**Maximum Participants:** 50

**Venue:** Aalankrita Resorts, Hyderabad [ One hour journey from Rajiv Gandhi International Air Port]

## Opportunities:

- The workshop will help to develop strategies and plans which would facilitate the importance of efficient IP management with active involvement of all stakeholders in Agri Industry.
- The workshop will provide a forum for exchange of case studies and examples giving way to better solutions for Managing IP assets for Business competitiveness.
- The workshop will help to chalk out a road map for an organizational design that accommodates an Intellectual property strategy most effectively.
- The workshop will give an opportunity to learn about the most recent developments in the International IP arena that will impact the development for this sector.

## Overseas Expert



Charles Lawson B Sc (Hons) (ANU), LLB (ANU), LLM (QUT), PhD (ANU) is an Associate Professor in the Griffith Law School, Griffith University and a member of the Australian Centre for Intellectual Property in Agriculture. He researches aspects of intellectual property, competition, trade, and access, public and administrative law, and technological law. Recent notable publications include Regulating Genetic Resources: Access and Benefit-sharing in International Law (Edward Elgar, 2012).



## About APTDC

www.aptdc.com

Andhra Pradesh Technology Development & Promotion Centre (APTDC) has been established under the joint participation of Govt. of Andhra Pradesh, Confederation of Indian Industry (CII) and Technology Information, Forecasting & Assessment Council (TIFAC - an autonomous society under the Department of Science & Technology, Govt. of India) as a one-stop shop for Technology Development & Promotion, Technology Up gradation and Induction of New Technologies as a unique model in the country.

APTDC is incorporated as a Society. An apex Governing Council, Chaired by the Secretary of the Department of Science & Technology, Govt. of India and consisting of members from Govt. of India, Govt. of AP, TIFAC, and CII guide, monitor and control the operations of the centre and lay down policy guidelines and resolve policy issues.

APTDC provides networked institutional assistance to industry and institutions in technical problem-solving, clean technology promotion, technology audit and Intellectual Property Rights Services. APTDC provides user-friendly environment, linking support and guidance from global experts and Government in upgrading the industrial growth.

APTDC, operating with a core group of young and experienced technical professionals supported by CII and DST/TIFAC and networked with more than 100 expert agencies/institutes/freelance experts for providing technology services to industry and entrepreneurs.

### APTDC is currently working on a number of innovative projects as follows:

- Technology Projects
- Municipal Solid Waste Technologies: Concept to Commissioning
- Value added Bamboo Products
- Technology Up-gradation for Granite Sector
- Intellectual Property Rights Facilitation Services
- Intellectual Property Audit tool for SMEs
- TREMAP – Technology Refinement and Market Access Programme

## About CII

www.cii.in

The Confederation of Indian Industry (CII) works to create and sustain an environment conducive to the growth of industry in India, partnering industry and government alike through advisory and consultative processes.

CII is a non-government, not-for-profit, industry led and industry managed organisation, playing a proactive role in India's development process. Founded over 117 years ago, it is India's premier business association, with a direct membership of over 7100 organizations

from the private as well as public sectors, including SMEs and MNCs, and an indirect membership of over 90,000 companies from around 250 national and regional sectoral associations.

CII catalyses change by working closely with government on policy issues, enhancing efficiency, competitiveness and expanding business opportunities for industry through a range of specialized services and global linkages. It also provides a platform for sectoral consensus building and networking. Major emphasis is laid on projecting a positive image of business, assisting industry to identify and execute corporate citizenship programmes. Partnerships with over 120 NGOs across the country carry forward our initiatives in integrated and inclusive development, which include health, education, livelihood, diversity management, skill development and water, to name a few.

The CII Theme for 2012-13, 'Reviving Economic Growth: Reforms and Governance,' accords top priority to restoring the growth trajectory of the nation, while building Global Competitiveness, Inclusivity and Sustainability. Towards this, CII advocacy will focus on structural reforms, both at the Centre and in the States, and effective governance, while taking efforts and initiatives in Affirmative Action, Skill Development, and International Engagement to the next level.

With 63 offices including 10 centres of Excellence in India, and 7 overseas offices in Australia, China, France, Singapore, South Africa, UK, and USA, as well as institutional partnerships with 223 counterpart organizations in 90 countries, CII serves as a reference point for Indian industry and the international business community.

For more details on the workshop please contact:

Director & Head

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Confederation of Indian Industry

