

**GOVERNMENT OF INDIA  
COMMERCE AND INDUSTRY  
LOK SABHA**

UNSTARRED QUESTION NO:719  
ANSWERED ON:05.12.2003  
WATCH LIST OF INTELLECTUAL PROPERTY  
PAWAN KUMAR BANSAL

**Will the Minister of COMMERCE AND INDUSTRY be pleased to state:**

- (a) Whether USA has included India on their priority Watch-List in a special report on intellectual property;
- (b) if so, the reasons thereof and consequences for India; and
- (c) the response of the Indian Government thereto?

**Answer**

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY( SHRI S. B. MOOKHERJEE )

(a) Under the provisions of the US Trade Act of 1974 (19 U.S.C.2242) popularly known as 'Special 301', the Office of the United States Trade Representative (USTR) is required to identify countries that deny adequate and effective protection of intellectual property rights or deny fair and equitable market access to the United States. The USTR accordingly determines whether a country should be placed under 'Priority Foreign Country' (PFC) or 'Priority Watch List' (PWL) or 'Watch List (WL)'. As per the Annual Special 301 Report for 2003 released by the USTR, India has been retained in the Priority Watch List (PWL) along with 10 other countries, which are Argentina, Bahamas, Brazil, the European, Union, Indonesia, Lebanon, the Philippines, Poland, russia and Taiwan. India has been included in the PWL since 1995.

(b) and (c) The USTR is obliged under the US Trade Act to initiate action against only such countries as are listed under 'Priority Foreign Country' and that too after holding consultations with the Government of the concerned countries. As such, no immediate serious implications of the Annual Special 301 Report for the year 2003 are perceived to the Indian industry.