

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

UNSTARRED QUESTION NO:1453  
ANSWERED ON:03.03.2000  
TRIPS AGREEMENT  
MOINUL HASSAN AHAMED

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

- (a) Whether the Trade Related Aspects of Intellectual Property Rights (TRIPS) agreement reached with WTO member countries is under review at present ;
- (b) Whether some developing countries called for a further five year delay in the implementation period of the TRIPS agreement; and
- (c) if so, the reaction of the Indian Government thereto?

**Answer**

MINISTER OF COMMERCE & INDUSTRY (SHRI MURASOLI MARAN)

(a) to (c) Some provisions of the Trade Related Aspects of Intellectual Property Rights (TRIPS) Agreement have provided for mandated reviews. Article 27.3 (b) provides for review of the present provisions relating to exclusion from patentability of life forms other than microorganisms and biological processes other than non-biological and microbiological processes. Article 23.4 provides for establishment of a multilateral system of notification and registration of geographical indications for wines. Article 24.2 provides for review of the application of the provisions relating to Geographical Indications. Article 64.3 requires an examination of the scope and modalities of non-violation complaints made pursuant to the TRIPS Agreement including the possibility of extending the period of their non-application to the TRIPS Agreement. Finally, Article 71 provides for a review of the implementation of the TRIPS Agreement. Some proposals were made by the Members of WTO on various issues related to the said reviews in the Third Ministerial Conference of WTO held at Seattle during November 30- December 3, 1999. However, no decisions were taken at the Conference. Some developing countries, particularly African developing countries, had demanded an extension in the implementation period of the TRIPS Agreement for developing countries. Though India has not made any such specific proposal, India is part of the like minded group of developing countries who had made proposals on implementation issues, which included the proposal for further extension of time for implementation of obligations under TRIPS by the developing countries.