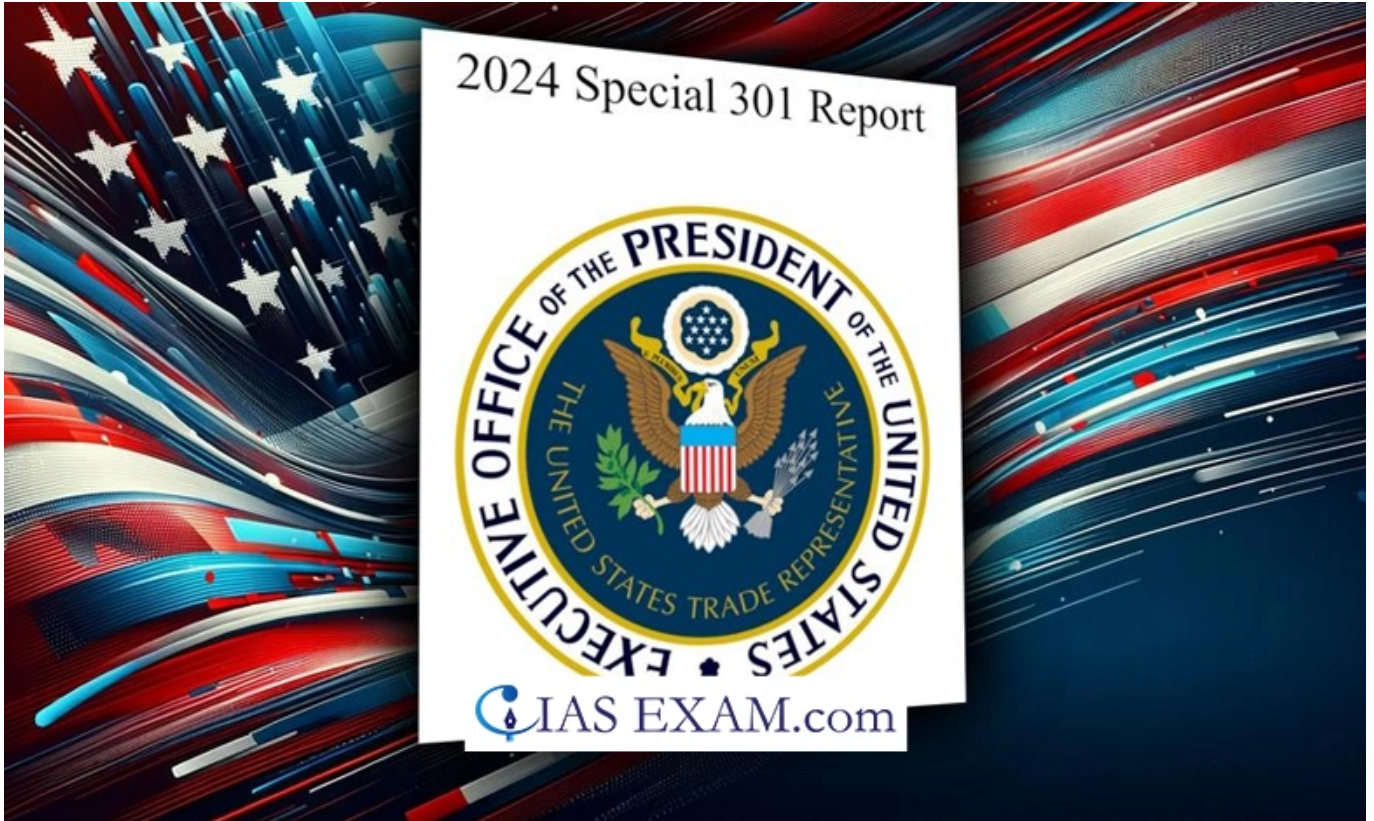


Special 301 Report 2024

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Context

The United States Trade Representative (USTR) placed India in the 'priority watch list' of countries on its Special 301 Report 2024.

Key Highlights

- The "Special 301" Report is an annual overview of the global country of IP protection and enforcement.
- The Report identifies a wide range of concerns that restricts innovation and investment, which includes:
 - The deterioration in the effectiveness of IP protection and enforcement,
 - Reported inadequacies in trade secret protection in nations round the sector,
 - Market access to limitations, along with non-transparent, discriminatory or in any other case trade-restrictive measures
 - Ongoing, systemic IPR enforcement Issues at borders and in many trading accomplice markets around the world.
 - The persevering with challenges of copyright piracy and the sale of counterfeit trademarked products on the Internet.

Key highlights of the report

- Indonesia, Chile, and Argentina also function in the 'precedence watch list' of 7

countries.

- 20 trading companions are at the 'watch listing', which include countries that the US believes advantage bilateral interest to deal with underlying IP issues however are more than the 'precedence watch list' countries.
- USTR eliminated the Dominican Republic from the Watch List this year.

Concerns raised by the report

- According to the USTR office, severe problems exist in the country like Inadequate IP enforcement, inclusive of excessive rates of on-line piracy, an in depth trademark opposition backlog, and inadequate prison method to guard trade secrets and methods.
- India still needs to completely put into effect the WIPO Internet Treaties and make sure that copyright statutory licenses do not make interactive transmissions bigger.
- The threat of patent revocations and the procedural and discretionary invocation of patentability standards underneath the Indian Patents Act effect groups across specific sectors is also troubling for the countries.

India's initiative in safeguarding IPR

- National IPR Policy 2016 encompassing all IPRs right into a single imaginative and prescient file setting in place an institutional mechanism for implementation, tracking and review of IP legal guidelines.
- The insurance encourages innovation and creativity by providing more potent protection and incentives for inventors, artists, and creators.
- **Cell for IPR Promotion and Management (CIPAM):** It has been set up to coordinate the implementation of the National IPR Policy.
- **National Intellectual Property Awareness Mission (NIPAM)**, a flagship software to impart IP attention and basic education in academic institutes.
- **Scheme for Facilitating Startups Intellectual Property Protection (SIPP):** It is introduced to foster innovation and entrepreneurship by providing a supportive ecosystem for startups to protect and manage their IP assets.

Concluding Remarks

- While there has been progress under USA-India Trade Policy Forum in addressing certain issues with trademark infringement investigations and pre-grant opposition proceedings, numerous long-standing concerns remain.
- India has usually maintained that its intellectual property laws have been in strict adherence to the WTO's **Trade Related Intellectual Property Rights (TRIPS)** Agreement and that it turned into now not sure through any international law to make adjustments in its legal guidelines.
- No movement is threatened by the country against countries at the 'precedence watch list', however if a country slips in addition and is classified as a 'priority country', the country might also impose 'retaliatory' measures.

Source: The Business Standard

UPSC Mains Practice Question

Q. In a globalized world, Intellectual Property Rights assume significance and are a source of litigation. Broadly distinguish between the terms—Copyrights, Patents and Trade Secrets. (2014)