

## **National IPR policy & strict enforcement of laws will protect IP rights: Paswan**

**NEW DELHI, 15 January 2016: Mr. Ram Vilas Paswan, Union Minister of Consumer Affairs, Food and Public Distribution,** said here today that the national IPR policy which is in the offing would give the much-needed push to the pursuit of economic growth and fulfillment of the country's socio-cultural developmental agenda.

Inaugurating *the International Conference on Illicit Trade – Threat to National Security and Economy* organized by **FICCI's Committee Against Smuggling & Counterfeiting Activities Destroying Economy (FICCI CASCADE)**, Mr. Paswan said, "India's role as a global economic powerhouse is increasingly linked to its ability to ensure that intellectual property rights are protected with strong IPR rules, and strong enforcement of the laws and regulations. As India continues to take its place as a major economic power globally, its views on IP rights and enforcement domestically will become increasingly important to its international trading partners and to prospective business investors."

The conference was organized to facilitate a dialogue between the stakeholders on the alarming magnitude of unfair trade practices such as counterfeiting and smuggling and spread awareness about its adverse socio-economic impact.

Mr. Paswan said that the Ministry of Consumer Affairs has taken several steps in the interest of consumers and its protection against exploitation. The consumers have to be aware, not only of the commercial aspects of sale and purchase of goods, but also of the health and security aspects. "We have, over the years, initiated several mechanisms to ensure consumer safety and check unfair trade practices. We must empower consumers to seek discontinuance of certain unfair trade practices, defects or deficiencies in services, and to stop services or withdraw hazardous goods from the market," he said.

He said that given the key role of technology, invention and innovation in India's current economic development, the value of 'India made' intellectual property is increasing. However, counterfeits and fakes are posing to be a key threat to India's growth strategy.

**Mr. Najib Shah, Chairman, Central Board of Excise and Customs (CBEC),** in his observations, pointed out that there was an urgent need for a structured dialogue between businesses and enforcement agencies to counter the menace of illicit trade. He said that there was a lack of enthusiasm amongst businesses in registering the IP right, a step that was essential in enabling the authorities to check malpractices by IPR violators.

Mr. Shah said amongst the counterfeit products that have pervaded the Indian market, the most rampant were tobacco, FMCG and auto parts.

He said that in recent time, e-commerce has emerged as a major channel for illicit trade. With this in view, he said that the CBEC was organizing a conference on February 2, 2016 to discuss, among other measures, the need for a voluntary code of practices by e-tailers.

**Mr. Anil Rajput, Chairman FICCI CASCADE,** stated that Government's ambitious campaigns such as 'Make in India' and 'Digital India' could be used to aggressively spread consumer awareness on the importance of promoting the manufacture and sale of genuine products in the country and about cyber-crimes, misuse of e-commerce by

unscrupulous elements. However, the focus has to be equally on the legal and policy measures that need to be incorporated.

Mr. Rajput drew attention to the long established link between illicit trade and terrorism. He said that for some time now, the activities of the terror group Islamic state have been making headlines on all the major news channels. It has now been clearly established that the major sources of their funding is the illicit trade in oil, antiquities, cigarettes and a host of other products that the terror group so skillfully manages. Some of the extremists involved in the recent Paris attacks by ISIS are known to have been involved in the cigarette trade in the city's huge open-air markets. It is taking the might of the most powerful nations to bring the situation under control.

He said the need of the hour was a stern and resolute counterstrike force. "This has many elements starting with greater vigil at the borders and since we are talking about illicit trade being a worldwide phenomenon, bilateral and multilateral engagements between nations will ensure greater difficulty if not immobility of illicit products from one nation to another," he added.

The second stage is strengthening the enforcement agencies and working towards the removal of ambiguities in the law related to illicit products. Punitive action coupled with the right policy framework that disincentivizes this entire activity could go a long way in dissuading smugglers and their likes from making repeated attempts. The third stage is the one where the consumers are made aware of the detrimental impact of illicit products. Consumer awareness campaigns that explain how to differentiate a fake from a genuine product to demanding a copy of the bill from the seller along with the harmful consequences of buying illegal products vis-a-vis a genuine one need to explicitly conveyed.

On the occasion, FICCI CASCADE released a joint publication with Grant Thornton on 'Emerging Challenges to Legitimate Business in the Borderless World'.

**Dr. A Didar Singh, Secretary General, FICCI**, in his welcome address said that the need of the hour today was tangible actions to strengthen laws and increase enforcement against illicit trade practices if industry has to grow and thrive. What is needed is an orchestrated strategy with participation from policy makers, industry, civil society and organizations, to work together and comprehensively address this complex challenge.

The international conference highlighted and deliberated on issues such as Countering illicit market operations – synergies to secure our future; Challenges in the E-commerce Market Place; Border Protection: International Cooperation in Enforcement; and Understanding the value of legal trade practices – Building global competitiveness through Buy 'Make in India'. The deliberations explored the socio economic consequences of illicit trade and the policies needed to deter this activity. The discussions contributed to an integrated vision of national security and public safety, providing an interdisciplinary dialogue which will attract industry regulators, customs authorities, law enforcement, major producers of consumer goods, consumer associations and NGOs. With an underlying objective to deepen understanding of illicit trading activities such counterfeiting and smuggling, effective strategies to dismantle illegal business practices by the public and private sectors were sought.

The conference saw a host of notable international speakers from World Intellectual Property Organization, (WIPO), U.S Patent and Trademark Office (USPTO), Japan External Trade Organization (JETRO), Delegation of the European Union to India, Beiersdorf, Sweetyet Development Ltd, Department of Homeland Security-Homeland Security

Investigations, USA etc. It was also addressed by notable senior government officials such as Mr. Rajiv Aggarwal, Joint Secretary, Department of Industrial Policy & Promotion, Ministry of Commerce and Industry, Government of India; Mr. Aramane Sai Manohar, IPS, DIG, International Police Cooperation, Central Bureau of Investigation (CBI), India; Dr. A P Maheshwari, IPS, ADG Logistics, Border Security Force (BSF) and Mr. Mangesh Kashyap, IPS, Deputy Commissioner, Economic Offences Wing (EOW), Delhi Police.

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