
GOVERNMENT'S QUEST FOR IP AWARENESS THROUGH SCHEMES & POLICY INTERVENTIONS

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ABSTRACT

Intellectual Property Rights (IPRs) are fundamental instruments in a nation's journey toward innovation-led development. In a diverse country like India, where creativity is surrounded in the practices of farmers, artisans, and other grassroots innovators, it becomes imperative to ensure that the benefits and knowledge of IP laws reach the broader population and not just the educated or urban elite. In today's innovation-driven economy, the rising significance of Intellectual Property (IP) in the global knowledge has necessitated robust governmental intervention to foster awareness, accessibility, and effective utilization of IP rights.

In India, the government has progressively acknowledged the vital role of IP in creating innovation, entrepreneurship, and economic development. The cornerstone of India's IP framework, the National IPR Policy 2016, India consolidated its commitment to fostering a "Creative & Innovative India." Furthermore, flagship programs such as "Cell for IPR Promotion and Management (CIPAM)", "Startup India", and "Make in India" have integrated IP components to ensure that creators, startups, MSMEs, and educational institutions are sensitized and empowered to register and enforce their rights.

In alignment with international standards such as the TRIPS Agreement under the WTO, India has modernized its statutory IP regime to improve accessibility, efficiency, and transparency. The government's collaborative efforts with the World Intellectual Property Organization (WIPO), industry bodies, and academic institutions underscore its commitment to creating an inclusive IP ecosystem.

Simplified procedures, fee concessions for start-ups and educational institutions, online filing systems, and expedited examinations have further democratized access to the IP system. Awareness campaigns, capacity-building initiatives, IP literacy programs in schools and colleges, and training for enforcement agencies have played a pivotal role in bridging the knowledge gap across stakeholders.

Through this article the author attempts to highlight the initiatives taken up by the Government of India and certainly by the Intellectual Property Office of India to enhance the availability of IP to the society. Through their various collaborative and individual efforts which undeniably have proven to be a success, these policies have helped in educating the people about various dimensions of the Intellectual Property Laws.

The article is ultimately going to talk about the threshold of effectiveness of these governmental schemes and policy interventions in fostering a culture of innovation and respect for intellectual property in India. It explores how these initiatives contribute to national development, economic growth, and global competitiveness.

Keywords: Intellectual Property Rights, Indian IP Laws, IP Regime, IP Consciousness, Intellectual Creations, IP Literacy.

INTRODUCTION

Intellectual Property Rights (IPRs) have played a determinative role in honoring innovations, protecting creators, and fostering economic development. As India integrates further into the global trade and innovation ecosystem, the want of a firm and inclusive IP regime has become ever more pronounced. The Government of India, has progressively reoriented its legislative and policy frameworks to enhance public awareness and encourage the enforcement, registration, and commercialization of Intellectual Property(IP), knowing the transformative potential of intellectual creations in the dynamic Indian society.

In a society where economic competitiveness is increasingly linked to intangible assets and digital innovation, IP literacy is no longer a forecast, but a necessity. The Government's multifaceted pursuit for IP awareness represents a convergence of legislative reform, institutional support, and educational outreach through various schemes have all geared up towards democratizing access to the IP regime.

These supportive efforts endeavor to bridge the gap between the coded legal entitlements and their real-world utility, ensuring that every creator and innovator is not only aware of their legal rights but is also able to enforce and monetize them. By focusing not merely on the codification and modernization of statutory IP laws but also their revelation among the public at large. The central role of government policies gives a shape to a dynamic, inclusive, and innovation-friendly IP environment in India.

For the new generation in India, aspirations go beyond protection—they are about empowerment. The youth want to not just invent but to innovate with impact. This means creating such an IP-Model for the society that addresses real-world problems, whether in healthcare, education, agriculture, or sustainability.

An IP ecosystem that is accessible, equitable, efficient, and forward-looking. One that protects and promotes creativity in all its forms while fostering a spirit of open collaboration. Whether it is through patenting a new biotech invention, copyrighting a film, registering a GI for a regional product, or creating open-source software, the new generation must see IPR not as a hurdle but as a powerful ally in their journey of innovation and impact.

Through this article, the author wants to underscore the pivotal role played by the Government of India in fostering a culture of Intellectual Property awareness through a confluence of strategic policies, legal reforms, and targeted schemes.

By analyzing various legislative instruments, national policies, and institutional mechanisms such as the National IPR Policy, NIPAM initiatives, and schemes like Scheme for Facilitating Start-ups Intellectual Property Protection (SIPP) and IPR Chairs and Technology Innovation Support Centers (TISCs), to name a few¹, the article seeks to highlight the State's commitment to enabling access to the IP regime and empowering stakeholders across sectors.

EVOLUTION OF IP LAWS IN INDIA

The British Empire during the 18th & 19th centuries went through a huge upsurge, and India, undoubtedly being one of its most prized colonies, became a central hub for its commercial and industrial activities. With increasing trade and the introduction of industrial goods, the British administration focused on facilitating the trade and promoting control over innovation and creativity through formal legal mechanisms.

Certainly, the need to protect the innovations, trademarks, and literary works of British nationals in India became a vital area of concern for the British Authorities. They, thereby introduced such provisions of British IP Laws in India which would ease the facilitation of

¹ PIB Delhi, 1,300 programs to foster deeper understanding of Intellectual Property Rights(17 DEC 2024 5:59PM) <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2085346>

trade in industrial as well as commercial goods in India and as a result of which, the British economy could witness an overall growth.

This led to the gradual introduction of laws related to patents, trademarks, and copyrights in India and which were mostly based on the British IP laws. The nature, framework, and most importantly the mode of application of these laws were mirrored to the British IP laws in-force at that time. Some of the key pre-independence laws included:

- Early patent and design Acts (based on UK law),
- The Indian Copyright Acts of 1847, 1911 and 1914, and
- Trademark statutes imported from Britain.

A. COLONIAL IP LAWS

The colonial IP Laws were²:

Patents and Designs

The first Indian patent law was Act VI of 1856, based on the UK Patent Law of 1852, granting 14-year “exclusive privileges” to inventors. This was repealed and superseded in 1859 by Act XV of 1859, which refined eligibility and novelty rules. In 1872, the Patterns and Designs Protection Act introduced design protection. Finally, the Indian Patents and Designs Act, 1911 replaced all prior patent/design statutes. This 1911 Act for the first time placed patent administration under the Controller of Patents and allowed priority claims with Britain and other countries.

Copyright

Copyright in India was similarly introduced by British statutes. The Indian Copyright Act, 1847 (under the East India Company) was the first law to enforce UK copyright rules in India. This was superseded by the Copyright Act 1911, an Imperial statute extended to all British

² Dr. Pravat Ranjan Sethi, STEALING IDEAS: HOW COLONIALISM SHAPED MODERN INTELLECTUAL PROPERTY LAWS OF INDIA (2025)
https://cusb.ac.in/images/dept/law/Journal_vol_1/Dr.%20Pravat%20Ranjan%20Sethi_Stealing%20Ideas%20How%20Colonialism%20Shaped%20Modern%20Intellectual%20Property%20Laws%20of%20India.pdf

colonies (including India). In 1914, India's own Copyright Act, 1914 was enacted, remaining in force through the colonial era.

Trademarks

Trademark protection began as common-law "passing off" and under penal provisions. In 1889 the British Merchandise Marks Act criminalized fraudulent marks on goods. In 1940 the Trade Marks Act, 1940 was enacted by the colonial government. It set up India's own Register of Trade Marks and procedures for registration, opposition, renewal, and enforcement. These laws applied only to goods, not services, at the time.

B. POST-INDEPENDENCE DEVELOPMENTS

When India gained independence in 1947, the country inherited British colonial laws. These laws were designed to serve the commercial and administrative interests of the British Empire and were ill-suited³ for promoting Indian innovation or protecting indigenous knowledge. Talking at specific of the IP field, these laws lacked robust mechanisms for local innovation, IP enforcement, or clear registration procedures for Indian stakeholders. Therefore, these British IP Laws had to undergo through numerous amendments and improvements and some of them were also nullified, one of the reasons being that they were not the IP Laws made by/in India and also for the obvious want of time.

The first few decades after independence focused on aligning IP laws with national goals like self-reliance, industrial development, and public interest, especially in health and agriculture. Therefore, the Indian government sought to bring about an advancement in some trade-centric laws and one such major subject was the Intellectual Property Laws and as a result, new IP Laws were formed to settle-up the then needs of the country.

Replacing the outdated/erroneous versions of the British IP Laws, these modern laws were introduced which gave effect to the modern-day needs of the intellectual creations of Indian Nationals. The Patents Act 1970, The Copyright Act 1957, The Trade Marks Act 1999, The Designs Act 2000, were some of the major post-independence IP Laws.

³ Michael Birnhack, A Post-Colonial Framework for Researching Intellectual Property History, May 2021 <https://doi.org/10.1093/oso/9780198826743.003.0017>

More enhanced and elaborated reforms accelerated after economic liberalization in 1991, driven by India's WTO/TRIPS obligations. The TRIPS Agreement, under the WTO, was pivotal in harmonizing India's IP Laws with global standards. It compelled India to strengthen protection for patents, copyrights, trademarks, and other IP forms.

These updated versions of formally regulated Indian IP Laws proved to be efficient in their working by them being solely dedicated towards enhancement of intellectual creations by Indian nationals from grassroot levels till safeguarding these intellectual assets in the hold of such individuals. Today's regime reflects both this history and alignment with global IP standards.

GOVERNMENT'S PART IN IP CONSCIOUSNESS

While government schemes and policies have certainly played a foundational role in fostering IP awareness, the continuity of efforts is not only limited to policy-making. Over the years, through institutional engagement, public education, community collaboration, legal support, and mass communication, the government has sought to embed IP consciousness to the grassroot levels as well. These initiatives have been instrumental in interpreting IP rights and promoting equitable access to IP protection, especially in places where legal literacy is otherwise minimal.

Historically, the Indian government began laying the foundations for IP awareness during the post-independence industrialization phase. Though the early efforts were largely centered around developing a legislative and administrative IP framework, public institutions like the Intellectual Property Office did conduct public seminars for scientists, small inventors, and industry stakeholders, many of whom were located in smaller towns. These sessions, although limited in reach, introduced the concept of ownership over inventions and creative work to communities which had no or limited access to legal discourses.

The involvement of grassroots stakeholders increased further in the 1980s and 1990s with the rise of self-help movements and cooperative-based development models. Institutions like the National Dairy Development Board (NDDB) and later the National Innovation Foundation (NIF) supported the documentation and dissemination of indigenous knowledge, particularly agricultural techniques, and rural innovations. Though these were not officially labeled as IP

initiatives at the time, they represented an early understanding that local knowledge systems deserved recognition and protection under the broader intellectual property framework.

In recent decades, the Government of India has undertaken a more direct and structured approach⁴ to raising IP awareness among rural and underserved populations. A pivotal development was the establishment of the Cell for IPR Promotion and Management (CIPAM)⁵ under the Department for Promotion of Industry and Internal Trade (DPIIT). CIPAM's mandate extended beyond policy execution and included the important task of conducting IP awareness sessions across the country.

Through its coordination, the government launched the National IP Awareness Mission (NIPAM)⁶, which set a target of sensitizing over one million individuals, particularly students and teachers, about the importance of intellectual property. Significantly, a large number of these sessions were held in tier-2 and tier-3 cities and rural schools, reaching communities that were previously unaware of how to protect their creative or technical contributions.

Media and digital outreach have played a transformative role in extending the government's IP awareness campaigns to rural areas. Using All India Radio and Door Darshan, the government broadcasted special segments in regional languages explaining the benefits of copyright, patent, and trademark protections. These radio programs often used dramatizations or real-life stories of local inventors to connect with rural listeners in a relatable way. In recent years, the government has also launched educational videos, infographics, and IP Awareness Toolkits through platforms like YouTube and MyGov.

In terms of educational interventions, the integration of IP-related content into school and college curricula has been a vital step. The NCERT, in collaboration with IP authorities, introduced modules in commerce and business studies textbooks at the secondary school level.

Several law universities and IITs, supported by the government through IP Chairs, have also conducted outreach programs in nearby villages. One such instance of educational support was from the National Law University of Delhi⁷, where its students explained the IP rights

⁴ Manisha Singh and Varun Sharma, IP awareness initiatives in India, 28 October 2021 <https://asiaiplaw.com/article/ip-awareness-initiatives-in-india>

⁵ Cell for IPR Promotion and Management (CIPAM), Intellectual Property the Future! <https://iipc.mrsptu.ac.in/images/bookletIPR.pdf>

⁶ Ip India, <https://iprsearch.ipindia.gov.in/events-ipr/home/Mission-and-Vision.aspx>

⁷ The Asian Heritage Foundation, December 2024,

to local entrepreneurs, potters, and weavers. It's outreach team worked with carpet weavers in Uttar Pradesh and Madhubani artists in Bihar to teach them how to secure copyright and protect their designs from reproduction without attribution.

Legal access and advisory support are also crucial in making IP protection a reality for grassroots communities. The government has facilitated the creation of IPR Facilitation Centers in collaboration with industry chambers like Federation of Indian Chambers of Commerce and Industry (FICCI) and Confederation of Indian Industry (CII)⁸. These centers provide free and subsidized legal support for filing IP applications, especially for first-time applicants. Moreover, legal aid cells operated by law schools and supported by the Ministry of Law and Justice offer Pro Bono Services for grassroots innovators.

Government's grassroots efforts proved to be a success significantly in the promotion and protection of Geographical Indications (GIs). By recognizing the unique characteristics of regional products, GIs serve as a powerful tool for cultural and economic empowerment. The government has worked extensively with local communities to spread awareness about GI registration, especially among traditional artisans and agricultural producers. These initiatives were coupled with workshops, exhibitions, and fairs where artisans not only showcased their products but also learned about how IP protection could improve market access and prevent exploitation by middlemen or counterfeiters.

The Government's role in creating the Traditional Knowledge Digital Library (TKDL) also proved to be an essential element in spreading the local IP knowledge. By documenting over 200,000 formulations of traditional Indian medicine in a globally searchable format, the TKDL has not only protected indigenous knowledge from bio-piracy but also validated the importance of traditional systems. It has sparked local pride and consciousness among communities about the global relevance and value of their inherited knowledge systems.

The Indian Government is not only fulfilling the circumstantial need of IPR's for the present

<https://handicrafts.nic.in/CmsUpload/18112025011157DCH%20Strategy%20Document.pdf>

⁸ Development Commissioner Micro, Small & Medium Enterprises (MSME), Building Awareness on Intellectual Property Rights (IPR) For Micro, Small and Medium Enterprises,

<https://www.dcmsme.gov.in/schemes/IPR-Guidelines-CLCS-TUS-2019-.pdf#:~:text=The%20primary%20objective%20of%20setting%20up%20of,intellectual%20property%20needs%20in%20competitive%20business%20environment.&text=for%20IPRs%20including%20evaluation%20for%20possibility%20of%20registration%20for%20patents%2C%20industrial%20designs%2C%20trademarks%2C%20etc.>

day but is also a visionary in spreading out IP consciousness for the future generations of IP stakeholders to come. It's vast portfolio of schemes and policies at the local as well as the urban levels has been dynamic and multidimensional with their approaches.

By combining community engagement, educational reform, institutional support, and mass media outreach, the government has made substantial progress in bringing IP literacy to the country's diverse and dispersed population. As India moves towards becoming a knowledge economy, such inclusive awareness-building remains central to unlocking the country's vast reservoir of innovation and tradition.

FACETS OF POLICIES AND SCHEMES

In the years following independence, India inherited a colonial intellectual property regime rooted in the British legal framework. Acts such as the Indian Patents and Designs Act of 1911 were still in place, but they were not apt to the needs of a developing, self-reliant nation. Recognizing this, the Government of India appointed the Justice N. Rajagopala Ayyangar Committee in 1957 to review the patent system⁹. The committee's recommendations led to the enactment of the Patents Act, 1970, a landmark law that replaced colonial legislation and introduced a system of process patents, particularly for pharmaceuticals.

In the 1990s, with economic liberalization and India's accord to the World Trade Organization in 1995, the country became a signatory to the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS). This global commitment necessitated fixing the IPR framework. The Indian government amended its patent law in 1999, 2002, and 2005 to make it TRIPS-compliant. The 2005 amendment reintroduced product patents¹⁰ for pharmaceuticals and chemicals. Though met with concern over its potential impact on public access to medicine, the government-maintained safeguards such as Section 3(d), which restricted frivolous patenting.

However, a major paradigm shift came with the adoption of the National IPR Policy in 2016¹¹. For the first time, the Government of India presented a unified and holistic vision for

⁹ An International Guide to Patent Case Management for Judges, WIPO, <https://www.wipo.int/patent-judicialguide/en/full-guide/india/6.1.2>

¹⁰ Shamnad Basheer, India's Tryst With Trips: The Patents (Amendment) Act, 2005, <https://repository.nls.ac.in/cgi/viewcontent.cgi?article=1033&context=ijlt>

¹¹ Ip India, https://www.ipindia.gov.in/writereaddata/Portal/Images/pdf/2016-National_IPR_Policy2016__English_and_Hindi.pdf

intellectual property protection. This policy laid the foundation for strengthening IPR administration, promoting awareness, and supporting commercialization. One of the key administrative actions under this policy was the establishment of the Cell for IPR Promotion and Management (CIPAM). CIPAM coordinated with schools, universities, law enforcement, and industries to propagate IPR knowledge. In collaboration with the Ministry of Education, intellectual property concepts were introduced in school textbooks and university programs.

A direct product of the National IPR Policy was the National IP Awareness Mission (NIPAM), which aimed to train over one million students on IP fundamentals. By 2023, the mission had exceeded its target, educating over 1.6 million students. In rural Jharkhand, students from government schools participated in awareness camps where they were taught how to protect their ideas, music compositions, or science models through IP rights. This democratization of knowledge meant that even those without legal backgrounds began to understand the practical relevance of IP in their daily and professional lives.

Indian IP ecosystem also received a significant boost through the Startup Intellectual Property Protection (SIPP) Scheme, launched under the Startup India initiative. This scheme connected recognized startups with government-approved IP facilitators who offered free advisory and filing services. SIPP scheme was revamped and extended as SIPP 2.0¹² to further assist Indian startups in protecting their IP assets, navigating the complex legal landscape, and scaling their ideas with confidence. SIPP 2.0 was implemented with the objective of promoting awareness and adoption of IPRs among startups. The newly launched scheme sought to simplify IP access for early-stage innovators who often lack the resources or expertise to engage legal counsel or undertake complex application procedures.

Another noteworthy intervention has been in the domain of Geographical Indications Promotion Scheme (GIPs). The Indian government, through awareness drives and capacity-building workshops, has helped local producers and communities identify and protect products with regional uniqueness. These GI tags translated directly into better pricing, global recognition, and cultural preservation.

For micro, small, and medium enterprises (MSMEs), the Government of India launched a special IPR Awareness Scheme through the Ministry of MSME. The scheme offered

¹² Ip India, https://ipindia.gov.in/writereaddata/Portal/News/885_1_approved_SIPP_scheme.pdf

cofinancing of IP filings, hosted IP literacy workshops in industrial clusters, and facilitated international patent applications. Dozens of manufacturers from Gujarat benefited from these sessions, leading to trademark filings that helped them expand exports and counter product duplication.

The government's commitment to traditional knowledge and biodiversity has also been noteworthy. The Traditional Knowledge Digital Library (TKDL)¹³, a joint initiative of CSIR and the Ministry of AYUSH, digitized and cataloged over 200,000 formulations from Ayurveda, Siddha, Unani, and Yoga. This resource has helped prevent the patenting of India's traditional remedies by foreign companies. A well-known instance involved the cancellation of a European patent on turmeric's wound-healing properties after Indian scientists presented TKDL records to demonstrate existing traditional use.

The Government had also introduced the Intellectual Property Facilitation Centers (IPFCs)¹⁴ amongst other impactful initiatives. These centers are supported by the Ministry of Micro, Small and Medium Enterprises (MSME) and Department for Promotion of Industry and Internal Trade (DPIIT), in collaboration with various industry bodies such as FICCI (Federation of Indian Chambers of Commerce & Industry), CII (Confederation of Indian Industry), and academic institutions.

IPFC's serve as the front-line institutional infrastructure to build IP awareness, provide advisory services, and facilitate the actual filing and protection of intellectual property rights across diverse sectors and regions of the country. IPFCs act as capacity-building and support hubs, helping individuals and enterprises identify, protect, and manage their intellectual property assets. Their services typically include IPR awareness workshops, legal and technical assistance for IP filings, assistance in prior art searches, and guidance on commercialization strategies. They also play a vital role in the Startup India and Make in India initiatives by making intellectual property tools accessible to early-stage innovators.

ROLE OF IPO AND COURTS

In India, the protection and enforcement of IPR have evolved significantly over the years,

¹³ WIPO, https://www.wipo.int/meetings/en/2011/wipo_tkdl_del_11/about_tkdl.html

¹⁴ MyScheme, <https://www.myscheme.gov.in/schemes/ipr>

largely due to the proactive role played by the Intellectual Property Office (IPO) and the Judiciary at various levels. Talking about the IPO, the office is given the task of granting and administering intellectual property rights, while on the other hand, the Courts interpret and enforce these rights, ensuring a balance between the interests of innovators and the public. Together, they have shaped a robust IPR regime in India, marked by landmark judgments that have set important precedents.

The Intellectual Property Office in India operates under the Department for Promotion of Industry and Internal Trade (DPIIT), Ministry of Commerce and Industry. It administers various IP laws, including patents, trademarks, copyrights, designs, and geographical indications at various stages and from different designated offices all over India. The IPO's primary function is to examine and grant IP rights, ensuring that applications meet the statutory requirements.

Over the years, the IPO has modernized its operations by digitizing processes, reducing pendency, and increasing transparency. Initiatives like the National Intellectual Property Rights Policy 2016, have further strengthened India's IP ecosystem, aligning it with global standards while addressing domestic needs. The IPO also plays an educational role by conducting awareness programs to encourage innovation and IP registration among startups, researchers, and small enterprises¹⁵.

While the IPO grants IP rights, the Judiciary ensures their enforcement and interpretation in line with constitutional and statutory provisions. Indian courts, including the Supreme Court, High Courts, and specialized tribunals like the Intellectual Property Appellate Board (IPAB, now abolished), have delivered several landmark judgments that have refined IPR jurisprudence. These decisions have addressed critical issues such as patentability, trademark infringement, copyright exceptions, and the balance between IP protection and public interest.

One of the most significant cases in Indian patent law is **Novartis AG v. Union of India & Ors (2013)**¹⁶, where the Supreme Court rejected Novartis' patent application for the cancer drug Glivec. The court interpreted Section 3(d) of the Patents Act, 1970, which prohibits the

¹⁵ Ip India, https://ipindia.gov.in/writereaddata/Portal/IPOIPAwareness/1_21_1_kochi-programme-report29september2014.pdf

¹⁶ Novartis AG v. Union of India & Ors, 2013, 13 S.C.R. 148

patenting of mere derivatives of known substances unless they demonstrate enhanced efficacy. The judgment upheld the principle that patents should not be granted for incremental innovations without substantial therapeutic benefits, ensuring access to affordable medicines. This decision reinforced India's commitment to public health while balancing the interests of pharmaceutical innovators.

In the realm of trademarks, the case of **Cadila Healthcare Ltd. v. Cadila Pharmaceuticals Ltd. (2001)**¹⁷ set important guidelines for determining trademark infringement and passing off. The Supreme Court emphasized the likelihood of confusion among consumers, especially in cases involving pharmaceutical products, where even minor similarities could have serious consequences. The judgment laid down factors such as the nature of the marks, the degree of resemblance, and the class of purchasers to assess infringement, providing clarity to businesses and legal practitioners.

Copyright law in India has also been shaped by judicial pronouncements. The case of **Eastern Book Company v. DB Modak (2008)**¹⁸ addressed the copyrightability of judicial judgments. The Supreme Court ruled that while raw judgments are in the public domain, the addition of headnotes, editorial notes, and formatting could attract copyright protection if they demonstrate originality. This decision balanced the need for access to legal information with the rights of publishers, contributing to the evolution of copyright jurisprudence in India.

Another landmark judgment was **Bajaj Auto Ltd. v. TVS Motor Company Ltd. (2009)**¹⁹, which dealt with patent infringement in the automotive sector. The case highlighted the importance of interim injunctions in IP disputes, where the courts must weigh the potential harm to the patent holder against the defendant's interests. The Delhi High Court's decision to grant an injunction underscored the judiciary's role in preventing unauthorized use of patented technology, thereby encouraging innovation.

The courts have also addressed the intersection of IPR and competition law. In **F. Hoffmann-La Roche Ltd. v. Cipla Ltd. (2015)**²⁰, the Delhi High Court examined the antitrust implications of patent enforcement. The case involved Roche's patented cancer drug Tarceva

¹⁷ Cadila Healthcare Ltd. v. Cadila Pharmaceuticals Ltd, 2001, 2 PTC 541 SC

¹⁸ Eastern Book Company v. DB Modak, 2008, 1 SCC 1

¹⁹ Bajaj Auto Ltd. v. TVS Motor Company Ltd., 2009, JT 2009 (12) SC 103

²⁰ F. Hoffmann-La Roche Ltd. v. Cipla Ltd., 2015, SCC ONLINE DEL 13619

and Cipla's generic version. While the court initially denied an injunction to Roche, it later awarded damages, recognizing the importance of protecting patent rights while ensuring that monopolistic practices do not stifle competition. This judgment reflected a nuanced approach to balancing IP protection with consumer welfare.

The judiciary has also played a vital role in interpreting the Copyright Act, particularly in the digital age. The case of **MySpace Inc. v. Super Cassettes Industries Ltd. (2017)**²¹ dealt with intermediary liability for copyright infringement. The court ruled that platforms hosting user-generated content must take reasonable steps to prevent infringement, shaping the responsibilities of digital service providers.

In conclusion, the IPO and the courts have been instrumental in advancing IPR in India. The IPO's administrative reforms and the Judiciary's progressive interpretations have created a dynamic IP ecosystem that encourages innovation while safeguarding public interests. Landmark judgments in various dimensions of IP have set precedents that guide future disputes, ensuring legal clarity and fairness. The collaborative efforts of the IPO and the judiciary will remain pivotal in shaping a robust and equitable IPR framework. Through their combined roles, they have not only protected the rights of creators and inventors but also fostered an environment where intellectual property serves as a catalyst for economic and social development.

FUTURE OF IP LAWS

In an increasingly knowledge-driven global economy, Intellectual Property Rights have emerged as vital instruments for nurturing innovation, creativity, and economic development. The rapid pace of technological advancement, the growing importance of digital platforms, and the rise of the creative and knowledge-based industries have amplified the significance of a robust IPR ecosystem. For the new generation—comprising young inventors, entrepreneurs, artists, researchers, and creators—IPR offers a framework to secure recognition and financial rewards for their work.

Globally, the discourse around IPR is being reshaped by the dual forces of innovation and inclusivity. Developed and developing nations alike recognize the need to adapt IPR

²¹ MySpace Inc. v. Super Cassettes Industries Ltd., 2017, 236 DLT 478 (DB)

frameworks to accommodate emerging technologies such as artificial intelligence (AI), biotechnology, and quantum computing²². At the same time, there is a push to democratize the benefits of intellectual property, ensuring that creators from underrepresented communities and developing regions are not left behind.

There is also a growing emphasis on fostering innovation ecosystems that are inclusive, collaborative, and equitable. The idea is to move away from merely protecting IP to actively facilitating its commercialization and societal impact. Countries are investing in innovation hubs, incubators, and knowledge parks that help young innovators move from idea to market with IP protection as a central pillar. International collaborations between universities, research institutions, and industries are being strengthened to ensure that IP becomes a bridge rather than a barrier in the exchange of knowledge and technology.

Turning to India, the aspirations and plans for IPR in the upcoming years align with the country's broader goals of becoming a global innovation hub and a \$5 trillion economy²³. For the new generation of Indian innovators, creators, and entrepreneurs, IPR holds the promise of both recognition and economic empowerment. India's burgeoning startup ecosystem, with over 100,000 startups and more than 100 unicorns, is testimony to the creative potential of its youth.

Recognizing this, the Indian government has introduced schemes like Startup India and Atal Innovation Mission, which include provisions for IPR support, mentoring, and funding. To meet its lofty “Make in India”, “Atmanirbhar Bharat”, and “Jai Anusandhan” vision, the government is gearing up to refine its patent architecture—balancing global competitiveness, ease of filing, quality assurance, and public utility.

India also recognizes the importance of international collaboration in the field of IPR. As a member of WIPO and various international treaties, India seeks to harmonize its IP laws with global standards while safeguarding national interests. There is growing participation in international patent applications through mechanisms like the India's accession to international treaties such as the Patent Cooperation Treaty, The Madrid Protocol for

²² By Stephen Ezell and Nigel Cory(ITIF), The Way Forward for Intellectual Property Internationally, April 25 2019 <https://itif.org/publications/2019/04/25/way-forward-intellectual-property-internationally/>

²³ PIB Delhi, Vision of a USD 5 Trillion Indian Economy, 11 OCT 2018 6:29PM, <https://www.pib.gov.in/Pressreleaseshare.aspx?PRID=1549454>

Trademarks, and The Hague Agreement for Industrial Designs, efforts are being made to establish mutual recognition agreements for IP protection with key trading partners²⁴.

India is actively negotiating protocols like the Patent Prosecution Highway and is a signatory to the Riyadh Design Law Treaty, enabling cross-border IP harmonization. Meanwhile, European Free Trade Agreements (EFTA's) are provoking internal debates, especially around TRIPS-plus pharma provisions, balancing investor protection with affordable medicine access.

The National IPR Policy, launched in 2016, laid the foundation for a modern IP ecosystem. It emphasized awareness, accessibility, commercialization, enforcement, and human capital development. In the years since, India has made significant strides, such as streamlining patent procedures, digitizing IP filing processes, and increasing public engagement with IPR.

India's rich tradition of indigenous knowledge, traditional medicine, crafts, and biodiversity also presents unique IP opportunities and challenges. The aspiration for the coming years is to better protect these assets through mechanisms such as Geographical Indications (GIs), Traditional Knowledge Digital Libraries (TKDL), and benefit-sharing models. This not only preserves cultural heritage but also opens avenues for rural and artisanal communities to benefit economically from their traditional skills.

Furthermore, India is investing in IP infrastructure, including the expansion of IP offices, hiring of more examiners, and the development of IP facilitation centers. These efforts aim to reduce pendency in patent and trademark processing and improve the overall efficiency of the system. There is also a push to strengthen enforcement mechanisms, with dedicated IPR cells in police departments, customs surveillance, and judicial training programs to handle IP disputes effectively²⁵.

The Indian IP office has already taken steps toward digitization by launching Online Filing Systems and E-Hearing Facilities²⁶. In the future, AI could further streamline IP examinations by analyzing prior art more efficiently, reducing human errors, and expediting the approval process.

²⁴ WIPO, https://www.wipo.int/edocs/pubdocs/en/general/1007/wipo_pub_1007_2010.pdf

²⁵ International Trade Association, Protecting Intellectual Property, <https://www.trade.gov/country-commercial-guides/india-protecting-intellectual-property>

²⁶ Ip India, <https://ipindia.gov.in/IPO-Video-Conferencing-System.htm>

IP office has been modernized and workflow processes have been streamlined. Virtual hearings facility has been extended to all wings including Trademark and Copyright for faster disposal of applications. AI and ML based Search Technology²⁷ has also been introduced in Trade Marks. IP Saarthi Chatbot has been designed to provide instant support and guidance to the users on the IP registration/ grant processes.

The new generation of digital natives, well-versed in the capabilities of AI, will need a clear and forward-looking IP framework that accommodates such emerging realities while preserving human creativity. Building on 2022 inclusion guidelines²⁸, the IPO is enhancing services and granting OCR-readable documents and screen-reader-friendly filings to ensure full participation by persons with disabilities. AI is not just a tool for automating IP processes, rather, it is transforming the entire intellectual property landscape. From examination to enforcement, from litigation to education, AI will make IP systems more efficient, accessible, and responsive to future needs.

However, its integration must be accompanied by legal reforms, ethical guidelines, and international cooperation to ensure fairness and accountability. As the boundary between human creativity and machine intelligence continues to shrink, IP law will become a central arena for redefining the future of innovation, and AI will be both the catalyst and the compass in this journey.

OBSERVATIONS

The trajectory of intellectual property law in India presents a fascinating blend of legal evolution, socio-economic ambition, and global integration. From its colonial roots to the present-day dynamic framework, the Indian IP landscape has matured significantly, shaped by internal policy shifts, international obligations, technological progress, and the growing awareness of creators and innovators. In observing the entirety of this journey, several key insights emerge that reflect not only the strengths of the system but also its vulnerabilities and areas demanding urgent attention.

²⁷ Shri Piyush Goyal, PIB Delhi, 18 SEP 2024 10:03PM,
<https://www.pib.gov.in/PressReleaseIframePage.aspx?PRID=2056435>

²⁸ Ip India,
https://ipindia.gov.in/writereaddata/Portal/IPOAnnualReport/1_114_1_ANNUAL_REPORT_202223_English.pdf

One of the most striking features of India's IP regime is its ability to adapt. The transformation of patent laws post-TRIPS and the responsive changes in copyright and trademark legislation underscore India's commitment to harmonizing with global standards without losing sight of domestic priorities. This balance, although not always perfect, has enabled the Indian IP framework to be simultaneously progressive and protective.

Furthermore, there is an intense rise in IP consciousness across various sectors of the Indian economy. Startups, academic institutions, MSMEs, and individual creators are increasingly recognizing the value of IP rights. This shift is partly due to government initiatives which have placed intellectual property at the heart of economic strategy.

Incentives for IP filings, awareness drives, and capacity-building workshops have helped bring IP into mainstream discourse, especially in the innovation ecosystem. Yet, it must be acknowledged that this awareness is still unevenly distributed across regions and industries. Rural innovators, traditional knowledge holders, and informal sector contributors often remain outside the formal IP system, highlighting the need for a more inclusive outreach.

From an administrative standpoint, the modernization of IP offices and digitization of processes has yielded significant results. Filing procedures have become more streamlined, turnaround times have improved, and public access to data has increased transparency. India's IP office now uses artificial intelligence for tasks such as prior art searches and classification, indicating the readiness to leverage emerging technologies. However, challenges like understaffing, pendency in examinations, and inconsistent quality in decision-making still persist. These operational issues, unless addressed systematically, can undermine the confidence of stakeholders in the efficiency of the system.

While statutory laws are strong and judicial pronouncements are often progressive, enforcement mechanisms on the ground are frequently inadequate. Counterfeiting, piracy, and trademark violations continue to affect IP stakeholders. Moreover, the resolution of IP disputes is a time-consuming affair, discouraging litigation and often leading to underutilization of legal remedies. The establishment of IP divisions in high courts and the digitization of case management offer hope, but consistent implementation and procedural clarity are essential to improve the enforcement systems.

Internationally, India continues to advocate for a fair and balanced IP regime at multilateral

forums such as the WTO and WIPO. It has battled pressures to overstrengthen IP laws at the cost of developmental goals, particularly in public health and agriculture. At the same time, India has improved its rankings in global indices like the Global Innovation Index and taken steps to reassure foreign investors through bilateral treaties and domestic policy reforms. This dual approach of defending national interest while embracing global best practices reflects India's maturing role in international IP diplomacy.

Lastly, as we move into an AI-driven era, the intersection of emerging technologies and IP law opens a new frontier. Questions of authorship in AI-generated works, data ownership, and algorithm protection are increasingly relevant. India's current laws are not fully equipped to address these novel issues. The future of IP law in India will depend heavily on its ability to stay ahead of technological disruption while ensuring that legal interpretations remain fair and contextually grounded.

In sum, India's IP journey is a story of progress, puzzle, and potential. While there has been commendable development in legal structures, institutional reforms, and public awareness, significant work remains in enforcement, inclusivity, and global adaptability. A nation that understands the importance of intellectual property in its economic and cultural growth, must continue to invest in making its IP regime not just strong but also sound and sustainable.

CONCLUSION

The evolution of intellectual property laws in India reflects not merely a legal transformation but a broader societal shift towards recognizing the value of creativity, innovation, and knowledge as core drivers of economic and cultural progress. From colonial-era statutes to a contemporary framework aligned with international standards, the Indian IP regime has undergone a remarkable journey, constantly negotiating the tensions between access and exclusivity, development and protection, tradition, and modernity. What emerges from this arc is the realization that intellectual property is no longer a niche legal domain but a vital policy instrument at the heart of India's aspirations to be a global innovation hub.

India's ability to tailor its IP policies in ways that reflect national priorities such as ensuring access to medicines, preserving biodiversity, and promoting indigenous knowledge, demonstrates a nuanced understanding of how intellectual property must serve the larger public good. Simultaneously, its growing support for startups, research-driven enterprises, and

digital creators shows a clear shift towards a proactive embrace of the knowledge economy.

The role of the Indian government in this transformation cannot be overstated. Through targeted schemes, policy frameworks, incentives, and international diplomacy, the government has positioned IP as a cornerstone of innovation-led development. However, the challenges that remain, highlights the unfinished nature of this journey. The gap between legislation and implementation, as well as between urban and rural participation in the IP system, calls for sustained investment not just in legal reform but also in education, infrastructure, and institutional capacity.

In conclusion, intellectual property law in India stands at a pivotal juncture. It has grown from being a legacy of colonial administration to a living framework that supports contemporary innovation and cultural identity. The true strength of India's IP ecosystem will lie not only in the volume of rights granted but in the societal value those rights generate, the innovation they inspire, and the equity they preserve. As the world moves towards a knowledge-based future, India's commitment to a balanced, forward-looking, and people-centered IP regime will determine its place as a global leader in both innovation and justice.

The coming years offer an exciting and dynamic landscape for IP Laws, both globally and in India. As we stand on the threshold of a new technological and creative era, aspirations in this field must reflect the values and ambitions of the new generation i.e. innovation with purpose, protection with accessibility, and creativity with conscience. With the right policies, education, and infrastructure, IP Laws can serve as a facilitator for inclusive growth, global collaboration, and a more inventive, equitable world.