

NGO opposes NSAI views on patent laws

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New Delhi, Sep 26 (IANS) Opposing the views of National Seeds Association of India (NSAI) on biotech traits patenting rules, an NGO promoting agriculture biotechnology on Monday approached the Union Agriculture Ministry seeking its intervention.

In a letter to the Ministry of Agriculture and Cooperation Joint Secretary Rajesh Kumar Singh, the Association of Biotech-Led Enterprises - Agriculture focused Group (ABLE-AG), opposed the NSAI's recent views.

Opposing the government's draft guidelines on BT cotton market, the NSAI has said that the existing Protection of Plant Varieties and Farmers' Rights Act (PPVFRA) has adequate provisions to regulate the cotton seed market and other future technologies in the agriculture sector.

"The so-called intersection of patent law and plant variety law, that is being propagated is artificial. Both legislations operate in independent fields and it is incorrect to suggest that one subsumes the other or they are in conflict with one another. The PPVFRA, therefore, cannot override the provisions of the Indian Patent Act (IPA)," Executive Director of ABLE-AG Shivendra Bajaj said.

"Any contrary view is against a plain reading of the legislations and will have very wide and significant adverse ramifications on Indian agriculture, the Indian economy as well as the government's policy to encourage technology transfer and innovation," said Bajaj.

"We urge that the ministry engage in a broader discussion on such issues and not take hasty actions in policy or law whether in the form of the draft licensing guidelines or in any other form without wider policy debate and discussion," pleaded the organisation.

"It is important to distinguish the scope and ambit of PPVFRA and the IPA. Nowhere does the PPVFRA allude to or aim to cover innovative biotechnology, chemistry or other extraneous methods of crop improvement," the organisation noted.

"In particular, PPVFRA does not apply to innovative biotechnology or the development of new transgenic plants with advantageous features that do not otherwise exist in nature and such inventions are in the domain of the IPA," said Paresh Verma, Head of Management Committee, ABLE-AG.

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