

China, What made them to be a global leader in post- patent pesticides in the last 15 years?

Deft use of patent laws that ensure the patented pesticides are "locally produced" by the patentees(MNCs)

Until 2000, India was a leader in off-patent pesticides in Asia.

China became a member to WTO /TRIPS Agreement in 2001

In 2006 China released Plan for the Development of Science and Technology that explicitly stated:

" China must create its IPR and proprietary products through tweaking foreign technology through co-innovation and re-innovation.

It also warned against import of foreign products without plans to transform it into Chinese technology

By 2010, China became a force to reckon with in post-patent pesticides, both in variety and volume.

Tweaking of technology through co-innovation and re-innovation continue to pay rich dividends to Chinese industry and economy.

This is in stark contrast to the situation in India.

Section 83 of Indian Patents Act says patents are granted to secure that the inventions are worked in India on a commercial scale without undue delay...and not merely to enjoy monopoly for importation

But, pray, who is monitoring and punishing the foreign patentees who liberally contravene the Section 83 with reference to product patents?

Many patented pesticides are not registered/launched in India till the end of patent term. Even those registered/ launched are 100% imported.

Pesticide product patents granted to MNCs do not at all meet the "working requirements" u/s 83 of the Act.

This completely defeats the main purpose of the Indian Patents Act and impedes the growth of generic industry in India.

Inept implementation of Section 83 of the Indian Patents Act is largely responsible for India lagging behind China in the manufacturing sector.

Remember, India is the only major economy whose manufacturing sector's output (\$391 bn) is much less than the output of agricultural sector(\$459 bn)

It's time to put the manufacturing sector on the fast track. It's time to strictly implement Section 83 of the Patents Act.