

# Experts, Pharma Cos Doubt US IP Ranking

**GIPC report ranks India lowest among 25 countries because of its 'weak' IP regime**

**SOMA DAS**  
NEW DELHI

Intellectual property experts and generic drug firms in India have questioned the methodology and even the motive behind the US Chamber of Commerce's Global Intellectual Property Centre (GIPC) index in which the nation has been ranked the lowest among 25 countries. The ranking calls those IP regimes strong which, unlike that in India, continue to promote weak and trivial inventions, patent experts argued while trashing the index that yet again placed the country the lowest in its second edition released last week.

"Underlying this report is a major paradox that protecting weak patents makes the IP regime a strong one," IP expert Shamnad Basheer told ET. "Countries such as India that have stood up for genuine innovation and refused to protect trivial inventions have been accused of having 'weak' IP regimes while it should have been the other way round."

In its report which ranked the US, UK and France as the top upholders of intellectual property rights, the GIPC said, "India continues to have the weakest IP environment of all countries included in the index. Despite the 2010 dec-

laration by the then-President of India that the next 10 years will be India's 'Decade of Innovation' the continued use of compulsory licenses, patent revocations, and weak legislative and enforcement mechanisms raise serious concerns about India's commitment to promote innovation and protect creators." Experts pointed out that the charge of 'continued use of compulsory licenses' notwithstanding, India had granted only one such licence to domestic drug-maker Natco Pharma in 2012 to make a generic version of Bayer's expensive cancer drug Nexavar. Although the government has been considering compulsory licences for a few other expensive drugs, it is yet to take a final decision in any other case.

Industry body Indian Pharma Alliance (IPA) has alleged that this index is a tool to push the interests of American companies in India. "The GIPC is pushing the US government to take immediate steps to bring very serious pressures on Indian government for the benefit of American companies operating in India even at the cost of public health," said IPA secretary general DG Shah. The report commissioned by the US Chamber of Commerce was drafted by a boutique consultancy Pugatch Consilium, which, according to Shah, provides advisory services to top global drugmakers. "It is understood that Pugatch Consilium is also advising big pharma companies (Pfizer, Novartis, Roche and Astra Zeneca) and the Pharmaceutical Research and Manufacturers Association (PhRMA)," Shah said.

ET could not independently verify the veracity of this claim and could not reach the consultancy for comment over the weekend. An email sent to Pugatch Consilium on Sunday morning remained unanswered till going to the press..

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