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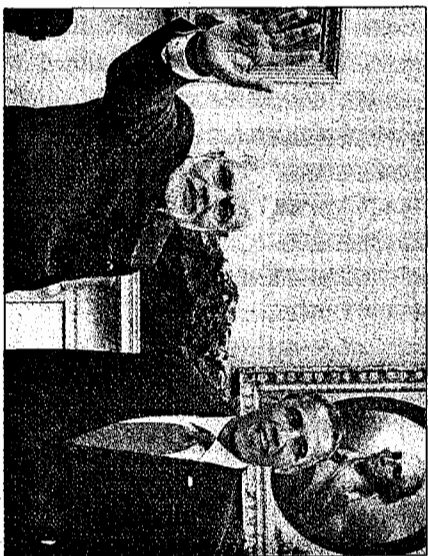
# American health experts express concern over working group on IP

Washington, Oct 2

**T**HE decision of India and the US to establish a high-level working group on intellectual property will allow America to put "pressure" on India to expand liberal grants of drug patents in the country, independent American health care experts have warned.

"This working group will give the US a dedicated forum to continue to pressure India to adopt TRIPS-plus IP measures, including repeal of section 3(d) of the India Patents Act, adoption of data exclusivity/monopolies, patent term extensions, and restrictions on the use of compulsory licences," Professor Brook K Baker from the Northeastern University School of Law, said.

Agreeing on the need to foster innovation in a manner that promotes economic



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growth and job creation, President Barack Obama and Prime Minister Narendra Modi in a joint statement issued on Tuesday committed to establish an annual high-level Intellectual Property (IP) Working Group

with appropriate decision-making and technical-level meetings as part of the Trade Policy Forum.

Baker argued that there will be efforts to strengthen enforcement measures and

investor rights including investor/state dispute resolution.

"The US, in particular, will work to eliminate local working requirements that India is seeking to use to promote its own technological development," he said.

"The fact that this working group will have 'decision-making' powers is particularly problematic as it places the US fox in the Indian chicken coop," he said.

According to a fact sheet issued by the White House after Modi-Obama meeting, as part of an ongoing commitment to strengthen engagement, both governments also agreed to establish a high-level working group on intellectual property under the TPP that will meet at the senior of

ficial and expert level to discuss the range of intellectual property issues of concern and interest to both sides.

"It is very clearly going to be used to pressure India to expand liberal grants of drug patents in India, and to block or restrain the use of compulsory licenses on drug patents," said Jamie Love, Director, Knowledge Ecology International, an NGO working on knowledge governance.

Baker said the US consistently advances higher intellectual property protections through its trade working groups and trade partnership groups.

"It is significant that this sentence is embedded in the section on economic growth and increasing foreign direct investment, as US IP industries and the USTR promote heightened intellectual property rights and strengthened enforcement mechanisms as being key to investor confidence and ultimately to innovation itself," he said. P77

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