



PHARMACEUTICALS EXPORT PROMOTION COUNCIL

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US, EU cite safety issue in defence of piracy law

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<http://m.economictimes.com/PDAET/articleshow/6065596.cms>

NEW DELHI: A group of developed nations led by the US and the EU has initiated discussions at the World Trade Organisation (WTO) on legitimacy of their proposed anti-counterfeit agreement.

The move has been challenged by developing countries led by India and China who say that the proposed agreement flouts the international agreement on intellectual property rights (Trips) and also hampers poor nations' access to cheap medicines.

The Anti-Counterfeiting Trade Agreement (ACTA), negotiated between 11 nations, seeks to give higher protection to intellectual property rights and sets up stringent standards for exports, imports and in-transit goods. The 11 countries are the US, Japan, the EU, Australia, South Korea, Canada, Mexico, Switzerland, New Zealand, Morocco and Singapore.

The issue has been discussed at a recent meeting of the WTO Trips Council in Geneva, a government official said. The council is a discussion forum on intellectual property issues. At the Trips council meeting, ACTA partners rejected the developing country's argument that the proposed agreement would distort legitimate trade, a WTO official said requesting anonymity.

"They argued that ACTA was necessary because counterfeiting is no longer a question of products such as fake luxury watches, but involves commercial scale production of fake medicines, car and aircraft parts and other products, which are dangerous to health and safety," the official said.

India and China, however, protested. ACTA is in conflict with Trips agreement, which already has strong laws in place to protect intellectual property. The proposed agreement undermines certain flexibility enjoyed by the developing countries necessary for the protection of the poor against life-threatening ailments by trading in generic drugs (medicines that have out-lived their patent protection in the country), he said.

"We are fighting the EU at the WTO on the issue of confiscation of genuine generics from India being exported to third countries at European ports. The ACTA might result in such cases going up all over the developed world depriving the poor of the world access to cheap medicines," an official in the commerce department said.

Members in the group of developing countries include Mauritius, Peru, Cuba, Bolivia, Ecuador, Egypt, South Africa, Brazil and the African nations.