

COUNTRY REPORTS March 2011

INDIA

1. The Trade Marks Rules, 2002 was further amended and is called the Trade Marks (Second Amendment) Rules, 2010. In furtherance to which:
 - a. India has added 3 more classes (Classes 43 - 45) of services to the classification of services for the purpose of registration of service marks.
 - b. The Indian Trade Marks Registry issued a public notice dated 13/01/2011, whereby a public search facility with the Trademark Registry website has been made available to the public at free of cost. The practice of conducting normal and expedited search by the Registry is discontinued. Similar provisions as to request for search and issuance of certificate so as to resembling name of Company or proposed name of company is omitted.
2. The Intellectual Property Office has made the status of Designs applications accessible online.
3. India together with other countries has objected to the granting of yoga patents in other countries. In order to put the records straight, India has begun to record her indigenous practices in a log archive called Traditional Knowledge Library (TKDL). Work began in 2006 and to date there are about 900 asanas (postures and positions) that have been collected for recording. Besides yoga, other traditional treatment therapy knowledge is also being recorded.
4. India has protested against the Anti Counterfeit Trade Agreement (ACTA) being negotiated by the United States, the European Union and other countries on the grounds that it will strengthen the holders of intellectual property rights (IPR) beyond reasonable measure. Talks are on to form alliance by India, Brazil, China and South Africa.
5. The Tamil Nadu State government is said to be evolving an IPR (Intellectual Property Rights) Policy exclusively for the State, and this would form a component of the Science and Technology Policy, which is in the process of being developed for the State.

CHINA

No significant developments

SRI LANKA

1. Sri Lanka acquires protection for Ceylon tea and the logo for ozone friendly pure Ceylon Tea under 'Geographical Indicators' rules.

BANGLADESH

1. Bangladesh has enacted Trademarks Act, 2009 and a draft of Trademarks Rules.
2. Bangladesh had prepared a draft of Patent & Design Laws for updating the legislation.
3. New GI Law has already been drafted both in Bangla & English.
4. Draft Laws & Rules will also be prepared both in Bangla & English for Layout Design of Integrated circuit, Trade Secret.

NEPAL

No significant developments