



# Gujarat National Law University

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### Virtual launch of GAIN - The GNLU-Akron IPR Network

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**Gandhinagar, February 12, 2021:** Gujarat National Law University hosted distinguished guests from the judiciary and legal academia of USA and India at the virtual launch of GAIN - The GNLU-Akron IPR Network, on 12 February 2021.

GAIN is a joint project of GNLU and The University of Akron School of Law, USA, to promote a greater understanding of the intellectual property system through knowledge sharing, capacity building and cutting-edge research. To build a robust ecosystem on IP, the project will encourage the exchange of ideas, expertise, and information among scholars, policy experts, businesses, and civil society regarding intellectual property, innovation, and creativity within India and between India and the United States.

**Mr Justice S. Ravindra Bhat, Judge Supreme Court of India**, delivered the inaugural address. Speaking of the importance of intellectual property as enshrined within the constitutional principles of fundamental rights, Justice Bhat spoke about the variety of developments that have taken place within the Indian IP ecosystem like the patent law's amendment to grant product patents or the compulsory licensing of drugs to benefit the larger interest of Indian public, the establishment of Intellectual Property Appellate Board and Traditional Knowledge Digital Library, recognizing concepts like FRAND, parallel importation and expediting patent grant procedure. Justice Bhat emphasized the growing relevance of IP especially in the current pandemic times when developing countries like India, South Africa, Brazil and like nations have introduced systemic reforms. Moreover, the need to ease up conditions for examination and grant of patents in these times has been globally recognized by WHO that launched the CTAP- Coronavirus Treatment Acceleration Program as well as by nations like Russia, Canada, Germany etc. Thus, while ending his address, Justice Bhat commented how essential it is for nations to come forward and build a partnership like GAIN to reflect, research and reform certain systems like IP so that the world can combat something as deadly as this pandemic.

Justice Bhat made a special mention of **Traditional Knowledge Digital Library (TKDL)** which has helped India prevent misappropriation of country's traditional medicinal knowledge. More than 230 patents have been set aside or withdrawn based on prior art due to the documentation that has been made available through TKDL. TKDL is a collaborative project between Council of Scientific and Industrial Research (CSIR), Ministry of Science and Technology, and the Department of Ayurveda, Yoga & Naturopathy, Unani, Siddha and Homeopathy (AYUSH). The database includes the available contents of the ancient texts on Indian Systems of Medicines i.e. Ayurveda, Siddha, Unani and Yoga, into five international languages, namely, English, Japanese, French, German and Spanish. This Digital library has overcome the barrier of biopiracy



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by systematically and scientifically converting the Traditional medicinal knowledge of India into information which is set as per the international patent classification system. 3,60,000 formulations have been translated into such information to date. Access to TKDL data to Patent offices of countries like US, UK, EU, Japan, Germany, Australia and Canada is given which has helped India save from cases of biopiracy.

Hon. Judge Kent Jordan, Judge US Court of Appeal for the Third Circuit, delivered the keynote address. Judge Kent invoked nostalgia by speaking of memories from his childhood in India as well as a trip made especially to Gujarat in 2012 due to which his connection with GNLU through the launch of GAIN becomes even more special. He congratulated both academic institutions on this partnership and commented on how both GNLU and the University of Akron, School of Law can equally “gain” a lot from this GAIN project. Judge Kent spoke about the Constitutional recognition of Intellectual Property Rights in the USA through which the importance of such rights can be understood. Briefly, he mapped the developmental journey of IP in the USA where patent rights were easily available even for trivial innovations when the judiciary stepped in to arrest such easy granting of rights. Nevertheless, intellectual property and its importance in the nation’s building cannot be undermined. Judge Kent ended his address by quoting President Abraham Lincoln who said, “The patent system added the fuel of interest to the fire of genius”.

Dean Christopher Peters from the University of Akron, School of Law, visibly excited about this collaboration between GNLU and the University of Akron, School of Law thanked Prof. Mark Schultz for his excellent leadership in developing projects such as GAIN through which multi-level stakeholders can be benefited.

Prof. Mark Schultz, Director, Intellectual Property and Technology Law Program, University of Akron, School of Law thanked his partners Prof. Shanthakumar, Dr Nidhi Buch, Dr Raj Dave, Dr Prabuddha Ganguli and Dr S. Kardam to have assisted enthusiastically in bringing this vision to the reality of creating an academic partnership and launching a programme which can help India in its quest for achieving heights in IPR management, research and so on. GAIN, he says would not have been possible without this institutional and individual support. Further, he elaborated three broad objectives of GAIN that are:

1. To create a strong network of IP experts for guiding the budding Indian industry of innovations to secure rights;
2. Capacity building by enhancing the capability of IP academia at Indian educational institutes through programs such as Annual IP Teacher’s Institute and annual conferences where simultaneous training, as well as knowledge sharing, can take place; and
3. To undertake cutting-edge research and boost the generation of research ideas and innovations in India.

Koba, Gandhinagar-382426, Gujarat, India

**Phone:** +91-79-2327 6611/12 **Email:** contact@gnlu.ac.in **Website:** www.gnlu.ac.in



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Earlier, GNLU Director Prof (Dr) S. Shanthakumar welcomed all attendees to the virtual launch of GNLU-Akron IP Network (GAIN) which is a platform envisaged to initiate stronger bilateral ties between USA and India through academic collaborations in training and research. Noting the importance India is gaining as a hub for innovations, Prof. Shanthakumar commented how immensely valuable projects like GAIN can be for the future of strengthening the system of Intellectual Property Rights within both nations as well as between the two. Prof. Shanthakumar thanked Judge Kent and Justice Bhat for having graciously accepted the invitation to launch GAIN.

Dr Nidhi Buch, Assistant Professor of Law and Head, GNLU Centre for IPR delivered the vote of thanks to marking the end of the GAIN e-launch. She thanked both luminaries from the Judiciary for their brief but insightful discussions on the importance and relevance of IP. Further, she thanked Prof. Mark Schultz and Dr Raj Dave for their role in bringing GAIN to life and also thanked Prof. Shanthakumar without whose unwavering support, initiation of such project is an impossibility. She thanked Dr Ganguli and Dr Kardam for their presence as well as noteworthy contributions to the founding of GAIN. Dr Buch ended with heartfelt gratitude towards her team members and students members from GNLU Centre for IPR.

**Media Contact:**

Ashok Shah

Email: 9909960240, 8849110049