

# Biotechnology Law and Policy in India and the International Environment

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## Overview

In late December 2015, the Government of India unveiled its National Biotechnology Development Strategy 2015–2020 “Promoting bioscience research, education and entrepreneurship”. As part of the new strategy it is recognised that there needs to be a broad understanding of the intellectual property landscape and an appreciation of the regulatory environment by stakeholders, as well as broader appreciation in civil society of the benefits of biotechnology to food security and drug production. The strategy also notes that international agreements and domestic regulation need to be followed in the development process. India is also a significant holder of global biodiversity across all life forms, and the access, preservation and regulation of how these resources are used is of prime importance. Under the ‘Make in India’ program, biotechnology’s significance to development is also strongly recognised, and it is noted that up to 100% foreign direct investment in this area is allowed. State of art technologies need to be developed through local research and development, or by being acquired from different markets. Either route is a complex business process in today’s context.

As India moves to adopt the benefits of knowledge based society through biotechnology, it becomes more essential for those in government, industry and society at large to appreciate the regulatory and international frameworks that can either support or, if misunderstood or misapplied, hinder development. They also need to have a good overview of the technologies involved, how they are developed and what they do, from an objective standpoint. This inter-disciplinary course jointly conducted by lawpersons and a bio-scientist will introduce the tools that stakeholders, whether managers, researchers or students, need to make the most from biotechnology in the Indian and global context. It will also lay the foundation for understanding the interplay between science and regulation.

### **The primary objectives of the course are as follows:**

- a. To provide familiarity with the terminology used in the biotechnology field, and its employment in the legal regulatory framework;
- b. Impart knowledge and understanding of the links between biotechnology and law;
- c. Develop understanding of the differences between human, plant and animal genetics which are relevant to law;
- d. Demonstrate the complexity of the challenges that the application of new technologies poses to government, law makers, lawyers, manufacturers and the discoverers throughout the world;
- e. Create an understanding of the dynamics within the relationship between specific areas such as human, plant and animal genetics, biotechnology, bio-ethics and law;
- f. Advance critical analysis skills within the context of biotechnology law and high level skills in this area; and
- g. Envisage pathways for knowledge development and policy enhancement.

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| <b>Date</b><br><b>Participants</b>      | <b>October 9<sup>th</sup> to October 14<sup>th</sup> :</b><br><b>Number of participants for the course will be limited to fifty [50].</b>  |
| <b>You should attend if you are ...</b> | <ul style="list-style-type: none"> <li>▪ Law Students wishing to explore national and international directions in law and policy visa-vis biotechnology.</li> <li>▪ Lawyers working in the field of law and technology and intellectual property rights</li> <li>▪ Scientists and professionals in biotechnology or the agricultural sectors, business stakeholders and government employees</li> </ul>  |
| <b>Fees</b>                             | <p>The participation fees for taking the course is as follows:</p> <ul style="list-style-type: none"> <li>• <b>Rs. 10,000/- [Rupees Ten Thousand only]</b></li> <li>• The above fee includes all instructional materials, computer use for tutorials and assignments, library access, 24hrs. internet facility.</li> <li>• Accommodation will be provided on payment basis. Participants needing accommodation must inform organizers at the time of registration.</li> <li>• Last date for registration: <b>27<sup>th</sup> September 2017</b></li> </ul> |

## The Faculty



**Professor Mark Perry**'s research focuses on the nexus of technology and law. He has taught around the world, including Japan, New Zealand, Canada, India and Australia. He has been an invited and keynote speaker at many international conferences regarding technology and law. He has organised global conferences in Canada and China, and has been an advisor on other symposia overseas. Professor Perry has published over 70 peer-reviewed papers in both law and technology, and he is editor of the recent book, *Global Governance of Intellectual Property in the 21<sup>st</sup> Century* (Springer 2016). He has supervised over 40 post-doctoral, post-graduate and undergraduate students, all of whom have gone on to work at law firms, industry, government or in other universities. Recently, he was heavily involved in a Genome Canada genomics project as a co-PI, researching the Ethical, Economic, Environmental Legal and Societal aspects of utilising a genomics approach to pest management. He has been directing the project *Seed Banks and the loss of inherent value in seed banks* that examined the management of traditional knowledge in the process of collection of seeds. Presently, he is Professor of Law at University of New England, Australia, and Emeritus Professor of Science at Western University in Canada, and barrister and solicitor of the Law Society of Upper Canada.

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## Course Co-ordinator

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**Professor Priti Krishna** has recently been appointed the Vincent Fairfax Foundation Chair of Sustainable Agriculture at Western Sydney University, Australia, following a successful academic career of 20 years at the Western University, London ON, Canada. With a Master's in Microbiology, PhD in Biochemistry, and postdoctoral training and independent research career in Plant Molecular Biology, Professor Krishna has applied her diverse research background to developing pioneering research projects. Her research projects are focused on the role and underlying molecular mechanisms of a natural plant steroid hormone, brassinosteroid, in plant stress tolerance, the mode of action of the plant Hsp90 chaperone complex in signal transduction pathways, and genomics of a medicinal plant. These research topics also span elucidating the genetic and molecular basis of plant traits such as yield, plant architecture and root development that are important for maintaining crop productivity under environmental stresses associated with climate change. She has taught widely in the area of plant genetics and biotechnology and trained many postdoctoral fellows and PhD and MSc students.

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**Mr. Sourabh Bharti** is an assistant professor of Law at NALSAR University, Hyderabad. Sourabh has more than 6 years of teaching law at NALSAR. He specialises in Intellectual Property Law. He is currently pursuing his Ph.D. in the area of Traditional Knowledge and Intellectual Property Rights. Sourabh teaches variety of Courses at NALSAR. At the LL.B. level apart from teaching a fundamental course on Intellectual Property, he also teaches specialised IP courses like an elective course on Competition Law and Intellectual Property and a seminar course on Biogenetic resources and Intellectual Property Rights. He has also taught non IP courses like Jurisprudence and Professional Ethics in the past and is currently teaching Administrative Law to the LL.B. students. He also teaches copyright law and trademarks law at the Post Graduate level. This semester he is offering a seminar course on Intellectual Property Rights and Diversity related issues to the LL.M. students.

As a specialist in Intellectual Property Rights Sourabh is also on the panel of resource persons for NALSAR Proximate Education Programme which caters to people from various cross-sections of the society, including media executives, biotechnologists, policy makers, lawyers, policemen etc. Sourabh has also taught a course on the Fundamentals of Intellectual Property at Birla Institute of Technology and Science, Hyderabad, one of the most reputed technology institutes of the country. He also guides post graduate students in their Dissertation related research work.

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