

## **Panel: Competition and IP regime in South Asia**

This panel aims to compare and contrast the Intellectual Property Rights (IPRs) environment in South Asia. There are several international best practices and rules available regarding the control of international anti-competitive practices (UNCTAD 2015). There is a need to recognise the adverse economic impact of Restricted Business Practices (RBPs), especially with regards to the developing countries and the global economy (Manzoor, Ahmed and Samad 2016).

Foreseeing the positive impact of the RBPs on the global economy, there has been an increase in patent filing in South Asia in the last ten years. IPRs provide a firm with a competitive edge and enable it to differentiate itself from competitors. A firm with poor IPR protection discourages local and foreign investment. Unfortunately, South Asian countries still do not provide viable IPR regimes in several sectors. Most of these countries have a legacy of a large government footprint and red tape that impede progress on improving indicators such as starting and closing businesses, getting credit, trading, employing workers and enforcing contracts. Corruption, by powerful firms and certain government bureaucracies, is also a major impediment to enhanced competition. Effective competition laws and policies would ease these obstacles, but these can happen only with the political will and support for change from pro-competition stakeholders.

Some of the questions which the panel aims to answer include:

1. Has your government put into place a clear policy statement/strategy on promoting and protecting innovation? If yes, what has been the positive and negative of this?
2. Does your country's consumer protection legal framework, assuming there is one, protect consumers from infringements related to IP, e.g., branding issues, false packaging and labelling, etc.?
3. Should there be a nexus between IP laws and competition laws in developing countries?

### **References**

Manzoor, R. Ahmed, V. and Samad, G. 2016. 'Competition and Intellectual Property in Pakistan', in *World Competition Day Interface between Competition and Intellectual Property Rights. Select Articles*. Jaipur: Consumer Unity & Trust Society, [http://www.incsoc.net/pdf/E-Compendium\\_Interface\\_between\\_Competition\\_and\\_Intellectual\\_Property\\_Rights-WCD\\_2016.pdf](http://www.incsoc.net/pdf/E-Compendium_Interface_between_Competition_and_Intellectual_Property_Rights-WCD_2016.pdf) [accessed 21 August 2018].

UNCTAD 2015, 'Seventh United Nations Conference to Review All Aspects of the Set of Multilaterally Agreed Equitable Principles and Rules for the Control of Restrictive Business Practices', 6-10 July, Geneva: United Nations Conference for Trade and Development <http://unctad.org/en/Pages/MeetingDetails.aspx?meetingid=609> [accessed 21 August 2018].

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