

SPS deals with standards for food safety and animal and plant health. WTO encourages member countries to use international standards or guidelines where they exist and names some examples are given below:

1. Codex Alimentative commission is named for food safety which is an inter governmental body of FAO & WHO.
2. International office of Epizootics for animal health.
3. FAO secretariat of the International plant protection convention for plant health.
4. Higher standards are based on scientific justification, which is based on “risk assessment”.

Trade Related Intellectual Property Rights (TRIPs)

Different form of intellectual property rights (IPR) identified by TRIPs Agreement governed by WTO are

1. Patents
2. Copyrights
3. Trade marks
4. Designs
5. Trade secrets
6. Geographical indications.

1. Patent :

A patent is an exclusive right granted to the inventor to use and market the invention for a limited period of time in consideration of the disclosure of the invention. The product must be (a) novel, (b) have industrial application and (c) must be useful for entitlement of a patent. Patents are given only for inventions. Inventions are solutions to specific problems in the field of technology. An invention may relate to a product or a process.

2. Copy Rights :

Copy right law deals with the rights of intellectual creators. It is concerned with protecting creativity and ingenuity. It promotes and disseminates national cultural heritage. It is meant for original literary, dramatic, musical and artistic works, cinematographic films and softwares. Copy right is registered at Ministry of HRD which is valid for 60 years after author’s death.

3. Trade mark :

It is a sign that individualize the goods of a given enterprise and distinguishes them from the goods of its competitors. It is limited to word marks, abbreviations, names, figures and hologram.

4. Designs :

A design includes features of structure, configuration, pattern, ornament, or composition of lines and colors applied to an article in 2 or 3 dimensional form by any technical process. The process or product can be manual, civil, electrical, chemical and mechanical or combination of all.

5. Trade secret :

It is the agreement between the employer and employee to keep the research information secret or confidential. The employer can recover damages from the improper disclosure or use of his trade secret by the employee.

6. Geographical Indication :

Place names used to identify products such as “Champagne”, Roquefort cheese, Basmati rice etc. They provide legal means so that interested parties can stop the use of such geographical indications for products that do not originate from the used place name or do not have the usual characteristics associated with that place name.