



FLAVORED

INTELLECTUAL  
PROPERTY





Indian food reflects a perfect blend of culture, tradition, and diversity. Due to various recipes in Indian cooking methods, our taste buds are so differently developed from rest of the world. Given the diversity in soil type, climate and occupations, the cuisines in India are very different from each other and are locally influenced. Food in India is influenced by religion, caste, state, rituals, and by various civilizations, which have contributed their taste in its overall development of this Industry.

Like any other sector with globalization foreign food corporations have created a deep seated footing in India and are monopolizing it. At first when GlobMcDonald's entered India in 1996, against the backdrop of a market that was hesitant to try fast food and was still dependent on the "tiffin" lunch boxes many lug to work, their existence in India was questionable. Two decades later, things have changed. India's fast-food industry is expected to double in its size between 2013 and 2016, to \$1.12 billion, according to the Economist Intelligence Unit. And demographic trends mean it could become the next mega-market for international fast food players.

Here the big question is, whether the Indian Food Industry realizes that their defenses have

been breached and foreign corporations are entering India with monopolies in their armories where their equipments and recipes have proprietary safeguards, which makes survival for indigenous business very difficult.

**Let's analyze what offences and defenses can be created by Intellectual property rights with focus reference to the food industry in India.**

## Food Industry: An Overview

The Indian food industry has a huge growth potential simply due to the fact that India is the world's second most populated country after China and is undergoing rapid urbanization, increased literacy, changing lifestyle, increased number of women in workforce and rising per capita income, thereby creating rapid growth and new opportunities in food and beverages sector. India is ranked fifth in terms of production, consumption, export and expected growth and contributes in world food trade every year. In India, the food sector has emerged as one of the highest profit making sectors, particularly pertaining to food processing industry.

## Food Processing Industry

The Indian food processing industry accounts for 32 per cent of the country's total food market, one of the largest industries in India and is ranked fifth in terms of production, consumption, export and expected growth. It contributes around 14 per cent of manufacturing Gross Domestic Product (GDP), 13 per cent of India's exports and six per cent of total industrial investment. The food industry, which is currently valued at US\$ 39.71 billion, is expected to grow at a Compounded Annual Growth Rate (CAGR) of 11 per cent to US \$65.4 billion by 2018.

## Key segments in Food Processing

- Fruits & vegetable processing;
- Meat processing;
- Dairy processing;
- Fisheries sector;
- Grain processing sector; and
- Consumer food industries which includes pasta, breads, cakes, pastries, rusks, buns, rolls, noodles, corn flakes, rice flakes, ready-to-eat and ready-to-cook products, biscuits etc.

Bread and biscuits constitute the largest segment of consumer foods. India's biscuits industry is the largest among all the food industries and has a turnover of around US \$0.64 billion. India is known to be the second largest manufacturer of biscuits after USA.

Health foods and health food supplements are another rapidly rising segment of this industry which is gaining vast popularity amongst the health conscious people.

## Economics

- Indians spend 50% of household expenditure on food items;
- Indian food service industry is expected to reach US \$78 billion by 2018. The Indian gourmet food market is currently valued at US \$1.3 billion and is growing at a compounded annual growth rate (CAGR) of 20 per cent;
- India has diverse agro-climatic conditions and has large and diverse raw material base suitable for food processing companies thus foreign investors are investing a lot in food industry;
- Indian food and grocery market is the world's sixth largest, with retail contributing 70 per cent of the sales. Food has also been one of the largest segments in India's retail sector, which was valued at US \$490 billion in 2013. The Indian food retail market is expected to reach INR 61 lakh crore (US \$894.98 billion) by 2020;
- the online food ordering business in India is in its nascent stage, but witnessing exponential growth. The organized food business in India is worth US \$48 billion, of which food delivery is valued at US \$15 billion. With online food delivery players like Foodpanda, Zomato, Tinyowl and Swiggy building scale through partnerships, the organized food business has a huge potential and a promising future;
- India is also looking for investment in infrastructure, packaging and marketing. Indian food service industry is expected to reach US \$78 billion by 2018; and
- Indian food brands are increasingly finding prime shelf-space in retail chains abroad such as Bikanervala, MTR- ready to eat and ITC's Kitchens of India.

## Investments

- According to the data provided by the department of industrial policies and

promotion (DIPP), the food processing sector in India has received around US \$7.54 billion worth of foreign direct investment (FDI) during the period April 2000-March 2017.

- The confederation of Indian industry (CII) estimates that the food processing sectors have the potential to attract as much as US \$33 billion of investment over the next 10 years and also generate employment of nine million person-days.
- Investment in food start-ups, which mainly include food ordering Apps, has increased by 93 per cent to US \$130.3 million, comprising 17 deals in 2015 until September 2015 as against only five deals in 2014.

## Government Initiatives:

In order to promote food processing industries, increase level of processing and exploit the potential of domestic and international market for processed food products, union budget 2017-18 proposed 100 per cent FDI through FIPB (foreign investment promotion board) route in marketing of food products produced and manufactured in India.





Intellectual property rights play a major role in the development of any commercial field and ultimately overall development of the industry. Though as per industry status it seems food industry is untouched with ipr, however intellectual property protection in the food sector is totally imbibed with everything from the production of ingredients and creation of recipes to the labelling, marketing, and branding of the finished product.

To create an asset in terms of intellectual property, the ip must be protected at the inception of innovation, as delay in protection increases the chances of being leaked, therefore losing novelty. Types of intellectual property relevant to the food industry include patents, trade marks, copyright, trade secrets and design rights. If we look for, every food sector business from start up to multinational has some form of intellectual property; however conversion of such intellect into a real intellectual property asset depends on vision, mission, and strategy of business owner.

These assets can be extremely valuable,

particularly when a company becomes successful. If any form of intellectual property is not protected at the beginning, its value can be lost, stolen or diminished. In most cases even if they do create, they often fail to protect their intellectual property due to lack of awareness. As food industries diversifies itself by advertising and marketing in this digital age along with new means of social-media, now is the time to protect the intellectual-property assets, as boundaries have shriveled and accessibility is at 4g and 5g.

Getting proprietary right over a creation adds value and strengthens brand and further staves off the competition.



## Know What to Protect:

The main processes in food industry include the formulation, recipes, production, processing, distribution in wholesale or retail, packaging, labeling, and delivery of food products.

Types of intellectual property relevant to the food industry include patents, trademarks, copyright, trade secret, registered design geographical indications and trade dress.

# PATENTS



A patent is a set of exclusive rights granted by the government to an inventor or assignee for a limited period of time in exchange for detailed public disclosure of an invention. An invention is a solution to a specific technological problem and is a product or a process.

Requisites for patent protection:

Firstly, it should be an invention (not a discovery) that is novel, meaning it must be a new product or a new process, not been previously published or publicly disclosed in India or in any other country;

Secondly; it must involve an inventive step or should be non-obvious to other persons with similar skills in the same technology; and

Lastly it must have an industrial applicability which means that it can be used in industry or agriculture or made by an industrial process or capable of exploitation in industry or an invention must be susceptible or capable of industrial application.

The main categories of food patents include:

1. Food Composition
2. Process/Method for making a product or creation of recipes
3. A novel microorganism, plant or animal that has been genetically modified to produce a particular chemical (e.g. a food ingredient or additive).
4. Substitution of matter: a new and improved composition, or a method or apparatus for making or testing a composition
5. Bioactive compounds
6. A new synthetic process, a molecule produced by that process, or the use of that molecule to produce a particular effect, for example, a flavour, aroma, texture or stability
7. Machines for making food items
8. Packaging of food products

**1. Food Composition:** food compositions are patentable wherein new compositions, for example in an invented sauce, the steps of formulating a sauce and the sauce itself is patentable; if it fulfills all the criteria of patentability.

US5885644 provide a composition of combining a garlic sauce without exogenous starch, where garlic sauces are not spreadable because of their runny consistency, similar in consistency to salad dressing. This runny consistency is therefore not suitable for spreading on a cracker or for dipping vegetables.

The most common solution includes use of starch, like bread or potato. However, the most prominent drawback is that it diminishes or obscures the nut and garlic flavor of the sauce. The starch containing sauces of the prior art have a bread-like taste and a pasty or starchy texture that imparts a gooey or tacky texture to the sauce. Several other recipes had a pungent, bitter, tart or vinegary flavor that detracts from the enjoyment of the natural flavor of garlic. The colors of prior art garlic sauces vary, for example, from white, almost white, to a grey, purplish, "dirty water" color. These color variations will also detract from the overall visual presentation of the sauce.

Therefore a garlic sauce, comprising the following ingredients: a) garlic; b) chunks of nuts, each chunk having a maximum dimension approximately equal to or greater than 16/100"; c) vinegar; d) water; e) oil; and f) salt, wherein said ingredients are combined without the addition of exogenous starch is claimed and patented, obviating.

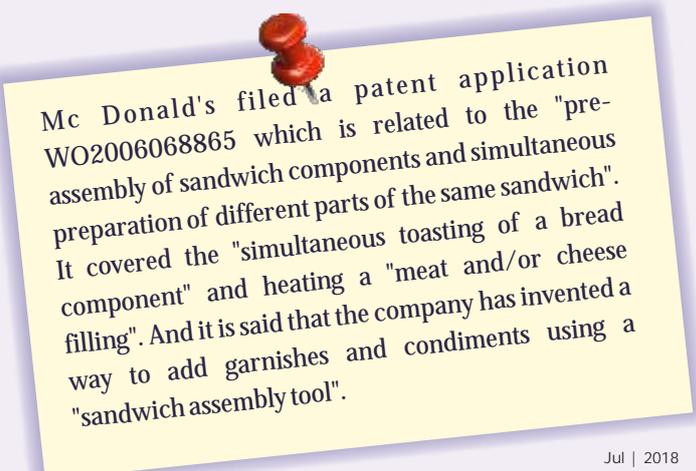
**2. Process/Method For Making a Product or Creation of Recipes:** Process of cooking an ingredient or the peculiar sequence in which the ingredients are added. The processes that make a recipe patentable may include: heating, frying, grilling, stirring, sautéing, baking, poaching, grinding, bottling, whipping, mixing, canning, molding, aging, separating, soaking, cutting, blanching, smoking, chilling, freezing, melting, dehydrating, layering, stamping, and poaching.

US5718934 provides a deep frying method, the invention provides a method of deep frying

coated ingredients, while giving high-frequency ac energy to frying oil or spraying water decreased in ORP value, method of suppressing degradation of the frying oil, an apparatus for giving high-frequency ac energy to the frying oil in a deep fryer, and a deep fryer which incorporates the apparatus for giving high-frequency ac energy to the frying oil. The supply of high-frequency ac energy or spraying the water decreased in ORP value suppresses an increase of acid value in the frying oil, which depends on heating period of time, and spattering of oil and/or water drops, which occurs, when the coated ingredients are dropped into the heated frying edible oil.

**3. A Novel Microorganism:** Plant or animal that has been genetically modified to produce a particular chemical:

WO200302131 provides a strain of micro-organism lactobacillus fermentum me-3 is a novel anti-microbial and anti-oxidative probiotic. It has a high anti-microbial effect on escherichia coli, shigellasonnei, staphylococcus aureus, salmonella typhimurium, and moderate activity against helicobacter pylori strains. The strain of micro-organism possesses mn-superoxide dismutase and both its lysates and intact cells have high anti-oxidative activity, increasing the glutathione red-ox ratio in blood sera and able to capture toxic hydroxyl radicals. The strain of micro-organism could be used as a probiotic for the production of functional food (yoghurt, cheese) and non-comestibles (tablets, capsules) for the prophylaxis of intestinal and uroinfections, both for the prevention and treatment of chronic diseases, caused by prolonged oxidative stress.



Mc Donald's filed a patent application WO2006068865 which is related to the "pre-assembly of sandwich components and simultaneous preparation of different parts of the same sandwich". It covered the "simultaneous toasting of a bread component" and heating a "meat and/or cheese filling". And it is said that the company has invented a way to add garnishes and condiments using a "sandwich assembly tool".

**4. Substitution of Matter:** For health reasons many people avoid rich food and the food that may cause allergy e.g. Butter and egg. Therefore, if a substitute in a particular composition is claimed to produce a desirable taste and provide desirable qualities then this recipe can be patented, as it is novel and provides a solution to a particular problem.

US4963378 provides a method of cooking involving high protein frying batter that eliminates the need for breading and produces crispy and chewy crust. A method of cooking food pieces comprising dipping the food pieces in a batter created by grinding the washed moong dal to a desired texture varying from fine granulated texture in which the particles are larger than 100microns to a coarse granulated texture in which the particles are smaller than 1400 microns, dispersing the said ground washed moong dal in sufficient aqueous liquids to create a batter consistency varying from thin consistency to thick consistency and deep frying the said dipped food pieces in hot oil until the crust is golden brown, to produce a fried batter coated food piece of superior quality having a crispy and chewy crust.

**5. Bioactive Compounds:** Usual food items that are consumed as part of a normal diet can be imparted to have physiological benefits and/or reduce the risk of chronic disease, thereby performing beyond basic nutritional functions, by adding certain bioactive compounds are patentable.

Us9055763 provides probiotics for use in relieving symptoms associated with gastrointestinal disorders.

A method for improving the symptoms of functional bowel disorder, comprising: i) providing an individual having functional bowel disorder; ii) providing a composition comprising a probiotic, wherein said probiotic consists of *L. Acidophilus* and *bifidobacterium lactis*; and iii) administering only said composition to said individual under conditions such that said symptoms of functional bowel disorder are improved, wherein said symptoms of functional bowel disorder comprise bloating and distention.

**6. A New Synthetic Process:** A molecule produced by that process, or the use of that molecule to produce a particular effect, for example, a flavour, aroma, texture or stability.

Jp61202678 provides Modified Japanese SAKE. To obtain a modified Japanese SAKE having excellent taste and flavor quite different from those of normal Japanese SAKE, by mixing the extract of plum, apple, etc., together with acetic acid to Japanese SAKE. Japanese SAKE produced by brewing process, synthetic process, etc., is added with (A) preferably one or more components selected from extract of plum, concentrated extract of plum, extract of apple, concentrated extract of apple, and apple vinegar in an amount of preferably 1-20% and (B) acetic acid or an acetic acid-containing substance such as vinegar, in an amount of preferably about 0.05-0.5% in terms of acetic acid.



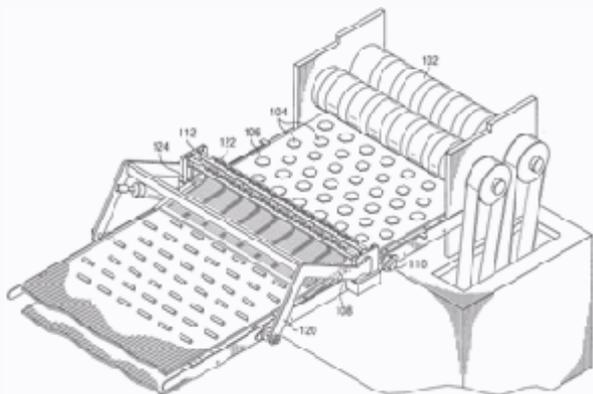
KFC started in March 20, 1930 and it started filing its patent application in 60's.

- Food preheating, cooking and warming device (Filed 16 Jul 1962) - Granted
- Process of producing fried chicken under pressure (Filed 26 Sep 1962) - Granted
- Chicken frying equipment (8 Mar 1967) - Granted
- Apparatus for cooking (31 Aug 1967) - Granted
- Pressurized cooking system - (5 June 1969) - Granted
- Deep fat frying equipment and method of use - (10 Dec 1970) - Granted
- Hot oil re-circulating cooking system - (23 Feb 1972) - Granted

## 7. Machines for making food items:

e.g. toaster, oven, robots or other machines used for performing tasks.

US 7156642 provides a Dough rolling apparatus and method



such as a pizza box designed to carry multiple pizzas and at the same time it prevents the pizza from becoming soggy.



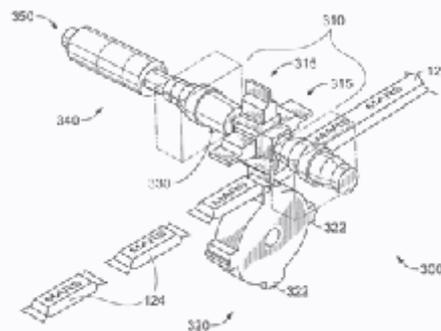
## 8. Packaging of Food Products:

Packaging with added functions beyond containment and protection also known as active packaging extends shelf-life, thus ensuring prolonged food quality and safety. The active packaging includes features such as gas, moisture, UV absorbers, flavor, antioxidants, and antimicrobial releasers etc.

US8341925 provides a Method of packing a food product with extended shelf-life - A method of packing and heat treating a solid or semi-solid food product in a packaging container of paper or paperboard, the method comprising, prior to filling of the solid or semi-solid food product, filling the packaging container with a foam containing a non-oxidising gas and, after the filling, sealing the packaging container by thermo sealing and subjecting the packed solid or semi-solid food product to a heat treatment for purposes of extending the shelf-life of the packed solid or semi-solid food product in the sealed packaging container, wherein the heat treatment is carried out at a treatment temperature of at least 115° C., and wherein the solid or semi-solid food product comprises resiliently formable slices or chunks of fruit or vegetables.

US8028503 provides a method and system for ultrasonic sealing of food product packaging

2258/CHE/2015 provides a Multitier Packaging Box is an innovation in conventional packaging



Many companies create patentable subject matter in the normal course of their business, but they fail to recognize its value, or to understand that their proprietary rights such as patents could provide them with a competitive advantage, increase the value of their company while enhancing shareholder value.

New recipes or formulations which merely involve the addition or elimination of common ingredients do not rise to the level of patentable subject-matter. However, when innovative new food products are fashioned with unusual natural ingredients and specialized manufacturing processes that create the requisite co-actions and cooperative relationships, they may be patentable subject-matter.

## • Major Indian Food Brands



1

Parle Agro is an Indian private ltd company founded in 1984 that owns Frooti, Appy, LMN, Hippo and Bailey. They are the largest Indian food and beverage company, with brands that have won the hearts of consumers everywhere, they are in almost every home across the length and breadth of India.

Parle Agro, today, is a Rs 2,000 crore (US \$319.43 crore) organization



2

Introduced primarily for British settlers in India, Kissan has been present in India since 1935. The UB Group, under the Late Mr. Vittal Malya then, acquired Kissan from Mitchell Bros in the year 1950. However, in 1993, Hindustan Unilever Ltd took it over from the UB Group.



3

Amul is an Indian dairy cooperative, based at Anand in the state of Gujarat. Founded in 1946, the brand is today managed by the Gujarat Co-operative Milk Marketing Federation Ltd (GCMMF) which is jointly owned by about 3,000,000 milk producers in the state.



4

Established in 1989, Kohinoor has presence in over 60 countries. The company owns one of the finest basmati rice brands, also a wide assortment of food products that include wheat flour, ready-to-eat curries and meals, simmer sauces, cooking pastes to spices, seasonings and frozen food.



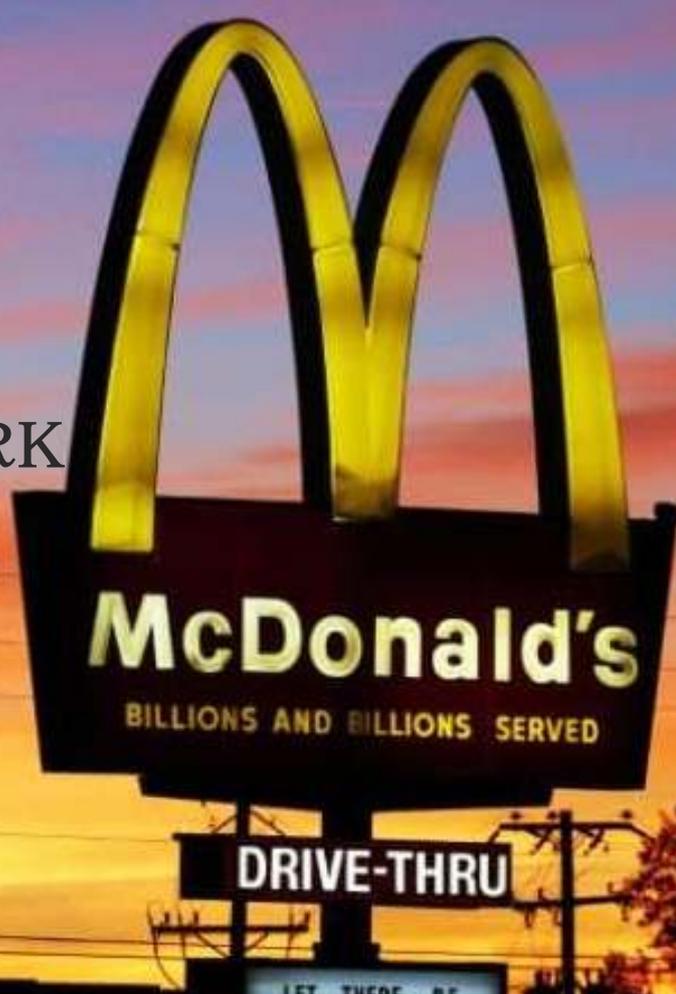
5

Britannia is recognized as one of the most trusted, valuable and popular brands among Indian consumers. Seldom do people know that 123 years ago, in a small house in central Calcutta (now Kolkata) an intrepid baker made a batch of delicious, golden brown biscuits. These were meant for officers of the British Raj and their families, people used to the exacting standards of English tea-time snacking. From the paeans of ecstasy for that first batch of aromatic, flavor-some biscuits was born a long tradition of delectable baking - and its Indian custodian, Britannia.

Today, Britannia is a leading food company in India with over Rs. 8500 crores in revenue, delivering products in over 5 categories through 4.2 million retail outlets to more than half the Indian population.

Further, the company has filed 10 patent Applications in India, with 4 patents granted in India with numerous trademarks.

# TRADEMARK



To establish a successful business, branding is most important as through branding a manufacturer can make a product distinguished from the products of others. Branding in food industry requires a great deal of effort. Trademarks are an integral part of any food company's branding strategy. A trademark is a brand name. A trademark or service mark includes any word, name, number, symbol, device, or any combination, used or intended to be used to identify and distinguish the goods or services of one business from those of another, and to indicate the source of the goods or services. However, colors and even smell can also act as a trademark, provided they can be graphically represented and are capable of distinguishing. The more distinctive a trademark is, the easier it becomes to obtain a trademark registration.

## Selecting a mark

Avoid likelihood of confusion – likelihood of confusion exists when the marks of the parties are similar (looks alike, sounds alike, similar meaning or create similar overall commercial impression) or the parties have related goods and services in such as way that the consumers are likely to believe that it comes from the same source.

Create a strong mark - a strong mark fulfills two main objects

1. Stop third party use and
2. Easier to protect

## Weak Mark

Generic words/ terms – these are common everyday names for goods and services e.g. CARS for automobiles

Descriptive words/terms – directly describe the features or quality of the goods or services or provide the information but do not identify or distinguish the goods or the services e.g. CREAMY for milk

Suggestive marks – suggest qualities or characteristics of the goods and the services without actually describing them e.g. GLANCE A DAY for calendars

Strong mark - measured by its distinctiveness

Fanciful and arbitrary marks – they are inherently distinctive as they are created or inventive that does not have any dictionary or other known meaning and therefore less likely that they are being used by third party like ROSMO for Water purifiers

Distinctiveness Created by Goodwill- APPLE®, Pepsi®, KFC.

# DESIGNS



Registered designs protect the physical appearance of an article or part of an article, such as its shape, configuration, pattern or ornamentation, including features of lines, contours, colors, texture or material those are made by any industrial process or means that it appeals to the eye. A design is registered by filing one or more views of the design along with a statement of novelty claimed.

Design registrations must fulfill the following conditions:

- The design must be new or original–i.e. Should not have been disclosed to the public anywhere in india or in any other country in any form before the filing date

- Must be distinguishable from known designs

- Must be applicable on an article such as paper and appeal to the eye is not merely a mechanical contrivance

It is possible to register a design in connection with almost any “article”, whether it is mass-produced in an industry, or a unique handicraft object or in the food science, a registered design may be used to cover a new type of packaging or the features of an electrical apparatus, such as a toaster, oven, or grinder.

Since a registered design can cover the whole or part of an object, a complicated item may be protected by many different designs.

Interestingly, a registered design may even protect the appearance of a food item, for example, a specially shaped yorkshire pudding or the shape of a teabag. Registered designs provide similar but less stringent rights to those of patents, in the sense that they can be enforced to stop unauthorized persons from using, making, selling or importing a product having an infringing design, for a maximum term of 15 years (subject to payment of renewal fees).

The basic design of an oreo cookie has not changed since its introduction. In 1913, oreo became the official trademark, and in 1974 received its full name: oreo chocolate sandwich cookies.

Oreo brand cookies were introduced to the american public by the national biscuit company (now nabisco) on march 6, 1912. Its registration number is 0093009. Nabisco is now owned by kraft foods.



Any confidential business information which provides an enterprise a competitive edge may be considered a trade secret. Trade secret encompasses manufacturing or industrial secrets and commercial secrets. A trade secret is an information that not generally known to the relevant portion of the public, confers some sort of economic benefit on its holder (where, note well, this benefit must derive specifically from the fact that it is not generally known, not just from the value of the information itself).

The precise language by which a trade secret is defined varies by jurisdiction and so does the precise information subjected to trade secret protection.

There are three factors that (though subject to differing interpretations) are common to all such definitions: trade-secrets are not protected by law in the same manner as trademarks or patents.

a) One of the most significant differences is that a trade secret is protected without disclosure of the secret.

### Advantages Of Patents Over Trade Secrets

- If someone else legitimately using his own intellect comes up with the same thing, he can patent it.
- If the trade secret is revealed, everyone has access to it without restrictions.
- Competitors might be able to "reverse engineer" that product and discover what's in it, then legally use it.
- Patents afford more legal protection than a simple trade secret.

b) Although there is no best method to protect a trade secret but the most widespread method is to provide limited number of people, part information of the whole process and secluding them. Further, liability of confidentiality should be imposed, by making them aware that it is confidential.

c) Trade secrets are protected through non-disclosure agreements (NDA) separately or in conjunction with the employment agreement a worker will sign an agreement not to reveal his prospective employer's proprietary information.

Often, he will also sign over rights to the ownership of his own intellectual production during the course (or as a condition) of his employment.

Violation of the agreement generally carries stiff financial penalties, agreed to in writing by the worker and designed to operate as a disincentive to going back on his word. Similar agreements are often signed by

Example: A trade secret may be a process to produce for the manufacturing products in a more cost-effective manner thereby providing a competitive edge.

Companies that have no patent for their formula and have been very effective in protecting it for many more years than a patent would have are

- Hamdard Laboratories (RoohAfza)
- Google's proprietary search algorithm
- Listerine
- Coca Cola Recipe
- KFC recipe

## COPYRIGHT

The purpose of a copyright is to protect creative work, granting authors exclusive privilege to produce, create or display such work. Copyright does not require registration in India (although it does in US). Here, it subsists on the creation of an artistic work (which is widely defined in the Copyright and Related Rights Act).

Where food is concerned, copyright is a complex area as sometimes a list of ingredients or a specific method of cooking may not be enough to obtain copyright protection.

However, a cook book containing recipes, for example, will be protected by copyright laws. In the right circumstances, copyright protection can cover certain ingredients and their quantities, the idea of the product and the style, method or technique of preparation. They most likely have assigned the copyright in their books to their publisher, as part of a book deal. These examples show how important it is to protect IP, and how valuable it can be.

There are still many food items left which can be applied for Geographical Indications



Food Item	Place
Krishnagar Sarbhaja	West Bengal
Silao Khajo	Bihar
Surti Locho	Gujarat
Odishara Rasagola	Odisha
Krishnagar Sarpuria	West Bengal

## GEOGRAPHICAL INDICATION

Agricultural and food products have long been associated with unique characteristics and heritage aspects affiliated with their location of origin. Geographical names have been used since classical times to identify products of exceptional quality. Well known examples are Agra petha, Tirupatiladdu, Hyderabad Biryani, Hyderabad Haleem, Agra dalmonth, Ratlamisev, Champagne, Tequilla etc.

A geographical indication (GI) is a sign used on products that have a specific geographical origin and possess qualities or a reputation that are due to that origin. In order to function as a GI, a sign must identify a product as originating in a given place. Therefore to qualify for protection an indication must identify the good and its area of geographical origin possess a given quality, reputation or other characteristics which is essentially attributable to its area of geographic origin.

In recent year one more food stuff got registered as geographical indication in India and that is Banglar Rasogolla in West Bengal.

Place	Food Item
Lucknow	Galauti kebab
Srinagar	Gustaba
Banaras	Rabri
Bangalore	BisiBele Bhat
Mumbai	Vada Pav
Mysore	Mysore pak
Jaipur	Dal batichurma
Amritsar	Makkiki Roti
Goa	Prawn gassi
Patna	LittiChockha
Ahmedabad	Dhokla
Bhubneshwar	Dalma
Coorg	Pork Curry



The following food stuffs are under process for registration as Geographical Indications in India:

Indian food industry is in turmoil, with major multi-national food corporation trying to monopolize Indian market. On the other hand very few Indian players are utilizing the IP regime and taking advantage by creating their monopoly. We are still relying on the goodwill and customer service, but we do not realize that we are slowly diluting our markets and allowing our competitors to freely access our proprietary information, while protecting theirs.

We are not creating any barrier so a foreign corporation shall be able to sell their specialty and also cater ours, but the vice versa is not true. The effect of this monopolization may not be evident at first but as the time elapses and fusion happens, our less organized food industry may be severally affected, and severely tarnish the growth of our industry by eating up the space for startups. The taste of success through business shall only improve if we incorporate taste of IP.

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