

# Prior approval of NBA

## For obtaining Intellectual Property Rights

IPR

Why



Who



When

What



**P**rior approval of NBA is a must before applying for any IPR on invention, using biological resource or information, in any form, in or outside India.

### Who has to apply?

Any person - Indian or Non-Indian, NRI, Entities, Research scholars, Govt. organizations / Institutes, etc.

**Invention** refers to any research or information on a biological resource obtained from India.

**Biological resource** means plants, animals and micro-organisms or parts thereof, their genetic material and by-products.

*Refer Section 2 & 6 of the Biological Diversity Act 2002.*

### How to apply?

Apply in Form-III through ABS e-filing portal....  
<http://absefiling.nic.in>

**Time line for approval :**  
90 days from the date of receipt of application in complete form.

**Exemption:** Any person making application for any right under Protection of Plant Varieties and Farmers' Rights Act.

Offence under the Biological Diversity Act is Cognizable and Non-bailable

As of now, NBA has granted approval in the form of an agreement to 541 applicants.

After the Nagoya Protocol on Access and Benefit Sharing came into force, NBA facilitated Internationally Recognized Certificates of Compliance to 74 applicants.