

India foils bid to patent lotus to treat obesity

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NEW DELHI: The claim made by a US company on the usefulness of lotus and cowhage (a herb) for treatment of obesity and hunger at the European Patent Office (EPO) has been foiled by India, because of submission of prior art evidence from ancient Hindu texts that refutes the claim of novelty.

The US-based company Somalab's patent — 'Method for the induction of a reward response by modulation of dopaminergic systems in the

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central nervous system' — had claimed the usefulness of lotus and cowhage in the treatment of obesity and hunger control as novel. The patent was 'deemed to have been withdrawn' by EPO on August 13, 2014.

The **Traditional Knowledge Digital Library (TKDL)**, a unit

of **Council of Scientific & Industrial Research** had submitted prior art evidence in the form of references from ancient books and texts citing evidence that the plants have been used alone or in combination along with few other ingredients for the treatment of obesity.

Confirming that the patent has been deemed to have been withdrawn, an EPO spokesperson said: "The exact reason for the applicant losing interest in their patent application cannot be known for certain. It is true that evidence provided by **TKDL**

was used by the EPO examiner in their examination report, objecting to aspects of the Somalab's patent application and subsequently Somalab's application was deemed withdrawn for failure to respond. They have a few weeks to react, but if we do not get a response, the application will be terminated."

Former TKDL Director VK Gupta had on his last day in office submitted all evidence which specifies that these plants were used traditionally for treatment of obesity and hunger control.