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[WIPO]

## India to spread its method of barring patents based on traditional knowledge

Science|Business reporting

**The Indian government and the World Intellectual Property Organisation will work together to prevent biopiracy and help countries protect herbal remedies, plant lore and other traditions**



The Indian government is joining forces with the World Intellectual Property Organisation (WIPO) to help other countries prevent the

granting of patents based on traditional knowledge.

This follows the huge success of India's **Traditional Knowledge Digital Library (TKDL)**, a database of traditional medical treatments and information on the curative properties of plants, compiled from ancient texts and languages.

By making this information available under non-disclosure agreements to six major patent offices, the **TKDL** has prevented the granting of patents that infringe traditional knowledge rights at minimal cost, and in a matter of weeks.

Work on compiling the database began in 2001 following India's high profile and successful battle to make the US Patent and Trademark Office revoke patents it granted on basmati rice and turmeric, and the European Patent Office (EPO) to revoke a patent on neem oil.

**TKDL** now contains 34 million pages, with knowledge from Ayurveda, Unani, Siddha and Yoga, translated into five languages, and in a searchable format, allowing patent examiners to block patents utilising traditional knowledge where there is no significant inventive step.

Since EPO was given access to **TKDL** in February 2009, it has identified 36 patents making use of Indian traditional knowledge. In some cases this led the Office to refuse to grant a patent, in others applications were withdrawn.

Now, India says it wants help others emulate this success. In a statement to the International Conference on the Utilisation of the **Traditional Knowledge Digital Library** as a Model for Protection of Traditional Knowledge, co-organised by WIPO and India's **Council of Scientific and Industrial Research (CSIR)** this week, India's Minister of Science Pawan Kumar Bansal said India is prepared to work with WIPO and interested countries in sharing its expertise on **TKDL**.

The Minister told the conference in Delhi that international agreements with major patent offices around the world on the **TKDL** has been successful in challenging bids to misappropriate Indian traditional knowledge, saying it has been, "An immensely effective tool for the protection of traditional knowledge [and a] powerful weapon to fight biopiracy."

### A need for practical initiatives

Francis Gurry, Director General of WIPO said India's approach is complementary to the work currently underway on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore, where WIPO's 184 member states are negotiating an agreement to protect traditional knowledge and cultural expressions, and to regulate the interface between intellectual property and genetic resources.

"[These] negotiations are about developing the international legal architecture. In parallel, however, there is an important supplementary role for practical initiatives, which can change the international landscape often faster than legislative or normative approaches," Gurry said.