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India beats back Danish company's bio piracy bid

Kounteya Sinha | TNN

New Delhi: After stopping the Chinese from patenting pudina's health benefits, India has now foiled a major bio piracy bid by a Danish company to patent ginger, jeera (cumin), onion and turmeric's fat burning properties. Claras ApS, a Danish company, on September 19, 2007 filed a patent application at the European Patent Office, saying its invention of turmeric, cumin, ginger and onion as slimming agents was novel.

But the **Council of Scientific and Industrial Research (CSIR)**, with the help of India's **Traditional Knowledge Digital Library (TKDL)**, dug out formulations from ancient Ayurveda texts like *Ashtanga Samgraha*, *Yogaratanakarah*, *Yogatarangini* and *Gadanigraha* dating back to the 5th century, which contained formulations involving their use for ages in India, as fat burners.

Director of TKDL Dr V K Gupta submitted a letter to EPO on August 25, 2009 to inform the examiners that all the four have long been known in Indian systems of traditional medicine for their use as slimming agents or fat destroyers.



Claras ApS, a Danish company, wanted to patent ginger, jeera (cumin), onion and turmeric's fat burning properties

CSIR's letter to EPO said, "The patent application number EP2044850, titled method for altering the metabolism characteristic of food products, may kindly be referred to wherein the usefulness of a herbal composition of *Zingiber officinale* (ginger), *Allium cepa* (onion), *Cuminum cyminum* (cumin seed) and *Curcuma longa* (turmeric) on being added to a food product as a slimming agent by altering the digestion characteristic/metabolism characteristic of the food product has been claimed to be novel."

The letter added, "In **TKDL**, there are several references where all four have been found to be used for improving digestion process and act as slimming agent. Hence, there does not seem to be any novelty or inventive step involved in the claims made in the above referred patent application."

The letter was accompanied with evidence from age-old Indian medicinal texts.

"Following India's intervention, the Danish company was not left with any option except to withdraw its patent and claims. Accordingly, the company decided to withdraw its three-year-old application," a health ministry official said.

TKDL is a collaborative project between **CSIR** and the **health ministry's department of Ayush**. In 2000, the **TKDL** expert group estimated that about 2,000 wrong patents concerning Indian systems of medicine were being granted every year at international level, mainly due to the fact that India's traditional medicine knowledge existed in languages such as Sanskrit, Hindi, Arabic, Urdu, Tamil etc and was neither accessible nor understood by patent examiners at the international patent offices.