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India foils Chinese bid to patent 'pudina'

Rounkaya Sinha | TNN

New Delhi: India has foiled a major Chinese bio-piracy bid to patent the use of medicinal plants 'pudina' (mint) and 'kalamegha' (andrographis) for the treatment of H5N1 avian influenza or bird flu.

The **Council of Scientific and Industrial Research (CSIR)**, with the help of India's **Traditional Knowledge Digital Library**, dug out formulations from ancient Ayurveda and Unani texts, like 'Cakradattah', 'Bhaisajya Ratnavali', 'Kirtaabaal-Haawi-fil-Tibb' and 'Qaraabaadeen Azam wa Akmal', dating back to the 9th century, to show that both 'pudina' and 'kalamegha' have been widely used in India since ages for influenza and epidemic fevers. After receiving exhaustive evidences from **CSIR** that confirmed India's stand, the European Patent Office (EPO) on June 10 cancelled the decision to grant patent to Livzon, a major Chinese pharmaceutical company, on the medicinal properties of 'pudina' and 'kalamegha' for treating bird flu.

It all began when Livzon, on January 19, 2007 filed a patent application at EPO claiming usefulness of 'pudina' and 'kalamegha' for the treatment of bird flu to be novel. Impressed with the data, EPO decided to grant patent to Livzon on February 25, 2010. However, on April 27, director of

Ayurveda Wars

► Chinese pharma firm Livzon seeks patent on pudina and kalamegha to treat bird flu

► **CSIR** produces evidence of their use in India dating back to 9th century

► On June 10, European Patent Office cancels decision to grant patent based on evidence from India



TKDL Dr V K Gupta shot off a letter to the EPO informing the examiners that the medicinal properties of 'pudina' and 'kalamegha' have been long known in the Indian systems of traditional medicine. Following the letter, the EPO set up a three-member panel to study the evidences. On June 10, the panel decided to cancel the Chinese patent claim.

TKDL is a collaborative project between **CSIR** and Union health ministry's department of Ayush. In 2000, a **TKDL** expert group estimated that about 2,000 wrong patents concerning Indian systems of medicine were being granted every year at the international level.