

TIMES NATION

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SOME SP LEADERS WANT ME BACK, SAYS EXPELLED
SAMAJWADI PARTY LEADER AMAR SINGH | 12

ANTONY BECOMES FIRST DEFENCE MINISTER TO LAND
AT THE ADVANCED LANDING GROUND IN NYOMA | 12

India foils China bid to patent 'pudina', 'kalamegha'

Kounteya 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 (TKDL), dug out formulations from ancient Ayurveda and Unani texts, like 'Cakradattah', 'Bhaisajya Ratnavali', 'Kitaab-al-Haawi-fl-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 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

BIRD FLU TREATMENT



known in the Indian systems of traditional medicine.

The letter said, "The patent application number EP1849473, titled Chinese traditional medicine composition for treatment of avian influenza,

method for preparation, and application thereof, may kindly be referred to wherein the usefulness of andrographis (kalamegha) and mint (pudina) for treatment of fever, detoxification and for the treatment of avian influenza, has been claimed to be novel." The letter added, "In the TKDL, there are several references where andrographis and mint are used for the treatment of influenza and epidemic fever. Hence, there does not seem to be any novelty or inventive step involved in the claims made in the above referred patent application."

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, mainly due to the fact that India's traditional medicine knowledge existed in languages such as Sanskrit, Hindi, Arabic, Urdu, Tamil etc. These were neither accessible nor understood by the patent examiners at the international patent offices.

TKDL, therefore, overcame these language and format barriers by scientifically converting and making available information contents in 34 million A4 size pages of the ancient texts into five international languages — English, Japanese, French, German and Spanish.