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INDIAN-AMERICAN NIKKI HALEY WINS REPUBLICAN NOMINATION FOR SOUTH CAROLINA GUV 8

GROUP CAPTAIN TENDULKAR? AIR FORCE PROPOSES TO OFFER SACHIN HONORARY POST 6

China bid to patent pudina foiled

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-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 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.

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.

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