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## India foils Swiss MNC's bio-piracy bid

Kounteya Sinha | TNN

**New Delhi:** India has successfully foiled a bio-piracy bid by a Swiss multi-national firm to patent an age-old Indian home remedy — milk as a laxative.

Nestec SA had filed a patent application at the European Patent Office (EPO) on May 12, 2009, claiming the usefulness of cow milk for the treatment of constipation and as a laxative to be its unique finding.

However, cow milk is being used alone or in combination with other ingredients for treating constipation and as a laxative in traditional Indian medicine systems for hundreds of years.

The **Council for Scientific and Industrial Research (CSIR)** and the Union health ministry's **department of Ayush** sent the EPO references of the remedy from several ancient Indian texts dated between 5th century and 20th century.



Swiss MNC had filed a patent application claiming the usefulness of cow milk as a laxative. India's references of the remedy from several ancient texts, force the Co to withdraw application

This led to the applicant withdrawing its claim and patent application on January 24.

A health ministry official said: "Within 16 weeks of India providing evidence, the nearly three-year-old attempt by a Swiss multinational company to pirate India's traditional medicinal knowledge was struck down by the European Patent Office."

Nestec SA had filed a patent application (EP-2251029) under the title "Lactoferrin and gut neuronal health in adults and/or elderly". The

books belonging to the Indian systems of medicine that were referred to as evidence by India and sent to EPO included Astanga Hridaya (5th century), Vangasena (12th century), Rasendracintamanah (16th century), Siddhabhesajamanimala (19th century) and Khazaain-al-Advia (20th century).

Till a decade ago, around 2,000 wrong patents regarding Indian medicine systems were being granted annually at international level due to lack of evidence provided by India.

In **TKDL**, over 2.26 lakh

rare medical formulations that were part of the country's ancient Indian texts, have been dug out, transcribed, documented and digitized in order to protect them from bio-pirates.

This includes 1.22 lakh Unani formulations, ayurveda (90,000) and Siddha (15,000), which have been transcribed by the **department of AYUSH** and **CSIR** from ancient Indian texts written originally in Sanskrit, Arabic, Urdu, Persian and Tamil.

They have now been translated into five international languages — English, Japanese, French, German and Spanish — for intellectual property rights across the world and a ready reckoner as and when a patent application comes up "from western bio-pirates."

On an average, it takes five to seven years to oppose a granted patent at international level that may cost \$0.2-\$0.6 million.