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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 multinational 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. 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. 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 (EP2251029) under the title "Lactoferrin and gut neuronal health in adults and/or elderly".

The books belonging to the Indian systems of medicine that were re-

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ferred to as evidence by India and sent to EPO included Astanga Hridaya (5th century), Vangasena (12th century), Rasendracintamanai (16th century), Siddhabhesajamanimala (19th century) and Khazaain-al-Advia (20th century).

"Our Traditional Knowledge Digital Library (TKDL) submitted the evidence on September 30, 2011. The examiner terminated the patent application thereafter," a health ministry official said.

Dr Jyoti Arora, head of nutrition and dietetics at Artemis Health Institute, said, "Milk contains lactose which is a carbohydrate and works as a laxative. Hot milk works wonders as a laxative for those who have a habit of consuming it before going to bed at night. It has been an age-old practice in India."

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