

THE TIMES OF INDIA

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Govt scraps patent for jamun-based drug

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New Delhi: After combating bio-piracy of neem and haldi in the US and Europe, India has now woken up to the problem in its own backyard. In the first such move since 1994, the government has revoked a patent granted by the Indian Patents Office for a diabetes medicine made from the extract of jamun, lavangpatti and chundun, saying it was an “integral part” of traditional medicine.

Using a “rarest of rare” provision in the Patents Act, the government decided to quash the protection that drug maker Avesthagen got earlier this year. It said the patent was “mischie-

vous to the state and generally prejudicial to the public” as the treatment was an “integral part” of ayurveda, unani and siddha system of medicine. The patent was proving to be a major embarrassment, given that India has for long fought for protecting traditional knowledge and genetic resources and sought to check piracy of ayurvedic and other traditional forms of medicine.

What is even more curious is how the Indian Patents Office gave the protection after the government had successfully got European authorities to turn down the application two years ago.

The only other time the pro-



Government has decided to quash the protection that a drug maker got earlier this year for a jamun-based drug

vision was used was to cancel the patent given to a US firm for developing cotton cells by tissue culture. While the problem seems to have been dealt with at least for the moment, there

could be more in store as the government has discovered that there are at least four or five similar instances of patents given to medicines over the last five years or so that have been “de-

veloped” using commonly used plants and fruits, ranging from amla, methi, karela and ashwagandha. “In one case, we have established that the patent was wrongly given. We are investigating the others and if we find similar problems, we will deal with it,” an official said.

Cancelling the patent given to Avesthagen was not easy as company argued the extracts, which work individually in managing diabetes, had an aggressive effect when combined. In addition, it used an approach that is “innovative, novel and scientific” in developing a formulation and screened it for efficacy and safety using modern technology.