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Govt scraps patent for jamun-based diabetes drug

Sidhartha | TNN

New Delhi: In a first such move since 1994, the government has revoked a patent granted by the Indian Patents Office for a medicine made from the extract of jamun, lavangpatti and chundun meant to treat diabetes.

Using a "rarest of rare" provision in the Patents Act, the government decided to quash the protection that drug maker Avesthagen had got earlier this year on the grounds that the patent right was "mischievous to the state and generally prejudicial to the public" as it was an "integral part" of ayurveda, unani and siddha systems of medicine. **P 16**

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Govt rejects claim of drug 'invention'

Sidhartha | TNN

New Delhi: After combating bio-piracy in the US and Europe, India has woken up to the problem in its own backyard and cancelled a patent given to an anti-diabetes drug based on traditional ingredients.

But this time, the patent given to the mix of jamun, lavangpatti and chundun was proving to be an embarrassment for India. **What is more curious is how the Indian Patents Office gave the protection after the government had got European authorities to reject the application.**

Cancelling the patent given to Avesthagen was not easy as the company argued that 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.

Arguing that the patent was not prejudicial to public interest, the company said the "invention" was novel and provided scientific validation to Indian traditional knowledge. The government, however, countered it by saying that for centuries, it was known that the plants were used for management of diabetes and there were no inventions.