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British firm's bid to patent ginger foiled

Kounteya Sinha | TNN

New Delhi: India has foiled an attempt by a British pharmaceutical company to claim a patent on using ginger for the treatment of cough and cold.

While Indians have been gulping down 'adrak chai' for generations as a standard home remedy, Nicholas John Larkins, London, filed a patent application (GB2436063) titled "Pharmaceutical composition for the treatment of excess mucous production" on March 16, 2006, at the British patent office. The company claimed a "unique finding" in the use of ginger (*Zingiber officinale*) and kutki (*Picrorhiza kurroa*) for the treatment of cough and lung diseases.

"Within two weeks of India providing evidence, the attempt to pirate India's traditional medicinal knowledge was struck down by the UK patent office in 2011," a health ministry official said. The department of AYUSH and the Council of Scientific and Industrial Research (CSIR) intervened and provided evidence from age-old ayurveda and unani books, dating back to the 18th century, that talked about ginger and kutki being used alone or in combination with other ingredients to treat cough, bronchial asthma and lung diseases.

► Digital library boost, P 10

10

TIMES NATION

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Digital library a boost in fight against bio-piracy

► Continued from Page 1

The books that were referred to as evidence by CSIR included *Ilaaj-al-Amraaz* (18th century), *Bhaisajya Ratnavali* and *Bharata Bhaisajya Ratnakara* (1000 BC), *Bayaaz-e-Kabir* (1938 AD), *Muheet-e-Azam* (19th century) and *Khazaain-al-Advia* from the 20th century. "India through the Traditional Knowledge Digital Library (TKDL) submitted its prior art evidences on April 25, 2011. The examiner terminated the patent application before grant," a health ministry official said.

Ginger has been a popular Indian home remedy for treating cough and cold. Ginger tea is known to



Remedy Rebound

- British pharma firm files for patent in 2006, claiming it discovered use of ginger and kutki plant in treatment of cold
- India cited medicinal texts dating back to the 18th century on use of ginger to treat cough, asthma & lung diseases
- British patent office accepts Indian evidence, throws out application 5 years later

provide relief to the throat. At times, it is mixed with lemon and honey. The high concentration of vitamin C improves resistance levels, lowers toxicity of the infection and reduces duration of the cold.

Till about 10 years ago, around

2,000 wrong patents concerning indigenous systems of medicine were being granted annually at the international level due to lack of evidence provided by India. The digital library has been a real boon for India. More than 2.26 lakh rare

medical formulations which were part of the ancient Indian texts have been dug out, transcribed, documented and digitized into the path-breaking TKDL to protect them from bio-pirates.

This includes 1.22 lakh unani, 90,000 ayurveda and 15,000 Siddha formulations, 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 also been translated into English, Japanese, French, German and Spanish for intellectual property rights and as reference points whenever an application for a patent comes up "from western biopirates".