

# Hindustan Times

For more, log on to [hindustantimes.com](http://hindustantimes.com)

## BATTLE'S WON, WAR IS ON

### Don't take what's mine

- US Patent & Trademark Office granted patent for wound-healing properties of turmeric in 1995 and the European Patent Office (EPO) to anti-fungal properties of neem in 1994; both revoked after India fought for it
- 2,000 patents related to Indian systems of medicine granted every year
- 40-50 patent applications based on traditional knowledge from India awaiting grant at any given time
- EPO has granted patents on use of 285 plants used in Indian medicines, such as papaya, Indian long pepper, hoary basil (kali tulsi), ginger, aloe, psyllium, Indian gooseberry, cumin, tomato, almond, walnut and soyabean
- It takes 5-7 years to oppose a granted patent, with cost for each case ranging between Rs 1 crore and Rs 3 crore

### What's being done

- EPO granted access to **Traditional Knowledge Digital Library (TKDL)** database from February 2 to ensure it validates claims related to Indian systems of medicine
- Using **TKDL**, India can protect 2 lakh (2,00,000) medical formulations.
- **TKDL** comes in several languages — English, Japanese, French, German and Spanish
- Thailand, Cambodia, Afghanistan, Indonesia, South Africa, Mongolia and Indonesia are among the countries that have asked India for assistance in setting up a similar database



# India banks on patent power

Sanchita Sharma  
New Delhi, February 9

India has set up the world's first **Traditional Knowledge Digital Library (TKDL)** database and signed an agreement with the European Patent Office to establish a mechanism to stop bio-piracy.

IT SEEMS the long-drawn battles over neem and turmeric patent claims in other countries have dawned upon India the urgency to stop bio-piracy. India has finally set up the world's first **Traditional Knowledge Digital Library (TKDL)** database and signed an agreement with the European Patent Office (EPO) to establish a mechanism to stop the piracy.

The Rs 7 crore **TKDL** project, completed in partnership with the Council of Scientific and Industrial Research (CSIR) — took nine years to enlist 2,00,000 formulations from Ayurveda, Unani and Siddha schools of medicine.

"India has signed an Access Agreement with the EPO to establish a mechanism to pro-

tect India's traditional medicinal knowledge from bio-piracy. The Patent Examiners at the European Patent Office (EPO) have been given access to the **TKDL** from February 2 so that no patents are granted if there is existing documentation in the database," said S. Jalaja, secretary, **AYUSH**, a department of Indian systems of medicine in the ministry of health and family welfare.

In the past, the EPO, with 34 member states, granted patents on the use of 285 plants used in traditional Indian medicines — such as papaya, Indian long pepper, hoary basil (kali tulsi), ginger, aloe, psyllium, Indian gooseberry,

cumin, tomato, almond, walnut, and soyabean.

About 2,000 patents on Indian systems of medicine are granted each year, mainly because traditional medicinal knowledge exists in many languages — Sanskrit, Hindi, Arabic, Urdu and Tamil, to name a few — that are not understood by patent examiners. The **TKDL** makes the information available in five international languages like English, Japanese, French, German and Spanish, said project leader **Dr V. K. Gupta**, head, information technology division, **CSIR**.

"We've learned from the past, where the government spent crores of rupees in fight-

ing wrong patents granted for the wound healing properties of turmeric and the anti-fungal properties of neem. Fighting each patents costs Rs 2 to Rs 3 crore. But setting up the database will help ensure traditional knowledge is not wrongfully taken away from India," said **CSIR** director general Samir K. Brahmachari.

India has taken up the issue in the World Health Assembly, an inter-governmental committee at the World Intellectual Property Organisation and TRIPS council at the World Trade Organisation, but no consensus has been reached.

"Getting global recognition for this tool is a beginning. We've also reached agreements on most issues with the US Patent and Trademark Office. We expect results soon," said **Dr Gupta**.

[sanchita.sharma@hindustantimes.com](mailto:sanchita.sharma@hindustantimes.com)