

GOVERNMENT OF INDIA
MINISTRY OF AYUSH
LOK SABHA
UNSTARRED QUESTION NO-933
ANSWERED ON 08/12/2023

Traditional Knowledge Digital Library

933: SHRI ADALA PRABHAKARA REDDY:
DR. BEESETTI VENKATA SATYAVATHI:
SHRI CHANDRA SEKHAR BELLANA:
SHRI MADDILA GURUMOORTHY:

Will the Minister of AYUSH be pleased to state:

- (a) the details of Traditional Knowledge Digital Library (TKDL), which was set up as an Indian digital knowledge repository of traditional knowledge;
- (b) the progress made in this regard;
- (c) the benefits realized therefrom; and
- (d) the details of other such measures taken/ proposed to be taken to protect the ancient and traditional knowledge of the country from exploitation through biopiracy and unethical patents?

ANSWER
THE MINISTER OF AYUSH
(SHRI SARBANANDA SONOWAL)

- a) The Traditional Knowledge Digital Library (TKDL) is a prior art database of Indian traditional knowledge established in 2001, jointly by the Council of Scientific and Industrial Research (CSIR) and Department of Indian Systems of Medicine and Homeopathy (Dept. of ISM&H, now Ministry of AYUSH). The TKDL was established to prevent misappropriation of Indian traditional knowledge (TK) by way of intellectual property rights. The TKDL currently contains information from ancient texts related to Indian Systems of Medicine such as Ayurveda, Unani, Siddha, Sowa Rigpa and Yoga. The information from ancient texts in Indian languages have been transcribed into five international languages, namely English, French, German, Spanish and Japanese in the TKDL database. The TKDL thus serves as a robust prior art database of Indian traditional knowledge information therewith offering the

information in languages and format understandable by patent examiners at Patent Offices worldwide. The TKDL thus prevents erroneous grant of patents by patent offices.

The access to this database is given to patent offices world-wide that have signed Non-disclosure Access Agreements with the CSIR, for search of TKDL evidences in the context of patent applications filed with them. The TKDL prior art database is currently available to 16 patent offices - including the Indian Patent Office (Controller General of Patents, Designs & Trade Marks), European Patent Office, US Patent Office, Japanese Patent Office, German Patent Office, Canadian Patent Office, Chile Patent Office, Australian Patent Office, UK Patent Office, Malaysian Patent Office, Russian Patent Office, Peru Patent Office, Spanish Patent & Trademark Office, Danish Patent and Trademark Office, National Industrial Property Institute (INPI, France) and Eurasian Patent Organization.

In addition to the use of TKDL database by patent offices, the CSIR-TKDL Unit also files third party observations/pre-grant oppositions on patent applications that have relevance to Indian traditional knowledge. This defensive protection through TKDL has been effective in safeguarding Indian traditional knowledge from misappropriation, and is considered a global benchmark.

(b) & (c) A total of 466011 Indian Systems of Medicine formulations including 131628 in Ayurveda, 246714 in Unani, 76487 in Siddha, and 6134 in Sowa Rigpa, and 5048 in Yoga techniques have been transcribed so far into the TKDL database. On the basis of TKDL evidences, so far, 324 patent applications have been either refused, amended or withdrawn/abandoned, thus protecting Indian traditional knowledge.

(d) As per the Biological Diversity (Amendment) Act, 2023, approval of the National Biodiversity Authority is necessary before seeking any intellectual property rights based on biological material and associated knowledge obtained from India. Under the Biological Diversity (Amendment) Act, 2023 and Rules thereunder, the National Biodiversity Authority has also been pursuing efforts on Peoples Biodiversity Register. The register is a tool for formal recording and maintenance of comprehensive information on availability and knowledge of local biological resources, their medicinal or any other use. The CSIR-TKDL Unit has signed a Non-Disclosure Agreement with National Biodiversity Authority for evaluating and identifying modalities for possible inclusion of information from the Peoples Biodiversity Register into the TKDL database.

Under Section 3p of the Indian Patents Act, 1970, invention which in effect, is traditional knowledge or which is an aggregation or duplication of known properties of a traditionally known component or components, is non-patentable. In addition, the Patents Act, 1970 provides for disclosing the source and geographical origin of the biological material in the specification, when used in an invention and conveys the information to NBA, thereby facilitating compliance.
