

**GOVERNMENT OF INDIA
SCIENCE AND TECHNOLOGY
LOK SABHA**

UNSTARRED QUESTION NO:1337
ANSWERED ON:01.08.2000
NEEM PATENT
JITENDRA PRASADA

Will the Minister of SCIENCE AND TECHNOLOGY be pleased to state:

- (a) whether it is a fact that the European Patent Office revoked the patent granted on Neem by it for a fungicide derived from the seeds of the neem tree;
- (b) if so, whether the Government propose to take up the case of Basmati rice and other such Indian products patented by the foreign country; and
- (c) if so, the details thereof?

Answer

MINISTER OF STATE FOR SCIENCE AND TECHNOLOGY (SHRI BACHI SINGH RAWAT)

(a) It has been reported that the European Patent Office has revoked European Patent No.0436257 entitled 'method for controlling fungi on plants by the aid of a hydrophobia extracted neem oil'.

(b) & (c) A petition to challenge limited claims of the patent on basmati rice lines granted by the United States Patent Office was filed in the US Patent office on 27th April, 2000.

Patents are granted under the sovereign prerogative of countries according to their respective Patent Laws and have territorial effect, that is, they are effective only in the country of grant. However, as and when information is received about patents being obtained on certain items which are not considered patentable and which affect Indian interests, steps are taken to assess whether the grant of such patent can be challenged under the patent laws of the country concerned.