

**GOVERNMENT OF INDIA
HEALTH AND FAMILY WELFARE
LOK SABHA**

UNSTARRED QUESTION NO:2248
ANSWERED ON:06.08.2003
ESTABLISHMENT OF NATIONAL PATENT REGIME
A.C. JOSE

Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether the Government have taken any steps to establish a National Patent regime which will enable affordable access to the latest medical and therapeutic discoveries;
- (b) if so, the details thereof; and
- (c) if not, the reasons therefor?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF HEALTH AND FAMILY WELFARE (SHRI A. RAJA)

(a) to (c) The Patent Act in India presently follows the process patent system for pharmaceuticals, and the question of more liberal uses of safeguards will be more relevant under the product patent system, when it is introduced. The Patent Act in India has a number of safeguards, such as, compulsory licensing covering a wide range of situations and parallel imports, which can be used to protect public health and affordable access to medicines.