

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

UNSTARRED QUESTION NO:6818
ANSWERED ON:07.05.2010
PATENT OVER INDIAN SYSTEM OF MEDICINES
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Will the Minister of HEALTH AND FAMILY WELFARE be pleased to state:

- (a) whether the Government is aware of the attempts of some multinational companies to get patent rights over traditional Indian medicines;
- (b) if so, the measures taken by the Government to foil such attempts;
- (c) whether an American multinational company has filed a patent for Ashwagandha which is used extensively in Ayurveda, Siddha and Unani system of medicines;
- (d) if so, the details thereof; and
- (e) the action taken in this regard?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF HEALTH & FAMILY WELFARE (SHRI DINESH TRVEDI)

(a) Yes.

(b) The Department in collaboration with the Council of Scientific and Industrial Research (CSIR), has created the Traditional Knowledge Digital Library (TKDL) in order to prevent the bio-piracy of the Indian Traditional Medical Knowledge. Agreements have been signed with the European Patent Office (EPO) and United States Patent Organization (USPO) to provide them access to this library, in order to prevent grant of wrong patents.

(c) to (e). M/s Natreon Inc., a US Multinational had filed a patent application titled "Method of Treatment or Management of Stress" on 27-07- 2006 through a composition comprising Withania somnifera plant extract; and a pharmaceutically, veterinary or nutritionally acceptable carrier(s) before the EPO.

The Traditional Knowledge Digital Library has submitted evidences to EPO along with references of various texts of Ayurveda, Siddha & Unani,

These evidences established that Ashwagandha (Withania somnifera) is frequently and effectively used through oral administration in the treatment of depression, insomnia, gastritis, gastric ulcer and convulsions which are defined as the causative factors of stress in the patent application. TKDL evidences also mention the use of Ashwagandha in the treatment of palpitation, excessive perspiration, diabetes mellitus and anemia which have been stated as conditions resulting from stress by the applicant.

After examination of the evidence presented before it, the EPO has observed that, in the light of this document, the subject-matter of claims cannot be considered as novel. Accordingly, the applicant M/s Natreon INC withdrew its application on 25.03.2010.