

**GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA**

STARRED QUESTION NO:318
ANSWERED ON:16.08.2010
PATENT OF TRADITIONAL INDIAN PRODUCTS
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Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

- (a) the efforts made by the Government for getting larger number of traditional Indian products patented;
- (b) the details of patent cases filed by Indian applicants in various countries and its present status; and
- (c) the policy formulated by the Government for preventing patenting of Indian products by foreign companies/countries?

Answer

THE MINISTER OF COMMERCE AND INDUSTRY(SHRI ANAND SHARMA)

(a) to (c): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO LOK SABHA STARRED QUESTION NO. 318 FOR ANSWER ON MONDAY, THE 16TH AUGUST, 2010.

(a): Traditional Indian products are not patentable since they do not meet the criteria of patentability specified in the Indian Patents Act, as these are traditionally known and, as such, do not have novelty and inventive step.

(b): The Office of the CGPDTM is a receiving office for applications filed by Indian applicants through the Patent Cooperation Treaty (PCT) route in various countries. The patent applications filed by Indian applicants, in the last five years, through the PCT route are given below:-

Years 2005-06 2006-07 2007-08 2008-09 2009-2010

Patent Application 482 534 707 887 751
received under the
PCT route

The country for which the application is meant, examines it as per its patent legislation. The Government of India does not maintain the status of such applications filed through the PCT route for other countries.

(c): For preventing the patenting of India's Traditional Medical Knowledge, the Government has developed a Traditional Knowledge Digital Library (TKDL) database on codified knowledge in Ayurveda, Unani, Siddha and Yoga. The TKDL establishes prior art for approximately 2.24 lakh formulations, transcribed in five international languages, namely English, German, French, Spanish and Japanese. The TKDL database has been provided to the Office of the CGPDTM, European Patent Office (EPO), German Patent Office, United States Patent and Trademarks Office and United Kingdom Patent Office, under an Access Agreement, for establishing prior art in case of patent applications based on Indian systems of medicine filed before these authorities.