

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

UNSTARRED QUESTION NO:2075
ANSWERED ON:06.08.2010
PATENT OF PUDINA AND KALAMEGHA
Dhruvanarayana Shri R.

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

- (a) whether India has recently won a major battle to preserve its traditional knowledge system by thwarting the attempts of a Chinese firm to patent the medicinal properties of Pudina and Kalamegha for treating bird flu;
- (b) if so, the details thereof;
- (c) whether the European Patent Office has upheld the Indian claim that the medicinal properties of Pudina and Kalamegha were known in Indian traditional medicine especially for the treatment of avian influenza;and
- (d) if so, the details in this regard?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF HEALTH & FAMILY WELFARE (SHRI S. GANDHISELVAN)

(a) to (d) Yes. M/s Livzon Pharmaceutical Group Inc, Guangdong, 519020, China filed a patent application No: EP1849473 titled "Chinese traditional medicine composition for treatment of avian influenza, method for preparation, and application thereof" on 19-01-2007. On 25-02-2010 European Patent Office (EPO) after examination conveyed their intention to grant the patent to M/s Livzon. On 27-04-2010 Traditional Knowledge Digital Library (TKDL), unit jointly set up by the Department of AYUSH and CSIR made a submission to EPO on the basis of available prior art references from Ayurveda & Unani text books the details of 4 medicinal formulations where Pudina & Kalamegha have been used for the treatment of Influenza, epidemic fever, stating that these uses have been known for hundreds of years in the Ayurveda & Unani systems of medicine. A team of examiners in EPO considered the evidences on pre- existing knowledge of Ayurveda & Unani on 10-06-2010 and decided to cancel their earlier intention to grant the patent to M/s Livzon. The EPO thus upheld the Indian claim that the medicinal properties of Pudina and Kalamegha were known to Indian Traditional Medical System in particular for treatment of Influenza and epidemic fever etc.