

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

UNSTARRED QUESTION NO:1841

ANSWERED ON:19.08.2013

. COMPULSORY LICENCES TO DRUG COMPANIES

Siddeswara Shri Gowdar Mallikarjunappa

**Will the Minister of COMMERCE AND INDUSTRY be pleased to state:**

- (a) the number of compulsory licences given to drug manufacturing companies since the amendment of the Patents Act, 2005;
- (b) the number of pending cases of domestic drug companies that have filed for compulsory licences;
- (c) the reasons for delay in clearing these cases; and
- (d) the time by which these are likely to be cleared?

**Answer**

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY (DR. E.M. SUDARSANA NATCHIAPPAN)

(a)& (b): One compulsory license has been granted under Section 84 of the Patents Act, 1970 by the Controller General of Patents, Design and Trade Marks since the amendment of the said Act in the year 2005. Further, one application for compulsory license was filed under Section 84 of the Patents Act, 1970 by a domestic drug company on 4th March, 2013.

(c)& (d) : An application filed for grant of a compulsory license is required to be disposed of in accordance with the provisions of the Patents Act, 1970. Since the process of examination of grant of compulsory license is a quasi judicial process, it is not possible to provide a time line with respect to disposal of the case.