

EU to protect India's traditional knowledge

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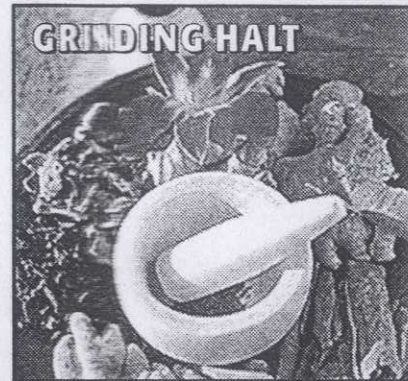
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THE European Patent Office (EPO) has, in principle, agreed to make a conscious effort to block anyone from stealing patents on India's traditional knowledge in medicine. This will ensure that instances like the patenting of turmeric's medicinal property in the US does not occur in the 30-member superstate. India had, earlier, spent \$ 6 million to bust the US patent on turmeric.

A non-disclosure agreement between the union science and technology ministry and the EPO is expected soon, which will give EPO access to a digital database of at least 136,000 traditional Indian medicines. EPO will protect this highly-valuable information and refer it routinely while reviewing patent applications

where the innovation is of botanical origin. This would make it easy for the EPO to reject patent requests where centuries-old knowledge is passed off as innovation.

The National Institute of Science Communication and Information Resources (NISCI) under the science and technology ministry is developing the nearly one-crore page digital database of Ayurveda, Sidha and Unani medicines. This project of the Department of Ayurveda, Unani, Sidha, Homoeopathy and Yoga (Ayush) has been approved by the Department of Industrial Policy and Promotion (DIPP) and the draft agreement is now being vetted by the law ministry. NISCI is representing the government in negotiations with various patent offices including those in the US, UK, Japan and Sweden. Once the agreement with the EPO is signed, it will be able to



strongly persuade the US patent office, which, according to a 2003 study, has inappropriately granted nearly 380 patents involving India's

traditional knowledge and biological resources.

Such individual agreements with national patent offices is an interim arrangement till India is able to persuade the member nations of the World Intellectual Property Organisation (WIPO) to agree for a legal framework to protect traditional knowledge and biological resources, said an official. Protecting traditional knowledge and biological resources is not in the purview of the patent system, which provides incentives only for innovation. This is addressed by the Convention on Biodiversity. India has, however, made non-disclosure of the biological source of an innovation a ground for rejecting a patent. It wants other countries to follow suit. India is expected to make a major push for this framework at WIPO's coming June meeting in Geneva.