

Patents Act will benefit innovative India: Expert

Our Mumbai Bureau

24 JULY

A new patent act may be a fait accompli for India but the debate surrounding patents is far from over. From the perspective of the domestic and the global pharmaceutical industry, there seem to be lots of devils lurking in the fine print that still need to be sorted out.

Speaking on the need for a legal framework to protect intellectual property, Prabuddha Ganguli,

CEO of consultancy firm Vision-IPR has said India is continually innovating and that is why it needs a strong platform to protect these innovations.

Harvey Bale, director general, International Federation of Pharmaceutical Manufacturers & Associations (IFPMA) said that though India has taken a major positive step in changing the patents laws, it could still lose its advantage in the future. "Unlike in other emerging countries, the consensus in favour of innovation is still challenged in India," he said, speaking at a symposium on the new patent regime organized by the Healthcare and Industry Informa-

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"Ciprofloxacin formulation developed by Ranbaxy and licensed to Bayer is an example of incremental innovation. This major revenue-earner innovation cannot be patented in India under the current law."

tion Centre. According to Dr Bale, intellectual property protection needs to be part of any coherent health and economic as well as science policy. He added that though India has started late in changing its patent laws, it can easily catch up. "My prediction is that India will have strong intellectual property protection in the future," he said.

Refuting the argument for a narrower definition of patentability and patentability criteria, Dr Bale said that opposing patenting of incremental innovation is a defensive argument that will hurt Indian companies in India as well as in the overseas markets. The last amendment to the patent bill has precluded salts, esters, ethers, polymorphs, metabolites, pure form, particle size, isomers, mixtures of isomers, complexes, combinations and other derivatives of known substances from being patentable.

While this is in line with what the bodies representing the domestic industry wanted, some industry bodies had stated that this would be extremely shortsighted for Indian industry and will discourage multinationals from bringing products of high science to this country. According to Dr Bale, the narrow definition is detrimental to the interest of industry as well as consumers. "The ciprofloxacin once-a-day formulation developed by Ranbaxy and that was licensed to Bayer

is an example of incremental innovation. While this has earned Ranbaxy a lot of revenue, this innovation cannot be patented in India under the current law," he said.

On fears of rising drug costs with the implementation of a new patent law, Dr Swati Piramal, director, strategic alliances at Nicholas Piramal, said almost 95% of drugs that are on WHO essential list are already available in Indian market. "Less than 10 drugs that are patented after 1995 are there in the Indian market. Fears that new drugs would be priced astronomically high are unfounded."



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REQUEST FOR PROPOSAL (RFP) FOR DELIVERY AND INSTALLATION OF UPS SYSTEMS

United Bank of India invites RFP (Tender) from different vendors for delivery and installation of UPS systems.

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