

Protecting patents will boost innovation in India

This is also essential to meet the healthcare challenges facing the country



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India, a country with consistent growth, an educated workforce, and established science-based research institutions, already has many elements required to realise the 'Make in India' vision.

In order to extend 'Make in India' to 'Develop in India' and finally to 'Innovate in India', we must build the country's capability for innovation through Intellectual Property creation, protection, and commercialisation. Patents are developed to protect the research cycle and keep it moving. Without patent protection, research would come to a halt.

There are still huge unmet medical needs in cancer, diabetes and mental illnesses (Parkinson's and Alzheimer's remain unconquered) and dengue remains a threat to 40 per cent of the world's population. India should favour an innovative environment that supports the research and development of new medicines, both within India

and around the globe, to meet healthcare goals and address the challenges of healthcare access. Access to healthcare extends beyond medicine costs to the proximity, quality and functionality of the infrastructure supporting that access.

Barriers

The barrier to access is the inability to pay out-of-pocket and the lack of insurance cover. We hope the government will prioritise healthcare, strengthen infrastructure and focus on skill development. The government must increase healthcare budgets from the current 1 per cent to at least 2.5 per cent in the next two years.

Implementing the promised Universal Health Assurance programme will benefit patients and increase access.

Pro-innovation policies and increased access to medicines are not mutually exclusive. They go hand-in-hand. A thoughtful assessment of the policies and decisions relating to Compulsory Licenses (CL) needs to be made, on a case-by-case basis. The flexibility in the law should be used judiciously, only for humanitarian and non-commercial use, in treating diseases which fall under the category of

epidemic or communicable diseases. A CL must not be granted without presenting an opportunity to the patent-holder to share how it will help increase access to the drug in a sustainable way.

It is heartening to note that the Department of Industrial Policy & Promotion (DIPP) is reluctant to issue a CL recommended by the Health Ministry, hopefully conveying that CLs should be invoked only as exceptions.

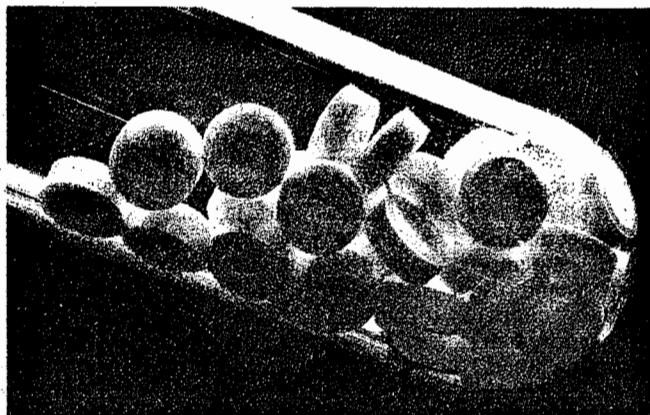
Ongoing Innovation

Ongoing innovation is critical to meet increasing health needs and is particularly relevant in the context of evolving healthcare systems around the world. In January 2014, the Global Intellectual Property Centre (GIPC) once again ranked India last, notably in categories of patents, copyrights and international treaties.

If India, a leader among emerging markets, shows scant respect for patent laws, the danger is that the growth of local companies in these countries and the overall economic growth will become stunted. A stronger IP environment will positively impact the Indian economy and encourage Foreign Direct Investment.

In the pharma sector, we need a holistic approach that balances the need for innovation with the necessity for more accessible medicines, within a robust IP environment.

A January 2014 study by economists Robert Shapiro and Aparna Mathur, predicted that 'India could well become a global centre for innovative drug development and production, increase life expectancy, expand output and employment, and achieve considerable cost savings in medical care and government subsidies by increasing its IP protection.



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