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Fresh, detailed norms for drug patent filing examiners

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Chennai, Sept 11: Fresh and detailed guidelines are being put in place for examiners of drug patent filings in the wake of a spate of litigations involving pharmaceutical players in the country. In a bid to provide a thorough patent approval process, the country's intellectual property office — the office of the controller general of patents, designs and trademarks — is now taking steps to ensure that the process of drug patent examinations is being done consistently and in uni-

form across all the patent filings.

Litigations around the drug patents have been increasing, many a times involving multi-national companies — better known as Big Pharma — specially on those life saving drugs such as cancer and heart diseases in the recent past. Big pharmaceutical firms have all along been at loggerheads with their domestic counterparts over the alleged frivolous patents. They often state that domestic players are engaged in filing for intellectual rights for incremental innovations on already known drugs. In a chat with *FE* recently in Chen-



nai, Chaitanya Prasad, controller general of patents, designs and trademarks & registrar of geographical indications, said that the intellectual property office has been approving drug patents in accordance

with the law of the land. However, it is now working on formulating new set of guidelines which will provide standard and uniform methods for examiners to follow while looking at patent applications.

Prasad said: "The Indian government has made the patent laws after a lot of thought. However, we are in the process of creating detailed guidelines for examiners of the drug patent applications. Also we are conducting stakeholders consultations in this regard. The first round is already over and the second round is due soon."

Pointing out that the patent office cannot do anything on the unsatisfied drug companies going in for litigations on the rejected or granted patent, he said that the patent office could only make the examinations uniform and consistent. "If a company is unhappy about the decision, it will go for litigation; we can't avoid that situation," he said. He further said that it has initiated intellectual property (IP) awareness programme among the industry associations and he wants the state governments to take active role for a better IP regime.

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