



Patent protection of traditional knowledge and biological material

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Archana Shanker and Vidisha Garg explore the protection of therapeutic substances used under folk medicine practices as 'traditional knowledge' by special provisions of the patent law. In October 2012, the government of India exercised its powers conferred under Section 66 of the act to revoke Avesthagen's patent IN252093, on the grounds that the patent or the mode in which it is exercised is prejudicial to the state or the public. The recent guidelines seem to extend the government's sentiments. They aim to provide strict procedures for the screening, allotment and examination of applications relating to traditional knowledge so as to ensure that patents are not granted to inventions relating to traditional knowledge. This article was published in LSIPR April 2013. To continue reading, please contact us at email@anandandanand.com



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