

**GOVERNMENT OF INDIA  
MINISTRY OF AYURVEDA, YOGA & NATUROPATHY,  
UNANI, SIDDDHA AND HOMOEOPATHY  
(AYUSH)**

**RAJYA SABHA  
UNSTARRED QUESTION NO.1285  
TO BE ANSWERED ON 14<sup>TH</sup> MARCH, 2017**

**PATENTS RELATING TO AYURVEDIC MEDICINES**

**1285. SHRI VIVEK GUPTA:**

Will the Minister of **AYURVEDA, YOGA & NATUROPATHY, UNANI, SIDDDHA AND HOMOEOPATHY** be pleased to state:

- (a) whether Government has come across cases where traditional Indian medical science has been patented by foreign companies abroad, if so, details thereof;
- (b) the details of patents filed by Indian based companies and individuals based on ancient Ayurvedic knowledge; and
- (c) the details of the steps taken by Government to safeguard the ancient knowledge of Ayurveda from being commercialised by foreign corporations?

**ANSWER**

**THE MINISTER OF STATE (IC) OF THE MINISTRY OF AYURVEDA,  
YOGA & NATUROPATHY, UNANI, SIDDDHA AND HOMOEOPATHY  
(SHRI SHRIPAD YESSO NAIK)**

(a) & (b): Yes. Details of number of patent applications filed/ published/ granted as per provisions of the Patents Act on herbal/ plants/Ayurvedic formulations, from 01.01.2005, are as under:

Patent Applications Filed		Patents Granted	
Domestic	Foreign	Domestic	Foreign
1000	129	185	23

(c): In order to safeguard the Indian traditional knowledge and traditional medicines etc. the Government of India has initiated the following steps;

- i. Traditional Knowledge Digital Library (TKDL) has been established with the objective of preventing misappropriation of traditional Indian medicinal knowledge of Ayurveda, Unani, Siddha & Yoga. The TKDL has been prepared in five languages, namely English, French, German, Japanese and Spanish in patent compatible format to make available the existing knowledge, which is already in public domain to the patent examiners, so that such patent applications, which are related to traditional knowledge are rejected at the examination stage itself.

Contd.....

- ii. Guidelines for examination of applications related to Traditional Knowledge and biological subject matter have been issued by the Indian Patent Office (CGPDTM) to prevent undue grant of patents.
- iii. Indian Patens Act provides specific provisions to prevent grant of patents to an invention, which in effect, is traditional knowledge or which is an aggregation or duplication of known properties of traditionally known component or components.
- iv. The Biodiversity Act, 2000 requires an applicant to seek prior approval of the National Biodiversity Authority before making an application for any intellectual property right which involves an invention based on biological resources obtained from India.

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