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News / Story reproduced with thanks:- **Fierce Pharma**

Indian patent system draws more pharma ire

Direct link to the News/Story:-

<http://www.fiercepharma.com/story/indian-patent-system-draws-more-pharma-ire/2010-02-12>

India has been something of a promised land for Big Pharma in recent years. With growing healthcare spending, a relatively inexpensive pool of skilled labor, and a plethora of potential local partners, the subcontinent has attracted lots of investment from the globe's largest drugmakers. There's just one problem: Patents.

In just the latest example of the problem, the Delhi High Court this week refused to block approval of a copycat version of Bayer's cancer drug Nexavar. And as the *Wall Street Journal* reports, Nexavar is far from the only top-selling drug to be denied protection or, in some cases, enforcement. There's also the Novartis cancer treatment Glivec (Gleevec in some markets), Roche's cancer med Tarceva, and the Gilead Sciences HIV-fighter Viread.

All these drugs are still on-patent elsewhere in the world. And drugmakers say that India ought to recognize patents from other countries, or at the very least, protect branded drugmakers from knockoff versions while patent disputes are worked out in the courts. But Indian officials say their system is fair. There's just a higher standard for patents. Innovations have to be significant, they say, to maintain real competition and ensure a supply of cost-effective meds.

Other countries grant patents too willingly, Indian executives say, so why should they automatically recognize them? "The U.S. would grant a patent to a piece of toilet paper," Amar Lulla, CEO of the Indian drugmaker Cipla, told the *WSJ*. "Just because the U.S. granted a patent, doesn't mean it should be valid."