A BULLETIN
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INTELLECTUAL PROPERTY RIGHTS (IPR)

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Data Exclusivity— Yes or no?

Data exclusivity has become a topic of intense discussions led by large drug companies which are strongly advocating that each member country of WTO should introduce a provision for keeping the data, submitted by them to the market approval authorities, confidential for a fixed period of time. The common argument being forwarded by them is that TRIPS has stipulated a provision for data protection or data exclusivity in respect of drugs and agrochemicals. Let us have a look at the provisions in TRIPS.

TRIPS talks of non-disclosure of data, meaning thereby data exclusivity, in Article 39 dealing with the protection of undisclosed information (trade secrets). One would therefore like to assume that there has to be some link between trade secret and data exclusivity. Protection of undisclosed information or trade secret is one of the seven different forms of intellectual property rights stipulated in TRIPS. These are patents, copyrights, trademarks, industrial designs, geographical indications, protection of IC layout design and protection of undisclosed information. Each one is independent of each other, protects different aspects of an inventive work and extends different rights to the owner. It is therefore evident that patent protection is not linked to protection of trade secret and hence to data exclusivity.

It may be noted that many companies protect their innovative work through trade secret and not through patents, as in patents the whole invention is to be disclosed to public. However, if some one comes out independently with the same information, data, process etc., then it would not be the violation of the rights of the person who has been having the same information etc and maintaining the trade secrecy by keeping it confidential. In other words two different persons can enjoy the same right. This would never happen in case of patents. There is thus an inherent risk in taking the route of trade secret for protecting your innovative work.

Article 39.2 states " Natural and legal persons shall have the possibility of preventing information lawfully with in their control from being disclosed to, acquired by, or used by others without their consent in a manner contrary to honest commercial practices so long as such information : a) is secret in the sense that it is not, as a body or in the precise configuration and assembly of its components, generally known among or readily accessible to persons within the circles that normally deal with the kind of information in question; b) has commercial value because it is secret; and c) has been subject to reasonable steps under the circumstances, by the person lawfully in control of the information, to keep it secret." *(In this context "a manner contrary to honest commercial practices" shall mean at least practices such as breach of contract, breach of confidence and inducement to breach, and includes of undisclosed information by third parties who knew, or were grossly negligent in failing to know, that such practices were involved in acquisition. Whatever has been said in this article is addressed in the Indian law, Contract Act 1872.)*

Article 39.3 states " Members, when requiring, as a condition of approving the marketing of pharmaceutical or of agricultural chemical products which utilize new chemical entities, the submission of undisclosed test or

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other data, the origination of which involves a considerable effort, shall protect such data against unfair commercial use. In addition, Members shall protect such data against disclosure, except where necessary to protect the public, or unless steps are taken to ensure that the data are protected against unfair commercial use."

Article 39.3 deals with a situation when a company, making drugs or agro-chemicals, approaches a regulatory authority for obtaining market clearance for a drug or an agro-chemical. Companies have to submit a lot of information to the concerned authorities such as the Drug Controller of India(DCI) or the Food and Drug Administration(FDA) in USA. The documentation may include among other things test results of different types, methodology and results of clinical trials and chemical details of drugs. It has been reported that the documentation required by FDA for awarding market approval of a new drug could run into few hundred thousands of pages.

Would all the information, data, test results and other details submitted by the companies be protectable through patents or copyrights or industrial design? The answer will certainly be no. At the same time it is difficult to accept that whatever is submitted would necessarily qualify as trade secret. The true spirit behind the TRIPS stipulation would be to give some protection to such types of information, data, etc which a company would have succeeded in protecting (perhaps through trade secret), if it were not to be submitted to authorities.

It may be noted that Article 39.3 stipulates that the information submitted by companies to get market approvals should not be disclosed to avoid unfair commercial use. Due importance should be given to the words unfair and commercial use. Therefore, apparently, TRIPS allows the use of the information in non-commercial use. There are not many choices while exercising this option of non-commercial use. Use of the information in public interest would qualify as non-commercial use. Public interest has not been defined anywhere in TRIPS, so each nation can have its own interpretation of the term but not beyond the normal and fair understanding of the words. However, there could also be some problem in applying the principleof non-commercial use. If a drug is produced on the basis of the data submitted to a market approval authority, it will certainly entail some expenses. Whether the government undertakes the complete production or authorizes some one else to do so, some profits will be involved at some stage of the whole process. Vendors of raw materials, chemicals, machineries, retailers etc. will make their profits in any case. Can this situation be placed outside the realm of unfair commercial use? In a situation demanding governments' intervention for serving broad public interest, the ultimate benefits to the society would become the overriding consideration and it should be assumed that all member countries of WTO are sensible enough to understand their responsibility and discharge them. A different situation of State intervention would emerge if issues of safety concerning the drug or agro chemical are under scrutiny.

The advocates for data exclusivity put forward the following points

1. Protection should be in the form of exclusivity for a period of at least 5 years from the date of market authorization.
2. Data exclusivity is not related to patent protection, therefore data exclusivity should be provided irrespective of the life of patent.
3. The drug companies spend a lot of money in generating the data and information and it is not fair that other companies should be allowed to use that data, without going through the painful process of generating that information, for developing new drugs, e.g., generic drugs.

Many countries have provided in their respective laws a provision for maintaining data exclusivity by the respective market approval authorities. Many developed countries such as USA, countries in Europe, Australia, New Zealand and Andean Group countries have a system for providing data protection. It would thus mean that the results of the invention for which a patent has been granted would not be available to public and R&D agencies for another five years. In some countries there has been a provision of extending the patent term by a maximum of five years if the market approval authority takes undue long time in giving the approval. However, the period specified for the purpose of data

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exclusivity varies from country to country from 5 years to 10 years. A variation in this period can be seen even within the EU members. The data protection period generally starts after the protection period is over or from the date of market approval. One of the reasons advanced for this exclusivity is an ever increasing time in receiving a market approval for a new drug. It is now estimated to be 15 years, which consumes practically the major portion of the term of the patent.

Generic drugs do not have to go through a detailed evaluation process as the suitability of a generic drug is established by using the principle of equivalence. It is argued that such a decision implicitly makes use of the data generated and submitted by the drug company, which had obtained the initial patent for the new drug. Obviously, in the light of this interpretation the introduction of generic drugs will be delayed by five years enabling the present manufacturer of the drug an additional time to market the drug in an exclusive manner and generate more profits. Reasonableness of profits as against profiteering should be taken as a major factor in determining whether an additional period should be provided for data exclusivity or not. Perhaps the concerned parties i.e., the drug companies must establish through data that they have failed to make reasonable profit in the absence of provision for data exclusivity and due to early introduction of generic drugs. Further, from the point of view of developing countries it may derail the process of introducing generic drugs, which are substantially cheaper.

Further, the question of research in generic drugs may be considered in a different manner. It is known that generic drugs don't require the same amount of documents; in fact it would be a very small fraction. Why should anyone be interested in the results of the original drug? There would be enough evidence developed over years from the usage of the original drug establishing the suitability of the molecule or formulation.

There would have been reasons for putting this aspect under the heading of trade secrets and obviously, the bottom line would be to avoid unfair competition and breach of confidence. If we extend the principles of trade secrets, it would be essential to determine whether the data, information etc. in question is really a secret or not. The authority responsible for issuing market approval may not have the means to verify this. Therefore, one is expecting the authority to take on a responsibility (legal) for something whose eligibility is not established. As mentioned above, the protection can be enjoyed for an infinite time if the secret can be kept a secret. At the same time you cannot deny another person to enjoy the same knowledge if arrived at independently. However, as trade secret can be kept a secret for an infinite time, what would stop drug companies in asking for a much longer data exclusivity? A basic question can be raised regarding the appropriateness of including the matter of data exclusivity under Article 39 dealing primarily with protection of undisclosed information.

It may be noted that at some stage in countries like Great Britain, Germany and Australia, public concern was raised about secrecy of the data. The following reasons are advanced against data exclusivity: -

1.Non-disclosure contradicts the right of the public to be informed about the efficacy and safety of the approved drug. Since confidentiality would prevent the scientific community from scrutinizing the scientific basis of a licensing decision, it is difficult to determine the commercial bias of the decision. In fact there has been a report in the Scientific American (February 2003) that some drug companies conceal the data in respect of a drug not fovouring the efficacy of the drug. FDA approved Lotronex (Alosetron hydrochloride), a drug manufactured by Glaxo Smithkline. Clinical trials in women had revealed that 41% of patients taking the drug had some relief as did 29% taking a Placebo. These tests were carried out at Mayo Clinic in Rochester. These results did not compare effects of two medicines during the first month of taking medicines. It is reported that both medicines have the same efficacy during the first month. By not showing this data Mayo Clinic and hence the manufacturer claimed that Alosetron was superior to Placebo. Apparently, irritable bowel syndrome (IBS) for which the drug Lotronex is prescribed, does not require a long term treatment and perhaps the efficacy of the drug in

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the first month may be the crucial factor.

2.Health authorities should be able to use and rely on registration data submitted for similar products or on existence of a prior registration data elsewhere. If the freedom is not there, a lot of repetitive work, including clinical investigation, will have to be carried out, which may be unethical.

3.Generic drugs may become very expensive, which would not be in interest of developing countries.

It is reported that drug companies from abroad are targeting India for clinical trials. One has to take a view on whether the data of Indian patients should be kept away from genuine Indian researchers or not. Evidently, as a matter of public policy it may be difficult to treat the data as official secret by many countries. Developing countries will have to evolve methods to maintain the confidentiality of data. If the approval authority happens to be part of the government, the procedures followed by governments to keep things away from easy access would be generally adequate to maintain the exclusivity. It may be difficult to haul up governments if some one from inside (lets say) misuses the information. There are deterrents available to take care of such offences within the system. The above position will be substantially strengthened if countries have laws encouraging and protecting contracts, confidence and information.

Software Patents are Sensitive to Novelty Assessment

Establishing novelty in a software patent is a difficult task and most patent offices are presently grappling with the problem to put in place a reliable system for determining novelty of an invention. Before 1981, software was a subject matter to be protected under copyright and no patent was granted. As a result most software information was in the public domain. The US Supreme Court allowed patenting of software in 1981 (Diamond vs Diehr). Unlike other areas, software patents are relatively new. It is well known that patent information is well structured and presented in a systematic manner. This has made it possible to have the patent information digitized easily and now it can be accessed quickly. However, this is not the situation with the non patent literature. The biggest danger faced by the applicant is that his patent may be invalidated easily even at a much later stage after the issue of the patent. This would mean a loss of heavy investments on obtaining and maintaining a patent.

Adobe was blamed for infringing the patents of Quantel Ltd. The jury which went into the issue declared on September 19, 1997 that the following patents held by Quantel were invalid because non patent prior art existed before the filing date of the patent. These US patents are :

4, 602, 286 Video processing for composite images. (July 12, 1986)

5,216, 755 Video image creation system which proportionally mixed previously created image pixel data with currently created data (June 1, 1993)

5, 289, 566 Video image creation (Feb 22, 1994)

5, 459, 529 Video processing for composite images (October 15, 1995)

It appears that each subsequent patent after the patent 4, 602, 286 utilized the knowledge of the earlier patents. Therefore by knocking down the first patent in the series, it is easier to knock the other patents. *Apparently, the patent 4, 602, 286 did not cite any non patent literature and went on to claim:*

"An image composition system comprising:

A first input for first digital image signals representing an image; first frame store means for storing a frame of said first digital image signals; a second input for second digital image signals, a third input for first digital control image signals representing a control image; a fourth input for digital image signals representing a second control image; fourth frame store for storing a frame of said second control image signals; and

Combining means for producing a composed image by selecting for said composed image only signals from said frame store means when said first control image signals have a particular value and for selecting for said composed signals from one or the other or both of said first and second frame store means, depending on the value of

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Software .....

said second control image signals, when said first control image signals have a different value, and for combining any image signals selected from both of said first and second frame store means in order to produce said composed signal."

Molins Limited had obtained two patents 4,36 9,563 and 4,621,410 on machine tool installation. The first one was issued on January 25, 1983 on the topic "Automated machine tool installation with storage means". It had the following main claim:

"A machine tool installation for machining workpieces of different types requiring different machining operations and comprising a plurality of complementary numerically-controlled machine tools located adjacent a predetermined path, a store located adjacent said path and having a plurality of storage means for storing workpieces, transport means for transporting workpieces between the store and the machine tools along said path from which there is access to any of said storage means in the store and to any of the machine tools and operable to convey selected workpieces independently of central programmed control means with each of said machine tools and with said transport means to control movement of each of said workpieces by said transport means between a predetermined selection of the storage means in the store and predetermined selection of the machine tools, and to control predetermined selected machining operations performed by each of the selection of machine tools on the workpiece, the pattern of movement t of said workpieces along said path and the machining operations performed by said selection of machine tools on said work pieces being different for each of said types of workpieces."

The second patent "Automated machine installation and method" was granted on November 11, 1986.

Both these patents were invalidated by the Delaware District Court in USA on the ground that the patent did not disclose the prior art (reported in a German patent). The 4,36 9,563 patent was explicitly decided to be invalid, while 4,62 1,410 was ruled invalid for being derived from the earlier patent. It is clear from the examples that an inventor must be honest in disclosing the complete prior art known to him/her at the time of filing a patent applications.

Use of patent information for research may lead to infringement

Practically all patent laws allow that information contained in a patent document and the invention claimed therein can be used for research purposes without any fear of causing an infringement. The doctrine known as "experiment use exception" is well accepted in most countries for reasons that experimental use of a patent will help in removing uncertainties in the field of research or providing new insights into the subject matter of the invention. This exemption is basically meant to ensure that research is not hampered by patents and that it would lead to the betterment of the society through better and improved inventions. The thought process can be compared to the exemption that scientific theories / principles are not patentable as these are meant for the overall benefit of the humanity .

The situation seems to be undergoing a change in view of the fact that trade and commerce have started influencing the management of patents and courts seem to favour the trade considerations rather than the broad considerations. A decision of the Court of Appeals for the Federal Circuit in October 2002 points in this direction. One Prof.Madey, while working at the Stanford University obtained full ownership of two patents regarding free electron laser. He left Stanford University and joined Duke University where he relocated his laser lab. After few years he left Duke. Duke, however, continued to operate the patented laser. Madey sued Duke for infringement of his patent.

The District Court in North Carolina did not find that Duke infringed Madey's patent because he could not establish that Duke used the laser for any commercial purpose. Therefore the use fell under the doctrine of experimental use exception.

While appealing to the Federal Circuit Madey contested that the Dsitrict Court wrongly shifted the

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Use of Patent .....

burden to Madey for proving that Duke's use was not experimental, the District Court construed the experimental use exception too broadly and evidence produced by Duke was insufficient to prove experimental use by Duke.

The Federal Court took a position, which completely supported Madey's view point. It held on the basis of earlier cases that experimental use exception is very narrow and limited to actions perfomed for amusement, to satisfy idle curiosity , or for strict philosophical inquiry .It further emphasized that the exception is not applicable if there is the slightest indication towards commercial gain. Recognizing that universities may also have business objectives of educating students, securing research funding and recruiting students and faculty .The court also noted that Duke had successful licensing program that generated substantial revenue. According to the Court, Duke infringed Madey's patent. However, this is not the end of the case. Duke, with the support of other universities has appealed to the Supreme Court whose decision will really sort out this confusion and perhaps, provide a right direction.

After the Bayh-Dole Act, the universities have been trying to generate revenue through commercialization of their research so much so that many fear that they may lose their purest form in the process. In fact, the universities are almost being forced to adopt the path of commerciaJization. This shift in thinking will be doubly enforced by the recent Court decision. There is a wide spread feeling that US academic research may be diverted foreign institutions in countries which may have more friendly laws in this regard. Readers who have been following the debate on data exclusivity will realize that this decision of the Federal Circuit will strengthen the hands of those who are advocating in favour of data exclusivity .For developing countries, which are just learning to walk in this arena, such quick changes in view points and philosophical content of patent laws will be difficult to assimilate. To act on the position taken by highly advanced system would not be easy for the developing countries; they will need their own time and experience for setting a balance between public good and private ownership.

(*Court of Appeals of the Federal Circuit is a unique institution in the US judicial system. It was created in 1982 to reduce the overwhelming load on the Supreme Court and foster uniformity in patent law. Unlike the regional appellate courts it does not have any geographical boundaries. It provides a consolidated or unified appellate forum with a nationwide jurisdiction on specific subject matters. The principal category comprises of infringement cases.)*

(Source : CASRIP News letter, University 333of Washington, School of Law, Vol10, Iss 1, Winter 2003)

Guidelines for depositing Microorganisms in Indian Depository under the Budapest Treaty

Microbial Type Culture Collection (MTCC), India - a national facility , sponsored jointly by the Department of Biotechnology (DBT) and Council of Scientific and Industrial Research (CSIR), has been created in the Institute of Microbial Technology, Chandigarh. MTCC has excellent infrastructural facilities for long term preservation of microorganisms. It maintains a computerized database on its collection and transactions and has a website http:// mtcc.imtech.res.in.

On October 4, 2002 MTCC became recognised as an IDA and now microorganisms may be deposited here under the Budapest Treaty and patent protection may be sought in contracting states.

MTCC, like other IDAs, follows guidelines prescribed in the Regulations and Rules of the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure.

I. Requirements for Deposit

a) Kinds of microorganisms accepted as deposits

MTCC will accept bacteria, bacteria containing plasmids, fungi, yeasts, bacteriophages, plasmids in a host and/or as isolated DNA preparations belonging to Hazard Group 1 and 2 as per classification of Indian authority.

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Guidlines .....

Genetically manipulated microorganisms and isolated DNA will be accepted if they can be processed in S1 or S2 facility or conform to Group 1or 2 organisms.

MTCC will reserve the right to refuse to accept a deposit if in its view the deposit may be an unacceptable hazard or MTCC may not be in a position to process it. Deposit of bacteria and fungi pathogenic to plants and animals from other countries, which can be processed in S1or S2 facility will be accepted only if cleared by appropriate authority in India.

The deposited material will generally be preserved by freeze-drying or storage in liquid nitrogen or by other method(s) of long term preservation.

b) Technical requirement and procedure

i) Form and Quantity

Materials for deposit should be pure (uncontaminated) and should be sent in the following form:

Bacteria and fungi 10 freeze-dried ampoules and 2 active cultures (on slants). If (including yeasts) freeze-dried cultures can not be submitted MTCC may do the freeze drying on payment by the depositor.

Bacteriophages 5 x 2ml quantity with a minimum titre of 1 x 109 pfu per ml. Suitable host of the bacteriophage also needs to be deposited in active form (2 slants)

Plasmids 5 x 20 micrograms of isolated and purified DNA preparations. Suitable host of the plasmid also needs to be deposited in active form (2 slants)

The deposit should be accompanied by appropriate forms duly completed by the depositor. These forms can be obtained from MTCC. Separate forms need to be used for bacteria, fungi (inculding yeasts), bacteriophages and plasmids. Fee for storage (Rule 12.1 (a)(I) of the Regulations under Budapest Treaty) must be paid for each deposit.

ii) Time required for viability testing

MTCC will test viability as quickly as possible. Since many organisms grow quite slowly, time required for viability testing for different microorganisms vary.

A verage time that will be required for viability testing are indicated below:

Bacteria, yeast bacteriophages and plasmids	4 days to 3 weeks
Fungi	7 days to 4 weeks

iii) Depositor checks and renewal of stocks

MTCC may prepare, as and when it finds necessary , new batch(es) of lyophilized and frozen (in liquid nitrogen) cultures by subculturing materials supplied by the depositor. MTCC will send samples of the new batch and the depositor is required to check authenticity of such microorganisms.

iv) Non-viability of cultures

Cultures deposited in MTCC are preserved by methods which are known to keep the cultures viable for a long time. However, if a culture deposited under the Budapest Treaty becomes non-viable or is destroyed during storage period, in order to maintain patent protection, according to Article 4 of the Budapest Treaty the depositor needs to replace it by a viable culture of the same organism.

Administrative Requirements and Procedures

i) General

Language: Language of communication of MTCC and forms will be English; communication in Hindi is also acceptable. However, in case of any dispute, English version will prevail.

Import and / or Quarantine Regulations

Cultures of microorganisms from outside India may require import clearance and/or subjected to quarantine regulations. The depositor from outside India should communicate with MTCC regarding such deposits before dispatching cultures.

ii) Making the original deposit

Requirements to be met by the depositor

A depositor will be required to send a completed BP/1 Form which is the accession form for deposit under Budapest Treaty. For amendment of scientific description or taxonomic designation a depositor will require to send a completed BP/7 Form.

Official notification to the depositor

The receipt and viability statement will be issued in English on mandatory "international form" BP/4 and BP/9 respectively. Attestation of receipt of amendment of scientific description or taxonomic designation will be issued on BP/8 Form.

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Guidlines .....

Notification of furnishing a sample to third parties will be issued on BP/14 Form.

Unofficial notification to the depositor

If requested, MTCC may communicate the date of deposit and accession number before the official receipt is issued only after the viability test is completed and a positive result is obtained.

iii) Converting a previous deposit

In case of deposit made in MTCC earlier outside the provisions of the Budapest Treaty the original depositor may convert the same to the Budapest Treaty deposit. However, if the original deposit was in general category and is listed in MTCC catalogue (printed or electronic) and was having no restriction for distribution by MTCC, the depositor will be requested to authorize MTCC not to restrict distribution of such a deposit and waive his/her right to notification of release of the sample. If this condition is not acceptable then a fresh deposit of the material under Budapest Treaty will be required. Deposits previously made with MTCC for patent procedure or for safekeeping also can be converted to deposit under Budapest Treaty. Administrative requirements and fees for conversion will be the same as are for the original deposit under the Budapest Treaty.

iv) Making a new deposit

For making a new deposit completed BP/2 Form will be required along with relevant documents as required by under Rule 6.2. Receipt and viability statement for such a deposit will be issued on BP/5 and BP/9 Forms respectively.

2. Furnishing of Samples

a) Request for samples

MTCC will follow procedures as provided under the provision of the Budapest Treaty for furnishing samples to third parties. For proof of entitlement BP/12 Form and for request BP/13 will be used in furnishing samples. For hazardous microorganisms the requesting party has to provide evidence that proper facility is available and he/she has the requisite permission to work on such organisms.

Requesting party from outside India also has to provide an import permit if it is required for that country .

MTCC will furnish samples prepared by it from the deposited sample(s).

b) Notification of the depositor

A depositor will be notified on BP/14 Form when samples of their deposit has been furnished to third parties.

c) Cataloguing of Budapest Treaty Deposits

Materials deposited under Budapest Treaty will not be published in MTCC Catalogue (printed or electronic) or displayed on internet.

3. **Schedule of Fees**

Bacteria, fungi, yeasts, bacteriophages and plasmids	**Indian Rupees**
a) Storage under Rule 12.1 (a)(I)	15,000
b) Conversion of a deposit	15,000
c) Extension of duration storage beyond that provided by Rule 9 (per year)	2,000
d) Issue of viability statement on the basis of test	3,000
e) Issue of viability statement on the basis of last viability test	1, 000
f) Furnishing of samples	3, 000
g) Communication of information under Rule 7.6	1, 000
h) Attestation referred to in Rule 8.2	1, 000

For further information on MTCC please contact:

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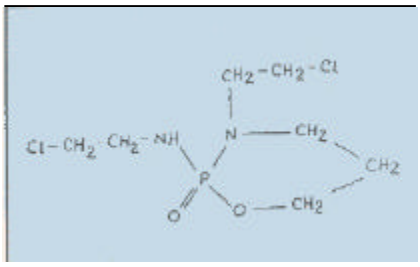
Case Study

This case study relates to an Indian patent "A process for the preparation of ifosfamide lyo philisate awarded to Astra Pharma Aktiengesellschaft, Germany in 1987.

The chemical name of the active substance infosfamide is 3- (2-chloroethyl) –2- (chloroethylamino)-tetrahydro-2H- 1, 3, 2-oxazaphosphorin-2-oxide as shown below:



Prior Art

Ifosfamide is a white crystalline powder with a melting point of 48-51° C and highly hygroscopic properties. Ifosfamide begins to sinter even below its melting point and must therefore the stored at temperatures that are as low as possible (room temperature and below). In addition, contact with moisture in the air should be avoided where possible.

Ifosfamide is exclusively administered parenterally. The injection vials contain 200 to 5000 mg of ifosfamide in the form of a sterile crystallisate which is dissolved in water for injection purposes before administration so that a 4% concentration is not exceeded. This solution is suitable for intravenous injection. For intravenous short infusion, the ifosfamide soultion is dissolved in 500 ml of Ringer's solution or similar infusion liquid. The duration of the infusion is approximately 30 minutes, possibly 1 to 2 hours. In the case of the 24 hour infusion, the ifosfamide solution is for example dissolved in a total of 3 litres of 5% dextrose sodium chloride solution.

Ifosfamide gives rise to numerous problems during prepration and processing. During preparation of the sterile crystallised ifosfamide there results a product of changing physical characteristics. In particular, dosage accuracy during filling is greatly impared by the differing free-flowing properties.

The processing of ifosfamide is further impeded by its hygroscopic properties and low melting point. When stored for a longer period of time the sterile crystalliate sinters and the rate of dissolution decreases. When the ifosfamide begins to sinter, this is accompanied by a drop in clear solubility and in the pH of the solution with simultaneous yellow colouration therapeutic use is then generally no longer possible.

Present Invention

The object of the invention is therefore to make available a form of ifosfamide with improved properties, such as improved stability, shelf-life, dosability and solubility which is easier to use, and which is in particular suitable for the preparation of injectable solutions.

It has now surprisingly been found that the previous disadvantages and difficulties associated with the use and storage of ifosfamide can be overcome by the handling of a specific ifosfamide lyophilisate. It is in particular surprising that the

International News

- China has drastically revised its trademark laws for greater compliance with TRIPS Agreement. Some of the major changes that have taken place are:

(a) The new law allows natural persons to apply for registration of a trademark and also recognizes joint–ownership of a trademark.

(b) Apart from registration of trademarks in respect of goods and services, registration for collective and certification marks is now formally recognised by the law.

(c) 3-Dimensional marks are now registerable under the new law although sound and smell marks are still not registerable.

(d) An inherently indistinctive or descriptive mark or a mark containing geographical indications may be registered on the basis of acquired distinctiveness through use.

(e) "Famous Marks" are now formally recognised by the law. In the past, they were recognised by administrative provisions. As a matter of practice, China had never formally accorded "famous trademark" status to any foreign trademark.

(f) Use or application for registration of a mark plagiarised from a famous mark in respect of the same or similar goods/services is prohibited, if such use causes confusion.

(g) A trademark registration may

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Case .....

ifosfamide lyophilisate of the invention has greater thermostability than the hitheroto used isofosfamide dry filling.

Example :

Preparation of Solution :

A vessel is charged with 80% of water of injection and appropriate amounts of ifosfamide and mannitol are added successively to the water with constant stirring. Following complete dissolution the mixture is made up to the final volume and the pH is measured.

The prepared solution is sterilised by filtration using pathogen proof filters conventionally used for this purpose {for example Sartorius SM 11107 or SM 11307, 0.2 pm pore size, Pall filter NRP (pore size 0.2 pm) and stored until filling whilst avoiding particular and bacterial contamination. Storage at room temperature (20- 22^{0}C) should not exceed 3- 4 hours, including the time required to prepare the solution. Should freeze-drying not take place immediately, the solution may be stored for about 36 hours at +4 to +6^{0}c.

For purposes of sterile filtration it is also possible to use conventional prefilters (for example Sartorius SM 13400 or Pall LP~} to protect the sterile filter.

Cleaning of the injection vials:

The injection vials are washed with hot and cold demineralised water and with air. All cleaning media are freed from suspended matter by filtration whilst avoiding recontamination due to particles from the air the vials are dried with hot air and sterilised {discontinuouslyat 180^{0}C /2 hours).

The rubber stoppers used to close the injection vials are cleaned using demineralised water and for exampie a cleaning agent consisting of nonionogenic surfactants and phosphoric acid esters in aqueous solution.

Filling amounts:

The cleaned stoppers are rinsed using demineralised water or filtered demineralised water to free them of fibres and threads. The so-cleaned stoppers are then sterilised using steam.

The so-cleaned and sterilised injection vials are then filled aseptically with the ifosfamide solution and closed using the rubber stoppers.

Filling amounts:

Ifosfamide	Filling amount	Volumes used
200 mg	2 ml	5 ml
500 mg	5 ml	12.5ml
1 mg	10 ml	25 ml
2 g	20 ml	50 ml
5 g	50 ml	125 ml

The filling volumes must be statistically monitored, with the filling volume per filling station being measured at least once every 30 minutes.

The filled injection vials are frozen as quickly as possible as to -40^{0}C.

The conditions for freeze-drying differ according to the size of the injection vials. The following values may for example apply:

Duration of main drying at a

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International .....

be cancelled due to its similarity to a famous mark.Such an application for cancellation must be made within 5 years from the date of registration unless it can be shown that the registration was made in bad faith, in which case there is no time bar to the cancellation action.

(h) The burden of proof on the trademark owner has been relieved. Now, instead of the trademark owner establishing the infringer's liability by proving that the infringer had the knowledge that the product were counterfeits, absence of knowledge will no longer exonerate liability. However, if the infringer can show that the goods were purchased from a legal source no damages need to be paid to the trademark owner.

(Ahuja's World Patent & Trademark News)

■ Two divisions of Isis Pharmaceuticals Inc viz Atugen AG and the Genetrove have entered into an intellectual property license agreement. This agreement gives Atugen access to Isis' antisense intellectual property, enhancing its patent portfolio and other ability to offer target validation services. Atugen's intellectual property portfolio consists of an exclusive license from Ribozyme Pharmaceutical Inc. for 69 issued patents and more than 100 patent applications. This move is

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Case.....

plate temperature of +25^{0}C and 0.6 mbar.

ca. 6 -8 hours for vessels with 200 mg ifosfamide ca.

ca. 10- 12 hours for vessels with 500 mg ifosfamide

ca. 10- 14 hours for vessels with 1000 mg ifosfamide

ca. 20- 28 hours for vessels with 2000 mg ifosfamide

ca. 34 hours for vessels with 5000 mg ifosfamide

Duration of post drying ca. 3- 4 hours under vacuum of 5x10^{-4} mbar, at a plate temperature of +25^{0}c.

The residual moisture {determined after K. Fischer) should be less than 0.5%.

Following completion of freeze-drying the injection vials are sealed.

To fix the rubber stoppers flanged caps are superimposed and rolled on. The finished injection vials are checked for mechanical defects (cracks, faulty closure, etc.).

Claims

The patent has following four claims:

1. Process for the preparation of an ifosfamide lyophilisate wihich comprises freezing an aqueous or aqueous-ethanolic solution of ifosfamide containing (i) 1 to 13 percent by weight of ifosfamide and (ii)01 to 17 parts by weight of a hexitol, based on onepart by weight of ifosfamide as well as (iii) optionally 0 to 16.9 parts by weight (based on 1 part by weight of ifosfamide) of other conventional pharmaceutical auxiliary substances as herein described at between -70 and 0^{o}C followed by removing the later from the so-obtainedproduct in frozen state by freeze drying the same.

2. Process as claimed in claim 1 wherein said freeze drying is initially carried out at a temperature between -30 and + 40^o C and a pressure between 10^{-3} to 10 mbar to remove non-adsorptively bound water and subsequently adsorptively bound water is removed o at a temperature between 0 and 40^o C and a pressure between 0 to 10^{-4} mbar.

3. Process as claimed in claim 1 or claim 2 wherein the hexitol is mannitol.

4. Process for preparing an ifosfamide lyophilisate substantially as herein described.

PFC on the move....

PFC organised two patent awareness workshops in the month of April 2003. One workshop was organised at Sardar Patel University, Vallabh Vidyanagar, Gujarat on April 9, 2003. About 120 participants from nearby universities, engineering/ medical colleges and industries attended the workshop. Other workshop was organised at Assansol, West Bengal on April 4, 2003 in association with Ministry of SSI and was attended by about 75 participants from SSI.

One patent information centre (PIC) was setup at Tripura State Council for Science & Technology, Agartala.

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International .....

indicative of the business strategy of the two companies to maximize the utilization of their intellectual property within the industry to create value for companies share holder.

- Over 3000 examiners process more than 300,000 applications for patents in a year. The average wait time to obtain a patent in the US is just over two years. However a continuously growing backlog of patent applications has been noticed in the USPTO.

(The Hindu, 19 April 2003)

- A number of measures designed to further streamline and simplify the international patent application filing system under the PCT have been approved by the PCT assembly. The measures include an enhanced international search and preliminary examination system, the introduction of a new system of designating countries in which patents are sought and a fee reduction for international applications filed in electronic form..

(World Patent Information, Vol 25 No 1, March 03)

- A new anti-piracy law has come up in Indonesia according to which deliberately broadcasting, displaying, circulating and selling materials without copyright is subject to a maximum sentence of five years imprisonment and a maximum fine of Rp 500 million (US$ 56, 300). The same is applicable to unauthorised

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Patents for Opposition

The following patent applications have been accepted by the Patent Office and published in the Gazette of India. These can now be opposed by filing opposition applications within a period of four months from the dates given. Six digit numbers allotted after acceptance by the Patent Office are given before the applicant names and patent application numbers given in brackets. Names of the branches of the Patent Office are denoted in the application number, e.g. 'Bom' for Bombay branch. An opposition application should be submitted at the appropriate office where the concerned application was originally filed.

PATENT APPLICANTS	INVENTION
A. 5 April, 2003	
189631. Puradyn Filter Technologie, Inc USA (162/CAL/96)	Oil reclamation device
189632. Siemens Aktiengesellschaft of Wittelsbacherplatz, Germany (624/CAL/96	Method of Manufacture of Pellets in a pelletizing plant.
189633. Limitorque Corp. USA (1098/CAL/96)	Absolute Encoder
189634. Yamaha Hatsudoki Kabushiki kaisha, Japan (1250/CAL/96)	A Overhead Camshaft Engine
189635. W. Schlafhorst Ag & Co., Germany (1273/CAL/96)	Device Retraction and Advancement (Feeding) of a thread handling element.
189636. Matshshita Electric Industrial Co Ltd, Japan (1325/CAL/96)	A cooking apparatus with electric heater
189637. LG Industrial Systems Co. Ltd, Korea (1616/CAL/96)	Electronic Prepayment Type Electric Watt-Hour meter
189638 Koninklijke Philips Electronics N V, Netherlands (1686/CAL/96)	A Capped Electric Lamp
189639 Keiper Recaro GMBH & CO, Germany (1772/CAL/96)	Adjusting and Fixing device for seats like automobile seats in particular for the adjustment of the back rest.
189640 Torrent Pharmaceuticals Ltd., West Bengal (189/CAL/2001)	Process for preparation of the high melting polymorphic form of (s) repaglinide
189641 Cycolor Inc, USA (963/CAL/96)	Personal Computer suitable for reproducing full colour photographic images
189642 Otto J M Smith, USA (1047/CAL/96)	A three-phase induction motor which operates from a single phase alternating current power supply
189643 Harris Corp,USA (1114/CAL/96)	A communication system for enhancing communication among a plurality of communication devices
189644. VDO Adolf Schindling Ag. Germany (1407/CAL/96)	Pressure Plug connector for an electrical system
189645. Voith siemens hydro power, Germany (1434/CAL/96)	Device for operating an asynchronous machine
189646. MNCEIL-PPG Inc., USA (1541/CAL/96)	Method of forming improved apertured films, Resultant Apertured Films and absorbent products incorporating resultant apertured films
189647. MCNEIL-PPC, Inc, USA (1542/CAL/96)	A method for forming an apertured film and an apertured film produced thereof.
189648. Walter Ag., Germany (1684/CAL/96)	A workpiece material removal tool for producing undercut grooves by simultaneous machining and a method for producing undercut grooves.
189649. Samsung Electronics Co Ltd., Korea (1667/CAL/96)	Ice cube tray assembly for refrigerators
189650. Siemens Aktiengesellschaft, Germany (2152/CAL/96)	A regionally split GSM mobile radio network for confirmed multi-address calling.
189651. Santanu Roy, Calcutta (1819/CAL/96)	A novel process for preparing a cast polymeric product with wood-like properties
189652. Samsung Electronics Co., Ltd	An optical fiber composite overhead ground

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International .....

copying of computer software for commercial purposes.

- The international recording industry has launched a new identification system to facilitate and simplify the electronic delivery of music on the internet. The system called the Global Release Identifier is an important step in developing legitimate and efficient delivery of music online. Users of the GRid system who wish to issue GRid codes will be required to pay an annual fee of £ 150 to the GRid Registration Agency.
- The Australian Patent Office has granted two patents for the fundamental nuclear transfer technology used for cloning of animals. US based company Geron Corporation now holds exclusive rights to this technology for a broad range of commercial applications and has licensed the patents to a number of companies involved in animal cloning.
- Kimberly-Clark Worldwide has donated two US patents relating to a unique method for sulfonating cellulose fibers, to the Institute of Paper Science and Technology. The technology covers a chemical treatment of fibers that could be implemented at pulp mills to provide cellulose materials that have a wide range of properties and applications.
- A US patent has been granted to Lockheed Martin for a new and innovative, near – zero

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Korea (1946/CAL/96)	wire of loose-tube type and method of manufacturing the same
189653. Cleanese GMBH, Germany (473/CAL/97)	Process for the hydroformylation of olefinically unsaturated compound
189654. Novibra GMBH, Germany (491/CAL/97)	A ring spinning machine
189655. Protals limited, London (30/CAL/97)	Method for the manufacture of security paper
189656. Koninklijke philips electronicsn.v, Netherlands (1796/CAL/96)	Receiver Circuit
189657. Satake Corp, Japan (316/CAL/2001)	Method of manufacturing no-bran cereal
189658. Rudiger Haaga Gmbh, Germany (1146/CAL/96)	An arrangement for filling containers
189659. Yamaha Hatsudoki Kabsushiki Kaisha, Japan (1253/CAL/96)	An engine cooling structure of an under bone type motorcycle
189660. Samsung electronics Co. Ltd., Korea (998/CAL/96)	An apparatus for generating a sync signal of a data segment
189661. FL Smidth & Co., A/S Vigerslev Alle, Denmark (729/MAS/95)	A plant for heat treatment of lumpy material
189662. Savio Macchine Tessili, Italy (734/MAS/95)	A method of manufacturing wound thread bobbins
189663. Albert toorwesten, Germany (851/MAS/95)	An apparatus for compensating explosion pressure surges in a closed system.
189664. KCI Konecranes International Corporation, Finland (869/MAS/95)	A traversing gear system.
189665. Samsung Electronicds Co. Ltd. Korea (917/MAS/95)	A battery charging apparatus.
189666. Mcgregor/conver Gmbh Germany (1050/MAS/95)	Coupling piece for the detachable connection of containers
189667. Eastland Technology Australia, (1204/MAS/95)	An injection device.
189668. Siemens England. (1324/MAS/95)	A telecommunications system.
189669. Qualcomm U.S.A. (1540/MAS/95)	A modulatior for providing distinction between defferent chanel singals in derect sequence spread sprectrum communications.
189670. Qualcomm U.S.A. (1541/MAS/95)	A cool divsion multiple access (CDMA) transmission system.
189671. Exxonmoble Chemical Patents Inc, U.S.A. (460/DEL/92)	Acomposition containing the hydrogenated polybutadiene block copolymer and a process for preparing the same.
189672. National Informatics Centre, New Delhi, (304/DEL/94)	Computer aided paperless examination device.
189673. Pradeep Kumar Rohatgi, New Delhi, India. (366/DEL/94)	A method to produce a metal matrix composite containing reinforcing material.
189674. Ineos Fluor Holdings Limited U.K. (472//DEL/94)	Aprocess for the preparation of compound 1.1.1.-Trifluoro-2- chloroethane and an apparatus therefor.
189675. Tencel Limited, England. (0508/DEL/94)	Spinnerette for the spinning of a plurality of cellulose filaments.
189676. Emhart Glass S.A. Switzerland. (375/DEL/95)	A mould apparatus
189677. Honda Giken Kogyo Kabushiki (382/DEL/95)	A two wheeled vehicle with a swing unit.
189678. Steel Authority of India Ltd. New Delhi (406/DEL/95)	An improved burner com lance.
189679. Steel Authority of India Ltd. New Delhi (506/DEL/95)	A refractory coated injection lance of an extended operationg life.
189680. Council of Scientific & Industrial Research, New Delhi 598/DEL/95	An electro chemical microbalance device useful for in situ study of adsorption and desortion processes in lectro chemical interfaces.
B. 12 April, 2003	
189681. Morgan Construction Co, USA (0575/Del/94)	A flexible seal for use in an oil film bearing assembly.
189682. CSIR, New Delhi (627/Del/94)	A process for the preparation of asphaltic paper board.
189683.The P&G Co, USA (792/Del/94)	A soil dispersing composition.

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International .....

erosion, net-molded ceramic rocket nozzle throat for solid rocket motors. The new ceramic material is claimed to improve solid rocket motor affordability and performance compared to the current state-of-the-art 4 D carbon - carbon material.

- Amended rules for intellectual property have come into force in the UK on April 1, 2003 with the publications of the new patents Court guide and civil procedure 63. The key change involves a new streamlined procedure available in appropriate patent cases. The time for appealing from a decision of the comptroller is reduced from six weeks to two weeks.
- A new anti piracy law has been approved by the Italian parliament. As per the new law, those who use counterfeit smart cards to access pay TV channels would face upto three years in jail and fines of upto Euro 15,000.

Domestic News

- Indian Institute of Management, Ahmedabad is organising a programme on Harnessing Intellectual Property for Strategic Competitive Advantage from July 3 to 5, 2003. The programme aims at providing skills and perspectives in the filed of intellectual property management with special focus on knowledge intensive approaches to

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189684. Kenneth James (1028/Del/94)	A distribution frame for wiring interconnection.
189685. Parker Pen Products, UK (795/Del/94)	An apparatus for interchanging new and used pen nibs.
189686. The P&G Co, USA (809/Del/94)	Absorbent article.
189687.Honda Giken Kogyo Kabushiki Kaisha, Japan (815/Del/94)	A motor bicycle or a tricycle with a container box.
189688. Honda Giken Kogyo Kabushiki Kaisha, Japan (872/Del/94)	A stand stopper apparatus for a two or three wheeled motorcycle.
189689. Alps textiles Pvt Ltd, plant Ghaziabad (892/Del/94)	A process for producing dyestuffs from material.
189690. Motorola Inc, USA (970/Del/94)	Battery pack.
189691.W R Grace & Co, USA (1289/Del/94)	A water proofing membrane useful in building construction.
189692.Arm Ltd, UK (196/Del/94)	Data processing apparatus.
189693. Mul-T-Lock Ltd, Israel (1119/del/94)	Vehicle anti-theft device.
189694. De La Rue Giori SA, Switzerland (1121/Del/94)	A device and a process for naking notes.
189695. Rajiv Chopra, Punjab (1122/Del/94)	A petrol saving device for use in vehicles.
189696. Giorgio Nannini Srl, Italy (1141/Del/94)	Collapsible spectacles.
189697. Thomas Claude Edwards, USA (1176/Del/94)	Rotary single vane gas compressor.
189698. Thapar Corporate R&D Centre, Delhi (1210/Del/94)	A process for the manufacture of rayon grade pulp.
189699. Exxon Mobil Chemical Patents Inc, USA (1214/Del/94)	A vulcanizable composition.
189700. Usinor, Germany (1288/Del/94)	Casting roll for a continuous casting installation.
C. 19 April, 2003	
189701. Platinum Pus Inc, USA Del/94)	A two stroke engine lubricating oil (1 3 7 9 / composition
189702. Texaco Development Corp, USA (1477/Del/94)	A gasifier for partial oxidation of a carbonaceous fuel mixer
189703. CSIR, India (1508/Del/94)	A process for preparation of micro meso porous amorphous titanium silicates
189704. CSIR, India (1514/Del/94)	A shaft coupler useful for coupling circular shafts of similar / dissimilar sizes
189705. The P&G Co, USA (1567/Del/94)	A disposable absorbent article
189706. The P&G Co, USA (1341/Del/94)	A multi-ply facial tissue paper
189707. The Chief Controller, R&D, Delhi (1628/Del/94)	A process for the preparation of perforated ceramic tiles.
189708. LG Electronics Inc, Korea (1659/Del/94)	Electron gun. Body for color cathode ray tube
189709. CSIR, India (175/Del/95)	An intrinsically safe telephone exchange useful for areas having explosive atmosphere
189710. Lenzing AG, Austria (220/Del/95)	An improved process for the production of cellulose moulded bodies.
189711. CSIR, India (3509/Del/97)	A process for extraction of agremone alkaloid dihydrosanguinarine from edible oil
189712. The P&G Co, USA (232/Del/95)	An absorbent article
189713. The Whirlpool Corp, USA (266/Del/95)	An automatic vertical axis washer
189714. Piaggio Veicloci, Italy (473/DEL/95)	Front cooled motorscooter
189715. L'Aair Liquid Socite, France (621/DEL/95)	A power supply device
189716. The Whirlpool Corp, USA (784/Del/95)	Pulley system for automatic washer
189717.Dabur, India (797/DEL/96)	A process for the preparation of a

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International .....

developing competitive technologies, products, and services in a globalising economy. Further details about the programme can be accessed from www.iimahd.ernet.in

- Dr Raghubir Singh has been appointed Vice-chairman of the Intellectual Property Rights Appellate Board, headquartered at Chennai. Justice S Jagadeesan, a retired judge of the Madras High Court has already been appointed the Chairman of the board. The board is empowered to adjudicate all dispute under the TRIPS and is expected to start functioning soon after the vice-chariman takes charge. The board will have benches at Mumbai, Kolkata and Delhi. The board will also take up issues arising out of the Trade Marks Act the Copyright (Amendment) Act, the Geographical Indications of Goods Act, the Protection of Plant Varieties and Farmers' Rights Act, the Designs Act and the Patents Act.

(The Hindu , 17 April 2003)

- The centre has committed Rs. 130 crores to modernise the intellectual properly administrative infrastructure in tandem with the existing legislative initiatives and modernised laws on patents, designs trademarks and geographical indications. Speaking at the foundation of the IP office at Delhi. the Commerce and Industry Minister,

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	synergistic novel herbal pharamaceutical composition useful in the treatment of hepatitis 'B' viral infection in mammals.
189718. Whirlpool Corp., USA (806/DEL/96)	A process for restoring the soiled textiles to their original clean condition
189719.NII, Delhi (112/DEL/97)	A method for enhanced production of one or more proteins
189720.NRDC, Delhi (980/DEL/97)	A process for the preparation of an antidiabetic substance from fenugreek seeds
189721. CSIR, India (2147/Del/98)	A process for preparation of lindane (BHC or Benzene hexachloride) free industrial effluents/water, using a novel formulation of microbial consortium
189722.Smithkline, UK (1694/DEL/98)	A process for preparing a pharmaceutical composition useful in the treatment of diabetes mellitus.
189723.Smithkline, UK (1698/DEL/98)	A process for preparing a pharmaceutical composition useful for the treatment of diabetes mellitus and conditions associated with diabetes mellitus.
189724.Pfizer, USA (1755/DEL/98)	A process for the "preparation of the compound for treating insulin resistance, increasing endogenous levels of growth hormone and treating sleep disorders in mammals.
189725.Dinesh Bothra, Delhi (1863/DEL/98)	A process for the preparation of novel herbal composition for use for the prevention and treatment of the chronic fatigue syndrome
189726. Dinesh Bothra, Delhi 1864/DEL/98)	A process for the preparation of a new formulation advocated for the management of allergic rhinitis
189727. Chief Controller R&D, New Delhi (1885/DEL/95)	A process for the preparation of instant cooking rice.
189729. Chief Controller R&D, Delhi (1934/DEL/98)	A process for preparation of insecticide spray solution for protection of woollen items.
189730. CSIR, India (1974/Del/98)	A process for preparation of novel synergistic formulaton useful as pest repellent for stored grains.
189731. Chief Controller R&D, Delhi (1577/DEL/98)	An improved process for preparation of nicotinanilide hydrochloride.
189732. Idec Pharmaceuticals Corp, USA (616/DEL/98)	A process for preparation of an improved plasmid fragments.
189733. Astra, Sweden (961/DEL/98)	A process for the manufacture of racemic compound, 3-n-n-dicyclobutylamino 8-fluoro-3, 4-dehydro-2h-1- Benzopyran-5-carboxamide
189734. Dinesh Bothra, Delhi (1056/DEL/98)	A process for the preparation of a herbal composition useful for the treatment of seizure disorders
189735 Dinesh Bothra, Delhi (1057/DEL/98).	A process for the preparation of herbal composition
189736. Hovione Inter Ltd., Switzerland (1094/DEL/98)	A process for the preparation of azithromycin
189737. CSIR, India (1112/Del/98)	An improved process for the production of alcohol using improved thermotolerant flocculent strains of yeast saccharmoyces
189738. Gist Brocades, Netherlands (1199/DEL/98)	A process for the isolation of crystalline carotenoid compound from microbial carotenoid containing biomass
189739. CSIR, India (1301/Del/98)	A method for the preparation of a biopesticide from the roots of decalpis
189740. CSIR, India (1512/Del/98)	An improved process for the isolation of methyl eugenol oil from a new source of plant sp. Cymbopogon flexuosus var.sikkimentsis.
189741. CSIR, India (3317/Del/98)	A new enantioselective resolution process for preparation of arylpropionic acid class

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Domestic .....

Shri Arun Jaitely said that the government had decided to set up world class IP Offices in Delhi, Mumbai, Kolkata. The IP offices in the other three metros are also scheduled to become operational by 2004.

(The Hindu, 27 April 2003)

- A report initiated by the UNDP has urged governments to negotiate the replacement of the WTO agreement on intellectual property with an alternative system fairer to developing countries. The TRIPS criticism is set out in detail in a report titled, " Making Global Trade Work for People."
- Central Manufacturing Technology Institute (CMTI) is bringing out a monthly journal titled "Manufacturing Technology Today". In each issue, the journal gives a compilation of the abstracts of the patents granted/ filed world over on the topics related to manufacturing technology. Each month specific topics are considered for the compilation. For subscription details you may contact CMTI at Bangalore Tel: 3375081 or Fax: 3370428
- Microsoft has tied up with CII to generate awareness about software piracy among Indian companies. The Microsoft–CII initiative is a part of a move to make companies realize that with the increasing use of information technology in business, information technology resources including software

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	of drug from their racemic mixture.
189742. CSIR, India (2150/Del/98)	A process for the preparation of oryzanol from the rice bran oil - soap stock.
189743. CSIR, India (2161/Del/98)	An improved process for the preparation of rice noodles/ vermicelli
189744.Dabur (2193/Del/98)	A process for the isolation of 10-deacetyl baccatin III from taxus species
189745. DST, Delhi (224/Del/98)	A convenient method for the large-scale isolation of hibiscus-acid.
189746. Zeneca Ltd., UK (2455/Del/98)	Process for preparing 3-isochromanone
189747. CSIR, India (2513/Del/98)	An improved process for the preparation of a pseudobactin useful for increasing the shelf life of stored fruits, vegetables and tubers.
189748.DST, Delhi (3044/Del/98)	A process for isolation of oligosaccharides having immuno-stimulating activity from donkey's milk
189749. CSIR, India (3160/Del/98)	A process of preparation of a synergitic formulation useful for treatment of malaria
189750. Bioquimex, Mexico (3171/Del/98)	A process for preparation of zeaxanthin
189751. CSIR, India (3327/Del/98)	A process for the preparation of novel n-hydroxyalkyl containing cationic amphiphiles
189752. CSIR, India (3386/Del/98)	An improved process for the preparation of stable beta-galactosidase class of enzymes.
189753. Bayer, Germany (3456/Del/98)	A process for preparing 8-methoxy quinolonecarboxylic acids derivaties
189754. Bayer, Germany (1043/Del/99)	A process for the preparation of an n-acyl derivatives of O, S-dialkyl phosphoroamidothioate
189755.Rajiv Batra, Delhi 1571/Del/99)	Process for the preparation of an improved variety of ghee having herbal properties.
189756.Wellcome Foundation, UK (454/Del/2000)	A process for the purification of (S) -4-{[3-(dimethylamino)ethyl -1H -Indol-5- YL] Methyl } -2- oxazolidinone
189757.Surendra Singh, UP (942/Del/2000)	A process for production of fortified sugar with vitamin 'A' and apparatus there for.
189758. Sony Corp, Japan (821/Del/2001)	A decoding apparatus for a moving picture
189759. Sony Corp, Japan (822/Del/2001)	A information recording medium
189760.CEL, Sahibabad (467/Del/94)	A sputtering apparatus
189761.Conventry University, UK (797/Del/94)	An internal combustion engine
189762. De La Rue Giori SA, Switzerland (1120/Del/94)	A printing unit for a web-fed printing machine
189763. Honda Giken Kogyo Kabushiki Kaisha, Japan (1373/Del/94)	Start inhibition control system for a motorcycle
189764.LG Electronics, Japan (1378/Del/94)	Door handle of electronic equipment

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Domestic .....

assets commonly form a significant segment of a business capital asset base.

(Business Standard, 16 April 2003)

- Ahmedabad based Aura Herbal Wear has come up with garments hand dyed from medicinally rich herbs. Aura has applied for patenting the process for dyeing such garments. The clothes are 100% natural fabrics, chemical free and have properties like anti-allergic, anti microbial and anti-septic. The dyes used are also eco-friendly. Herbs such as Tulsi, Neem, Myraballam, Catechu, turmeric, henna, pomegranate rind have been used for dyeing while bleaching has been done with sunlight laying.

(Economic Times, 16 April 2003)

- IIT Madras has decided to form a separate company to license its patented innovations for corporate use. A committee has been constituted to set up a corporate body in six months. The corporate body would market innovations under IPRs .

(Indian Express, 8 April 2003)

Please send us questions and topics you would like to see in the coming issues

NEXT ISSUE

- **Case Study**
- **Case Law**
- **Patents for Opposition**

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