

Intellectual Property advocacy in the fields of:

- IP Infrastructure
- IP Valuation
- M & A
- IP Policy
- Technology Transfer
- Innovation Research
- Patent Law
- Licensing
- Data Management
- Copyright
- Collaborations
- Balance for Rights & Obligations

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EDITORIAL...

Innovation and Intellectual Property and Licensing of IP for enhanced public good has never been so important and significant to the progress of scientific research. The leadership initiated, such as by Dr. Y. K. Hamied, Chairman, Cipla, in the Indian Pharmaceutical Industry is commendable. Voluntary initiative towards joining the innovative research band-wagon is the only vaccine which can effectively immunise against redundancy in the fast-changing technology driven pharma industry. In the current context of increased pressures on the Indian Government for enhanced global co-operation from FTAs and Regional treaties with countries and regions such as USA and Europe and when USTR has again invited representations and hearings on Super 30 investigations (<https://ustr.gov/issue-areas/intellectual-property/Special-301>) and when the DPIIT has started seeking views and suggestions on the need for amendments to the (Indian) Patents Act, 19701, it is not only preferred option, but also the only (Hobson's Choice) option to go for in-house innovative research as well as collaborative research for generating own protected often defensive IPs & Patents. A recent report (such reports appear often) says drugmakers are expected to lose \$17 billion in worldwide sales due to patent expirations this year (<https://medcitynews.com/2020/01/these-drugs-have-patents-expected-to-expire-in-2020-and-some-will-face-generic-competitors/?rf=1>). Patent expiry has become meaningless as Patentee, Licensee, Assignees continue to enforce secondary follow-on Patents which through evergreening cover the marketed product of the innovator, in one or more elements of the inventions. Recent spate of litigations and injunctions enforcing the secondary patent are indications of a tightening IP enforcement climate by the Indian judiciary too. Further, the IPO (Indian Patent Office), DPIIT and the Govt of India have initiated and commenced the move for Patent Prosecution Highway (PPH), where a patent if granted as a NP (National Phase) Application in any PPH partner country (Japan), will automatically get granted in India or vice versa. All the more reason for Indian Pharma Industry to move into the aggressively active mode of Innovation and IP Protection.

Cipla Foundation sets up a dedicated state-of-the-art chemistry laboratory at IISER Pune

The lab aims to provide practical training in Chemistry to undergraduates and researchers in the varsity campus along with support to the national outreach programme for school children. The centre and the labs will help strengthen science education in India by engaging with various stakeholders, including students, academicians, scientists, teachers of schools and undergraduate level science and mathematics.

Dr. Y. K. Hamied, Chairman, Cipla, Ms. Rumana Hamied, Managing Trustee, Cipla Foundation and Prof. Jayant B Udgaonkar, Director, IISER Pune were present at the campus for the unveiling of the facility along with senior leaders from Cipla and IISER Pune.

Source: <https://www.cipla.com/press-releases-statements/cipla-foundation-sets-dedicated-state-art-chemistry-laboratory-iiser-pune>



USTR SEEKS COMMENTS FOR 2020 SPECIAL 301

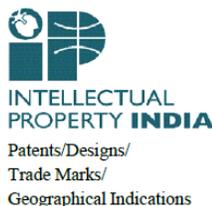
Each year, the USTR conducts a Special 301 review to identify countries that deny adequate and effective protection of intellectual property (IP) rights or deny fair and equitable market access to US persons who rely on IP protection. Based on this review, the USTR determines which, if any, of these countries to identify as Priority Foreign Countries. USTR requests written comments that identify acts, policies, or practices that may form the basis of a country's identification as a Priority Foreign Country or placement on the Priority Watch List or Watch List. USTR also requests notices of intent to appear at the public hearing.

- Dates: February 6, 2020 at 11:59 pm EST: Deadline for submission of written comments, hearing statements, and notices of intent to appear at the hearing from the public.
- February 20, 2020 at 11:59 pm EST: Deadline for submission of written comments, hearing statements, and notices of intent to appear at the hearing from foreign governments.
- February 26, 2020: The Special 301 Subcommittee will hold a public hearing at the Office of the United State Trade Representative, 1724 F Street NW, Rooms 1&2, Washington DC. If necessary, the hearing may continue on the next business day. Those who intend to testify at the public hearing must submit a notice of intent to appear by the deadlines stated above. Please consult the USTR website at <https://ustr.gov/issue-areas/intellectual-property/Special-301>, for confirmation of the date and location and the schedule of witnesses.
- March 5, 2020 at 11:59 pm EST: Deadline for submission of post-hearing written comments from persons who testified at the public hearing.

On or about April 30, 2020: USTR will publish the 2020 Special 301 Report within 30 days of the publication of the National Trade Estimate (NTE) Report

Members are requested to urgently send their inputs/comments on USTR 301 hearing scheduled to be held shortly. Please forward your comments by 3rd February 2020 to gopanair@gnaipr.net with cc to admin@idmaindia.com which will be compiled and suitably submitted by **IDMA IPR Committee**

Patent Agent Exam 2020



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PUBLIC NOTICE

Office of CGPDTM is likely to conduct Patent Agent Examination in June, 2020. Detailed information will be made available on official website www.ipindia.nic.in after finalization of schedule and other official requirements.

-sd-

(O. P. Gupta)

Controller General of Patents, Designs & Trade Marks

Source: <http://www.ipindia.nic.in/writereaddata/Portal/Images/pdf/Public Notice PAE 2020.pdf>

CORONAVIRUS

Off-Patent Drug Combination Lopinavir And Ritonavir to combat Coronavirus by Cipla

Yusuf Khwaja Hamied, Chairman of Cipla has offered to make available LOPIMUNE® a combination of Lopinavir And Ritonavir for the treatment of Coronavirus.

ICMR gets emergency approval from CDSCO for 'Lopinavir & Ritonavir' combo to treat novel coronavirus

The Indian Council of Medical Research (ICMR) has received the Central Drug Control Organisation (CDSCO) emergency approval to use a combination of anti-HIV drugs- 'Lopinavir and Ritonavir' tablets for the treatment of novel coronavirus (nCoV) patients in India. ICMR says, "it is an "experimental repurposed drug" and should be used only in cases where there is documented evidence of the person suffering from infection". "The DCGI has given a no objection for the restricted use of this drug combination -- Lopinavir and Ritonavir — in case of a public health emergency on patients affected by nCoV as per the treatment protocol designed by the ICMR," a government source said.

Source: <http://www.pharmabiz.com/NewsDetails.aspx?aid=121021&sid=2>



Forwarded~~

Good news, Wuhan's corona virus can be cured by one bowl of freshly boiled garlic water.

Old Chinese doctor has proven it's efficacy. Many patients has also proven this to be effective. Eight (8) cloves of chopped garlics add seven (7) cups of water and bring to boil., Eat and drink the boiled garlic water, overnight improvement and healing. Glad to share this.

Ministry of AYUSH withdrew an advisory for the "prevention" of infection from the novel strain of coronavirus using homoeopathy, and "symptomatic management" using Unani medicines and clarified that advisory focussed on preventive measure and did not claim to be a treatment advice for the Coronavirus infection.

Associate European Attorney Mathys & Squire LLP clarifies

Brexit day, but no change to IP protection for now

On 31 January 2020, the UK exited the European Union (EU). This however has **no impact** in practical terms on European IP rights for the time being, because after today the UK enters a transition period which is scheduled to last until 31 December 2020.

During the transition period, EU trade mark and registered design filings will continue to cover the UK. European patents are in any case **unaffected** by Brexit (even after the transition period).

Odisha Boy Gets President's Tea Party Invitation For His Agri Innovation

Biplab Kumar Ghosh of Madhupara hamlet in Basta block of the district has recieved the coveted invitation from the President's office for inventing solar-run farming equipment which will be effective in reducing labour burden and save time in farm works. "The machine can do six different works simultaneously which includes preparation of land before sowing seeds, ploughing, sprinkling water and pesticides, sowing seeds and applying manure," Biplab said while speaking about the functioning of the machine.



Source: <https://odishatv.in/odisha/odisha-boy-gets-presidents-tea-party-invitation-for-his-agri-innovation-432022>

IP SNIPPETS

'Pad man' gets patent for his 2002 invention

Coimbatore-based social entrepreneur Arunachalam Muruganantham has got the patent rights for the low-cost sanitary pad-making machine he invented more than a decade ago. Says he will give the rights to machine-users.

Source: <https://www.thehindu.com/news/cities/chennai/pad-man-gets-patent-for-his-2002-invention/article30708811.ece>

EPO publishes grounds for its decision to refuse two patent applications naming a machine as inventor

Filed by an individual in autumn 2018, the applications EP 18 275 163 and EP 18 275 174 were refused by the EPO following oral proceedings with the applicant in November 2019, on the grounds that they do not meet the legal requirement of the European Patent Convention (EPC) that an inventor designated in the application has to be a human being, and not a machine. In both applications a machine called "DABUS", which is described as "a type of connectionist artificial intelligence", is named as the inventor.

Source: <https://www.epo.org/news-issues/news/2020/20200128.html>

Dr. Gopakumar G. Nair, Speaker at MGM New Bombay College of Nursing, National Conference, 24th January, 2020



Dr. Gopakumar G. Nair, Speaker at ITAMMA Excellence Awards function held on 8th January, 2020

