

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

AUG 2020

For Private Circulation Only

Editorial

In an earlier editorial, we had cautioned that patent expired medicines which are proven as efficacious and safe for years and decades are being maligned and "murdered" only because they have become cheaper through generic access in abundance and are blocking market for new exorbitantly high priced newer patented drugs. A recent victim of this is "Hydroxychloroquine" (HCQ). LANCET (NEJM) had published a very denigrating article on HCQ, which was later retracted (alleged as "corrupted").

In a recent Article titled "**White Paper on Hydroxychloroquine**", Dr Simone Gold has laid bare the corruption in Scientific Journals, Media and elsewhere, to malign low priced efficacious safe options for treatment. The full Article is available on the following link. A few excerpts are reproduced to taste the trend and content. Happy Reading!

Synopsis:

This white paper is to draw the reader's attention to the indisputable safety of hydroxychloroquine (HCQ), an analog of the same quinine found in tree barks that George Washington used to protect his troops. The modern version has been FDA approved for 65 years, has shown remarkable efficacy against SARS-CoV-2 and its use is being wrongly restricted despite the immediate danger to the American people and the rest of the world.

We speak in support of immediately reversing the massive, irresponsible disinformation campaign that is literally preventing doctors from dispensing HCQ, advocating as well that it be made available over the counter in the United States. This is logistically easy to do in a manner that ensures the supply and appropriate dispensation.

Conclusion:

At the very least, the efficacy "assassination" of HCQ must be reversed immediately. Doctors must be able to prescribe HCQ as a treatment and as a prophylaxis. It is absolutely unacceptable that doctors are not being able to communicate responsibly and with compassion with their patients. That must be remedied. Period.

Source: <https://www.hospicepatients.org/white-paper-on-hcq-from-americasfrontlinedoctors-com-2020.2.pdf>.

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OBITUARY

Shri Jyotindra Bhagwanlal Mody, popularly known as Jyotibhai by his peers and respectfully addressed by others as Shri J B Mody, passed away peacefully on 21 July 2020. Shri Mody was a pioneer Member of IDMA and was Joint Secretary in the early years of the Association. Shri Mody later on became President of IDMA in 1981 and held office for 2 years. He was also the Chairman of Chemexcil before the formation of Pharmexcil. Shri Mody supported IDMA in many ways at all times. The main conference hall at IDMA Secretariat is named 'Shri J B Mody Conference Room' in grateful acknowledgement of his support. He was Chairman and Managing Director of the Company M/s J B Chemicals and Pharmaceuticals Ltd (JBCPL), headquartered in Mumbai, that he established in 1976. Shri Mody took his CSR seriously very early in life, and over the years set up schools, colleges and hospitals in Gujarat, from where he began his mission. He was bestowed with the Lifetime Achievement Award by AIOCD AWACS in 2017. We pray to God to grant eternal peace to his noble soul, and strength to his near and dear ones and all at JBCPL to bear this irreparable loss.



Source: <https://www.idma-assn.org/pdf/idma-bulletin-30-july-2020.pdf>

Patent Prosecution Highway

The filing of Form 5-1 under Chapter 5 of the PPH Guidelines commenced from 5th December 2019 as notified on 4th December 2019. After scrutiny of 100 requests received, 56 requests were accepted by IPO and the applicants were allowed to file request for expedited examination on Form 18A.

The IPO again started accepting Form 5-1 under Chapter 5 of the PPH Guidelines from 9th March 2020 for remaining 44 slots. After scrutiny of requests received in the second round, 35 requests were accepted by IPO as per the Guidelines and the applicants were allowed to file request for expedited examination on Form 18A.

Since 9 requests slots are still available as per the PPH Guidelines, the IPO will again start accepting Form 5-1 under Chapter 5 of the PPH Guidelines from 10th August 2020. Interested applicant are requested to take note.

Source: <http://www.ipindia.nic.in/newsdetail.htm?693>

Budapest Treaty On The International Recognition Of The Deposit Of Microorganisms For The Purposes Of Patent Procedure

The Director General of the World Intellectual Property Organization (WIPO) presents his compliments to the Minister for Foreign Affairs and has the honour to notify the receipt from the Government of India, on December 30, 2019 and June 23, 2020, of written communications, dated December 13, 2019 and June 23, 2020, respectively, relating to the acquisition of the status of International Depository Authority by the National Agriculturally Important Microbial Culture Collection (NAIMCC).

Source: <http://www.ipindia.nic.in/newsdetail.htm?691>

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Amity University Gurugram Excels in R & D and Patent Filing during COVID-19 Lockdown

42 patents filed by Amity University Gurugram include a few highly impactful patents such as the patent on “Gular Extract for Liver Cancer treatment” by Dr Saurabh Bhatiya, Prof P B Sharma, Dr Vivek Ballyan and team. Another patent in the area of nanotechnology by Dr Monica Vats, Dr Jyotsna Sharma, Dr SK Sharma and Dr Arvind Chhabra and team refers to Antimicrobial, Antifungal, Anti-dust clothing with self-cleaning property.

Source: <https://indiaeducationdiary.in/amity-university-gurugram-excels-in-r-d-and-patent-filing-during-covid-19-lockdown/>

COVID-19 vaccine:

A ray of hope as study finds BCG vaccine can slow down coronavirus

The study published in Science Advances, a medical journal by American Association for the Advancement of Science stated that Bacillus Calmette-Guerin or BCG can slow down the COVID-19 spread — at least in the first 30 days.

Source: <https://www.livemint.com/news/india/covid-19-vaccine-bcg-vaccine-can-slow-down-coronavirus-spread-finds-study-11596361060128.html>

SII gets nod for Oxford Covid-19 vaccine candidate's Phase 2 and 3 human trials

Pune-based Serum Institute of India (SII) has been given a green light by the Drugs Controller General of India (DCGI) for conducting the Phase 2 and 3 human clinical trials of the Covid-19 vaccine candidate developed by Oxford University, news agency PTI has reported

Source: <https://www.hindustantimes.com/health/sii-gets-nod-for-oxford-covid-19-vaccine-candidate-s-phase-2-and-3-human-trials/story-yvVh4H4NU3x9VbyKa0jWh0.html>

Moderna Eyes Appeal as Board Upholds an Arbutus Lipid Nanoparticle Patent

The U.S. Patent Trial and Appeal Board (PTAB) has rejected Moderna's challenge to the last of three patents granted to Arbutus Biopharma covering an earlier version of the delivery technology used in Moderna's front-running COVID-19 messenger RNA (mRNA) vaccine candidate mRNA-1273.

Source: <https://www.genengnews.com/news/moderna-eyes-appeal-as-board-upholds-an-arbutus-lipid-nanoparticle-patent/>

Russia says Covid vaccine successfully tested, production from next month

In the latest reports, the final check-up of volunteers testing the coronavirus vaccine, which is developed by Gamaleya National Research Center of Epidemiology and Microbiology, showed immunity in all participants, the Russian Defence Ministry said.

Source: <https://www.livemint.com/news/world/russia-says-covid-vaccine-successfully-tested-production-from-next-month-report-11596534604176.html>

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COVID19 Vaccines

COVID-19 Vaccine developer/mfgrer	Vaccine platform	Type of candidate vaccine	Number of doses	Timing of doses	Route of Administration
University of Oxford/AstraZeneca	Non-Replicating Viral Vector	ChAdOx1-S	1	-	IM
Cadila Healthcare Limited (ZyCoV-D)	DNA	DNA plasmid vaccine	3	0, 28, 56 days	ID
Bharat Biotech in collaboration with the ICMR and the National Institute of Virology (NIV) (Covaxin)	Inactivated	Whole-Virion Inactivated	2	0,14 days	IM
Sinovac	inactivated	inactivated	2	0,14days	IM
Moderna/NIAID	RNA	LNP-encapsulated mRNA	2	0, 28 days	IM
BioNTech/Fosun Pharma/Pfizer	RNA	3 LNP-mRNAs	2	0, 28 days	IM

Source: <https://www.who.int/publications/m/item/draft-landscape-of-covid-19-candidate-vaccines>