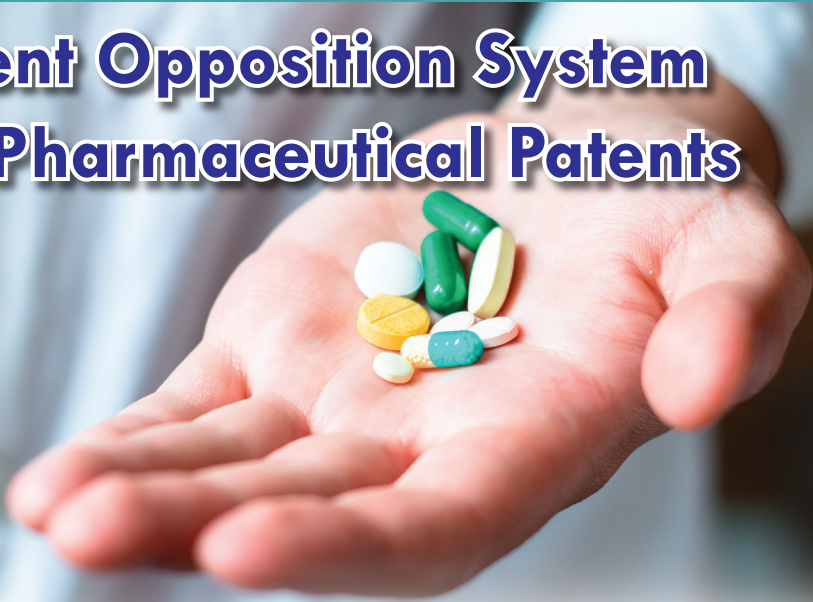


TWN
Third World Network



Patent Opposition System and Pharmaceutical Patents



ONE DAY WORKSHOP JOINTLY ORGANISED BY

Inter University Centre For
Intellectual Property Rights Studies (IUCIPRS),
CUSAT & Third World Network (TWN)

Date : 30th June 2018
Time : 9.15 am to 4:30 pm
Venue : Conference Hall, IUCIPRS, CUSAT

Patent confers the owner with exclusive rights over the invention for a period of 20 years and in effect, it would work as a monopoly. Therefore care should be taken not to grant patents to inventions which are frivolous or not inventive. The objective behind the patent opposition system envisaged under Section 25(1) of Patents Act 1970, is to prevent granting of such patents. This is more important in the context of patents to medicines since ineligible patents blocks access to medicine. Erroneous grant of secondary patents to medicines can lead to protection being extended beyond 20 years, further delaying affordable access. Since the introduction of the pharmaceutical product patent regime in 2005, generic pharmaceutical companies and civil society groups used both pre and post-grant oppositions successfully to introduce generic versions of many critical medicines. These oppositions did play a role in shaping the jurisprudence and practices of the patent offices. At the same time, there are certain challenges, which affects the efficacy of the opposition system. For instance, a recent study shows that 72 % of the granted patents do not satisfy patentability criteria under the Indian Patents Act. For example, patent was granted to Sofosbuvir, a medicine for treating hepatitis C by the Indian Patent Office while countries like Egypt refused patent protection to it.

Against this background, the workshop intends to provide an exposure to the patent opposition system in India, mainly focussing on the pre-grant opposition. It would also discuss the challenges for the effective use of filing an opposition to the patent. The workshop would deal with following issues.

- Patent examination
- Patent Opposition Systems
- Challenges to the efficacy of patent opposition system
- Patent opposition case studies

Prospective participants

- Industry
- Law firms
- CSOs/NGOs
- Teachers, research scholars and student

Co-ordinator

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