



**Country:** INDIA

**Period of Report:**  
October 2004

**SIGNIFICANT DEVELOPMENTS:**

In order to meet its WTO commitments of having a patent regime in place by January 1, 2005 wherein India has to move from the process patent to product patent regime, India is to introduce the **Patents (third amendment) Bill**.

The Bill has been cleared by the Group of Ministers (GoM) set up to look into the amendments to the Patent Act on Monday 25<sup>th</sup> October, 2004. The Bill is now expected to be tabled before the Indian Parliament during the Winter Session.

The Bill in its current form provides for both pre- and post-grant opposition to patents in drugs, pharmaceutical and the food industries.

**DEBATES:**

1. The Indian Pharmaceutical Alliance (IPA) supports the retention of the pre-grant opposition to patent applications while opposing patent law that will hurt generics.
2. The Affordable Medicines and Treatment Campaign (AMTC) points out several ways in which the proposed amendments to India's Patent Act go beyond TRIPS in their protection of pharmaceutical patents, potentially impeding generic competition. A letter from AMTC calls on India's National Human Rights Commission to investigate the impact of these amendments on access to medicines, consistent with India's obligations to protect the right to life and the highest attainable standard of health under the International Covenant on Economic, Social and Cultural Rights. [Refer <http://hrw.org/english/docs/2004/10/22/india9556.htm>]

3. The Left Parties in the ruling coalition UPA Government oppose promulgation of the Bill for introducing a new patent regime.

	<p><b>Country:</b> PAKISTAN</p>	<p><b>Period of Report:</b> October 2004</p>
<p><b>SIGNIFICANT DEVELOPMENTS:</b></p> <ol style="list-style-type: none"> <li>1. Accession by the Islamic Republic of Pakistan to the Paris Convention for the Protection of Industrial Property on April 22<sup>nd</sup>, 2004. The Paris Convention as revised entered into force on July 22, 2004.</li> <li>2. On July 22, 2004, the Islamic Republic of Pakistan also became a member of the International Union for the Protection of Industrial Property ("Paris Union"), founded by the Paris Convention.</li> <li>3. Patents Rules 2003 relating to Patents Ordinance 2000 (As Amended by Patents (Amendments) Ordinance, 2002) have been issued and published in the Official Gazette of Pakistan on December 31, 2003.</li> </ol>		

	<p><b>Country:</b> BANGLADESH</p>	<p><b>Period of Report:</b> October 2004</p>
---	-----------------------------------	--

**DEBATES:**

Speakers at a rally on 15<sup>th</sup> October, 2004 called for preserving indigenous seeds to protect the farmers and agriculture. The rally was organised by Bishwa Grameen Nari Dibas Udjapon Jatiya Committee at the Central Shaheed Minar to mark the World Rural Women's Day. The committee observed the day with a slogan 'Preserve indigenous seeds to protect the farmers and the agriculture' asserting that their rights on local bio-resources as social property are being threatened in view of the expanding multinational markets under the cover of patent rights. The speakers called for resisting multinational companies to market the hybrid seeds as it is not possible to reproduce seeds from the crops of hybrid seeds. Swapan Guha, chief executive of Rupantar, a non-government organisation, quoted saying that "The tradition of preserving seeds locally must not be stopped for the sake of our farmers, and our women must be allowed to play their important role of conserving the seeds for next plantation".