

# **Jagadguru Sri Shivarathreeshwara University**

(Deemed University)

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## **ONE DAY SEMINAR**

**ON**

### **“Challenges to Patentability in Pharma Sector”**

**Date: 16<sup>th</sup> September 2017**

**10:00 AM to 4:30 PM**

Organized by

**Department of Pharmaceutics, JSS College of Pharmacy, Mysuru**

**in association with**

**JSS Law College, Autonomous, Mysuru**

Coordinators

**Dr. Balamuralidhara V. & Mr. Jagadish AT**

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**A REPORT ON ONE DAY SEMINAR ON  
“CHALLENGES TO PATENTABILITY IN PHARMA SECTOR”  
16<sup>th</sup> September 2017**

**PREAMBLE**

One day seminar on ***Challenges to Patentability in Pharma Sector*** was organized by Department of Pharmaceutics, JSS College of Pharmacy in association with JSS Law College, Autonomous, Mysuru on 16.09.2017.

**Ms. Gowthami S**, Administrator, Allinnov Research and Development Private Limited, India was the chief guest of the function and **Prof. K.S. Suresh**, Chief Executive, JSS Law College, Autonomous, Mysuru was the guest of honor for the event. Three eminent speakers from Inter University Centre for IPR Studies, An Autonomous Centre at CUSAT, Cochin were invited to discuss various aspects of patents and patentability.

Dr P.K. Kulkarni, Vice Principal, JSS College of Pharmacy, Mysore delivered the welcome address. Lighting the lamp ceremony was conducted by all the dignitaries on the dias; followed by the address by the guest of honor. In his talk, Prof. K.S. Suresh added that patenting will bring down the cost of certain essential medicines and he expressed his concern over India being a big country did not positioned itself firmly, in the patenting field compared to the rest of developed countries. Ms. Gowthami S, the chief guest of the function, in her key note address expressed the importance of pharmacist as backbone for the healthcare system. She also quoted the difference between invention and innovation and pointed that the youth should think innovatively to contribute to the society. The scientific sessions followed the inaugural session. The scientific sessions included preliminary aspects to more advanced knowledge related to Patents and their filing across the globe.

A total of 276 registered delegates participated in the Seminar.



Welcome Address by Dr P.K. Kulkarni



Inaugural session and lamp lighting by dignitaries

Ms. Gowthami S, Administrator,  
Allinnov Research and  
Development Private Limited,  
India addressing the audience



Prof. K.S. Suresh, Chief  
Executive, JSS Law  
College, Autonomous,  
Mysuru addressing the  
gathering.



Felicitations of the Guests

The resource persons were **Ms. Madhuri Anand, Dr. I G Rathish, Ms. Rujitha Shenoy**, Assistant Professors from Inter University Centre for IPR Studies, An Autonomous Centre at CUSAT, Cochin. All the technical sessions were interactive and well attended.

The objective of the seminar was to address basic principles of Patents and patentability. The audiences were made aware of the basic concepts related to patent search and patent filing procedures in India. The seminar was intended to promote innovation via the reward granted to the inventor, promote technology diffusion via publication and access to patents documents, promote wealth creation via the economic value of exclusive rights, promote competition via innovations behaviours, and promote access to technology via public domain.

**SESSION I: Ms. Madhuri Anand (Time: 10:30 AM - 11:30 AM)**

Assistant Professor, Inter University Centre for IPR Studies, An Autonomous Centre at CUSAT.



Ms. Madhuri Anand delivered a talk on Introduction to Patents.

**Abstract of the presentation entitled, “Introduction to Patents”**

There is a rapid growth in the field of scientific innovation related to medicines and pharmaceuticals. Protecting the intellectual property becomes one of the eye concerns as far as the inventor is concerned. A patent describes an invention for which the inventor claims the exclusive right. Patent enables its owners to exclude others from making, using and selling the inventions. Patent laws are territorial; a separate patent must be obtained in each country. Indian patent office protects invention only filed in India. Inventions are patentable only if it is new (novel), useful and non-obvious. The owner of the invention should approach the Patent Office and in prescribed manner should disclose the invention in full. The various parts of patent are abstract, background, summary, figures with brief descriptions, specification and the claims.

**SESSION II: Dr. I. G. Rathish (Time: 11:45AM - 1:00 PM)**

Assistant Professor, Inter University Centre for IPR Studies, An Autonomous Centre at CUSAT





Dr. I G. Rathish delivered a talk on Access to the patent search tools

**Abstract of the presentation entitled, “Access to the patent search tools”**

To retrieve information which is required to answer specific questions related to inventions, search tools are being employed. It generally includes Patentability Search, Freedom-To-Operate Search, Validity/Invalidity Search and State-of-the Art Search. Patentability search also known as *Novelty search* done to identify patents and non-patent literature recommended to be done before writing and filing the patent specification, and therefore, sometimes called a pre-application search.

**SESSION III: Ms. Rujitha Shenoy (Time: 2:00 PM – 3:00PM)**

Assistant Professor, Inter University Centre for IPR Studies, An Autonomous Centre at CUSAT



Ms. Rujitha Shenoy delivered a talk on Patenting of Chemical Substances and Biotechnology Inventions – India & USA

**Abstract of the presentation entitled, “Patenting of Chemical Substances and Biotechnology Inventions –India & USA”**

The opportunity in biopharmaceuticals is big and growing too rapidly to ignore. Today, biopharmaceuticals generate global revenues of \$163 billion, making up about 20 percent of



the pharma market. Many large pharmaceutical companies are shifting their presence to biopharma. In the pharmaceutical and bio-pharmaceutical sectors - where innovation costs are very high, regulatory approval substantially delays market entry and few R&D projects result in marketed drugs - patents are considered an essential factor in protecting competitive advantage.

**SESSION IV: Dr. I G Rathish (Time: 3:00PM – 4:00 PM)**

Assistant Professor, Inter University Centre for IPR Studies, An Autonomous Centre at CUSAT

**Abstract of the presentation entitled, “Patent filing procedure in India”**

In India intellectual property rights are safely protected and controlled by well-established statutory and judicial framework. It is covered under the Act called the Patents Act, 1970 [Amended by Patents Act, 2005]. The application can be filed either alone or jointly by any person claiming to be true and first inventor(s) or any person being the assignee of person claiming to be true and first inventor. The appropriate office of the patent office shall be the head office of the patent office or the branch office as the case may be within those territorial limits. Patent Office Branches are there in Chennai, Kolkata, Mumbai and Delhi.

Provisional specifications describe the nature of invention & contain the description of essential features of the invention. Complete specification must be filed within 12 months from date of filing of provisional application.

**Vote of Thanks**

Concluding remarks were given by Dr. Balamuralidhara V. and Dr. Vishal Kumar Gupta expressed the vote of thanks.

**SEMINAR MEMORABILIA**



