



**KAMARAJ IAS ACADEMY**  
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# Measures - protect the ancient and traditional knowledge of medicine

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**Why is in news?** Measures taken to protect the ancient and traditional knowledge of the country

A total of 448764 ISM formulations including 127533 in Ayurveda, 240850 in Unani, 70158 in Siddha, and 5445 in Sowa Rigpa, and 4778 in Yoga techniques have been transcribed so far into the **Traditional Knowledge Digital Library (TKDL) database**.

On the basis of TKDL evidences, so far, 283 patent applications have been either refused, amended or withdrawn/abandoned, thus protecting Indian traditional knowledge.

As per the **national Biological Diversity (BD) Act, 2002**, **approval** of the National Biodiversity Authority (NBA) is **necessary before seeking any IPR based on biological material and associated knowledge** obtained from India.

Under the BD Act, 2002 and Rules thereunder, the NBA has also been pursuing efforts on Peoples Biodiversity Register (PBR).

The register is a tool for formal recording and maintenance of comprehensive information on availability and knowledge of local biological resources, their medicinal or any other use.

The **CSIR-TKDL Unit has signed a Non-Disclosure Agreement with NBA** for evaluating and identifying modalities for possible inclusion of information from the PBR into the TKDL database.

Under Section 3p of the **Indian Patents Act, 1970**, invention which in effect, is traditional knowledge or which is an **aggregation or duplication of known properties** of a traditionally known component or components, is **non-patentable**.

The **Traditional Knowledge Digital Library (TKDL)** is a **prior art database of Indian traditional knowledge** established in 2001, jointly by the Council of Scientific and Industrial Research (CSIR) and Department of Indian Systems of Medicine and Homeopathy (Dept. of ISM&H, now Ministry of AYUSH).

The TKDL was established to **prevent misappropriation** of Indian traditional knowledge (TK) by way of intellectual property rights.

The TKDL currently contains information from ancient texts related to ISM such as **Ayurveda, Unani, Siddha, Sowa Rigpa and Yoga**.

The information from ancient texts of medicine and health existing in **local languages** such as Sanskrit, Hindi, Arabic, Persian, Urdu, Tamil, Bhoti etc., have been transcribed into **five international languages**, namely **English, French, German, Spanish and Japanese** in the TKDL database.

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The TKDL thus serves as a robust prior art database of Indian TK information therewith offering the information in languages and format understandable by patent examiners at Patent Offices worldwide. The TKDL thus prevents erroneous grant of patents by patent offices.

The access to this database is given to patent offices world-wide that have signed **Non-disclosure Access Agreements with the CSIR**, for search of TKDL evidences in the context of patent applications filed with them.

The TKDL prior art database is **currently available to 16 patent offices** - including the Indian Patent Office (Controller General of Patents, Designs & Trade Marks), European Patent Office, US Patent Office, Japanese Patent Office, German Patent Office, Canadian Patent Office, Chile Patent Office, Australian Patent Office, UK Patent Office, Malaysian Patent Office, Russian Patent Office, PerPatent Office, Spanish Patent & Trademark Office, Danish Patent and Trademark Office, National Industrial Property Institute (INPI, France) and Eurasian Patent Organization.

In addition to the use of TKDL database by patent offices, the CSIR-TKDL Unit **also files third party observations/pre-grant oppositions** on patent applications that have relevance to Indian traditional knowledge.

This **defensive protection** through TKDL has been effective in safeguarding Indian traditional knowledge from misappropriation, and is considered a global benchmark.