

CONTENTS

INTRODUCTION	(1-43)
*STATEMENT OF THE	17
*SIGNIFICANCE OF THE STUDY	17
*OBJECTIVE OF THE STUDY	17
*HYPOTHESIS	17
*RESEARH QUESTIONS	17
*LITERATURE SURVEY	20
CHAPTER I: TRADITIONAL KNOWLEDGE DIGITAL LIBRARY: A RICH SCIENTIFICAL HERITAGE OF INDIA	(44-85)
*AYURVEDA: SCIENCE OF LIFE	45
*STUDY CONFIRMS ANCIENT THEORY	47
*SOME OBSERVATIONS ABOUT AYURVEDA	48
*ESTABLISHMENT OF TKDL	50
*TKDL DOCUMENTATION ON PRIOR ART ABOUT INDIAN MEDICINAL PLANTS	51
*CONCLUSION	84
CHAPTER II: PATENTS ON MEDICINAL PROPERTIES ASSOCIATED WITH TRADITIONAL KNOWLEDGE IN INDIA AND FOREIGN COUNTRIES	(85-119)
*INTRODUCTION	85
*U.S.A. PATENTS ON THE MEDICINAL PROPERTIES OF INDIAN PLANTS	87
*EPO PATENTS ON TK ASSOCIATED WITH INDIAN MEDICINAL PLANTS	106
*INDIAN PATENTS ON MEDICINAL PROPERTIES OF THE PLANTS	107
*NEW THREAT TO TK: INNOVATIVE PATENTS	118
*CONCLUSION	119
CHAPTER III: MISAPPROPRIATION OF TRADITIONAL KNOWLEDGE IN INDIA WITHOUT OBTAINING PATENT	(120- 155)

*INTRODUCTION	120
*SOME AYURVEDIC PRODUCTS OF DIVYA PHARMACY	121
* SOME OF THE ZANDU AYURVEDIC MEDICINAL PRODUCTS	131
* SOME OF THE DABUR'S AYURVEDIC MEDICINAL PRODUCTS	136
* SOME OF THE HIMALAYA'S AYURVEDIC MEDICINAL PRODUCTS	142
* SOME OF THE BAIDYANATH AYURVEDIC MEDICINAL PRODUCTS	152
*CONCLUSION	155

CHAPTER: IV: AN ANALYTICAL STUDY OF THE IPR LAW REGIME OF FOREIGN COUNTRIES (156-211)

*INTRODUCTION	156
*DEFINING PATENT	157
*TRADITIONAL KNOWLEDGE IS NOT PATENTABLE: PROF. N.S.G	159
*INDIAN LAW ON PATENT-SOME RELEVANT PROVISIONS	161
*USA LAW ON PATENT-SOME KEY AREAS	168
*U K PATENT LAW-SOME RELEVANT AREAS	181
*PATENT LAW OF GERMANY-SOME KEY AREAS	187
*AUSTRALIA'S LAW OF PATENT-SOME RELEVASNT PROVISIONS	197
*PATENT LAW OF JAPAN-SOME RELEVANT PROVISIONS	200
*CONCLUSION	206

CHAPTER V: INTERNATIONAL LEGAL FRAMEWORK RELATING TO TRADITIONAL KNOWLEDGE OF MEDICINE FROM BIOLOGICAL RESOURCES (212-260)

*INTRODUCTION	212
*AGREEMENT ON TRIPS	213
*CONVENTION ON BIOLOGICAL DIVERSITY-CBD	230
*WORLD INTELLECTUAL PROPERTY ORGANISATION	243
*EUROPEAN PATENT CONVENTION	253
*CONCLUSION	259

CHAPTER VI: A CASE STUDY OF TURMERIC AND NEEM PATENT REVOCATION AND THEREAFTER (261-310)

* BACKGROUND OF TURMERIC AND NEEM PATENT CASES	261
* HALDI (TURMERIC) PATENT RE-EXAMINATION CASE BY USPTO	261
* NEEM PATENT REVOCATION CASE BY EPO	269
* NEEM PATENT RE-EXAMINATION CASE BY USPTO	286
*AND AFTER.....	296
*CONCLUSION	308

CHAPTER VII: MARCH TO EVOLVE A LEGAL FRAMEWORK FOR THE PROTECTION OF TK ASSOCIATED WITH MEDICINAL PLANTS (311-340)

*INTRODUCTION	311
*ANALYSIS OF TWO PRIVATE DRAFT BILLS OF INDIA	312
*PROTECTION OF TRADITIONAL KNOWLEDGE OF MEDICINAL PLANTS	321
* LAW OF THAILAND FOR THE TK	323
* LAW OF THE KYRGYZTAN FOR THE PROTECTION OF TK	327
*LAW OF PERU FOR THE PROTECTION OF TK	330
*BRAZILIAN LAW FOR TK PROTECTION	333
*LAW OF BHUTAN TO PROTECT TK	336
*CONCLUSION	340

CHAPTER VIII: MEDICINAL PLANTS OF COOCH BEHAR (341-356)

*INTRODUCTION	341
* TABLE NO.1-4	343
* TABLE NO.5-6	347
* TABLE NO.7-8	349
* TABLE NO.9-10	352
*CONCLUSION - ANALYSIS AND CONCLUDING COMMENT	358
*APPENDIX	363

CHAPTER IX: CONCLUSION

(357-385)

***INTRODUCTION**

383

***NEED FOR A SUI-GENERIS COMPREHENSIVE LAW**

392

***RECOMMENDATIONS FOR A MODEL LAW**

395

REFERENCES

(i-vi)