



News Updates: May 3-5, 2014

OPPI

Publication: The Hindustan Times

Edition: Mumbai

Date: May 5, 2014

Headline: Govt mulls campaign to restore Indian pharma image (link unavailable, scan attached)

Synopsis: The government plans to create a special entity in partnership with private firms for a 'Brand India Pharma' campaign, with an aim to refurbish the battered image of Indian drug exporters overseas after recent setbacks in the US and Europe. Experts say the special entity is expected to bring the spotlight on Indian pharma in a positive way. "We welcome the campaign proposal as there is an urgent need to effectively address the perception of the Indian pharma, which has been compromised due to overzealous global media's reporting on the non-compliance of a few companies," said Kiran Mazumdar Shaw CMD, Biocon. **"We would encourage any initiative that helps revive the 'Made in India' brand," said Ranjana Smetacek, director general, OPPI, an industry body.** The special purpose vehicle is expected to come into being within the next few weeks. "The campaign should send out the message that a majority of domestic pharma companies are in compliance with global best practices," Shaw said.

Patents/ Compulsory Licensing/ Intellectual Property

Publication: The Times of India

Edition: National

Date: May 5, 2014

Headline: [Govt mulls cancer drug patent waiver](#)

Synopsis: The health ministry has reopened the issue of waiving a global drug giant's patent rights for Dasatinib, a cancer drug, arguing the move is needed to deal with an "emergency". The latest development - which the ministry expects will go through - comes at a time when India has won a reprieve from the US over its intellectual property regime but is facing flak from the civil society, which is critical of the government "going soft" on affordability and availability of medicines for life-threatening diseases.

Similar report in-

The Economic Times- [Government mulls cancer drug patent waiver for Dasatinib](#)

Publication: Business Standard

Edition: National

Date: May 5, 2014

Headline: [Make essential drugs affordable for all: Cipla](#)

Synopsis: Amid US firms' allegations of patent norm violations against Indian pharma companies, leading domestic drug maker Cipla has said that "essential" medicines be made available to people at affordable rates and should not be sold under "monopoly". "As a scientist I believe that an inventor or innovator of a new drug should be suitably rewarded, no doubt about that. But then, if the drug is essential it should not be sold under monopoly," Cipla Chairman Yusuf Hamied said.

Similar report in-

Business Today- [India can be leader in supplying medicines, says Cipla Chairman YK Hamied](#)

The Financial Chronicle- Make essential drugs affordable for all: Cipla (link unavailable, scan attached)

Website: Pharmabiz

Edition: National

Date: May 5, 2014

Headline: [US wants more transparency on inter-ministerial panel on compulsory license issue](#)

Synopsis: While keeping India in its 'priority watch list' as in the previous years, the US Trade Representative (USTR) 2014 "Special 301 Report" has called for greater transparency about the ongoing inter-ministerial process that is considering over a dozen patented medicines as candidates for government-initiated compulsory licenses. The report also urged India to allow opportunities for input by rights holders, as appropriate, with respect to decisions concerning compulsory licenses. "While bearing in mind the Doha Declaration on TRIPS and Public Health, discussed in the Intellectual Property and Health Policy section of this Report, the United States also continues to monitor developments concerning compulsory licensing of patents in India," the report said.

Publication: The Times of India

Edition: National

Date: May 3, 2014

Headline: [Drug MNCs stall generics with RTI](#)

Synopsis: A huge spurt in infringement suits (stay orders) recently against domestic drug companies highlight that multinational firms are increasingly using the right to information (RTI) route to enforce intellectual property and block entry of affordable generics. Domestic companies like Glenmark, Biocon, Cadila and Alembic are facing a fresh attack from MNCs like Novartis and Astra Zeneca, the impact of which will be critical for development and expansion of the domestic pharma industry, experts say.

Publication: The Financial Express

Edition: National

Date: May 3, 2014

Opinion piece: Mark Elliot, executive vice-president of the U.S. Chamber of Commerce's Global Intellectual Property Center

Headline: [Column: Weak IPR regime a deal-breaker](#)

Synopsis: Economic experts have repeatedly demonstrated that a robust intellectual property (IP) system leads to greater investment, economic growth, and overall innovation. By striking the right balance between the interests of innovators and the wider public, the IP system aims to foster an environment in which creativity and innovation can flourish. So, the debate isn't about whether or not promoting a robust IP environment will help India, but rather about how to do so.

Publication: The Financial Express

Edition: National

Date: May 3, 2014

Opinion piece: Biswajit Dhar, director general, Research and Information System for Developing Countries

Headline: [The US intellectual property rights hypocrisy](#)

Synopsis: The much awaited 'Special 301' report from the Office of the United States Trade Representative (USTR), detailing the results of the annual review of the state of intellectual property rights (IPR) protection and enforcement in the trading partners of the US, identifies India as a "priority watch" country. These reviews began in 1989 after the enactment of the Omnibus Foreign Trade and Competitiveness Act of 1988. Special 301 provisions of this Act authorises the USTR to identify annually the countries whose failure to protect intellectual property is the most onerous and has the greatest adverse impact on US products and those that are not making significant progress in providing adequate and effective protection of intellectual property rights (IPRs). The USTR has the rights to retaliate against any country if it "refused to reform its practices satisfactorily".

Publication: The Statesman

Edition: National

Date: May 3, 2014

Headline: [Sharma talks tough on IPR probe](#)

Synopsis: India today reiterated that its intellectual property rights (IPR) regime is fully compliant to WTO laws and the country will not take part in any unilateral investigation by the USA on the matter. "India is fully Trade Related Aspects of Intellectual Property Rights (TRIPS) compliant and India is not going to accept any investigations or anything which is TRIPS plus," commerce and industry minister Anand Sharma told reporters here.

Similar report in-

The Pioneer- [India not to accept any probe on IPR by the US, says Sharma](#)

Publication: The Financial Chronicle

Edition: National

Date: May 3, 2014

Headline: [Let the larger interest of human race prevail](#)

Synopsis: For a large developing country like ours, the biggest challenge is to provide cost-effective medicines to a population that's exploded to over 1.2 billion. Therefore, the focus of pharma and healthcare policies of successive governments has been to ensure over-the-counter availability of medicines at affordable prices. The Indian government has taken upon itself to consciously encourage manufacture of bulk drugs, intermediates and generic formulations through an industry valued at over \$25 billion today. These pharmaceutical units comprise large, medium, small and micro-enterprises that sell branded and generic drugs. The US decision to continue keeping India on a 'priority watch list' for patents and intellectual property rights (IPRs) violation of 'exorbitantly priced' products from companies like Bristol Myers Squibb's or Novartis needs to be seen in this backdrop. Even in other developing countries like Pakistan, Algeria, Chile, Thailand and Venezuela that figure on US Super 301 list, the biggest issue is to ensure availability of medicines from credible sources at least possible cost. Such public healthcare policies have not gone down well with American drug conglomerates that lobbied hard to get these countries categorised for inadequate patents protection. Interestingly enough, it is these very wide markets where the American pharma companies profited in billions of dollars on the back of product and process patents that they hold on drugs used for a range of ailments like cancer.

Publication: Daily News & Analysis

Edition: National

Date: May 5, 2014

Opinion piece: Shastri Ramachandaran, an independent political and foreign affairs commentator

Headline: [US expects its restraint on IPR to pay off after polls](#)

Synopsis: The Obama administration wants American big business, especially Big Pharma, to pause before reviving the push to prise open the Indian market. That is the message of the US government's decision to desist from labelling India as a prime offender in the matter of Intellectual Property Rights (IPRs). In the ongoing trade dispute between the two countries, instead of being named as a "Priority Foreign Country", India has been retained on the "Priority Watch List" of countries in the Special 301 Report of the US Trade Representative (USTR). That means that the US would bide time — until autumn, when the situation would be reviewed — before escalating the trade war to the level of sanctions. The US wants India to put in place and police a patent regime — for medicines, agro-chemicals and green technology, but especially for medicines — that subserves the interests of American companies, especially Big Pharma which feels particularly threatened by less expensive drugs from India and other developing countries.

Publication: The New Indian Express

Edition: National

Date: May 4, 2014

Headline: [India Shaken But Not Stirred by US Concerns About Patent Laws](#)

Synopsis: India had a few anxious moments on April 26, when countries and companies globally observed World Intellectual Property Day. The cause of concern was the possibility of the US blacklisting India for its intellectual property rights (IPR) regime. A few days later came a partial reprieve as the US Trade Representative announced its decision to keep India out of the Priority Foreign Country list, which is a classification of nations with poor IP laws, but still on the priority watch list. "The US' concerns over India's IPR regime will affect the country's brand immensely, particularly at a time when India is opening up several sectors to foreign direct investment," says NC Hegde, partner, Deloitte Haskins & Sells.

FDA

Publication: The Financial Express

Edition: National

Date: May 5, 2014

Headline: ['Revamp culture to comply with zero-tolerance policy of USFDA'](#)

Synopsis: The Indian Pharmaceutical Alliance (IPA), which comprises 19 leading Indian pharma companies engaged in R&D, says the United States Food and Drug Administration's (USFDA) zero-tolerance policy requires Indian drug firms to reorient not just processes, but also organisational culture, to serve regulated markets credibly. These 19 companies constitute about 75% of total Indian drug exports to the US. "The USFDA has zero tolerance for manufacturing deficiencies... There is a need for attitudinal change that requires time, patience and commitment from the management. This change demands compliance with not only technical standards but also ethical standards; it cannot be limited to one section of the organisation, but should be implemented across the organisation," DG Shah, secretary-General of the IPA, told FE.

Drug pricing

Publication: Daily News & Analysis

Edition: Mumbai

Date: May 5, 2014

Headline: Drugmakers double prices on dozens of treatments since 2007 (link unavailable, scan attached)

Synopsis: As the pharmaceutical industry is in the throes of the greatest period of consolidation in a decade, one reality remains unchanged: Drug prices keep defying the law of gravity.

Similar report in-

The Financial Chronicle- Cost of treatment doubles, a prices of pharmaceuticals keep defying laws of gravity, drugmakers' profits (link unavailable, scan attached)

FDI

Publication: The Financial Express

Edition: National

Date: May 3, 2014

Headline: [Royal mess](#)

Synopsis: At a time when the government's attention should be focused on how to revive the near-dead investor sentiment, it is surprising that the industry ministry should bring out the old chestnut, of how royalty payments have shot up so much, a cap needs to be re-introduced. It is true, royalty payments are up hugely, from \$2 billion in FY10 to \$4.2 billion in FY13—as a proportion of FDI, they are up from 5.3% in FY10 to 10.2% in the first half of FY14. But if more FDI is resulting from higher returns for investors, more so at a time when most other parameters look gloomy, should so much be made of it? From a policy perspective, the government's only decision should be to ensure there is no arbitrage on taxation rates on royalties versus dividends, the other way for MNCs to get returns on their investments in the country.

General Industry

Publication: The Economic Times

Edition: National

Date: May 3, 2014

Headline: [Sun Pharmaceuticals to shut Unit Caraco's Detroit facility](#)

Synopsis: Sun Pharma, India's top drugmaker by market capitalisation, plans to permanently shut the Detroit facility of its US subsidiary Caraco Pharma that had been red-flagged by the US drug regulator in 2009. The closure may happen as soon as next month. The company, in a submission to the state administration of Michigan on April 30, said that it has decided to close the Elijah McCoy Detroit facility around June 30.