

LEAKY PROTECTION?

WHAT

A loophole in Indian patents law could allow imports of patented drugs made in least developed countries, or LDCs, without authorization of the patent holder. Under threat of such imports could be more than 100 drugs and medical products protected by patents here.

WHY

Indian drug makers, restrained from selling copies of new drugs here since 2005, can resort to imports from LDCs to introduce new copycat drugs here. This window will close in 2016 after which global trade laws mandate that LDCs comply with product patents.

IMPACT

Using such imports from LDCs, Indian companies can offer cheaper versions of new drugs in the local market circumventing patent rules here.