

## OFFICIAL OVERSIGHT?

New patent grants said to have violated section 3(d) of Indian Patents Act.

### What section 3 of the Patents Act says:

The mere discovery of a new form of a known substance which does not result in the enhancement of the known efficacy of that substance or the mere discovery of any new property or new use for a known substance or of the new use of a known process, machine or apparatus unless such known process results in a new product or employs at least one new reactant.

### What sub-section 3(d) says:

Salts, esters, ethers, polymorphs, metabolites, pure form, particle size, isomers, mixtures of isomers, complexes, combinations, and other derivatives of known substance shall be considered to be the same substance, unless they differ significantly in properties with regard to efficacy.

Patent no.	Holder	Drug substance	Issuing office
204325	Pfizer Inc.	Eletriptan hydrobromide monohydrate	Mumbai
204343	Pfizer Inc.	Polymorph of azacyclopentadecan	Mumbai
201140	Pfizer Inc.	Novel crystalline forms of microlide antibiotic	Mumbai
202128	Schering Corp.	Stable crystalline polymorph of difluorophenyl	Chennai
201649	Wyeth	Novel succinate salt of O-desmethyl-venlafaxine	Kolkata
204126	Sun Pharma	Piperzinyll derivatives	Mumbai
204151	Glaxo	Substituted oxazoles and thiazoles	Mumbai
219034	Cipla	Inclusion complex of esomeprazole with cyclodextrins	Mumbai
219022	Cipla	Alendronate monosodium salt	Mumbai
204158	AstraZeneca	Imidazo pyridine derivatives	Mumbai

Source: Abstracts published by Controller General of Patents, Designs & Trade Marks