

These seizures symbolize TRIPS plus enforcement measures targeting the legitimate generic medicines and were against the fundamental principle of freedom of transit under Article V of GATT. They were also against the Doha declaration on TRIPS and Public Health and the TRIPS.

Consequently, India filed a request for consultation with EU and the Netherlands on 11th May, 2010, under the Dispute Settlement Undertaking of the WTO. Two rounds of consultations have taken place. European Union, recognizing the strength of India's case, has offered to settle the matter without resorting to the need to go to the WTO dispute panel stage.

Patent of traditional Indian toothpowder

*303. SHRI ISHWAR SINGH: Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether a Multinational Company (MNC) has patented the traditional Indian 'Lal Dant Manjan' in the United States on the basis of an application filed in India in 2005;

(b) whether the Controller General of Patents in India has yet to decide on the MNC's application filed in 2005;

(c) whether the Association of Manufacturers of Ayurvedic Medicines has challenged the application filed by the MNC in India in 2005; and

(d) if so, the details thereof?

THE MINISTER OF COMMERCE AND INDUSTRY (SHRI ANAND SHARMA): (a) Yes, Sir. US Patent No. 7736629 has been granted for RED HERBAL DENTIFRICE to Colgate Palmolive Company, New York (Assignee) based on the Indian application 3081/Del/2005 dated 18th November, 2005 filed by Colgate Palmolive Company, 300 Park Avenue, New York, 10022, USA.

(b) Yes, Sir. The request for examination (RQ) was filed on 23/10/2008 and the same is under process.

(c) and (d) No, Sir. The Association of Manufacturers of Ayurvedic Medicines in India has not challenged patent application No. 3081/Del/2005. However, a pre-grant opposition has been filed by Council of Scientific and Industrial Research (CSIR) on 11th October, 2010.

Inter-State border problem in North-East

*304. SHRI BIRENDRA PRASAD BAISHYA: Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether Central Government is aware that the life and property of people in Assam