

MNC pharma firms told to launch latest drugs in India

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MUMBAI: The government has asked MNC pharma companies to launch latest drugs in India. The move assumes significance as most of the MNC pharma companies have stopped launching products in India after 1995 although they are introducing them in other parts of the globe.

“We often see that many drugs that are launched in developed countries have not been introduced in India even after several years. We have asked the companies to launch them soon in India,” said department of pharmaceuticals secretary Ashok Kumar. MNC pharma companies have been avoiding launching new drugs in India for the fear that they will immediately get copied and generics will be made available.

Industry sources said that the new patent act will have to be strengthened before the pharma giants launch their blockbuster drugs in the country. For instance, Roche and Pfizer have recently launched patented products in India but entangled in law suits regarding the infringement of their patents by generic drug companies.

Novartis India managing director Ranjit Shahani said, “The expectation after the introduction of the patent law in 2005 was that it would attract a spate of products. But it has not happened. The foreign MNCs will be more open to launching their new molecules when India has world-class intellectual property rights in place.”

Organisation of Pharmaceutical Producers of India (OPPI) director general Tapan Ray said that there are instances of blatant patent infringement even during the three-year product patent regime beginning 2005. He said the problem lies in the procedure of granting patent by two different bodies.

“ The Patent Office grants patent to the innovator with an assurance of protecting the patent within the life of the product. But the Drug Controller General of India’s (DCGI) office grants marketing approval of the same patented product to a generic manufacturer.”

Aventis Pharma managing director Shailesh Ayyangar said, “We firmly believe that the patent status of a drug should be protected in order to encourage research and development of life-saving medicines. Therefore, it is very critical that in India, patents are respected and not violated.”

Mr Ayyangar said the patent linkage between the DCGI and the Patent Office is essential to establish is clarity and compliance of the law of the land. “These measures are vital for any research based pharmaceutical company to have the confidence to launch new drugs in an era where better, more effective medicines are becoming more difficult to develop,” he added.

“Our country is moving directionally in the right direction but there is much to be done. Data protection for instance continues to be an area of concern - no one would like to see their proprietary data used with impunity for unfair commercial gain. The

patent laws does not allow incremental innovation to be patentable,” Mr Shahani said.

Between 2005 and 2008 - five global majors - Novartis, AstraZeneca, Glaxo, Pfizer and Sanofi-Aventis have all set up research centres in China - but no major investment has come to India. “It is a clear statement that capital will flow to countries where the regulatory environment is conducive to research,” Mr Shahani said. Projections by various agencies have pegged the share of patented products to increase by 10% by 2015 from the existing 25%.

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