National Judgment Analysis Competition –
9th January 2015
Judgments for Analysis –
1) F.Hoffmann-La Roche and Others V.
CIPLA Ltd.
2) Novartis AG. V. Union of India

Call for Papers:
Papers on the theme can be submitted
till 20th December 2014. Soft copy to
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Selected papers will be published in the
Journal Fiat Justitia (ISSN No. IS 2320-2696).

Registration:
Seminar Registration fee for the faculty and
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Analysis Competition per student -500/-

Venue
Deccan Education Society’s
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Map From Pune Airport and
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to Fergusson College

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**Medico-Legal Aspects of Protection of Life in Patenting Regime**

**Dedicated to hope for healthy life**

Health is a fundamental right indispensable for living a life with dignity. Indian pharmaceuticals industry has grown by leaps and bounds in the last millennium. Nevertheless for millions of the people around the world, and in India, the full enjoyment of right to health remains an elusive goal, due to obstacles to access to medicines of good quality. The multiform, multinational companies dominate the Indian pharmaceutical market and prices of medicines in India are among the highest in the world, due to patenting of life saving drugs by other nations. Patenting of drugs creates monopoly over drugs and pricing of drugs. This results in denial of the Fundamental Right of Health, to the masses, and especially to poor sections of society. The new patenting regime has created impact on the producers and consumers of drugs/medicines in India. Indian pharmaceutical industries require developing strategies to meet the challenges and overcome hurdles, to minimize drug costs. Our industries need to encourage research investment and innovation and register more patents based on our rich heritage of our traditional medicine.

Will India be in an able position to deal in with, the recent global catastrophic epidemics like the swine flu, dengue, or Ebola spurs? Without affordable drugs and lack of vaccine patents, are we well equipped to deal with any biological warfare looming at large at the international level? An examination into the judicial mind set of the Indian courts, in view of the celebrated cases of CIPLA, NOVARITIS cases is appropriate at this juncture.

The crucial role of compulsory licensing of pharmaceuticals in securing right to health by bringing down the price of essential drugs is another aspect to be considered. The product patents versus process patenting in respect of life saving drugs is a key question for all third world countries to reflect on seriously.