BP603T · B.Pharm Semester VI · Theory Notes

Intellectual Property Rights

Unit I — Introduction to Intellectual Property

Unit I (6 hours)

Pills & Python Notes

From-zero teaching standard: every technical term is defined before use.

Syllabus coverage: Unit I (6 hours).

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CHAPTER 1: Introduction to Intellectual Property

1.1 Learning Objectives

By the end of this chapter, you should be able to:

1 Define intellectual property (IP) in your own simple words.

2 Explain the scope of intellectual property — what it covers and what it does not cover.

3 Describe the importance of intellectual property for society and for industry.

4 Name and distinguish the four main types of IP: patents, trademarks, copyrights and trade secrets.

5 Trace the origin and progression of intellectual property rights in India and internationally.

6 Explain the role of intellectual property in the pharmaceutical industry.

7 Apply the concepts of compulsory licensing and Section 3(d) (evergreening) to simple real-world situations.

1.2 Definitions

Intellectual Property (IP) — technical definition. Intellectual property refers to creations of the human mind — inventions, literary and artistic works, designs, symbols, names and images used in commerce — for which exclusive rights are granted to the creator or owner by law for a limited period of time.

Simple explanation. Your brain produces ideas. When those ideas are new and useful — a new medicine, a book you wrote, a brand name you designed — the law gives you a special right over them. That right is called intellectual property. It is like owning a house, but instead of a house made of bricks, you own an idea made by your mind.

Example. A scientist in a pharmacy laboratory invents a new tablet that dissolves faster in the stomach. The government gives her a patent (one type of IP right). Now, for a fixed number of years, no other company can make and sell that same tablet without her permission.

Key takeaway. Intellectual property = legal ownership of ideas and creations.

Intellectual Property Rights (IPRs). IPRs are the actual legal rights — the power given by law — that the owner of intellectual property can use, such as the right to stop others from copying, or the right to earn money by allowing others to use the idea.

Simple explanation. IP is the "thing" (the idea). IPR is the "power" over that thing (the legal right). You own the idea (IP); the law gives you the power to control it (IPR).

Example. A company owns a drug formula (IP). Its IPR is the power to take another company to court if that company copies the formula without permission.

Key takeaway. IP = the creation. IPR = the legal power over the creation.

1.3 Terminology

Term	Simple Meaning
Inventor	The person who creates the new idea or invention.
Applicant	The person or company that applies to the government for the IP right. It may be the inventor or the company the inventor works for.
Patent office	The government office that checks applications and grants IP rights. In India, applications are handled through ipindia.gov.in.
Exclusive rights	Rights that belong only to the owner. Others must take permission.
Infringement	Using someone's IP without permission — like copying a brand logo or manufacturing a patented drug without a licence.
Licence	Written permission from the IP owner allowing someone else to use the IP, usually for a fee.
Royalty	The fee paid for using someone else's IP.
Evergreening	A strategy where a company tries to extend its patent monopoly by making small, non-inventive changes to an already-known drug. Indian law blocks this through Section 3(d) of the Patents Act, 1970.
Compulsory licence	A licence given by the government to a third party, without the patent owner's consent, usually so that an essential medicine can be made affordable and available.
Prior art	All information that was publicly available before the invention — earlier patents, published papers, public use. An invention must be new compared to all prior art.
Term of protection	The fixed time period for which the IP right lasts.
TRIPS	The Agreement on Trade-Related Aspects of Intellectual Property Rights — an international agreement (1995) that sets minimum standards of IP protection for member countries of the World Trade Organization (WTO).

1.4 Explanation: Definition and Scope of Intellectual Property

What IP means. Every object around you — the chair you sit on, the medicine you take — started as someone's idea. Intellectual property law protects such ideas in their concrete forms: the invention of a machine, the words of a book, the design of a logo.

Scope of IP — what it covers. IP covers creations of the mind that have commercial or cultural value:

1. Inventions — new medicines, machines, processes (protected by patents).
2. Brand names and logos (protected by trademarks).
3. Books, songs, films, software (protected by copyright).
4. Secret formulas and business information (protected as trade secrets).
5. Industrial designs — the shape or look of a product (protected as design rights).
6. Plant varieties and geographical indications, such as Darjeeling tea.

What IP does NOT cover. IP does not protect mere ideas in the mind that have not been expressed or applied. For example, "a drug that cures all diseases" as a daydream is not protectable. Only when the idea is turned into a real, described, workable invention can it get protection. Also, facts of nature and basic scientific principles are not anyone's property.

Example. Thinking "someone should make a painkiller with no side effects" gives you no right. Actually inventing the drug, describing how it is made and how it works, and filing a patent application — that gives you a right.

Key takeaway. IP protects expressed, concrete creations of the mind — not empty ideas and not laws of nature.

Nature of IPRs. IPRs are:

- **Territorial** — a patent granted in India protects you only in India. To be protected in other countries, you must apply there too.
- **Time-limited** — protection is not forever. A patent lasts a fixed term (20 years from the filing date), after which anyone can use the invention.
- **Transferable** — you can sell your IP right or licence it to others, like renting a house.

1.5 Classifications: Types of Intellectual Property

There are four main types of IP. Remember them with the word **P-T-C-T: Patents, Trademarks, Copyrights, Trade secrets.**

1.5.1 Patents

Technical concept. A patent is an exclusive right granted by the government for an invention — a new product or process — provided it is novel, involves an inventive step, and is capable of industrial application.

Simple explanation. You invent something new that works and can be made. The government checks it and gives you a certificate. For 20 years, nobody else can make, use or sell it without your permission.

Example. A new process for making paracetamol at lower cost can be patented. During the patent term, only the patent owner (or those licensed by the owner) can use that process.

Key takeaway. Patents protect inventions. Term: 20 years from the filing date.

1.5.2 Trademarks

Technical concept. A trademark is a sign — a word, logo, symbol, or combination — capable of distinguishing the goods or services of one enterprise from those of others.

Simple explanation. A trademark is a brand name or logo. It tells the customer, "This product comes from this company, so you can trust its quality."

Example. The name of a cough syrup brand, the logo of a pharmacy chain, the symbol on a medicine strip — these are trademarks. If two companies sold syrups under the same name, customers would be confused, and a sick patient could buy the wrong product. Trademarks prevent that confusion.

Key takeaway. Trademarks protect brand identity. They can last indefinitely if renewed.

1.5.3 Copyrights

Technical concept. Copyright is an exclusive right given to the creator of original literary, dramatic, musical and artistic works, including computer programs.

Simple explanation. If you write a book, compose a song, or draw a picture, copyright stops others from copying your work and selling it as their own.

Example. A pharmacist writes a pharmacology textbook. Copyright protects the book so that no publisher can print and sell copies without the author's permission.

Key takeaway. Copyrights protect original creative works — books, songs, software, art.

1.5.4 Trade Secrets

Technical concept. A trade secret is confidential business information that gives a business a competitive advantage, protected by keeping it secret rather than by registration.

Simple explanation. Some companies do not tell anyone their secret formula. The formula is protected because nobody knows it. The moment it leaks, the protection is gone.

Example. A company has a secret method for coating tablets so they taste better. It never files a patent; it simply keeps the method secret inside the factory. Only a few trusted employees know it.

Key takeaway. Trade secrets protect confidential information through secrecy, not registration. Protection lasts as long as the secret is kept.

1.6 Mechanisms: How IP Rights Are Obtained and Enforced

A mechanism is the step-by-step process. Here is how IP rights are generally obtained:

Textual diagram — the patent journey:

```
Inventor has a new idea
        ↓
Checks: Is it new? Is it useful? Can it be made?
        ↓
Files a patent application (in India, via ipindia.gov.in)
        ↓
Government examines the application
        ↓
If approved → Patent granted (exclusive rights for 20 years)
        ↓
Owner can make, sell, licence, or stop others (stop infringement)
```

Flowchart — what happens when someone copies your IP:

```
Someone copies your patented drug or brand name (infringement)
        ↓
You warn them (notice) / negotiate a licence
        ↓
If they refuse → You go to court
        ↓
Court checks: Is your IP valid? Did they copy?
        ↓
Court can order: stop copying (injunction) + pay damages (money compensation)
```

Infographic concept box:

Your IP, in one picture. Imagine a treasure chest (your idea). The **lock** on it is your IP right. The **key** is your licence — you hand copies of the key only to people who pay you. A **patent** is a lock that rusts away after 20 years, then the chest opens for everyone. A **trademark** is a flag on the chest with your name, so nobody confuses your chest with another. A **copyright** is a signature on a book inside the chest. A **trade secret** is a chest buried in the dark — safe only while nobody finds it.

1.7 Comparison Table: The Four Types of IP

Feature	Patent	Trademark	Copyright	Trade Secret
What it protects	New invention (product or process)	Brand name, logo, symbol	Original creative work	Confidential business information
Simple words	"Nobody can make my invention"	"Nobody can use my brand name"	"Nobody can copy my book/song"	"Nobody knows my secret formula"
Needs registration?	Yes — must apply	Yes — must apply (but some rights arise from use)	No — automatic on creation (registration optional)	No — protected by secrecy
Term of protection	20 years from filing date	Renewable indefinitely	Lifetime of author + 60 years (as per Indian law, as per latest amendments/notifications)	As long as kept secret
Pharmacy example	A new drug molecule or manufacturing process	A medicine brand name	A pharmacology textbook, drug software	A secret tablet-coating method

1.8 Examples

Example 1 — Patent in pharma. A research team discovers a new antibiotic compound that kills resistant bacteria. They file a patent. For 20 years, only they can manufacture and sell it. After 20 years, any company can make a generic version, and the price usually falls.

Example 2 — Trademark in pharma. Two companies make the same fever medicine, but one sells it under a well-known brand name. The brand name is a trademark. A chemist shop customer asks for the brand by name because they trust it. The trademark protects that trust.

Example 3 — Copyright in pharma. A professor records video lectures on medicinal chemistry and writes study notes. Copyright prevents a coaching website from uploading the same lectures without permission.

Example 4 — Trade secret in pharma. A syrup manufacturer has a special flavouring mixture that makes its cough syrup taste pleasant. The recipe is locked in a safe, known to only two people. Competitors cannot copy it because they do not know it.

1.9 Analogies

1. **Patent is like a reserved seat in a train.** For 20 years the seat is yours; after the journey ends, anyone can sit there.
2. **Trademark is like your signature.** It tells everyone that the work is yours. No one else should sign your name.
3. **Copyright is like a fence around your garden of words.** You planted the flowers (wrote the book); others can admire them but cannot pick and sell them.
4. **Trade secret is like a family recipe for pickles.** Grandmother never wrote it down. It is safe only because it was never shared.
5. **Compulsory licence is like the government opening your shop during an emergency.** Your shop (patent) is yours, but during a crisis the government allows others to sell essential goods from it so that people do not suffer — with fair payment to you.

1.10 Overview of the Origin and Progression of IPR — India and International

Technical concept. Intellectual property rights developed over centuries: from royal privileges granted to inventors, to national laws, to international treaties that harmonise protection across countries.

Simple explanation. Long ago, kings gave special permissions to inventors. Slowly, countries made their own laws. Finally, countries sat together and made common rules so that an inventor's rights could be respected across borders.

1.10.1 International progression

Early beginnings. The idea of protecting inventors is centuries old. The first known patent law was the Venetian Patent Statute of 1474, which gave inventors exclusive rights for a limited time.

The Paris Convention (1883). Countries agreed on basic rules for patents and trademarks across borders — for example, that a foreign applicant should be treated like a local one.

The Berne Convention (1886). Countries agreed to protect the copyrights of authors from other countries.

WIPO (1967/1970). The World Intellectual Property Organization was established to promote IP protection worldwide and to administer international IP treaties. Today WIPO is the main global body for intellectual property.

TRIPS Agreement (1995). As part of the World Trade Organization (WTO), member countries agreed on minimum standards of IP protection — including that patents must be available for inventions in all fields of technology and must last at least 20 years. This was a turning point for India, because it required India to change its patent law.

Textual diagram — international timeline:

```
1474: Venice — first patent law
        ↓
1883: Paris Convention (patents, trademarks)
        ↓
1886: Berne Convention (copyright)
        ↓
1967/1970: WIPO established
        ↓
1995: TRIPS Agreement — common minimum standards for all WTO members
```

1.10.2 Indian progression

Before independence. British-era laws, such as the Indian Patents and Designs Act, 1911, governed patents in India.

The Patents Act, 1970. After independence, India made its own law. An important feature of the 1970 Act: it granted patents only for the *process* of making a drug, not for the *product* (the drug molecule) itself. This allowed Indian companies to make the same medicine using a different manufacturing process, which made medicines cheap and built India's strong generic drug industry.

Amendments after TRIPS (1999, 2002, 2005). To meet its TRIPS commitments, India amended the Patents Act in 1999, 2002 and 2005. The 2005 amendment was the biggest change: India began granting *product* patents for pharmaceuticals, with the standard 20-year term.

Safeguards kept by India. While accepting product patents, India kept public-health safeguards in the law, such as:

- **Section 3(d)** — prevents evergreening (patents for minor modifications of known substances without enhanced efficacy).
- **Compulsory licensing provisions** — allow the government to permit others to make a patented drug in the interest of public health.

Today. The Indian patent system is administered through the Office of the Controller General of Patents, Designs and Trade Marks, with applications and information available at ipindia.gov.in.

Flowchart — India's patent journey:

```
1911: British-era Patents and Designs Act
        ↓
1970: India's own Patents Act — process patents only for drugs → cheap generics, strong Indian pharma
industry
        ↓
1995: India joins WTO, signs TRIPS
        ↓
1999, 2002, 2005: Amendments — 2005 introduces product patents for drugs (20-year term)
        ↓
Safeguards retained: Section 3(d) against evergreening; compulsory licensing for public health
```

Example. Before 2005, an Indian company could legally make a patented foreign drug by using a different manufacturing process. After the 2005 amendment, the drug molecule itself is protected, so the company must wait for the patent to expire or take a licence.

Key takeaway. India's IP system moved from process-only patents (1970) to full product patents (2005) while keeping safeguards for public health.

1.11 Role of IP in the Pharmaceutical Industry

Technical concept. The pharmaceutical industry depends on long, expensive research. IP rights give companies a temporary monopoly so they can recover research costs and fund new research, while safeguards balance this with public access to medicines.

Simple explanation. Making a new medicine is like digging a well in a desert — it takes years and a lot of money, and most attempts fail. A patent is the promise that, if you find water (a working drug), you alone can sell it for 20 years. Without that promise, nobody would spend the money to dig.

Why IP matters in pharma:

1. **Rewards innovation.** Discovering a new drug can take 10–15 years of research. Patents let the company earn back this investment.
2. **Funds future research.** Profits from patented drugs pay for research into new drugs.
3. **Encourages disclosure.** To get a patent, the inventor must publicly describe the invention. This adds to public knowledge instead of hiding it forever.
4. **Protects patients through trademarks.** Brand names help patients and doctors identify trusted, quality medicines and avoid confusion.
5. **Enables technology transfer.** Patents can be licensed, so technology moves from the inventor to manufacturers in other countries.

The balance — access to medicines. Strong patents can make new drugs expensive. That is why the law keeps balancing tools:

- **Compulsory licensing.** In 2012, India granted a compulsory licence to Natco for Bayer's cancer drug Nexavar, allowing an affordable generic version to be made available, with royalty paid to the patent holder. This is the well-known example of balancing patent rights with public health.
- **Section 3(d) and evergreening.** In 2013, the Supreme Court of India rejected Novartis's patent application for the beta-crystalline form of imatinib mesylate (Glivec) under Section 3(d), holding that the modification did not show enhanced therapeutic efficacy. This decision is the landmark Indian example against evergreening — it keeps old drugs from getting fresh patents on minor changes, so generics can reach patients sooner.

Example. A company patents a new diabetes drug. For 20 years it sells at a high price to recover research costs. After expiry, five generic companies make the same drug, and the price falls sharply — patients benefit, and the original company has already moved on to researching its next drug.

Key takeaway. In pharma, IP is a deal between the inventor and society: temporary monopoly for the inventor, and after expiry, cheap medicines for everyone — with safeguards like compulsory licensing and Section 3(d) protecting public health in between.

1.12 Pharmacy Relevance

Why must a B.Pharm student study IPR?

1. **You may invent.** As a pharmacist-researcher, your new formulation or process can be patented — IPR turns your lab work into a valuable asset.
2. **You must not infringe.** In industry, you must check existing patents before manufacturing a drug, or the company can face court cases.
3. **Generics are your industry.** India's strength is generic medicines. Understanding patent expiry tells you when a drug becomes available for generic manufacture.
4. **Brand protection is daily work.** In community and hospital pharmacy, trademarks help you and your patients identify genuine medicines and avoid spurious drugs.
5. **Regulatory careers need IP knowledge.** In regulatory affairs, drug registration and patent status go hand in hand.

1.13 India Context

- India's Patents Act, 1970 (as amended in 1999, 2002 and 2005 — as per latest amendments/notifications) is the main law for patents; the patent office works through ipindia.gov.in.
- India is called the "pharmacy of the world" because its generic industry supplies affordable medicines globally — a position built during the process-patent era and protected by safeguards like Section 3(d) and compulsory licensing.
- Indian law protects traditional knowledge too: India's Traditional Knowledge Digital Library documents traditional medicinal knowledge so that it cannot be wrongly patented by others.
- For a pharmacy student in India, IP is not a foreign concept — it decides which medicines are affordable in your own market.

1.14 Key Points

1. Intellectual property = legal ownership of creations of the mind; IPRs = the legal powers over them.
2. IP covers expressed creations, not mere ideas or laws of nature.
3. IPRs are territorial, time-limited and transferable.
4. Four main types: **P**atents, **T**rademarks, **C**opyrights, **T**rade secrets.
5. Patent = 20 years from filing; trademark = renewable indefinitely; copyright = author's life + 60 years (as per latest amendments/notifications); trade secret = as long as secret is kept.
6. International journey: Venice (1474) → Paris (1883) → Berne (1886) → WIPO → TRIPS (1995).
7. India: 1911 British Act → Patents Act 1970 (process patents) → TRIPS amendments 1999/2002/2005 (product patents).
8. In pharma, patents reward costly research; Section 3(d) blocks evergreening; compulsory licensing balances patents with public health.
9. Landmark Indian examples: 2012 Natco–Bayer (Nexavar) compulsory licence; 2013 Supreme Court Novartis/Glivec decision under Section 3(d).

1.15 Common Confusions

Confusion	Clarification
"IP and IPR are the same thing."	No. IP is the creation (the idea/formula); IPR is the legal right over it.
"If I think of an idea, it is my IP."	No. Only expressed, concrete creations can be protected — not unexpressed ideas.
"A patent lasts forever."	No. 20 years from the filing date, then it expires and anyone can use the invention.
"Trademark and patent are the same."	No. A patent protects the invention itself; a trademark protects the brand name/logo. One drug can have both: a patent on the molecule and a trademark on the brand name.
"TRIPS is an Indian law."	No. TRIPS is an international WTO agreement (1995). India changed its own laws to comply with it.
"Compulsory licence means the patent is cancelled."	No. The patent stays with the owner; the government only permits another party to make the drug, with royalty paid to the owner.

1.16 Common Mistakes

1. **Writing that the patent term is "20 years from grant."** It is 20 years from the *filing* date of the application.
2. **Mixing up the 2005 amendment.** It introduced *product* patents for pharmaceuticals in India; before 2005, only *process* patents were granted for drugs.
3. **Calling Section 3(d) a "ban on all drug patents."** It only blocks patents for minor modifications of known substances that do not show enhanced efficacy — genuine new inventions still get patents.
4. **Saying WIPO grants patents.** WIPO administers international systems and treaties; patents are granted by national patent offices.
5. **Forgetting the balance.** In exams, students often write only about protecting inventors. Always mention the public-health side too: compulsory licensing and Section 3(d).

1.17 Mnemonics

- **P-T-C-T** — the four types of IP: **P**atents, **T**rademarks, **C**opyrights, **T**rade secrets.
- **"Paris, Berne, WIPO, TRIPS — 83, 86, 67, 95"** — the international milestones: Paris Convention 1883, Berne Convention 1886, WIPO 1967, TRIPS 1995.
- **"99, 02, 05 — India came alive"** — the amendment years of the Indian Patents Act: 1999, 2002, 2005.
- **"3(d) blocks the evergreen tree"** — Section 3(d) stops evergreening (ever-green = trying to keep the patent alive forever like an evergreen tree).
- **"20 from filing"** — patent term: 20 years counted from the filing date, not the grant date.

1.18 Exam Summary

Intellectual property is the legal ownership of creations of the human mind, and IPRs are the legal powers the owner holds over them. IPRs are territorial, time-limited and transferable. The four main types are patents (inventions, 20 years), trademarks (brand names, renewable), copyrights (creative works) and trade secrets (confidential information). Internationally, IP protection grew from the Venetian statute

(1474) through the Paris (1883) and Berne (1886) conventions to WIPO and the TRIPS Agreement (1995). In India, the Patents Act, 1970 first allowed only process patents for drugs, and the amendments of 1999, 2002 and 2005 introduced product patents while keeping safeguards — Section 3(d) against evergreening and compulsory licensing for public health. In the pharmaceutical industry, patents reward expensive research and fund new discoveries, while trademarks protect brand identity and patient safety. Landmark Indian illustrations are the 2012 Natco–Bayer (Nexavar) compulsory licence and the 2013 Supreme Court decision in the Novartis/Glivec case under Section 3(d).

1.19 One-Minute Revision

- IP = ownership of ideas; IPR = legal power over them.
- Four types: **P**atents, **T**rademarks, **C**opyrights, **T**rade secrets.
- Patent = 20 years from filing date.
- World: 1474 Venice 1883 Paris 1886 Berne WIPO 1995 TRIPS.
- India: 1970 process patents 2005 product patents (amendments 1999, 2002, 2005).
- Section 3(d) stops evergreening (Novartis/Glivec, 2013).
- Compulsory licence balances patents with affordable medicines (Natco–Bayer/Nexavar, 2012).
- In pharma: patents fund research; after expiry, generics make drugs cheap.

1.20 Exam Questions

Short-answer questions

1 Define intellectual property and intellectual property rights. How do they differ?

2 List and briefly explain the four main types of intellectual property.

3 What is the term of a patent in India? From which date is it counted?

4 Write a short note on TRIPS (1995).

5 What is evergreening? How does Section 3(d) of the Patents Act, 1970 address it?

6 What is a compulsory licence? Give one Indian example.

7 Distinguish between a patent and a trademark with one pharmacy example each.

8 What is the role of WIPO?

Long-answer questions

1 Discuss the definition, scope and nature of intellectual property. Explain its four main types with suitable pharmacy examples.

2 Trace the origin and progression of intellectual property rights at the international level and in India, highlighting the impact of the TRIPS Agreement on Indian patent law.

3 Explain the role of intellectual property in the pharmaceutical industry. Discuss how Indian law balances patent protection with public health through Section 3(d) and compulsory licensing.

MCQs (with answer key)

1 The term of a patent in India is:

a) 10 years from the date of grant b) 20 years from the date of filing c) 25 years from the date of filing d) Lifetime of the inventor **Answer: b**

1 Which of the following is protected by a trademark?

a) A new drug molecule b) A brand name of a medicine c) A secret manufacturing method d) A research paper **Answer: b**

1 The TRIPS Agreement came into force in the year:

a) 1883 b) 1970 c) 1995 d) 2005 **Answer: c**

1 Section 3(d) of the Indian Patents Act, 1970 is mainly concerned with:

a) Granting trademarks b) Preventing evergreening of patents c) Protecting copyrights d) Registering designs **Answer: b**

1 The 2005 amendment to the Indian Patents Act introduced:

a) Copyright for software b) Product patents for pharmaceuticals c) Abolition of all patents d) Lifetime patents **Answer: b**

1 WIPO is:

a) An Indian government department b) The World Intellectual Property Organization c) A pharmaceutical company d) A trade union **Answer: b**

1 A trade secret is protected:

a) By registration for 20 years b) Automatically for the author's lifetime c) By keeping the information confidential d) Only in the country of origin **Answer: c**

1 The 2012 Natco–Bayer (Nexavar) case is an example of:

a) Trademark infringement b) Compulsory licensing c) Copyright violation d) Evergreening **Answer: b**

Viva questions

1 What is the full form of IPR?

2 Name the four main types of intellectual property.

3 What is the patent term in India?

4 What does TRIPS stand for?

5 What is evergreening?

6 Which section of the Patents Act deals with evergreening?

7 Give one example of a compulsory licence in India.

8 What is the difference between a process patent and a product patent?

9 Name the website of the Indian patent office.

10 Why are IPRs called territorial?

Application-based questions

1 A pharmacy student develops a new herbal cough syrup formulation in the college laboratory and wants to stop others from copying it. Which type of IP protection should she seek, and what are the basic requirements she must satisfy?

2 A company makes a small change to the salt form of its already-patented blood pressure drug and applies for a fresh patent. Using Section 3(d), explain what the patent office will examine before granting it.

3 An essential cancer medicine is patented and priced beyond the reach of most Indian patients. Explain, with the 2012 Natco–Bayer example, what legal option exists to make the medicine affordable without cancelling the patent.

4 Two companies sell paracetamol tablets under confusingly similar brand names. A patient buys the wrong one. Which IP right is involved, and why does it matter for patient safety?

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