

REFERENCES

- Agarwal, Anurag K. (2005), *Competition Law in India: Need to go Slow and Steady*, Working Paper No 2005-10-05, Indian Institute of Management, Ahmedabad, available at <http://www.iimahd.ernet.in/publications/data/2005-10-05anurag.pdf>
- Agarwal, Manish (2002), *Analyses of Mergers in India*, M Phil Dissertation, University of Delhi, Delhi.
- Agarwal, Pradeep and P. Saibaba (2001), 'TRIPS and India's Pharmaceutical Industry', *Economic and Political Weekly*, September 29.
- Ahuja, Rajeev (2004), 'Health Insurance for the Poor', *Economic and Political Weekly*, July 10.
- Appleby, John et al (2005), 'What is the real cost of patient choice?', *Consumer Policy Review*, May-June.
- Balasubramaniam, K (2001), *Equitable Pricing, Affordability and Access to Essential Drugs in Developing Countries: Consumers Perspective*, WHO/WTO Secretariat Workshop on Differential Pricing and Financing of Essential Drugs, Hosbjor, Norway, April 8-11, 2001.
- Balusubramaniam, K (2001), *Access to Medicines: Patents, Prices and Public Policy – Consumer Perspectives*, paper presented at Oxfam International Seminar on Intellectual Property and Development: What Future for the WTO TRIPS Agreement?, Brussels, March 20.
- Banerji, Debabar (2005), 'Politics of Rural Health in India', *Economic and Political Weekly*, July 23.
- Baru, Rama V (2003), 'Privatisation of Health Services-A South Asian Perspective', *Economic and Political Weekly*, October 18.
- Bhat, Ramesh and Somen Saha (2004), 'Health Insurance-Not a Panacea', *Economic and Political Weekly*, August 14.
- Bhattacharjea, Aditya (2003), 'India's Competition Policy: An Assessment', *Economic and Political Weekly*, August 23.
- Bhattacharjea, Aditya (2005), 'Do away with flaws before enforcement', *Financial Express*, January 28.
- Bhoi, Nilakanthan and Jawahar S. Bapna (2005), 'Drug Utilization Studies as Basis for Drug Policy', *Health Action*. Vol 18, No.7, July.
- Business Line (2006), *Health cover realities*, January 11.
- Chakraborty, Achin (2005), 'Confused Policy for Public-Private Partnership', *Economic and Political Weekly*, January 29.
- Charna Z H (2005), *Effect of the new patent regime on prices of medicines*, speech delivered at the National Workshop on Patent & Public Health, Ministry of Health and Family Welfare, April 11, New Delhi.
- Chaudhari, Sudip (2004), 'The Pharmaceutical Industry', in Subir Gokarn et al (eds), *The Structure of Indian Industry*, Oxford University Press, New Delhi.
- Chaudhuri, Sudip (2005), *The WTO and India's Pharmaceuticals Industry- Patent Protection, TRIPS, and Developing Countries*, Oxford University Press, New Delhi.
- Chawla, H P S and Nalin Diwan (2004), *The Story of EMRs-India's Response under TRIPS*, Business Briefing, Pharmatech.
- Chitale, Atul (2004), India: Overview and Recent Developments, The Asia Pacific Antitrust Review (Special Report), Global Competition Review, available at http://www.globalcompetitionreview.com/apar/ind_overview.cfm
- Chowdhury, Javid A (2004), 'Recent Welfare Schemes-An Assessment', *Economic and Political Weekly*, July 10.
- Chowdhury, Nupur (2004), 'Patents Bill: Protecting Indigenous Knowledge', *Economic and Political Weekly*, November 20.

- Chowdhury, Zafrullah (1995), *The Politics of Essential Drugs: The Makings of a Successful Health Strategy: Lessons from Bangladesh*, Zed Books Ltd. London, 1995.
- Clarke, J.L. and S.J. Evenett (2002), 'The Deterrent Effects of National Anti-Cartel Laws', *Competition and Regulation Issues in the Pharmaceutical issues*, Committee on Competition Law and Policy, OECD, 2000.
- Confederation of Indian Industry (2000), *Report on the Pharmaceutical Sector in India*, Presented to International Trade Centre, Geneva.
- CP-TECH (2001), *Timeline of Paclitaxel Disputes*, available at www.cptech.org/ip/health/taxol/taxol-timeline2001.html
- Current Index of Medical Specialities (2004) Updated Prescribers' Hand Book, July 2004.
- CUTS (1983), *All About GATT- A Consumers Perspective*, CUTS, Jaipur.
- CUTS (2003), *Pulling Up Our Socks: A Study of Competition Regimes of Seven Developing Countries of Africa and Asia*, Jaipur.
- CUTS (2005), *Report on Retail Trade Margins for Chemists & Druggists in India*, Calcutta.
- Damodaran, A D (2005), *EMR for Glivec: A TRIPS-dedicated 'Cure'?*, available at <http://www.financialexpress.com>
- Devadasan, N (2004), 'Community Health Insurance in India-An Overview', *Economic and Political Weekly*, July 10.
- Dhar, Biswajit and RV Anuradha (2005), 'Substantive Patent Law Treaty-What it means for India', *Economic and Political Weekly*, March 26.
- Directories Today (2004), *The Indian Health Care Industry* available at http://www.directories-today.com/health_care.html
- Dow Jones International News (2005), *AFX International Focus*, October 25.
- Dreze, Jean and Amartya Sen (2002), *India Development and Participation*, Oxford University Press, New Delhi.
- Dubey, D P (1999), 'Globalisation and its impact of the Indian Pharmaceutical Industry', *Revolutionary Democracy*, Vol. 5, No. 1, available at <http://evolutionarydemocracy.org/rdv5n1/index.htm>
- DuMoulin, Fasken Martineau and Tai W Nahm (2006), 'Federal Appeal Court Gives its Verdict in Eli Lilly Case', *Competition Newsletter*, January 12, available at <http://www.internationallawoffice.com/Newsletters/Detail.aspx?r=11922&I=1049738>
- Economic and Political Weekly (1999), *Pharmaceuticals: Vitamin Conspiracy*, Editorial, July 17.
- Economic and Political Weekly (2004), *Pharmaceuticals: Uneasy Alliance*, Editorial, October 19.
- Economic and Political Weekly (2005) *A Confusing Patent Law for India*, Commentary, April 16.
- Economic and Political Weekly (2005a), *Patents Bill, TRIPS and Right to Health*, October 27.
- Economic Times (2005) *What is drug price control system?*, September 26.
- Economist (2006), *America's headache: How to start fixing the world's costliest health-care system*, The Economist, January 28.
- Economywatch (2005), *Pharmaceutical Industries in India* available at <http://www.economywatch.com/business-and-economy/pharmaceutical-industry.html>
- Equitymaster (2003), *Pharma - Future Diagnosed*, available at www.equitymaster.com/DETAIL.ASP?story=1&date=5/31/2003 - 32k -
- Ernst & Young (Undated), *Healthcare*, available at <http://www.indianembassy.at/content/india/documents/Healthcare.pdf>
- Financial Express (2005), *M&As can help launch new molecules*, June 27.
- Financial Express (2006), *Roche gets first product patent in India*, March 1.

- Folha News (2005), *20 Pharma Laboratories Fined for Cartelisation*, October 13.
- Gerster, Richard (Undated), *Indian Pharmaceutical Industry: An Overview* available at <http://www.pharmaceutical-drug-manufacturers.com/pharmaceutical-industry>
- Gogna, Amul (2005), 'It can provide companies access to new markets', *The Economic Times*, June 27.
- Government of India (2002), *Pharmaceutical Policy 2002*, Department of Chemicals & Petrochemicals, New Delhi.
- Government of India (2002), *The tenth five-year plan: 2002-2007*, Planning Commission, New Delhi, available at <http://planningcommission.nic.in/plans/planrel/fiveyr/welcome.html>
- Government of India (2003), *Report of the Expert Committee on A Comprehensive Examination of Drug Regulatory Issues, including the Problem of Spurious Drugs*, Ministry of Health and Family Welfare, New Delhi.
- Government of India (2005), *Annual Report, 2004-2005*, Ministry of Health & Family Welfare, New Delhi.
- Government of India (2005), *Report of the National Commission on Macroeconomics and Health*, Ministry of Health and Family Welfare, September, New Delhi.
- Government of India (2005), *Report of the Task Force to Explore Options other than Price Control for achieving the Objective of Making Available Life-saving Drugs at Reasonable Prices*, Department of Chemicals & Petrochemicals, September, New Delhi.
- Grover, Anand (2005), *Anti-competitive practices in Patent Licensing Arrangements and the scope of competition law/policy in dealing with them*, AMTC, National Workshop on Patent & Public Health, Ministry of Health and Family Welfare, April 11, New Delhi.
- Gupta, Indrani et al (2004), 'Third Party Administrators, Theory and Practice', *Economic and Political Weekly*, July 10.
- Hubbard, Tim and James Love (2004), 'A New Trade Framework for Global Healthcare R&D', *Plos Biology*.
- IDMA (2004), *Remove medicine price control*, December 18.
- Indiamart.com (2004), *Pharmaceutical companies venture into Export Markets*, 2004, available at <http://news.indiamart.com/news-analysis/pharmaceutical-compa-7195.html>
- Indian Child (2000), *Health Care in India - Primary Services*, Ministry of Health and Family Welfare, New Delhi, available at http://www.indianchild.com/health_care_in_india.htm.
- Indian Medical Council (2002), *Indian Medical Council (Professional Conduct, Etiquette and Ethics) Regulations, 2002*, New Delhi.
- InsightMag.com (2000), *Novartis-Diagnosing for Profit, Writing May Be on Wall for Ritalin*, InsightMag.com October 16.
- International Law Office (2006), *Rebates by Pharmaceutical Companies found Unlawful*, February 2, available at <http://www.internationallawoffice.com/Newsletters/Detail>
- Ipan (2000), *Pharmaceutical Sector: April 2000 Review*, available at www.ipan.com/reviews/archives/apr2000ph.htm - 28k - Supplemental Result
- Jack, Andrew (2005), 'Patently Unfair? Makers of branded drugs struggle to counter the generic onslaught', *Financial Times*, November 22.
- John, T Jacob (2005), 'Bird Flu: Public Health Implications for India', *Economic and Political Weekly*, November 12.
- Jyothi Datta, P T (2002), 'Few Takers for drug cos' claim on prices', *Hindu Business Line*, February 11.
- Kamath M V (2004), *Pharmaceuticals are cheating citizens*, November 22, available at <http://www.newstoday.net.com>
- Keayla, B K (1994), 'Patent Protection and the Pharmaceutical Industry', in K.R.G. Nair and Ashok Kumar (eds.), *Intellectual Property Rights*, Allied Publishers, Delhi.

- Kumar, Amitabh (2005), 'Creating a culture of competition', *The Financial Express*, January 28th
- Lalitha, N (2002a), 'Indian Pharmaceutical Industry in WTO Regime-A SWOT Analysis', *Economic and Political Weekly*, August 24.
- Lalitha, N (2002), 'Drug Policy 2002: Prescription for Symptoms', *Economic and Political Weekly*, July 27.
- Lalitha, N (2005), 'Review of the Pharmaceutical Industry of India', *Economic and Political Weekly*, March 26.
- Lanjouw, Jean O and Margaret Macleod (2005), 'Pharmaceutical R&D for Low-Income Countries-Global Trends and Participation by Indian Firms', *Economic and Political Weekly*, September 24.
- Levy, Roy (1999), *The Pharmaceutical Industry-A Discussion of Competitive and Antitrust Issues in an Environment of Change*, Bureau of Economics Staff Report, Federal Trade Commission, 1999
- Los Angeles Times (1998), *Mylan and others-Another Drug Cartel*, available at Antitrust Regulators Crack Down on Health Industry, December 22.
- Malhotra, Prabodh (2005), *TRIPS-plus: Free Trade Agreements jeopardizing Public Health in Developing Nations*, Presented at the Conference on Enlarged ASEAN: Issues in Trade, Development and Integration, November 24-25.
- Malhotra, Prabodh and Hans Lofgren (2004), 'India's pharmaceutical industry: hype or high tech take-off?', *Australian Health Review*, Vol. 28, No. 3.
- Mathew, James (2005), 'Authorised' generics granted permission', *The Financial Times*, June 8.
- Mishra, J. (ed.) (2004), *Developments in Drugs and Pharmaceutical Technology*, Daya Publishing House, New Delhi
- Monthly Index of Medical Specialities (2005), India, New Delhi.
- Monti, Mario (2001), *EC antitrust Policy in the Pharmaceutical Sector*, 2001, available at europa.eu.int/comm/competition/speeches/text/sp_2001_013_en.pdf
- MRTPC (1993), *The Chemists and Druggists Association and Ors*: In re [1 CTJ 562]
- MRTPC (1997), *Director General (I&R) v. Utkal Chemists and Druggists Association* [CTJ 350]
- MRTPC (2000), *Taba treatment Clinics Madras: In re*: [CTJ 1]
- MRTPC (2001), *Director General (I&R) v. Knoll Pharmaceuticals Ltd.* [CTJ 250]
- MRTPC (2001a), *Director General (I&R) v. Synbiotics Ltd. And Another* [CTJ 45]
- MRTPC (2002), *Navkar Chemist and Another v. Federation of Gujarat State Chemists and Druggists Association and Others* [CTJ 124]
- MRTPC (2002a), *Director general (I & R) v. Jagson Pal Pharma Ltd.* [CTJ 151]
- MRTPC (2003), *Director General (I&R) v. Sun Pharmaceuticals Industries Ltd.* [CTJ 292]
- MRTPC (2005), *Director General (I&R) versus Stangen Pharmaceutical Ltd.* [CTJ 82]
- Musungu, Sisule F. and Cecilia Oh (2006), *The Use of flexibilities in TRIPS by Developing Countries: Can they Promote Access to Medicines?*, South Centre & World Health Organisation, Geneva.
- Nanda, Nitya & Bharat Jairaj (2006), 'Competition Abuses at Consumer Level: Study of Select Sectors', in Pradeep S Mehta (ed), *Towards a Functional Competition Policy for India*, Academic Foundation, New Delhi.
- Nanda, Nitya (2004), 'WIPO Patent Agenda: As if TRIPS was not Enough', *Economic and Political Weekly*, September 25
- Nanda, Nitya and Amirullah Khan (2006), 'Competition Policy for the Pharmaceuticals Sector in India' in Pradeep S Mehta (ed.), *Towards a Functional Competition Policy for India*, Academic Foundation, New Delhi.
- Nanda, Nitya and Ritu Lodha (2002), 'Making Essential Medicine Affordable to the Poor', *Wisconsin International Law Journal*, Vol 20, No 3.

- Narayana, K V (2003), 'Changing Health Care System', *Economic and Political Weekly*, March 22.
- Narendranath, K G (2000), *Pharmaceutical companies must realise that they cannot thrive by not having the government as a friend*, Interview with Mr. Arun Kumar, Chairman of NPPA on September 23, available at <http://www.pharmabiz.com/article/detnews.asp?articleid=11225§ionid=42>
- Narrain, Siddarth (2004), 'A Life Saving Order', *Frontline*, <http://www.flonnet.com/fl21115/stories/20040730004110300.htm>
- Nayar, K R (2004), 'Rural Health: Absence of Mission or Vision?', *Economic and Political Weekly*, November 6
- Oxford Analytica (2003), *Breach in 'big pharma' patent defences*, , September 11, available at www.oxanstore.com
- Parliament of India (2005), *Hundred and Twenty Sixth Report on the Petition Seeking Legislative Measures Inter Alia to Provide a Regulatory Mechanism for Private Nursing Homes/Clinics and Stringent Penal Provisions For Production/Distribution, etc. of Spurious Medicines*, Committee on Petitions, Rajya Sabha Secretariat, New Delhi, December.
- Pearl, Daniel and Steve Stecklow (2001), 'Drug Firms' Incentives Fuel Abuse by Pharmacists in India', *Wall Street Journal*, August 16.
- Piria, Carlo (2002), 'The Position of Co-Marketing and Co-promotion between EU regulatory and Competition Rules', *Regulatory Affairs Journal*, Vol. 13, No. 8
- Prasad, Gireesh Chandra (2006), 'Drug Cos to get more funds for research', *The Economic Times*, January 25.
- Prasad, Gireesh Chandra and Javed Sayed (2005), 'Pharma MNCs to have strategic tieups here soon', *The Economic Times*, 7th April.
- Ranade, Ajit and Sanchita Basu Das (2003), *Pharmaceutical Industry-Update*, Sector Report, ABN-AMRO.
- Rane Wishvas (2002), 'Prices of Prescription Drugs', *Economic and Political Weekly*, August 17.
- Rane, Wishvas (2003), 'Have Drug Prices Fallen?', *Economic and Political Weekly*, November 1
- Rangnekar, Dwijen (2006), 'No Pills for Poor People – Understanding the Disembowelment of India's Patent Regime', *Economic and Political Weekly*, February.
- Rosen, G (1958), *History of Public Health*, MD Publications, New York, 1958
- Rosenberg, Barbara (2004), *Market Concentration of the Transnational Pharmaceutical Industry and the Generic Industries in the World: Latest trends on Mergers, Acquisitions, and other Transactions*, ICTSD-UNCTAD Dialogue on Ensuring Policy Options for Affordable Access to Essential Medicines, Bellagio, 12-16 October.
- Sahai, Hemant and Srinivas Parthasarathy (2003), 'Breathing Space', *The Economic Times*, January 18.
- Sampath, Padmashree Gehl (2005), *Economic Aspects of Access to Medicines after 2005: Product Patent protection and Emerging Firm Strategies in the Indian Pharmaceutical Industry*, CIPIH, WHO, Geneva.
- Saran, Archa (2005), *A Changing Regime - India's Tryst with January 1, 2005*, November 15, available at <http://www.mondaq.com/article>
- SAWTEE (2006), Sawtee Newsletter, August- December. (www.sawtee.org)
- Sayed, Javed (2005), 'Pharma cos snap up \$ 500-m buys in 18 months', *The Economic Times*, September 4.
- Sengupta, Amit (2004) *New Pharmaceutical Policy: A savage attack on healthcare and a licence to profiteer*, December 22, available at <http://www.pharmabiz.com>
- Sengupta, Amit, *Decontrol of Drug Prices*, available at <http://www.delhiscienceforum.org/pharm5.html>
- Shargel, L. & A.B. Yu (1999), *Applied biopharmaceutics & pharmacokinetics*, McGraw-Hill, New York.

- Shiva, Mira and Wishvas Rane (2004), *Banned and Bannable Drugs: Unbiased Drug Information, Essential Drugs and Rational Drug Policy*, Voluntary Health Association of India (VHAI), New Delhi.
- Shrivastava, Bhuma (2005), 'US drugs going off patent in 3 years', *Business Standard*, August 31.
- Srinivasan, S and A Bhargava (2004), *Impoverishing the Poor: Pharmaceuticals and Drug Pricing in India*, Low Cost Standard Therapeutics (LOCOST), Vadodara/Bilaspur, India.
- Stiglitz, Joseph E (1991), 'Public Policy Towards Intellectual Property', *International Computer Law Adviser*, June 6.
- Subramaniam, Nithya (2006), 'Drug Companies may be allowed to fix prices', *The Hindu Business Line*, February 26.
- Subramaniam, Nithya (2006), 'Govt to step up monitoring of small hikes in drug prices', *The Hindu Business Line*, January 1.
- Supreme Court of India (2004), *ND Jayal v. Union of India* [SCC (9) 362]
- Royal Danish Embassy (Undated), *The Indian Healthcare Sector*, New Delhi, available at www.ambnewdelhi.um.dk/NR/rdonlyres/9D62C44F-5709-42EB-8660-4746EFE3892C/0/HealthcareSectorinIndia.pdf
- Unnikrishnan, Rajesh (2005), 'Global generic drug cos descend on India', *The Financial Express*, March 13.
- US Federal Trade Commission (2004), *Improving Healthcare: A Dose of Competition*, A Report by the US Federal Trade Commission and the Bureau of Justice, Washington DC.
- US House of Representatives (2001), *Prescription Drug Prices in Canada, Europe, and Japan*, Prepared by Minority Staff, Special Investigations Division, Committee on Government Reform, April, Washington DC.
- Vinod Kumar, P (2005), 'Drug companies go for second round of foreign acquisitions', *The Financial Express*, August 19.
- World Trade Centre (1994), *GATT Agreements, Final Text of Uruguay Round 1994*, Bombay.
- WTO (2006), *International Trade Statistics 2005*, WTO, Geneva.