

## **Preface**

The Indian Patent Act and the amendments to it to align itself to the TRIPS agreement have been the subject of wide ranging discussions. Linked to this have been substantial speculations regarding the nature of applications received in the "mailbox", set up during India's 10 year transition to a TRIPS compliant product patent regime. The interest around the Indian Patent Act is associated with the fact that the Indian Pharmaceutical industry has been the largest source of affordable generic versions of patented products, not only for Indian patients but for poor patients in Asia, Africa and Latin America. The report presented here attempts to address some of the concerned issues, as well as attempts to answer some of the vexing questions that have been raised in the context of India's Patent law. The report is a result of a study conducted by the Society for Economic and Social Studies (SESS), New Delhi, on these issues. It is hoped that the report will be of value to practitioners of public health, government officials, civil society groups and other concerned groups in understanding the issues and in also working out future strategies aimed at promoting access to medicines.

The report is presented in two parts. The first sections takes a look at the public health safeguards available in the Indian Patents Act and also suggests ways in which they can be optimally utilised to promote access to medicines. The second part of the report examines patent applications filed in the mailbox, and analyses implications for public health. The section also provides illustrative data to support the analysis in its annexures.

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**Dr.Amit Sen Gupta**  
**Society for Economic and Social Studies**