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A Study On The Use Of Traditional Knowledge In Development Of Ayurveda

Neeti Gupta[1*], Dr. Shikha Mishra[2]

[1*](Research Scholar) at IFTM University, Moradabad (U.P)
[2](Associate Professor) at IFTM University, Moradabad (U.P)

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ABSTRACT
Traditional systems of medicine (TSMs) such as Ayurveda are thought to be some of the oldest in the world. This traditional medical framework contains profound knowledge that has largely gone untapped. In the realm of herbal drug discovery, new opportunities can be created by incorporating insights developed by various traditional medical systems. Their convergence is hampered by different impediments encountered during the development of plant-based medicines, in addition to the lack of understanding of differences and similarities between their theoretical tenets. To shed light on Ayurveda's extensive historical roots and fundamental principles, this review aims to shed light on the course of its development. Traditional medical systems will be better understood by emerging scholars, researchers, and practitioners through this resource. In addition, it addresses challenges hindering global recognition and integration of these medicinal traditions by creating common ground and fostering common ground. Despite significant opposition from the global medical and scientific community regarding Ayurvedic medicines' safety and efficacy, Ayurveda is gaining international recognition as a rational medical system. The World Intellectual Property Organization (WIPO) has established provisions that govern Intellectual Property Rights, and patent regulations have prompted numerous individuals and organizations to explore the commercial potential of Ayurvedic traditional knowledge. It has been reported that patents related to Ayurvedic medicinal plants have been issued in instances of biopiracy, despite existing regulations against patenting previously published knowledge. An effective solution to this problem has been provided by the reference database of the Traditional Knowledge Digital Library (TKDL).

Keywords: Traditional knowledge, Ayurveda, Medicines and Intellectual Property Rights.

1.Introduction

The Ayurvedic system of medicine has endured throughout the ages, and it continues to flourish today. Nature-based medicines derived from Ayurveda is poised to grow rapidly in the years to come because of its profound understanding of human constitution, nature, and universal elements. This system offers a wealth of untapped possibilities for researchers, practitioners, and experts who are responsible for continuing to advance traditional systems of medicine (TSMs).

Despite this, the exchange of information across global systems is difficult due to barriers such as a lack of literature available in a variety of languages as well as a lack of knowledge about the fundamental principles and histories of TSMs from diverse ethnic backgrounds. Using cross-cultural understanding of these systems may facilitate the integration and advancement of herbal drug research by facilitating a fruitful exchange of knowledge between researchers from different cultures.

Understanding the principles and histories of these systems, as well as emphasizing their shared strengths, is crucial to realizing these forward-looking objectives. Providing a clear understanding of Ayurveda's origins and doctrines, this review contributes to the perspectives mentioned above. Despite the fact that there are numerous reviews on Ayurveda, only a few focus on its basic principles and historical modalities.

As well, this review emphasizes the importance of traditional knowledge (TK), which represents a vast reservoir of wisdom gained by indigenous societies across a range of cultures over time. Diverse domains of traditional knowledge are represented by TK, including those concerning plants and animals, mineralogy and soil characteristics, organic and inorganic compounds, medicinal lore, and arts, such as music, dance, poetry, crafts, stories, and artwork. Science, technology, ecology, medicine, agriculture,

and biodiversity are all deemed to be part of traditional knowledge in fields ranging from science and technology to ecology, medicine, agriculture, and biodiversity. Traditional knowledge protection efforts are gaining momentum as a result of the implementation of traditional intellectual property protections (IPRs) systems or innovative sui generis frameworks, including group-based traditional rights and communal land rights. At the same time, societies need to be empowered to leverage their traditional wisdom for advancement and improvement.

2. **History of Ayurveda**

With roots in ancient Hindu philosophical schools, particularly Vaisheshika and Nyaya, Ayurveda has a long and honorable history dating back to the 2nd Century BC. A further factor is that it arises concurrently with Nyaya and Vaisheshika schools flourishing, as well as with the philosophical framework called Samkhya.

In order to treat a patient appropriately, the Vaisheshika School emphasized drawing inferences about the patient's pathological condition in advance. According to the Nyaya school, the Nyaya believed that treatment could not commence until a complete understanding of the patient's condition and disease was obtained. The Vaisheshika School describes six main attributes of objects: their substance (Dravya), their specificity (Vishesha), their activities (Karma), their generality (Samanya), their inherent characteristics (Samavaya), and their quality (Guna).

Ayurvedic knowledge was significantly eminated by the Nyaya Vaisheshika school that was formed as time progressed following collaboration between the Vaisheshika and Nyaya schools.

It has been documented that the origin of Ayurveda dates back to before the establishment of these philosophical schools, specifically to the Hindu God Brahma, the Creator of the Universe. This holistic healing knowledge is believed to have been bestowed on sages by Brahma to benefit humanity. Various writings and oral narratives were used to transmit the knowledge of traditional medicine.

A sage would describe the medicinal properties of plants through poetry known as slokas, which included verses that described their use. Four significant compilations of knowledge known as the Vedas serve as the basis for this Hindu healing system. There are several compilations of the Vedas, including the Yajur Veda, Rig Veda, Sam Veda, and Atharva Veda. There are 1028 Shlokas in the Rig Veda, and 67 plants are mentioned in it. The Rig Veda contains the most renowned of all of these. Compared with the Yajur Veda, the Atharva Veda contains 293 medicinally valuable plants. Ayurveda's practice is rooted firmly in the Vedic knowledge.

Atharva Veda and Rig Veda are considered to have been transmitted from Lord Brahma to Lord Indra, which were attributed to Atreya. Afterwards, Agnivesha compiled this knowledge, which Charaka and other scholars edited into the "Charaka Samhita." This monumental work encompasses all aspects of Ayurvedic medicine. As a complement to it, the "Sushruta Samhita" describes surgery in greater detail. Traditional medicine practitioners continue to use these legendary compilations as pivotal references.

In addition to Tibetan, Greek, Chinese, Arabic, and Persian, these ancient texts have been translated into a variety of languages. Many other smaller compilations have emerged as a result of the contributions of numerous scholars, including Nighantu Granthas, Madhava Nidana, and Bhava Prakasha. There is no doubt that the "Charaka Samhita" is the most revered of these records.

3.**Ayurveda as a Traditional Knowledge**

The traditional medicinal practices of India can be divided into six distinct systems based on their historical background. An ancient health care system that has spread across the world, gained acceptance, been practiced extensively, and developed ingeniously is Ayurveda. Besides Ayurveda, there are other systems of medicine within the Indian landscape, including Unani, Siddha, Homeopathy, Yoga, and Naturopathy. It has enjoyed global prominence for countless generations and is the most prominent of its Indian counterparts. A brief overview of the remaining systems is provided in this discourse, which focuses exclusively on Ayurveda.

In addition to Ayurveda, there are a number of other systems of medicine, including Siddha, Homeopathy, and Unani. Although Naturopathy is still in its infancy, it has the potential to become one of the most robust medical systems in the future. Allied to traditional medicine, yoga promotes the holistic well-being of individuals in all aspects of their lives, including their physical, mental, and spiritual well-being. Like Ayurveda, Siddha believes the human body is a composite manifestation of five fundamental elements found throughout the universe. These elements are referred to as the pancha mahabhootas. The Siddha system also proposes 96 determinants that guide an individual's physical, moral, and physiological equilibrium.

As part of these 96 factors, factors such as perception, speech, and pulse diagnosis are accounted for. When it comes to treating psychosomatic ailments, perception plays a prominent role, often employing minerals, metals, and occasionally plant-based materials. As part of the Siddha system, formulations from plants and minerals are used extensively, primarily in powdered form, after various processing methods including calcination.

The "humoral theory" is the basis for treating diseases in the Unani system of medicine, which has its origins in Greece and the teachings of Hippocrates in 366 BC. According to this theory, every bodily humor has a wet and a dry quality. After the Mongol invasion of Persia, Arab scholars and physicians introduced Unani medicine to India. Both clinical practice and research funding have been supported by the government since then, solidifying Unani medicine's presence in India. There are many types of plant-based formulations that can be used in Unani treatments, including oils, tinctures, powders, and ointments.

The principles of homeopathy were developed by German physician Samuel Hahnemann in the 17th and 18th centuries and are based on "immunological memory" and "memory of water." Using this system, diseases are treated with medicines that induce symptoms similar to those of the ailment, harnessing the interaction between the drug's pharmacology and the disease itself. The Indian government has recognized homeopathy as a form of medicine since it has been practiced for over a century, integrating it seamlessly into the traditional medical landscape. Using this method, tinctures or aqueous extracts of plants, animals, venomous animals, and minerals are diluted and sucussed in accordance with pharmacopeial methods to create formulations that are minimally potent.

Traditionally, yoga utilizes pulse analysis and a person's Tridosha state to diagnose and treat patients. In order to foster tranquility and enhance well-being, meditative exercises and lifestyle management are recommended. Various yoga postures, or Asanas, relieve a diverse range of physical and emotional conditions, both clinically and nonclinically.

The term naturopathy is synonymous with naturopathic medicine, which originated in 19th-century Germany and gained widespread popularity since then. Traditional medicine practitioners sometimes incorporate Naturopathy alongside established medical practices, even though it is not an ancient system. A fundamental characteristic of Naturopathy is harnessing nature's inherent healing potential, combining it with both traditional and modern methods to facilitate restoring robust health. As part of this system, other treatment modalities, including homeopathy and herbal formulations, are employed as well as hydrotherapy.

4.Criteria to qualify as Traditional Knowledge

Through customs and practices, traditional knowledge accumulates wisdom over centuries. The system is not static, but is constantly evolving and adapting to meet society's changing needs. In addition to expanding and refining knowledge, these adaptations ensure it remains relevant to the changing requirements of each generation. As this body of knowledge continues to evolve, it becomes part of the collective information passed down from generation to generation.

Traditional knowledge consists of the following elements:

a) Innovative Practices: To address specific needs, traditional knowledge involves developing new practices or processes. Often shaped by practical experience and experimentation, these innovations are the result of collective wisdom of a community.

b) Generational Transmission: Traditions, rituals, and cultural practices pass on the practices and methods developed within traditional knowledge from generation to generation. Knowledge is transmitted within the community in this way, ensuring continuity.

c) Community and Values: There is a close connection between traditional knowledge and specific communities or groups. In addition to its distinctiveness and authenticity, it is influenced by these groups' values, beliefs, and cultural norms.

The neem tree is a classic example of traditional knowledge. It has been widely known in India for centuries that neem has a wide range of applications. A reference to its use dating back more than 2000 years can be found in ancient Indian texts. Among the fields in which this knowledge has been applied are agriculture, human and veterinary medicine, toiletries, cosmetics, and insect and pest repellents. An exemplary example of traditional knowledge is neem, which is deeply rooted in culture, history, and practicality, making it part of the identity and way of life of a community.

5.Applicability of rules of IPR on traditional Ayurvedic knowledge

Traditional Knowledge (TK) is not solely defined by its age, since many of its instances are neither ancient nor static, but rather vibrant and integral to the lives of numerous modern communities. The development, nurturing, and transmission of this knowledge are deeply rooted in the cultures within which they exist; often, these communities develop, nurture, and transmit the knowledge across generations using established customary methods. There may be a profound spiritual and cultural significance to such knowledge for these communities. Hence, the "traditional" aspect is imparted by the symbiotic relationship with the community.

It is in this context that Ayurveda stands out as one of the most integral elements of Indian cultural heritage since time immemorial. According to mythologies, Ayurveda was bestowed on Earth by sages referred to as Rishis on behalf of Lord Brahma. Over the years, these ancient methods of wisdom have been diligently practiced, adapting to meet the changing needs of society and emerging health concerns. The evolution of traditional knowledge systems requires not only the establishment of protective measures to safeguard vanishing TK, but also consideration of how to cultivate and disseminate new knowledge that emerges from ongoing use of these systems.

Ayurveda is undergoing contemporary developments that necessitate legal safeguards. Ayurvedic knowledge could be protected from exploitation by commercial entities or individuals with deceptive motives under these safeguards.

It is essential to safeguard Ayurvedic knowledge's integrity and prevent its misuse as TK evolves along with challenges and aspirations, and to ensure that it continues to be protected as such.

In order to deter the misuse of knowledge throughout diverse categories, a framework of Intellectual Property Rights (IPR) rules has been established that aims to protect against unscrupulous practices by inventors and fraudulent individuals. The rules distinguish the qualities and attributes of knowledge that can be harnessed for commercial gain, whether directly or indirectly, by individuals or corporations. Traditional knowledge of Ayurveda has gained prominence in this context and deserves increased attention. In the past, certain segments of society and

individuals with malicious intent have attempted to tarnish the sanctity of this wisdom under the banner of intellectual property rights, resulting in potential patents. Although some such attempts have been thwarted by vigilant public awareness and regulatory bodies in isolated cases, others have not been as successful.

Indian authorities should analyze implementing a forward-looking policy to protect Ayurvedic traditional knowledge in light of the surge in deceptive assertions regarding Ayurvedic treatments and methodologies..

This policy should address a number of key concerns:

1. The value inherent in traditional knowledge systems should be acknowledged in order to promote respect for their legacy and contributions.

2. Tailored Responsiveness: Assuring the active participation of traditional knowledge holders in decision-making by crafting policies that are sensitive and responsive to their genuine needs.

3. Combating Misappropriation: In order to avoid the misappropriation of traditional knowledge, strategies must be developed to discourage unfair and unjust usage.

4. Fostering Tradition-Based Innovation: Fostering innovation and creativity within tradition, while preserving inventive initiatives based on tradition.

5. Empowerment of Holders: Through education, awareness, and capacity-building, support traditional knowledge systems and empower holders of such knowledge.

6. Equitable Benefit Sharing: By ensuring that the communities and individuals who contribute to the preservation and development of traditional knowledge are appropriately compensated, we can ensure a fair and equitable sharing of benefits.

7. Promoting Holistic Development: In order to promote grassroots development, traditional knowledge should be used as a foundation, and its inherent value should be respected.

In Overall, IPR frameworks should be leveraged while addressing the unique challenges posed by traditional Ayurvedic knowledge. Indian authorities can ensure this knowledge's integrity and meaningful contribution to society's well-being by adopting policies that foster its recognition, respect, and responsible use.

6.The problem of plenty proficiency in Ayurveda

Ayurveda is renowned for its one million verses originating from its ancient roots, each elaborating on solutions to a number of life's challenges. Indian civilization has evolved this kind of holistic knowledge since the beginning of time. The advancement of technological advancements led to the creation of numerous classical Ayurvedic texts as time progressed, each contributing to the refinement, expansion, and adaptation of knowledge as time progressed. Over the course of time, this continuous enlightenment has resulted in an enormous compendium of wisdom, which will serve humanity of all races, colors, castes, and creeds.

Unfortunately, patent attorneys and officials face a complex challenge in dealing with this treasury of Ayurveda. It is challenging for them to gain direct access to this vast body of knowledge since they lack direct access. It has been challenging for patent offices in the USA and Europe to cross-reference claims of new inventions because of a variety of challenges. A number of challenges remain, including the lack of digitization, differences in language, and an absence of classical or folk Ayurvedic textbooks. As a result of these unforeseen circumstances, some unscrupulous individuals have been able to acquire patents based on forged documents, often misappropriating essential aspects of western medicine and ayurveda.

It is imperative to take a nuanced approach to protecting traditional knowledge in light of this situation. As a result, it underscores the need to create mechanisms that safeguard ancient wisdom from misappropriation and facilitate its rightful use as well as development. Keeping Ayurveda's integrity and ensuring its contributions are respected on a global scale means addressing language barriers, access to authentic texts, and digitization issues. Finding solutions to honor the heritage of Ayurveda and promote its ethical and responsible use in contemporary contexts can be achieved through collaborations among Ayurvedic practitioners, legal experts, policymakers, and international organizations.

7.International regime for Protection of Traditional Knowledge

A growing body of knowledge, originality, and traditions has been preserved through the preservation of indigenous and local knowledge. Different initiatives have gained momentum in the effort to protect traditional knowledge through intellectual property (IP). World Intellectual Property Organization (WIPO) and United Nations Educational, Scientific and Cultural Organization (UNESCO) collaborated to safeguard traditional knowledge under the IP regime in 1978. The 1982 Folklore Protection Act strengthened protections against unlawful exploitation and other harmful practices for folklore expressions. Protecting traditional knowledge became even more important in 1992 with the adoption of the Convention on Biological Diversity (CBD). Sustainable development and biodiversity conservation are inextricably linked, as the CBD emphasis the protection of traditional information.

As a specialized agency of the United Nations committed to global health matters, the World Health Organization (WHO) has been instrumental in protecting traditional knowledge. As part of its work in traditional medicine, the WHO is primarily involved in traditional knowledge. WHO's constitution states that its primary mission is to ensure that all individuals have the best possible health. A growing body of research has demonstrated the economic and commercial importance of traditional knowledge, especially in traditional medicine and medicinal plants. It is becoming increasingly evident that many WHO member states are concerned about safeguarding this

knowledge and ensuring that its benefits are fairly distributed.

This underlines the increasing understanding of the importance of preserving traditional knowledge, not just as a cultural heritage but also as a source of economic growth and health benefits. A global commitment to striking a balance between innovation, protection, and equitable benefits sharing is evident in the collaborative efforts of international organizations such as WIPO, UNESCO, CBD, and WHO. For the years 2002 to 2005, the WHO Traditional Medicine Strategy focuses on four key components to promote the integration, safety, accessibility, and rational use of traditional and complementary medicine (TM/CAM).

1. Policy: The focus here is on integrating traditional and complementary medicine into a broader national health system. In addition to recognizing the role these traditional practices play in addressing various health challenges, the strategy stresses the need to incorporate them into mainstream healthcare.
2. Safety, Competence, and Excellence: A key component of this component is ensuring that traditional and complementary medicines are safe and effective. By establishing processes for estimating, supervising, and supporting effective regulation of these practices, the strategy will be able to establish a foundation for effective regulation. In order to ensure the quality of care provided by practitioners of traditional and complementary medicine, the strategy sets standards for safety and competence.
3. Access: In addition to herbal remedies, the strategy aims to ensure traditional and complementary medicine remains affordable and accessible to all segments of society. This strategy aims to provide a variety of healthcare options to people by promoting access to these therapies.
4. Rational Use: It is crucial to encourage both consumers and providers to use conventional and complementary medicine rationally and therapeutically. Using these therapies in a way that complements conventional medicine is based on evidence, appropriateness, and a complementary approach.

A comprehensive approach to integrating traditional and complementary medicine into the healthcare system is outlined by the WHO Traditional Medicine Strategy for 2002-2005. Access to and affordability are prioritized while safety, competence, and excellence are ensured. Additionally, this strategy integrates traditional and complementary medicine with evidence-based practices and therapeutic guidelines to promote rational use.

B. Convention on Biological Diversity (CBD)

On June 5, 1992, the Convention on Biological Diversity (CBD) was signed in Rio de Janeiro under the auspices of the United Nations Environment Program (UNEP). In addition to establishing guidelines for environmental conservation, the CBD also works to ensure that economic growth is compatible with environmental protection. The policy emphasizes conserving biodiversity, utilizing biological resources sustainably, and sharing benefits resulting from the use of these resources. Genetic resources need to be utilized in a sustainable manner if biological diversity is to be preserved. This is one of the central themes addressed by the CBD. A traditional practice utilizing genetic resources can be an effective means of achieving these goals, according to the document. Moreover, the CBD affirms that countries that provide genetic resources have the right to access those resources, and that biodiversity must be conserved and sustainably used without affecting intellectual property rights (IPRs).

The CBD also contains provisions related to indigenous and traditional knowledge and technologies, including their promotion, development, trade, and exploitation. Local and traditional wisdom plays an important role in incorporating the spirit of the convention, as exemplified by these provisions. A key objective of the Convention on Biological Diversity is to preserve biodiversity while encouraging economic growth, and it recognizes that traditional technologies, indigenous knowledge, and genetic resources play a crucial role in achieving these goals. In addition to protecting the environment and fostering sustainable development, the CBD serves as a global framework.

C. World Intellectual Property Organization (WIPO)

UNESCO and WIPO collaborated in 1978 to establish the Sui generis model for the protection of national folklore, establishing WIPO's involvement with traditional knowledge (TK). This model laid the groundwork for protecting traditional cultural expressions. A fact-finding mission to 28 countries was conducted by the World Intellectual Property Organization (WIPO) in 1998 in order to study how intellectual property (IP) and traditional knowledge intersect. In response to this initiative, a study was conducted aimed at understanding the needs of IP and the aspirations of TK holders.

As a result of the establishment of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge, and Folklore (IGC), WIPO achieved a major milestone. This committee was established by the 26th WIPO General Assembly meeting. The IGC has made significant contributions to genetic resources, traditional knowledge, and folklore protection through discussions, research, and policy recommendations. A variety of initiatives and documents have been undertaken by WIPO in addition to these efforts. Some of these include model clauses for genetic resource contracts, a toolkit for coordinating the documentation of conventional information security, and an exploration of the fundamentals of a potential sui generis framework for the protection of traditional knowledge. Through its longstanding engagement, comprehensive studies, and development of practical tools and frameworks that strive to preserve the heritage and interests of traditional knowledge holders and cultural communities, WIPO has demonstrated its commitment to addressing the complexities of protecting traditional knowledge and cultural expressions.

8.Indian government effort for development of ayurveda in traditional knowledge

Traditional knowledge digital library

Developing a sector's knowledge base is the key to its growth and development. Knowledge is discovered and deployed at multiple stages throughout this progression. A similar process applies not only to traditional medicinal fields but also to all sectors, including capturing, integrating, organizing, managing, and finally deploying knowledge. In addition to creating applications and tools, this cycle involves enabling end users to efficiently and effectively utilize their domain knowledge. A comprehensive initiative was launched in recognition of the need for digitization and protection of India's traditional knowledge, particularly in the field of medicine. A response to the potential threat of patent biopiracy led to the creation of this multi-party, multi-centric project. The Council of Scientific and Industrial Research (CSIR) rescinded patents filed in the United States for turmeric, neem, and basmati rice as a result of this initiative.

This success led to the creation of a digital library dedicated to traditional knowledge. As part of the initiative, it was decided to create a repository of traditional knowledge, with the aim of effectively digitizing it and preventing biopiracy and unauthorized patenting. It is anticipated that TKDL's first phase, focusing on Ayurveda, will be completed by October 2010. There was a significant milestone in the development of this project when the National Institute of Science Communication (NISCOM, now NISCAIR) signed a Memorandum of Understanding (MOU) with the Department of Indian Systems of Medicine and Homeopathy (ISM & H), renamed AYUSH in 2003.

By harnessing modern technology for its preservation and responsible use, Indian authorities are proactively safeguarding the nation's traditional knowledge heritage from exploitation. As global challenges evolve, digitization plays an increasingly important role in protecting cultural heritage and ensuring that ancient traditions' collective wisdom remains accessible.

The significance and impact of the Traditional Knowledge Digital Library (TKDL) initiative to digitize and protect India's traditional knowledge. The article emphasizes the need for broad knowledge bases in order to drive the growth and development of various sectors, not just traditional medicine. Knowledge capture, integration, organization, management, and deployment, along with the creation of tools and applications, are discussed as fundamental activities across industries.

Among the notable examples of its effectiveness is the revocation of patents on turmeric, Neem, and Basmati rice. The initiative was founded in response to the threat of patent biopiracy. Digitally preserving traditional knowledge and preventing unauthorized patenting are the key objectives of the TKDL. Protecting cultural heritage and preventing misappropriating ancient wisdom are therefore crucial. In addition to the memorandum of understanding between NISCOM (now NISCAIR and the Department of AYUSH), the initiative is characterized by collaboration and cooperation between multiple parties. As a result of this cooperation, traditional knowledge is being preserved and modern technology is being used responsibly for the preservation and use of that knowledge. The essence of the initiative and demonstrates its positive impact while adapting to modern challenges while protecting India's traditional knowledge heritage.

Procedures for patent and Ayurvedic perspicacity

There was an explosion of inventions in the latter part of the nineteenth century across a wide range of areas such as art, manufacturing processes, methods, machines, and other items manufactured. A growing number of inventors have become concerned about protecting their inventions from unauthorized copying or adoption by others. In 1911, the British authorities passed the Indian Patents and Designs Act in order to protect inventors' rights. Numerous amendments have been made to the law over the years in response to changing needs. After several years of debate, The Patent Bill was finally introduced into Parliament in 1970, marking a significant legislative breakthrough. As a result of a substantial amendment in 2005, international norms have been incorporated into the definition of both process and product patents.

An Investment in capital and labor is what yields something new and useful, a product of intellectual prowess. The inventor becomes the exclusive owner of this creation upon grant of a patent. Intellectual property rights are the exclusive proprietary rights of the patent holder over the invention. Inventions can be leveraged for commercial benefit under patent law because inventors have exclusive rights. Because inventors are protected legally from unauthorized replication of their inventions for a specified period during which the inventor enjoys exclusive rights, this recognition serves as an incentive for them to invest their creative faculties.

Due to its centuries-old nature and widespread knowledge, Ayurvedic knowledge falls within the realm of "prior art" and "public domain" under patent regulations. It is essential that an invention has industrial applicability, non-obviousness, and novelty in order to be patentable. Since Ayurvedic knowledge has been around for centuries and is part of the public domain, it cannot meet the requirement of novelty; hence, a patent would be unlikely to be granted. The term "prior art" is used in patent cases to describe information that has been made available to the public before a specified date and pertains to the invention under consideration. Due to its prehistory and open availability, Ayurvedic knowledge does not qualify for patent protection due to being prior art.

Ministry of Ayush

Combined with conventional treatments, this treatment effectively treats conditions like migraine, Parkinsonism, neuromuscular disorders, and musculoskeletal disorders. In Ayurveda, a large number of medicinal herbs are mentioned that have been scientifically validated for their purported anticonvulsant, anticancer, and anti-aging properties. In fact, Ayurveda is known for treating most diseases

related to a variety of body systems with its novel treatments called Panchakarma. In recent times, Ayurvedic healthcare has gained acceptance as a complementary treatment and as a means of modifying lifestyle in conjunction with ongoing treatment. There are both codified and uncodified forms of Ayurvedic knowledge in India, and it is widely practiced and culture bound. Communities' preference for following an Ayurveda-based healthy lifestyle and healthcare is documented in a huge body of literature and institutional network. Sections on the development and promotion of Ayurveda are divided into different sections, with a particular emphasis on government initiatives aimed at promoting the therapy.

As part of the Ministry of Health & Family Welfare, the Government of India created the Department of Indian Systems of Medicine and Homoeopathy (ISM&H) in March 1995 in order to focus attention on enhancing the growth and development of Ayurveda and other systems of Indian Medicine. Ayurveda, Yoga, Naturopathy, Unani, Siddha, and Homoeopathy have been included in the AYUSH department since November 2003. Each letter of the acronym AYUSH represents an official recognition system other than allopathic medicine. As part of the changes in government in 2014, the Department of AYUSH was upgraded into a Ministry of AYUSH with its own Minister and an independent ministry mandate to develop Indian Medicine in a systematic manner and overcome gaps in health service delivery and outreach. A variety of schemes and programs are developed, planned, and implemented by the Ministry in order to enhance quality, domain, and outcomes in the AYUSH sector in an inclusive manner. Ayurveda is also enriched by the addition of the Sowa Rigpa, a traditional system of medicine that originated in the Himalayas. A wide range of objectives are pursued by the Ministry of AYUSH. Education and training institutions must upgrade their educational standards. Secondly, strengthening research and development institutions and implementing priority research programs on time; Third, promoting, cultivating, conserving, developing and enhancing medicinal plants used in AYUSH. As per global trends, standardize and control the quality of drugs. Health and Family Welfare's 2012-17 program proposes four initiatives: (1) Integrating AYUSH services into the national health delivery system; (2) Raising awareness of AYUSH through education, communication, and information; and (3) Promoting AYUSH through education, communication, and information.

9.Conclusion and Suggestions

Indian Ayurvedic medicine has a long history of being used for both healthcare and beauty enhancement, contributing to a better quality of life. Historically, the nation has possessed an extensive collection of herbal medicinal plants and formulations. According to the Task Force report of the Planning Commission in 2000, traditional medicine has experienced a resurgence in contemporary society.

In a wider understanding emphasize that patents cannot be extended in their entirety to medicinal plant products obtained through modern plant breeding techniques in India. Plant varieties can, however, be protected through patents if they are developed through patentable processes. National law recognizes ayurvedic products, as well as new applications for them, as patentable subject matter as long as they meet certain standards for novelty, inventive step, and industrial applicability. Extracting active ingredients from medicinal plants, creating products based on these principles, and devising new applications for them are all patentable.

All stakeholders in the field of Ayurveda are humbly invited to join the authors in their closing remarks. Ayurveda's interests need to be safeguarded by effective strategies in order to meet the challenges posed by an evolving intellectual property landscape. In order to accomplish this, individuals and groups with intellectual resources must collaborate and build their capacity. Hence, India is able to strengthen the connections between the interests and needs of the global community, and the fundamental principles of intellectual property. Ayurvedic medicine is being patented and classical Ayurvedic wisdom is being blended into a harmonious international market entry.

Trade Secrets, including TM, are protected under the Trade Secrets system. Additionally, the proponents of this view observe that most countries lack institutions to safeguard the trade secrets of indigenous and local peoples. Intellectual property regimes have become an incentive for commercializing research results and literary and artistic works. The exclusive rights guaranteed by intellectual property laws prevent others from copying ayurvedic products and processes. It is unlikely that inventors and investors will share new knowledge publicly without such a system. Patenting ayurvedic medicines will incentivize investment in the sector of ayurveda. As far as Indian medical systems are concerned, IPR plays a minor role only in commercialization since the systems market mostly time-tested formulations and processes. The development of IPR laws is therefore necessary. While the Drugs and Cosmetics Act has been passed, it may not be sufficient to encourage innovative efforts. It will be necessary to explore ways and means to extend IP-like protection that fits into these systems' ethos.

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