

Sabinsa files patent infringement lawsuit against curcumin suppliers, distributors



By Hank Schultz,
05-Aug-2014

Related topics: Antioxidants/carotenoids, Botanicals and Herbs, Cardiovascular health, Inflammation, Suppliers, Product claims



Sabinsa Corp. has filed patent infringement lawsuits against two Indian dietary supplement ingredient companies and their respective US distributors over the intellectual property connected to its Curcumin C3 Complex ingredient.

Sabinsa, based in Bangalore, India with facilities elsewhere in India and US operations in New Jersey and Utah, has a long history of ingredient development and now counts many dozens of ingredients in its stable, many of which are protected by patents. The company has vigorously defended this intellectual property over the years. At last count, Sabinsa held 87 patents on its ingredients.

History of IP theft

When speaking with NutraIngredients-USA earlier this year on the subject of patent infringement, Shaheen Majeed, director of marketing, had this to say:

"The industry has a history of IP theft. Sabinsa has dealt with it from the beginning, and the rampant 'borrowed' science practice is probably what established the practice of IP theft in the supplements industry: manufacturers were fine with using products relying on science not actually done on that ingredient.

"There are a lot more suppliers coming out of India and China than when Sabinsa started 26 years back. From time to time we see suppliers who intentionally by way of infringement supply ingredients patented by Sabinsa," Majeed said.

Commenting on the latest cases of infringement, Dr Muhammed Majeed, founder of Sabinsa, said: *"We have been very outspoken in encouraging industry manufacturers to respect intellectual property; to do otherwise both stifles innovation and does a disservice to those manufacturers who legitimately license intellectual property. These Defendants' customers are also infringing upon Sabinsa's patents, most likely without their knowledge, so these infringing companies are putting their customer's businesses at risk."*

Patent covers specific ratios, extraction

Sabinsa's curcumin patent (US Patent No. 5,861,415) covers the composition of the ingredient, which is a mix of curcumin, demethoxycurcumin and bisdemethoxycurcumin, collectively known as curcuminoids. The Curcumin C³ Complex presents these compounds in a specific ratio, which is protected by the patent, which also covers the specific ethyl acetate method used. Competitors can sell ingredients based on curcuminoids, but can't use those specific ratios or extraction method.

The suit names four defendants: Olive Lifesciences Pvt. Ltd. (Bangalore, India), their US distributor NutriBioLink LLC (Brooklyn, NY), Prakruti Products Pvt. Ltd. (Karnataka, India) and their US distributor HerbaKraft (Edison, NJ). None of these companies had responded to requests for comment by the time this article was published.

Copyright - Unless otherwise stated all contents of this web site are © 2014 - William Reed Business Media SAS - All Rights Reserved - For permission to reproduce any contents of this web site, please email our Syndication department copyright@wrmb.com - Full details for the use of materials on this site can be found in the Terms & Conditions