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**United States Patent** [19] [11] **Patent Number:** 5,411,736  
**Locke et al.** [45] **Date of Patent:** May 2, 1995

[54] **HYDROPHIC EXTRACTED NEEM OIL—A NOVEL INSECTICIDE** [56] **References Cited**  
 U.S. PATENT DOCUMENTS  
 4,556,562 12/1985 Larson ..... 424/195.1

[75] **Inventors:** James C. Locke, Silver Spring, Md.; F. Walter, Ashton; Hiram III, Hyattsville, all of Md.

[73] **Assignee:** W. R. Grace & Co.-Conn., New York, N.Y.

[21] **Appl. No.:** 89,084

[22] **Filed:** Jul. 9, 1993

[57] **ABSTRACT**  
 ...ved from a neem seed extract which is substantially free of azadirachtin, being prepared by extracting neem seeds with a non-polar solvent to obtain a neem oil extract, and then extracting the solvent to obtain the neem oil. These neem oil insecticides exhibit the ability to repel insects from plant surfaces and kill insect pests at various life stages.

[60] **Related U.S. Application Data**  
 Division of Ser. No. 947,867, Ser. No. 947,867, which is a continuation-in-part of Ser. No. 947,867, filed Dec. 26, 1989, abandoned.

[51] **Int. Cl.<sup>6</sup>** ..... A01N 25/08  
 [52] **U.S. Cl.** ..... 424/410; 424/195.1; 424/403; 424/404; 424/405; 424/406

**OTHER PUBLICATIONS**  
 ...tivity of neem (Azadirachta Indica A Juss) Seed Kernel Extracts Against the Mustard Aphid, Lipaphis erichsonii, R. P. Singh, C. Devakumar and S. Dhingra, Phytoparasitica, 16(3), 225-230 (1988).

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**India's Neem Tree: Discovery or BioPiracy?**

## Inventing Intellectual Property: Source Disclosure for Genetic Patent Rights?

**RUTH OKEDIJI**

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**Ruth L. Okediji.** As the William L. Prosser Professor of Law since 2003 at the University of Minnesota Law School, Professor Okediji is recognized worldwide as one of the foremost experts on international IP law and international economic regulation. Before joining the Law School in 2003, she was the Edith Gaylord Presidential Professor of Law at the University of Oklahoma College of Law. Okediji has served as a visiting professor at Duke University School of Law and several other U.S. and international law schools. She has held visiting research positions at Harvard Law School and at the Max Planck Institute in Munich, Germany.

Professor Okediji's scholarship focuses on issues of innovation policy, economic development, and global knowledge governance in the context of international institutions and public international law. She is co-author of a leading copyright casebook, *COPYRIGHT IN A GLOBAL INFORMATION ECONOMY* (Aspen, 4th ed. 2015), and co-author of a second, seminal casebook, *INTERNATIONAL PATENT LAW AND POLICY* (Aspen, 2013). Her credits include two additional books, *PATENT LAW IN GLOBAL PERSPECTIVE* (with Margo Bagley) (Oxford, 2014) and *COPYRIGHT LAW IN AN AGE OF LIMITATIONS AND EXCEPTIONS* (forthcoming, Cambridge 2015). Okediji also has authored an extensive array of articles, commissioned papers, and book chapters, and has been a reviewer and editor of the *Journal of World Intellectual Property* since 2009.

Professor Okediji has been acknowledged nationally and internationally for her research and professional service, and is regularly cited for her work on IP-related issues in developing and least developed countries. She has served as a policy advisor on the impact of IP protection on development goals for many governments and inter-governmental organizations. She also has been a consultant for the U.N. Conference on Trade and Development, the U.N. Development Program, and the World Intellectual Property Organization (WIPO) and has directed research and technical assistance projects in Europe, Sub-Saharan Africa, and the Caribbean. In 2015, *Managing Intellectual Property* named Okediji among the 50 most influential people in IP worldwide.

A graduate of the University of Jos (LL.B.) and Harvard Law School (LL.M., S.J.D.), Professor Okediji is licensed to practice law in New York and Minnesota. She was elected to the American Law Institute in 2008. She teaches Contracts, Patents, Copyright, Trademarks, and International Intellectual Property.

## **Inventing Intellectual Property: Source Disclosure for Genetic Patent Rights?**

Recently concluded regional agreements and ongoing international negotiations extending proprietary rights over genetic resources (GR) and associated traditional knowledge (TK) raise serious concerns for the intellectual property system, particularly with respect to innovation in the life sciences. A foremost consideration relates to the conditions under which patent applicants must disclose the source of genetic material to a patent examiner, and the extent to which failure to disclose may impose penalties in certain jurisdictions up to and including patent forfeiture. Also at stake are considerations of how a globally mandated disclosure regime might fundamentally re-shape the criteria for patentability that has been presumptively harmonized across jurisdictions since the conclusion of the TRIPS Agreement.

This lecture examines the nature and scope of the disclosure of origin requirements for GRs and TKs increasingly being adopted in notable jurisdictions around the world. It highlights implications for future harmonization of patent law, in particular cross-border cooperation in patent prosecution and enforcement. Finally, it considers prospects for an international instrument on disclosure of origin within the global intellectual property framework based on recent proposals in various multilateral fora.

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