



Asha Petitions US Congress to Abrogate USPTO and Court Rulings Mutilating Title 35 of USC and Halt Harm to Public Health

The petition asserts the patent system is obstructing innovation in nutrition and promoting the national disease burden and implores Congress for remedy.

Palo Alto, CA – October 28, 2019 – In 2009 and 2013 Asha Nutrition Sciences, Inc. filed patent applications in the US and several countries drawn to dosages of various lipids particularly omega-6 and omega-3 because imbalanced lipid intake is associated with most chronic diseases and infectious diseases, which 2 billion people around the world suffer from including 117 million Americans. Further, correct lipid intake can prevent hormonal imbalances affecting 80% of women. In the US chronic diseases cost over \$3 trillion annually.

Asha's technology is of exceptional import because there is continuing mass miseducation in the art to reduce omega-6 intake or suppress its activity using various other lipids, which Asha's research disproves. Asha finds that the solution lies in correct dosage of omega-6 not in suppression of its activity. Further, dietary guidelines are not enough to solve this problem because lipids are unpredictable in food sources, some lipids are potent in micrograms, and less than 1% of people understand lipids making it impossible for public to self-calibrate. Asha submitted about 600 scientific papers and eleven testimonies from scientists to the US Patent Office as evidence of its assertions.

Asha's claimed innovations recite limitations that are the opposite of the prior art teachings as a whole. However, the US Patent Office tried to neuter the US application 12/426,034 by restricting the claims to narrow combination of oils. When Asha resisted the Office rejected 55 *claims* by giving *no weight to several limitations* in the claims to render them patent-ineligible and anticipated by individual oils. Several claims were given *sole* patent-ineligibility rejection for allegedly being drawn to products that occur in nature *despite admitting* that the combination of ratios recited in the claims does not occur in nature.

Asha appealed to the US Court of Appeals which issued a disingenuous disjointed opinion in April 2018 affirming the Patent Office contrary to its own and US Supreme Court precedents failing to answer most of Asha's arguments, scientists' testimony, and other evidence. Due to *the mutilation of Title 35 of the United States Code, constitutional violations*, and violation of Supreme Court precedents and extreme abuse by the Patent Office and the Court of Appeals, Asha separately petitioned the US Supreme Court for Certiorari and Mandamus citing the imperative public health importance of the case, but the Supreme Court denied to hear the case and failed its duty to Americans.

Meanwhile, Asha's US application 13/332,251 was granted in May 2019 after 10 years of prosecution. Worldwide Asha also holds about 20 granted patents and about 50 pending cases including two in the US.

Asha has now petitioned to President Donald Trump, Speaker Nancy Pelosi, and US Congress, including the Chairs of Senate and House Committees on Judiciary, Health, and Intellectual Property requesting abrogation of the unlawful rulings given the extraordinary nature of the case and to mitigate risk to the granted cases. See https://asha-nutrition.com/wp-content/uploads/2019/09/190811LetterToCongress_w_Annexes-compressed.pdf.

Ms. Urvashi Bhagat, Asha CEO said “It is extremely disturbing that the patent system has morphed into business for the patent offices and intermediaries, while the purpose of patents to solve problems has been relegated to catch-lines. Many small patents are issued, and applications’ prosecution is delayed because that generates more revenue for patent offices and intermediaries. This is particularly problematic in nutrition because small patents fail to make any impact but create more chaos, evident from the misinformation in the nutrition field. Denying protection or dragging applications to nurture innovation in nutrition not only deprives public of timely solutions but fosters stagnation in nutrition and makes public dependent on drugs and devices causing extraordinary harm to public health.”

She added, “Lipid problem is particularly exasperating. Science has been trying to solve the problem for over 100 years, but it has not gone away because they are going about it the wrong way, like issuing patents to hydrogenated fats or omega-3 supplements or breeding varieties of lipid sources (plants or fish). The solution lies in effectively implementing a system of tailored lipid dosages particularly of omega-6, for which limited exclusivity afforded by patents is necessary. Once properly implemented the system will serve humanity for centuries to come. We hope that the US Congress will pay attention and grant the extraordinary relief requested. This one innovation can do more for public health than any health care plans the law makers can devise.”

"Lipids are critical for health," explains Dr. Undurti N. Das, Chief Medical Officer of Asha Nutrition Sciences. "Every cell in the body is enveloped in lipids, and the cell cannot function without the right balance of lipids. Health benefits of balanced lipids are across multiple indications because lipids affect a broad range of physiological functions. Lipid requirements vary by members of a family. Therefore, lipids should be pre-formulated and tailored for the public."

The improper actions of US Patent Office were copied in Europe and Japan, which Asha has petitioned to Administrative Council of the European Patent Organization and reported the same to Heads of State in Europe and Japan, including Prime Minister Boris Johnson of United Kingdom, Chancellor Angela Merkel of Germany, President Emmanuel Macron of France, and Prime Minister Mark Rutte of Netherlands. See <https://asha-nutrition.com/wp-content/uploads/2019/09/190811-Petition-to-EPO-AC-w-Attachments-compressed.pdf>.

Asha is committed to development of industry leading lipid solutions with potential to vastly protect and enhance public health. WHO estimates about 2 billion people worldwide suffer from chronic and infectious diseases. Studies show that lipid imbalance is associated with a variety of chronic diseases including diabetes, heart disease, strokes, arthritis, asthma, attention deficit hyperactivity disorder, neural disease, depression, and cancer, and compromised immunity. Approximately 80 percent of the costs of healthcare are due to chronic conditions. Thus, Asha's technology solves many critical unmet public health needs.

Asha's flagship product is LipiLife, made up of fats, fat-soluble vitamins and sterols that are vital for health and well-being and vary by demographics. Currently, LipiLife is available in vegetarian and non-vegetarian formulas for women and men individually.

Ms. Bhagat added, "We invite investment from mission investors and collaborations from corporate partners for marketing and manufacturing of our products and/or licensing of our intellectual property for infant foods, and/or therapeutic applications for medical indications so that integrated solutions can be offered and the lipid problem can be eradicated for good."

Asha aims to create a brighter future for world health by preventing current trends from continuing. Asha radically shifts what it means to consume healthy fats and how chronic health issues are preventable and even reversible with the right lipid formula.

About Asha Nutrition Sciences, Inc.

Asha Nutrition Sciences is a private wellness company offering tailored nutrition with balanced lipids, antioxidants, and phytochemicals with LipiLife and other product lines. Lipids are the basis of life, as crucial cell membranes components, as gene regulators, and as precursors of hormones and other bioactive compounds. Lipids affect a broad range of physiological functions and health. Antioxidants, phytochemicals, vitamins, minerals, proteins, carbohydrates, hormones, and temperature materially alter lipid metabolism. Therefore, the precise requirements of lipids change by diet type, gender, stage of life, climactic temperature, and other factors. For more information, visit <http://asha-nutrition.com>.

Forward-Looking Statements

The statements in this press release that are not historical facts may constitute forward-looking statements based on current expectations subject to uncertainties. Asha undertakes no obligation to publicly update any forward-looking statements.

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