Patent Pool Approved to Step Up International HIV Med Access

December 16, 2009

Pharmaceutical companies are likely toface increased pressure from the international community to allow othermanufacturers to develop generic versions of antiretroviral (ARV)drugs, now that the board of UNITAID has voted to launch a patent pool.UNITAID is an international group devoted to increasing access toquality treatment of AIDS, malaria and tuberculosis.

According to a UNITAID press release,the patent pool should help deliver affordable versions of HIV drugsand facilitate the development of essential new fixed-dose combinationand child-friendly drugs.

A patent pool consists of at least two companies, usually incompetition with each other, agreeing to share or cross-license patentsrelated to a particular technology. Patent pools allow companies towork together toward a common goal—scale-up of access to safe andeffective ARVs in resource-poor nations, for example—while at the sametime securing payment for the manufacturing and distribution of theirproducts.

Pharmaceutical company participation in UNITAID's patent pool, to beimplemented in early 2010, is voluntary. In exchange for giving uptheir monopoly rights to their name-brand ARVs, pharmaceuticalcompanies will be given a fair royalty payment by generic manufacturersparticipating in the UNITAID program. In addition, pharmaceuticalcompanies would keep their 20-year patent rights in wealthy countries.

"This is a historic moment, which brings hope to the millions whodon't currently get the HIV medicines they need to stay alive," saidMohga Kamal-Yanni, senior health policy advisor at Oxfam GB. Wecongratulate the board for their leadership in taking this step. Thiswill not undermine any country's ability to use the existingintellectual property flexibilities enshrined in national andinternational law. The patent pool will save lives by deliveringmuch-needed drugs to those in need around the world."

UNITAID said the spotlight is now firmly on the pharmaceuticalcompanies. "Companies like Gilead and Merck showed real leadershipwithin the industry by speaking positively of the patent pool," saidDiarmaid McDonald, coordinator of the United Kingdom–based Student StopAIDS Campaign, in an online article published Tuesday, December 15, in The Guardian."They must now go beyond words and contribute their patents to thepool. The pressure will be on others within the industry to follow orto explain why they are willing to turn their backs on an initiativewith such huge potential to save lives."

UNITAID, established by Brazil, France, Chile, Norway and the UnitedKingdom, “call[s] on all companies with patents relevant to the pool tocontribute them to the new entity as soon as possible.”

© 2026 Smart + Strong All Rights Reserved.

http://beta.docker.poz.com/article/unitaid-patent-pool-17727-1931