Patents and COVID

What is the issue?

Patents are restricting the access of essential technologies to many countries for providing early and affordable services to counter pandemic.

How patents are threat in combating the pandemic?

- No country is safe till every country is safe and a global threat of this magnitude needs a global thrust to counter it.
- Patents restrict access to essential technologies and reduce the ability of many countries to provide early and affordable services needed for an effective and equitable response.
- This is true not only of vaccines but also of several technologies for testing, treatment, prevention and personal protection.
- There is glaring disparities in access to each of these, at all stages of the pandemic.

Why patents should exist?

- Industries invest a lot of money into discovery and development of innovative products and therefore entitled to earn profits.
- This will also incentivise them to invest in fresh product development.
- It is stated that only certain industries had the expertise and experience to work with complex technologies and deliver products of assured quality and safety.
- These vaccine developers are located in high income countries.
- So they propose the idea of licensing to manufactures in low and middle income countries.

What does licensing imply?

- India supplies over 60% of the vaccines for the universal immunisation programmes for women and children.
- The alternative of licensing to the manufacturers in low and middle income countries is deceitful.
- Vaccine developers contract to large-scale manufacture only to reduce labour costs through cheaper hired help.

- Also the terms of licensing contracts are often obscure, without clarity on level of vaccine access to the country which is making it, level of tiered pricing or the extent of profit sharing.
- Therefore licensing with technology transfer and patent waivers are not mutually exclusive.
- Both can proceed apace and let more manufacturers gear up to protect the world against present or future pandemics.

What was India's approach earlier?

- It must be remembered that India moved from product patenting to process patenting in 1972.
- This gave the Indian pharmaceutical industry a huge boost where generic drugs were manufactured in large scale which helped the world to gain access to essential drugs.
- Cipla providing much needed anti-HIV drugs in Africa reflects the idea of global health equity.
- If India had succumbed to global pressures to protect patent rights, the story of Indian pharmaceutical industry would have been sadly very different.

What are the takeaways?

- It is well established that much of the foundational research that goes into drug and vaccine development in high income countries has been financed by public funding.
- This is done through research grants provided to universities and research laboratories.
- The scientists working in pharmaceutical companies of high income countries were originally educated in low and middle income countries.
- Therefore the world should benefit from collective intellectual collaboration not from restrictive barriers that lock innovation into patent prisons.

Source: Financial Express

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