

UNITAID

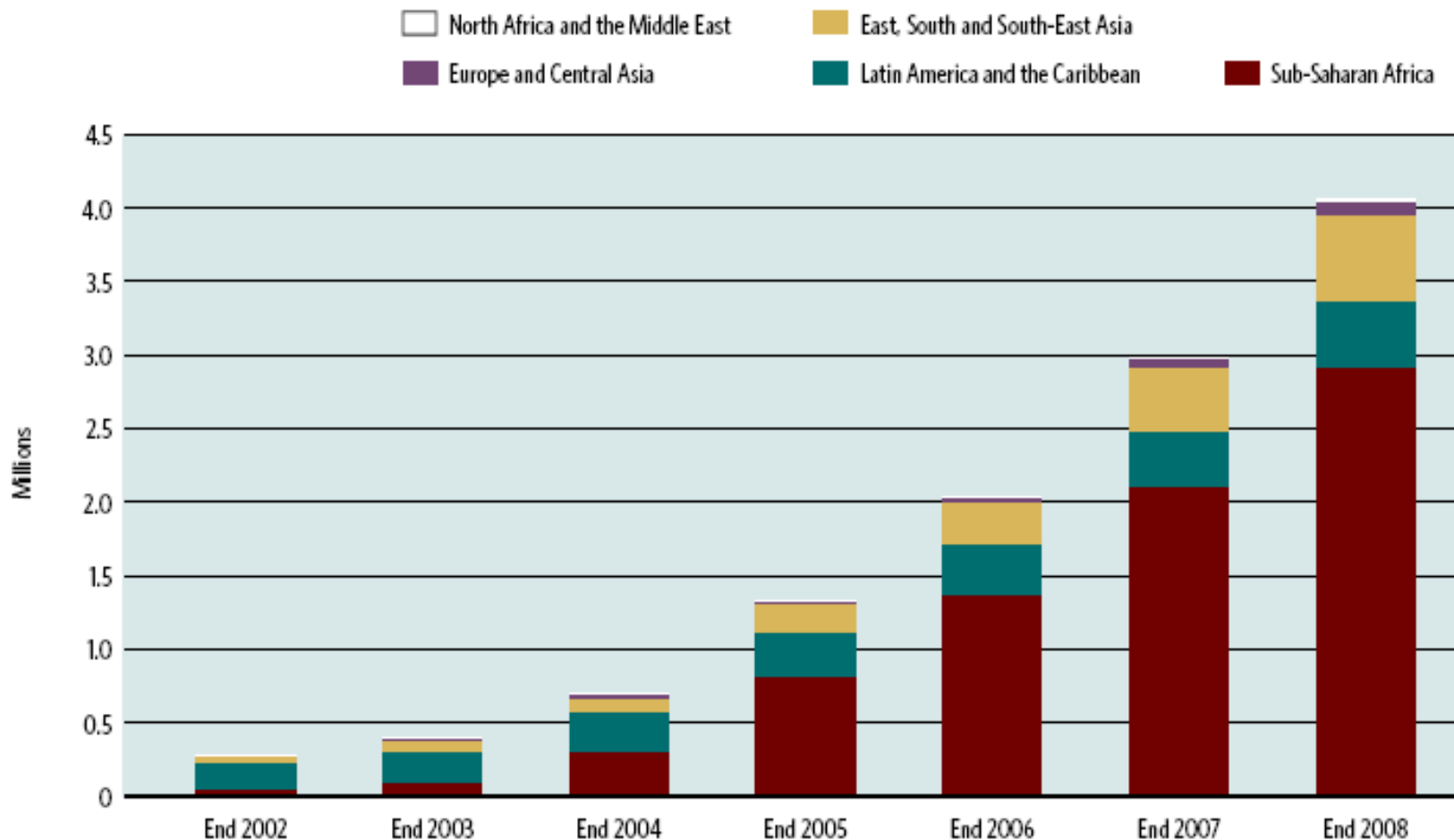
**The HIV/AIDS
Medicines
Patent Pool
Initiative**

**Geneva Health
Forum
19 April '10**

2 February 2010

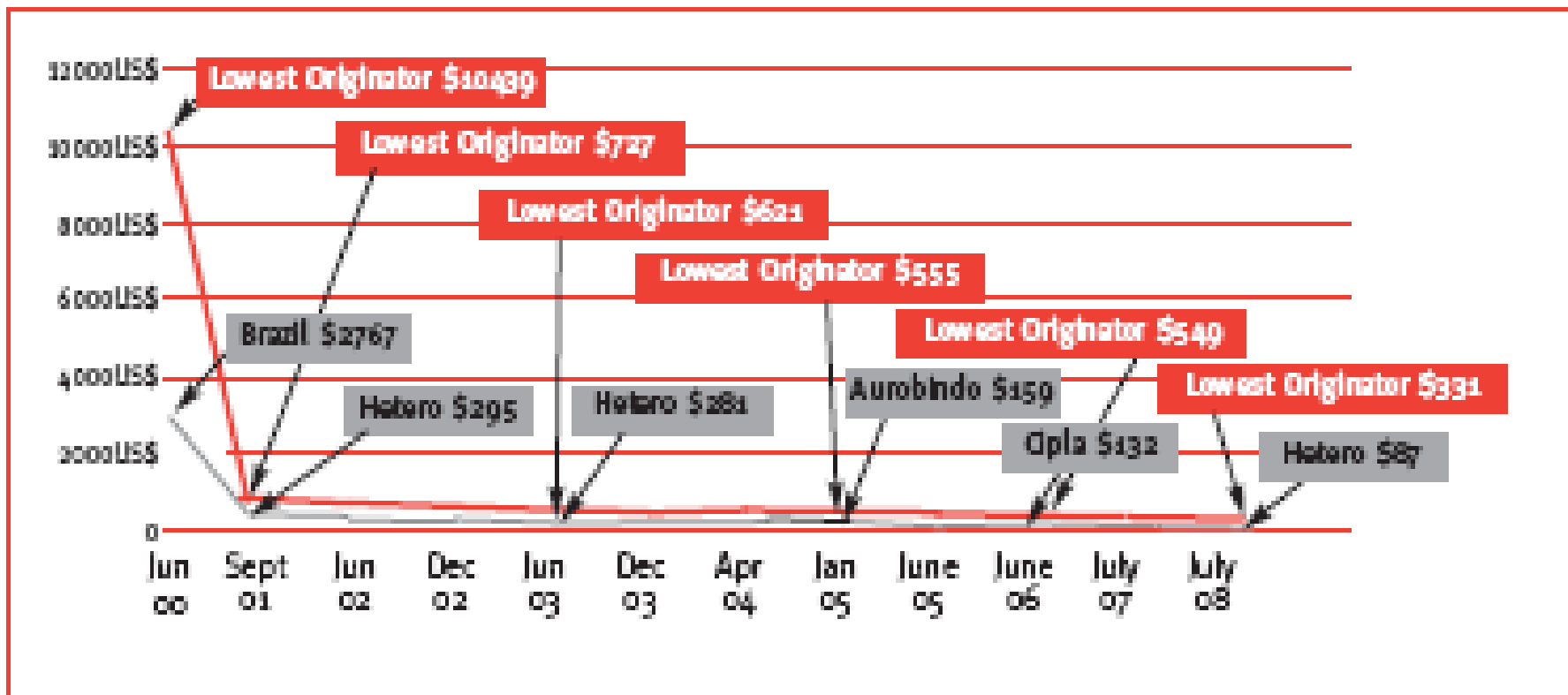


Fig. 4.1. Number of people receiving antiretroviral therapy in low- and middle-income countries, by region, 2002–2008



Source: WHO, UNAIDS, UNICEF. (2009) Towards Universal Access: Scaling up priority HIV/AIDS interventions in the health sector. Progress Report 2009. Geneva: World Health Organization.

Evolution of AIDS Drug Prices: 2000-2008



Source: MSF (2008) Untangling the Web of Antiretroviral Price Reductions. Geneva: MSF.

The Problem

Public health problem:

- WHO recommends
 - Improved (but costlier) antiretroviral (ARV) regimens
 - Earlier initiation of therapy → more people in need
- Growing need for 2nd 3Rd line treatment
- Lack of pediatric formulations
- Lack of formulations for resource poor settings

Policy problem:

- New patent barriers → reduced competition
- Financial crisis → funding flatlined

History of Medicines Patent Pool

2006

**CIPIH 2006
recommendation:**

"Patent pools of upstream technologies may be useful in some circumstances to promote innovation relevant to developing countries."



Proposed to UNITAID to set up a medicines patent pool.

2008

May 2008

WHO Global Strategy and Plan of Action included Voluntary Patent Pools

July 2008

UNITAID Executive Board

Supports the principle of establishing a patent pool and requests the secretariat to undertake all necessary actions for this establishment.

2009

Broad stakeholder consultation

Developed the implementation plan for the medicines patent pool

Ongoing dialogue on terms and conditions

Decision UNITAID Board to fund

Patent Pool Foundation a reality in 2010



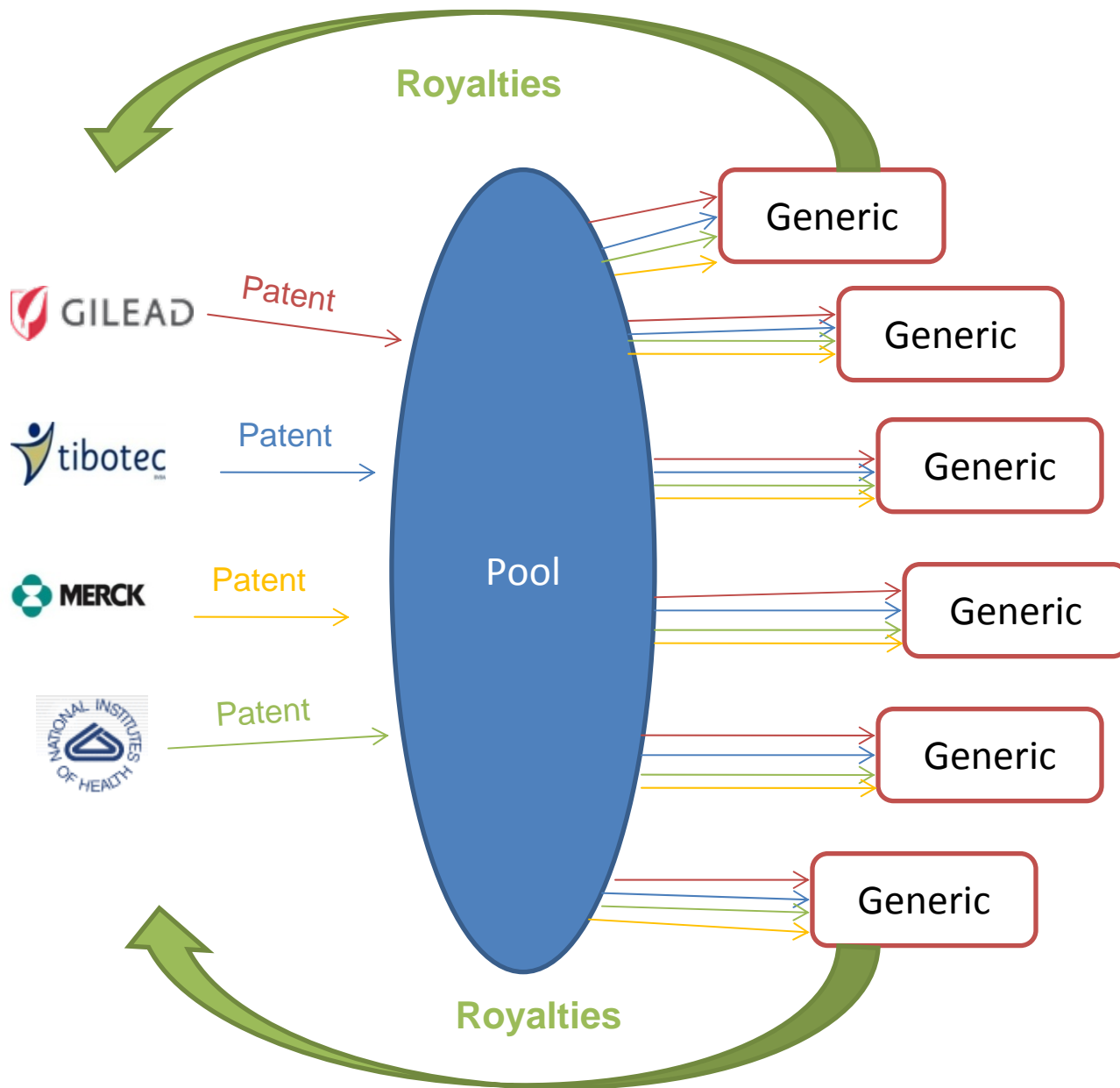
What is a Patent Pool?



Portfolio of patents and other relevant intellectual property held by various actors made available on a non-exclusive basis to third parties, (e.g. generic manufacturers) against the payment of royalties.

→ Patent Pools come in different shapes and forms and are set up for different purposes

→ While we have learned from existing 'standards' pools, the Medicines Patent Pool Initiative is quite different

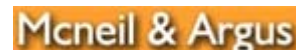


Licensors / Licensee Engagement

10 Patent Holders



>20 Generic Manufacturers



13 Guiding Principles of the Medicines Patent Pool

1. Public health driven
2. Antiretroviral initial focus
3. Voluntary
4. Developing country focus (low & middle income)
5. Price reductions
6. Enable product development
7. Flexible
8. Quality assurance
9. Standardized licenses
10. Non discriminatory licenses
11. Additional / complimentary to existing mechanisms
12. Operate within current Intellectual Property framework
13. Independent entity

How will the Patent Pool help to address impending patent-related access problems?

- Diversifying supply sources to reduce prices
- Expanding generic market size to reduce prices & expand access
- Facilitating the development of improved formulations (e.g. Fixed Dose Combinations (FDCs), pediatric and heat-stable formulations)
- Increasing legal certainty for generic companies and patent-holders
- Reducing transaction costs for licensing agreements (e.g. FDCs)

Will it work?

Yes, if:

- Patent owners and generic manufacturers collaborate
- Global Health Funding remains of sufficient levels to ensure the market

and because:

- if we do not succeed we will be faced with large increase in cost of treatment and risk progress made

Thank You!