

September 30, 2010

Contact: Sara Crager
Phone: 203-444-4805
Email: sara.crager@yale.edu

For Immediate Release

NIH Acts on Commitment to Global Access Licensing by Licensing Patents to Medicines Patent Pool

Universities and Companies Must Take Action to Improve Access to Medicines

Berkeley – The National Institutes of Health and the UNITAID-supported Medicines Patent Pool today announced the licensing of a patent related to the HIV/AIDS medicine darunavir, following through on NIH and Obama administration commitments to manage patents in ways that will improve access to affordable medicines in poor countries. Universities Allied for Essential Medicines (UAEM) and other access to medicines groups asked Obama to ensure medicines discovered with public funding would be available for low-cost production in poor countries, which the administration codified in its plan to combat global HIV/AIDS.¹ Years of UAEM campaigning also recently led NIH, University of Illinois at Chicago, a co-discoverer of the licensed patent, and major universities such as Harvard and Yale to agree to use patenting and licensing of their discoveries to improve affordable access.²

“Though we must continue to fight for funding for universal access to HIV/AIDS treatment, NIH Director Dr. Collins and the Obama administration deserve a great deal of credit for taking this important step,” said Ethan Guillen, Executive Director of UAEM. “They send an important signal that universities and government must be leaders in ensuring that patents do not block access to lifesaving medicines in the countries where they are needed most.”

Other patent holders, such as Tibotec (owned by Johnson & Johnson), Merck, Abbott, Boehringer Ingelheim, Bristol-Myers Squibb, Roche, ViiV and Emory University and Gilead Sciences, should also license their patents to the Patent Pool in order to enable the production of low-cost generic medicines for use in developing countries. While access to additional patents will be needed to produce and sell darunavir, on the whole, universities and public institutions like NIH are key drivers for innovative HIV/AIDS medicines. Between 1987 and 2007, fully 10 out of 30 HIV/AIDS treatments have had university patents.³

UAEM lauds the NIH for specifying all low- and middle-income countries as potential beneficiaries of the license, including countries such as Brazil, India and China where the

¹ “President-elect Barack Obama and Vice President-elect Joe Biden also support the adoption of humanitarian licensing policies that ensure medications developed with U.S. taxpayer dollars are available off-patent in developing countries.” http://change.gov/pages/the_obama_biden_plan_to_combat_global_hiv_aids

² <http://pubs.acs.org/cen/news/87/i46/8746notw5.html>,
<http://www.bloomberg.com/apps/news?pid=newsarchive&sid=aa23AHBWnxew>

³ <http://jama.ama-assn.org/cgi/reprint/298/16/1934.pdf>



vast majority of the world's poor still live. The NIH is sending a strong signal to universities and public institutions as well as private companies worldwide that they must live up to their missions and contribute to improved global health. Universities who have not yet adopted global access licensing policies such as the University of California, a major holder of medicine patents, must take action to ensure their patents don't act as a barrier to affordable medicine in developing countries. Furthermore, universities should license their medicines-related patents to the Pool, and should follow the precedent set by the NIH in agreeing to equitable and transparent licensing terms.

In 2009, UAEM held a major conference on the patent pool which included participants from nearly all holders of patents needed by the Medicines Patent Pool.

It is hoped that the Patent Pool will facilitate access to treatment for HIV/AIDS by creating a one-stop shop from which qualified generic manufacturers will be able to get the intellectual property needed to make affordable generics for use in developing countries.

###

About UAEM

Universities Allied for Essential Medicines (UAEM) is a coalition of students at over 60 top research institutions across the United States, Canada, Germany, the United Kingdom and most recently Brazil. UAEM's mission is to promote access to medicines for people in developing countries by changing norms and practices around university patenting and licensing, ensuring that university medical research meets the needs of the majority of the world's population, and by empowering students to respond to the access and innovation crisis.