

**“Waiving vaccine patents would not solve the challenge of mass production, but would threaten future innovation”**

Following the announcement that the United States government supports the proposed waiving of patent rights for COVID-19 vaccines and the positions expressed since then by a number of EU officials, Leem, the French Pharmaceutical Companies Association, would like to take this opportunity of reasserting its position.

Since the crisis broke, the pharmaceutical industry has worked tirelessly to research, develop, produce and provide vaccines and treatments to combat the COVID-19 pandemic.

*“The top priority for pharmaceutical companies is to eradicate this worldwide calamity as quickly as possible. Doing so requires the rapid availability of vaccines on nothing less than a global scale. And despite the exceptional achievement of developing vaccines in less than one year and manufacturing billions of doses equally quickly - without compromising at any stage on the quality or efficacy of the products delivered - this ambition remains a major challenge, and one to which we have committed all our resources. Faced with this challenge, waiving patent rights would be absolutely the wrong lever to pull”*, says Leem Chairman Frédéric Collet.

Production capacities are already fully committed, and pharmaceutical companies have put in place an unprecedented number of manufacturing agreements and partnerships with competitors to ensure maximum access to vaccines right around the world (275 partnerships to date<sup>1</sup>). But real obstacles are neither economic nor legal; they are technological and logistical. Biotechnologies are highly innovative, but are not easily transferable: every manufacturing facility needs highly qualified technicians and state-of-the-art equipment (bioreactors, centrifuges, cold rooms, etc.) that meet demanding regulatory standards of safety and performance. Added to which, the logistical issues around dealing with supply shortages in raw materials are real, and introduce a further bottleneck to the system.

In all probability, the waiving of patent rights would jeopardise not only the availability, but also the safety, of vaccines administered to the global population. For example, it has the potential of opening the door for counterfeit vaccines to enter the global supply chain. Vaccines are products that must meet exceptionally high quality standards. These standards guarantee that we can put our trust in the treatments we receive, which is absolutely non-negotiable in the case of vaccines.

It would have been impossible to develop these vaccines so quickly without a legal and regulatory framework in place to protect intellectual property and stimulate innovation.

If approved by the WTO, this measure would therefore have the effect of making it even more difficult to defeat the coronavirus, at the same time as posing a serious threat to research into new variants and future pandemics.

*“What message would such a decision send to an industry that has delivered such an exemplary response to a completely unprecedented crisis?”*, asks Frédéric Collet.

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<sup>1</sup> [https://www.ifpma.org/wp-content/uploads/2021/03/IFPMA\\_Industries-collaborations-on-COVID-vaccines-and-therapeutics-30.03.2021-2.pdf](https://www.ifpma.org/wp-content/uploads/2021/03/IFPMA_Industries-collaborations-on-COVID-vaccines-and-therapeutics-30.03.2021-2.pdf)

The purpose of intellectual property rights is to support and promote innovation: removing the former would inevitably undermine the latter.

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