

Roger Kuan in Life Sciences IP Review: ‘Is Big Pharma’s Antidote to the COVID-19 Waiver a Viable Alternative?’

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Haynes Boone Partner Roger Kuan talked with *Life Sciences IP Review* for an article about IP issues related to pharmaceutical companies’ efforts to provide more equitable access to COVID-19 vaccines and therapeutics.

Below is an excerpt:

In May, a consortium of pharmaceutical companies came together to pitch a new plan to help provide more equitable access to COVID-19 vaccines.

The ‘five steps’ plan saw PhRMA, ABPI, BIO, EFPIA, ICBA, IFPMA and Vaccines Europe pledge to: step up dose sharing, continue to optimize production, call out trade barriers to be eliminated, support country readiness and drive further innovation.

The plan mainly focuses on pharmaceutical companies scaling up their efforts through the COVID-19 Vaccines Global Access (COVAX) scheme. It also commits to ‘calling out’ trade barriers to be eliminated, and aims to work with governments and suppliers to ensure countries can increase their vaccination efforts. . .

This commitment was revealed shortly after the US government announced that it would be backing the proposed COVID-19 IP waiver, currently pending before the World Trade Organisation (WTO). As it stands, the waiver is a hard sell for many. But, if certain provisions of the waiver were altered, then it could benefit generic vaccines and therapeutics manufacturers, says Roger Kuan, partner at Haynes Boone.

“As long as the waiver is limited to just three years, as it currently stands, it’s unlikely that it will do any significant long-term damage to IP protection for treatments moving forward,” Kuan said.

“This calculus would change if the TRIPS waiver was extended out past three years as that could incentivize governments, companies or private investors to commit the capital necessary to start new ‘generics’ therapeutics manufacturing plants to compete with branded therapeutics manufacturers.”

To read the full article, click [here](#).