



The IP regime is worsening the Pandemic

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Science is succeeding. Management of Science is failing

Our systems of management of knowledge and health are weak and counterproductive. In fact—probably best described as both unjust and incompetent.

Suboptimality in four areas

1. Patent protection and hoarding of knowhow for advanced technology.
2. Vaccine grabs by rich countries.
3. Differential treatment of vaccines by global authorities.
4. Use of vaccine distribution for shows of soft power.

Patent rights and knowhow

1. Protection of patent rights: very clear from the outset that it was hindering fight against Covid—from n-95 masks to access to treatments like Remdesivir etc. (it is not only a vaccine issue).
2. Original call last year for CTAP--Rebuffed despite widespread support. It is hard to imagine why this should be the case—such technologies for public health have massive spillover benefits.
3. Fear was making an exception in this case might be the thin end of a wedge that would ultimately lead to the collapse of rules to defend intellectual property.

Patent rights and knowhow: vaccines

1. Many companies received significant subsidies for vaccines—estimates range from 100 billion overall (-<https://healthpolicy-watch.news/81038-2/>) and in some cases, the entire cost (Moderna and J & J).
2. AstraZeneca vaccine, viable for developing country use was developed by a publicly funded lab at Oxford University
3. Case for IP blocking collapses in those cases
4. Argument has shifted to productive capacities
 1. Productive capacity did not exist 8 months ago in developed countries
 2. An enlightened policy would have transferred knowhow even before final regulatory approval to accelerate production.
 3. Estimate of 3-4 months for scaling up factories—even now, current attempts at expansion being limited.

Vaccine grab

1. Predictable Vaccine grab
2. Gavi/Covax undercut by more lucrative bilateral agreements with developed countries
 1. 14% of the world's population, had placed orders for around 85% of the estimated entire production for 2021.
 2. More than 170 countries with a collective population of 2.5 billion haven't received a single shot.
3. No AMC for non-western vaccines—missed opportunity?
4. Delays in vaccinating the world as a result will cost millions of lives. This is not just a developing country problem. Consider Manaus and possible undoing of vaccine effectiveness

Vaccine diplomacy

1. WHO's approval process is heavily skewed in favour of vaccines developed in the rich countries.
2. Producers using vaccine export as shows of soft power.
3. International rivalries coming in the way of ramped up production and distribution

Some ways forward

1. Global moratorium on IP on monopoly control over vaccine tech.
2. If countries issue compulsory licenses, ensure that technological knowhow is part of that
3. WHO working with developing countries to work out regulatory approval tracks
4. widespread global acceleration of manufacturing capacity and more flexible regulatory approvals (such as were allowed for developed economies). Defense production act example with Merck and J &J
5. Otherwise pandemic lasts longer, gets more dangerous and huge economic, social and health costs.