

Technical Symposium on Access to Medicines: Pricing and Procurement Practices
Geneva, July 16, 2010

Francis Gurry, WIPO Director General

A very good morning to you all. I join Margaret in welcoming the coherence of participation that we see here at WTO as well as at WIPO and WHO.

Let me say how much WIPO values the cooperation that exists between our three Organizations – the World Trade Organization (WTO), the World Health Organization (WHO), the World Intellectual Property Organization (WIPO) – on this question which, I believe, lies at the heart of the politics of health, at the heart of the politics of innovation and at the heart of politics of trade, namely, access to medicines.

As Thomas More recognized several centuries ago in Utopia, without health everything else in life is without value. It is not surprising, then, that access to medicines that maintain or restore health is a question that excites a great deal of policy attention.

We owe a debt of gratitude to Pascal Lamy for the enhanced cooperation that exists between our three institutions. If I am not mistaken, I believe it was at the beginning of last year or at the end of 2008 that Pascal invited Margaret and me to join him in a discussion on how our three institutions could join together and how we could, in bringing three different perspectives to essentially the same subject matter, arrive at clearer focus and a more complete vision of the subject matter itself.

Let me affirm what both Pascal and Margaret have said to be the objective of both this event and of the enhanced cooperation between our three institutions. That is to provide an empirical basis, or a better empirical basis, for the policy-making process, and thus to contribute to a high-integrity policy-making process. I think we are all well placed as institutions to be able to contribute to a better knowledge base for these processes.

I am not going to enter into the details of today's subject matter. I am going to leave that to the experts whose presence I welcome and whom I thank for being here. I just want to make several general remarks about innovation and intellectual property.

Innovation and intellectual property, and indeed WIPO, have fundamental roles to play in this area. It is a truism, of course, that any new medicines will come from innovation. So we need to find a way of encouraging innovation, encouraging innovation not only in the sense of development of new inventions, or medicines, but also in the sense of providing a framework for bringing new inventions or new medicines from the early stage right through a very complex process to a marketed product.

Encouraging intellectual property plays a very important role in this regard. But we also know that there is no point in having new medicines unless they can benefit those who need them. And so there is the question of balance, which I think lies at the heart of all of

intellectual property, whether we are talking about cultural creations or new medicines, a balance between, on the one hand, the incentive to create and, on other hand, the diffusion of the social benefit of the innovation or the new creation. Or a balance, otherwise said, between producers and consumers, whether they be individual producers and consumers, or country producers and country consumers.

This balance is an extremely complex matter and many things enter into the picture, including pricing and procurement policies. There is no simple legislative fix, which is not to say that legislation does not have a role. But there is a vast area of practical cooperation, which is very important in the achievement of this balance between creation, on the one hand, and diffusion of the social benefit of creation, on the other hand.

Let me point very briefly to several of the practical factors that operate in this field, particularly as regards the World Intellectual Property Organization (WIPO).

First of all, we have a need for better knowledge tools, or information tools, and knowledge infrastructure. I would point in this regard to our own tool that we continue to develop, PATENTSCOPE, which has a coverage now of nearly 4 million patent applications. We need to have the capacity to be able to create, rather simply, for policy makers, patent landscapes which show where there are rights in relation to knowledge, and medicines. PATENTSCOPE is becoming a very well respected instrument which is user friendly. And you will see it improve further in the course of this year and in the course of the coming years. It will also have some interesting linguistic features, because we have to be aware, in today's world, that nearly one third of new technology is being produced in Chinese, Japanese and Korean. In order to create a truly global picture of knowledge rights and the role that they may play in respect of access to medicines, we need to be able to navigate in this increasingly diverse linguistic landscape.

Secondly, there is great scope for practical platforms, particularly between the public sector and the private sector. We have seen many of these deployed in the course of the last ten years to significant advantage. Such platforms can help compensate for market failure. Where there are no markets, it is necessary to develop platforms and compensate for their absence – neglected tropical diseases being one very obvious and significant example. The experiments that have gone on have been productive, but we need to work further on the development of these public-private partnerships. Platforms can also be very important vehicles for improving the functioning of markets, and for transparency to technology markets. We have a number of projects in this regard at WIPO, again between the public and private sectors which I think can help. Finally, platforms themselves can provide important vehicles for improving access. This is at the heart of what we will be talking about today.

Once again, I thank Pascal Lamy for the initiative of this event today and for instigating the enhanced cooperation between our three institutions, and I thank both Pascal and Margaret for this very good cooperation.

Thank you.