

Standing Committee on the Law of Patents

Sixteenth Session

Geneva, May 16 to 20, 2011

ACCREDITATION OF OBSERVERS

Document prepared by the Secretariat

1. The Standing Committee on the Law of Patents (SCP), at its first session held in Geneva from June 15 to 19, 1998, approved certain organizational and procedural matters, including according observer status to a number of interested intergovernmental and non-governmental organizations (see document SCP/1/2, paragraph 6).
2. The Annex to this document contains information on the Medicines Patent Pool, a non-governmental organization, which has requested to be granted *ad hoc* observer status in the sessions of the SCP.
3. *The SCP is invited to take a decision on the request for accreditation of the non-governmental organization referred to in the present document as an observer.*

[Annex follows]

The Medicines Patent Pool

Name of the Organization

Medicines Patent Pool

Mandate and Objectives of the Organization

The Medicines Patent Pool ("The Pool") is an independent, not-for-profit foundation within the meaning of Art. 80 et seq. of the Swiss Civil Code and was created in Geneva on 16 July 2010. The Foundation was established with the support of UNITAID.

The purpose of the Foundation is to improve health by providing patients in low- and middle-income countries with increased access to quality, safe, efficacious, more appropriate and more affordable health products, through a voluntary patent pool mechanism, in the area of antiretroviral pharmaceutical products, pediatric antiretroviral products and new fixed dose combinations.

The Pool pursues its mission by negotiating with patent holders to share their intellectual property with the Pool, and then licensing it to other producers to facilitate the production of affordable generic medicines well-adapted for use in resource-poor settings. The Pool secured its first licence, with the US National Institutes of Health, in September 2010. The licence covers a series of patents related to the HIV medicine darunavir.

The Pool is an innovative 'one-stop shop' for patent holders, manufacturers of generic drugs or other organisations interested in engaging in research and development. With the patent pool model, multiple patents are 'pooled' and licensed out by one entity, in order to cut down on transaction costs for all parties involved. In the case of medicines, this allows more affordable and more adapted versions of patented drugs to be produced as generics, long before their 20-year patent terms run out.

In addition to reducing the prices of medicines, the Pool aims to facilitate the development of HIV medicines that are better-adapted for resource-limited settings: examples include medicines that do not require refrigeration, special formulations for children, and 'fixed-dose combinations' that combine multiple medicines into one pill and ease treatment for patients and treatment providers alike.

The Pool is a win-win-win model, whereby patent holders are compensated for sharing their patents, generic manufacturers gain access to markets, and patients benefit more swiftly from appropriate and adapted medicines at more affordable prices.

The Pool has benefitted from its close collaboration with the World Intellectual Property Organization and a wide range of national and regional patent offices to collect information on the patent status of key HIV medicines. In April 2011, the Patent Status Database on Selected HIV Medicines, was launched and is available at:

<http://www.medicinespatentpool.org/LICENSING/Patent-Status-of-ARVs>

Organization Representatives

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