



## Webinar

# Extending monopolies: Evidence from Brazil and Europe on the impact on innovation and access to medicines

Julia Paranhos, Ellen 't Hoen

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### Q&A Session with the Participants

**16:02:36**

From Global Health Centre Research, Graduate Institute Geneva: Hello everyone, thank you for joining the webinar. You can use the chat to type in comments and questions. Please select the option to send to “all panelists and attendees”. This is not set by default, you have to manually select this option. Thank you!

**16:03:45**

From Global Health Centre Research, Graduate Institute Geneva: The webinar is being recorded and the recording, presentations and related materials will be available shortly at the Knowledge Portal on Innovation and Access to Medicines [www.knowledgeportalia.org](http://www.knowledgeportalia.org)

**16:07:13**

From Suerie Moon: Welcome to Dr. Paranhos' co-authors on this study, Prof. Hasenclever and Eduardo Mercadante

**16:12:41**

From Valentina Lombardo: Can you also share the link to the executive summary of Dr. Paranhos' and co-authors' study here?

**16:15:20**

From Global Health Centre Research, Graduate Institute Geneva: Links to the studies: Paranhos et al.

<https://drive.google.com/file/d/13jviVvVvMcsagACpcnVTEDT2WdxSJKA7/view>

**16:16:43**

From Global Health Centre Research, Graduate Institute Geneva: 'T Hoen et al.  
<https://medicineslawandpolicy.org/useful-resources/briefs/>

**16:17:29**

From Reinhard Huss: Should there be another question: Are there better alternatives than extended patents to incentive innovations such as prize funds?

**16:18:44**

From Aleksandr Belinskiy: Dr. Paranhos, what is an average "life" of pharma, from the date of a drug approval in Brazil, to the "final" expiration of patents, including, patent term extensions?

**16:21:04**

From Aleksandr Belinskiy: What is public source of a public extensions (patent expire) for a particular patent in Brazil?

**16:28:19**

From Global Health Centre Research, Graduate Institute Geneva: @Aleksandr Belinskiy, the Brazilian Patent Office - INPI has a database in which it is possible to see the information on a given patent, including the date of filing and date of grant (if granted), the patent document includes the date of expiration. <https://gru.inpi.gov.br/pePI/jsp/patentes/PatenteSearchBasico.jsp> or the main page <https://www.gov.br/inpi/pt-br>

**16:37:44**

From Philippe Carteron de Balmont: National Reimbursement systems should refuse orphanized products - We all know many examples.

**16:40:30**

From susan adong: we in low-income countries could have never afforded ARVs without it be heavily subsidized by global partners and distributed free of charge. essential drugs for malaria still cost a bit even though it is also subsidized.

**16:40:42**

From Philippe Carteron de Balmont: Even when Monopoly stops, we see new companies fighting on everything except price - ex Fabry Disease.

**16:41:29**

From Reinhard Huss: Does the more and longer monopolies (as better) in the EU indicate the successful lobbying efforts of the pharmaceutical industry?

**16:42:38**

From Olena Wagner: Do our panelists have any suggestions for alternative solutions for both the industry and public health institutions? Thank you.

**16:44:30**

From Shreemanta K Parida: If this is the scenario in Brazil, how will they fast-track if there is a vaccine against SARS-CoV-2 against COVID-19?

**16:44:58**

From Carlos Passarelli: Brazil used to have a mechanism to allow participation of the health sector (ANVISA) in the process of granting patents. - previous consent. I have the impression that it was never effectively implemented. What is the status quo of this mechanism?

**16:47:21**

From Reinhard Huss: Could the EU policies on patents be better described as interest-based policies to assist the shareholders of the pharmaceutical companies?

**16:48:46**

From Piergiuseppe Pusceddu: TRIPS-plus provisions clashes with access to generic medicines. These provisions are however embedded into a dense network of Free Trade Agreements, which create a legal impediment. The situation cannot be undone easily, or in a short time. Which maybe a way around? Thank you, Piergiuseppe.

**16:50:32**

From Krisantha Weerasuriya: Is it time for a Reset of Medicines Regulation? The primary objective of Medicines Regulation is to serve Public Health. Incentives to the Pharmaceutical Industry does not come within this Primary Objective. Regulations in many specific situations pose an obstacle race to serving Public Health and the presentations (and the discussions that are following) demonstrate this obstacle race. Is there possibility of a “Kill Switch - Nuclear Option” brought on the basis of National Sovereignty, where based on the Public Health Need, medicine can be registered by a Medicines Regulatory Authority on the evidence submitted? There would be no “perhaps a success, maybe could do better” – it would be definitely serve Public Health Needs which is the original object of Medicines Regulations.

**16:51:31**

From Aleksandr Belinskiy: Dr. 't Hoen, in average, how many years in Europe, pharmaceutical companies enjoy exclusion of generic competition, from the date of the product approval (taking all type of patent, SPC, DE, market, etc. exclusivities)?

**16:53:21**

From Valentina Lombardo: A group of Brazilian parliamentarians is currently trying to push forward a reform of Brazilian patent law aiming to facilitate the resort to Compulsory license in the event of national/international health emergency (PL 1462/2020)

**16:54:12**

From Eddy Beck: Most companies have an aim to become a monopoly provides - increased competition is mentioned to avoid this problem - however recently several generics companies were found to have created cartels to fix prices - how can the latter be avoided?

**16:54:23**

From Eloan Pinheiro: Do you have a proposal more objective to put public health needs over the market profit issues.

**16:54:51**

From Krisantha Weerasuriya: Include the Nuclear Option/Kill Switch in the legislation? Brazil would be the first and go, go.

**16:57:04**

From Aleksandr Belinskiy: Dr. Paranhos, have you published an table with expiration date (patent terms) of patents for major drugs which you used in your research?

**16:59:15**

From Gabriela Chaves: You might be interested in this study “Medicines under Exclusivity Situation funded by the Ministry of Health: Analysis of the Patent Situation and Public Procurement”, which has information on patents for major drugs in Brazil: <https://accessibsa.org/media/2019/08/Medicines-under-Exclusivity-Situation-funded-by-the-Ministry-of-Health.pdf> and supplemental file: [https://accessibsa.org/media/2019/08/Supplemental-File\\_Summary-of-patent-information-by-active-ingredient-Chaves-et.-al-Fiocruz.pdf](https://accessibsa.org/media/2019/08/Supplemental-File_Summary-of-patent-information-by-active-ingredient-Chaves-et.-al-Fiocruz.pdf)

**16:59:25**

From Shreemanta K Parida: Thanks Ellen for that bold concluding comment! You are absolutely right!

**17:00:05**

From Aleksandr Belinskiy: Thank you for an excellent and informative webinar!

**17:01:17**

From Valeria Taborga: Thank you for a very interesting and updated webinar!! Great panelists!

**17:01:33**

From Reinhard Huss: Thank you for the excellent webinar, moderation and presenters.

**17:01:40**

From Tessa Jager: Thank you very much for the clear and informative presentations!

**17:02:12**

From Eloan Pinheiro: Congratulations for this panel, however we continue with the same problems.