



Equitable licensing:
Medical Research in the
Public Interest

BUKO
Pharma-Kampagne

CHARITÉ
UNIVERSITÄTSMEDIZIN BERLIN
Institut für Sozialmedizin,
Epidemiologie und Gesundheitsökonomie

ZERP
ZENTRUM FÜR
EUROPÄISCHE RECHTSPOLITIK
AN DER UNIVERSITÄT BREMEN

Conference Equitable licensing of medical research results

Thursday 23 April and Friday 24 April 2009

Institut für Pathologie

Charité - Universitätsmedizin Berlin

Charitéplatz 1, 10117 Berlin, Germany

Publicly-funded research plays a key role in the development of new medicines. Globally, more than 40% of pharmaceutical research and development (R&D) is funded through public money. New medicines are often produced under patent protection. This becomes a highly controversial issue when these patents were acquired through publicly-funded basic research. Patent-protected medicines are effectively more expensive, which limits access to affordable medicines in developing countries. This may also stand in stark contradiction to the responsibility of governments in the support of global health.

The model of *equitable and social licensing* was developed to tailor specific licenses for the transfer of publicly-funded research results to private industry, while at the same time increasing patient access to affordable medicines in developing countries. In Germany, however, the *Verwertungsinitiative* (Initiative for an Improved Exploitation of University Patents) of the German Federal Ministry for Education and Research (BMBF) sets its focus solely on commercialising research results. In addition, equitable and social licensing is still a non-issue at the German Universities' Technology Transfer Offices (*Patentverwertungsagenturen*).

With a particular focus on research results relevant for public health in developing countries, the aim of the conference is to:

1. provide a critical analysis of the policies and practices of patenting research results at universities and other publicly funded research institutions in Germany
2. initiate a discussion about equitable licensing in Germany
3. map the groundwork for future activities of German stakeholders involved in this field.

The conference proceedings will be held in English.

To register, complete the attached registration form and email to conference@med4all.org by April 14th 2009.

No registration fee required. Sponsored by VolkswagenStiftung



Further information: www.med4all.org

	Thursday, April 23rd 2009
	Patenting: Overview and where do we stand now!
13.00 – 13.15	Introduction <ul style="list-style-type: none"> • Christian Wagner-Ahlf, Project Coordinator
13.15 – 13.20	Welcome address <ul style="list-style-type: none"> • Christoph Krukenkamp, Faculty Business Director Charité - Universitätsmedizin Berlin
13.20 – 13.30	Welcome address <ul style="list-style-type: none"> • Stefan N. Willich, Director Institute of Social Medicine, Epidemiology and Health Economics Charité - Universitätsmedizin Berlin
13.30 – 14.00	Keynote address Equitable licensing: the need for a new concept <ul style="list-style-type: none"> • Ellen 't Hoen, UNITAID Senior Advisor on Intellectual Property Geneva <p>What is the current intellectual property discussion in regards to publicly funded medical research; what are the needs, what are the obstacles, what perspectives do we have?</p>

	Thursday, April 23rd 2009
	<p>Introduction: Patenting Practice</p> <p>Chair: Christian Wagner-Ahlfs, BUKO Pharma-Kampagne</p>
14.00 – 14.15	<p>Bringing charitable aims into practice</p> <ul style="list-style-type: none"> • Christian Stein, Executive Director Ascenion, München <p>The <i>Patentverwertungsinitiative</i> (Initiative for an Improved Exploitation of University Patents) from 2001 has brought a substantial change in commercialising publicly-funded research in Germany. However, the question of public responsibility has been raised only very recently. Major international research funding organisations now push for “charitable aims”.</p> <p>First experiences with re-shaping research-industry relations towards “charitable aims” will be presented and the pitfalls identified. Ascenion is one of the leading German technology transfer institutions working for public research institutions.</p>
14.15 – 14.30	<p>Setting the scene: Why do we have to talk about patents and access to medicine?</p> <ul style="list-style-type: none"> • Frank Schmiedchen, Governmental Director - Industry Policy, Intellectual Property Rights, Globalisation, Federal Ministry for Economic Cooperation & Development, Berlin <p>Developing countries have nearly 80 percent of the world population, but represent only 20 percent of the world’s pharmaceutical market. Poverty eradication and health improvement is high on the agenda of the German government.</p> <p>What are the discussions within the German government, especially within the Federal Ministry for Economic Cooperation & Development and the Federal Ministry of Education and Research?</p>
14.30 – 14.45	<p>Is Bayh-Dole good for developing countries? Lessons from the US Experience</p> <ul style="list-style-type: none"> • Anthony So, Director Global Health and Technology Access Duke University <p>Many countries have laws promoting the patenting of publicly-funded research. These initiatives are often modelled on the United States Bayh-Dole Act of 1980. But does exclusive licensing create incentives to commercialise inventions? Analysing the experience of 29 years Bayh-Dole, many dreams seem not to have become reality. How can funders, universities and companies improve innovation and access for people in developing countries through the strategic use of intellectual property?</p>
14.45 – 15.30	<p>Discussion: Relationship between patents and access to medicine - Where do we see problems?</p>
15.30 – 16.00	<p>Break</p>

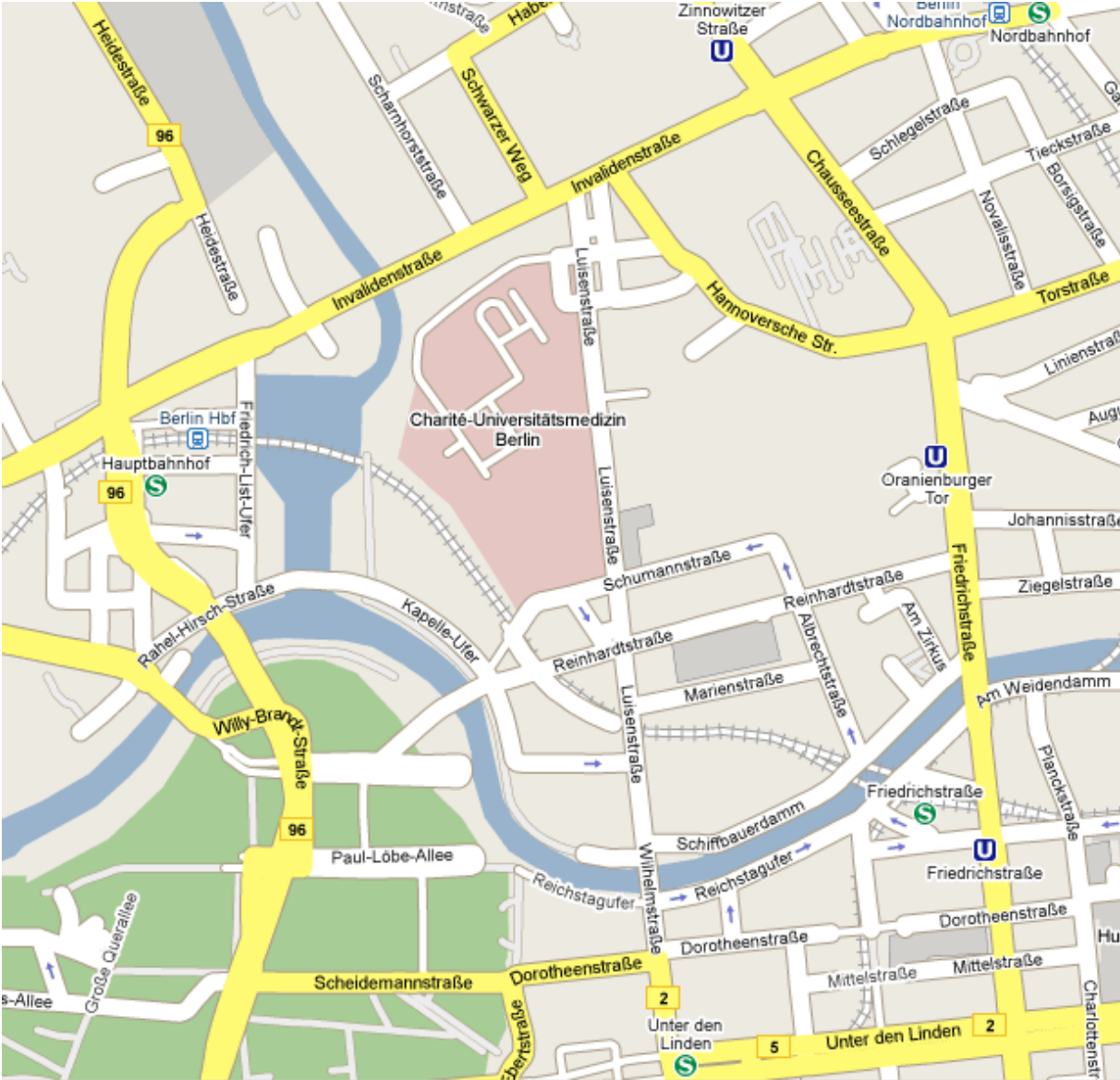
	Thursday, April 23rd 2009
	<p>Learning from Experience: Case Studies & Good Practice</p> <p>Chair: Christine Godt, ZERP University Bremen</p>
16.00 – 16.15	<p>Using academic licensing agreements to promote global social responsibility</p> <ul style="list-style-type: none"> • Ashley Stevens, Executive Director Technology Transfer Boston University <p>Academic institutions discover and patent a significant number of drugs and vaccines, so the terms under which they are licensed will determine their availability in developing countries. A number of different approaches to ensure global access can be used. All of these are simple to reduce to contractual terms, so that including global access protection becomes just another element of the university's business negotiations with prospective licensees.</p> <p>Stevens will identify these approaches and present model contract language.</p>
16.15 – 16.30	<p>Negotiating equitable licenses with the pharmaceutical industry</p> <ul style="list-style-type: none"> • Geertrui Van Overwalle Center for Intellectual Property Rights University of Leuven <p>The University of Leuven has been active in both opposing a patent where researchers felt it was hindering scientific research (“Myriad”) and in finding workable solutions for technology transfer with equitable premises from the academic into the real-world realm. Prof. Overwalle serves as an advisor in these processes and will reflect about her observations with regard to useful and less useful strategies.</p>
16.30 – 17.00	Discussion
17.00 – 17.15	<p>Open source drug discovery in India: A niche or a new model?</p> <ul style="list-style-type: none"> • Amit Sen Gupta Delhi Science Forum India <p>India plays an emerging role in global pharmaceutical market. However, the country is also faced with extreme contrasts between excellent scientists and expanding industrial activities on the one hand, and insufficient medical treatment for notable parts of the population on the other hand.</p> <p>How can a country in transition face this situation? One approach has been initiating the “Open Source Drug Discovery Initiative”.</p>

	Thursday, April 23rd 2009
17.15 – 17.30	<p>The Philadelphia Consensus Statement</p> <ul style="list-style-type: none"> • Ethan Guillen, Executive Director Universities Allied for Essential Medicines Cambridge <p>The Philadelphia Consensus Statement was initiated by leading scientists and Nobel laureates, and asks universities to include social responsibility in their guiding principles. Universities Allied for Essential Medicines is a US-based student initiative that has spearheaded the debate within this issue since its inception. How can universities find a way back to science in the public interest?</p>
17.30 – 18.00	Discussion
18.30	Social Event

	<p>Friday, April 24th 2009</p>
	<p>The academic situation in Germany. Putting research into practice. Difficulties and success in Germany & Europe</p> <p>Chair: Wolfgang Wodarg, Member of German Parliament</p>
09.00 – 09.15	<p>The application of research results from academia: a scientist's experience</p> <ul style="list-style-type: none"> • Stefan Kaufmann, Director Max-Planck-Institute for Infectious Biology Berlin <p>Researchers want their results to be used. Particular obstacles arise in research areas in diseases predominantly prevalent in resource-poor countries. What is needed to bring results from the laboratory bench to the patient bed?</p>
09.15 – 09.30	<p>Obstacles for academics in the application of their research results</p> <ul style="list-style-type: none"> • Ulrich Dirnagl, Director Department of Experimental Neurology Charite-Universitätsmedizin Berlin <p>Researchers rely on others to bring their innovations to the people, especially to conduct clinical trials. Where are researchers involved in the processes and what difficulties should be expected? What experiences have proven to be successful?</p>
09.30 – 10:00	Discussion
10:00 – 10:30	Coffee Break
	<p>Bridges: Perspectives for Germany & Europe</p> <p>Chair: Heinz Goddar, Patent Attorney, Boehmert & Boehmert München</p>
10.30 - 10.45	<p>Do patents and equitable licenses serve as incentives for academic research?</p> <ul style="list-style-type: none"> • Dominique Foray, Professor of Economics Chair of Economics and Management of Innovation École Polytechnique Fédérale Lausanne/Suisse <p>The primary function of patents in academia is to encourage industry to take up basic technology and to invest into the development of new products. However, this concept of industrial policy neglects the philanthropic motivations of scientists and the complementary function of public funding of public research. Prof. Foray will analyse equitable licenses focusing on the question in how far new licensing models can improve efficiency goals of publicly accountable research.</p>

	Friday, April 24th 2009
10.45 – 11.00	<p>Strategies to accelerate innovation and catalyse commercialisation</p> <ul style="list-style-type: none"> • Carol Mimura, Vice Chancellor for Intellectual Property & Industry Research Alliances University of California, Berkeley <p>Berkeley's Socially Responsible Licensing Program & Intellectual Property (IP) Management has allowed the university to embrace Open Innovation principles to catalyse commercialisation and accelerate innovation in the global health arena. Carol Mimura presents an approach that relies on creation of public-private partnerships and product development partnerships.</p>
11.00 – 11.15	Discussion
	<p>Perspectives: Equitable licensing - what can be realized in Germany?</p> <p>Chair: Peter Tinnemann, Institute of Social Medicine, Epidemiology and Health Economics, Charité-Universitätsmedizin Berlin</p>
11.15 – 12.30	<p>Round Table :</p> <ul style="list-style-type: none"> • TechnologieAllianz (tbc) • Ulrich Romer, Head of Division Patent Policy and Inventor Promotion Federal Ministry of Economics and Technology • Matthias Gottwald, R&D Liaison Officer, Global R&D Operations, Bayer Schering Pharma AG • Nicoletta Dentico – Senior Policy Advisor on Public Health, Innovation and IP, IQsensato Geneva
12:30- 12:45	Wrap up (Peter Tinnemann)

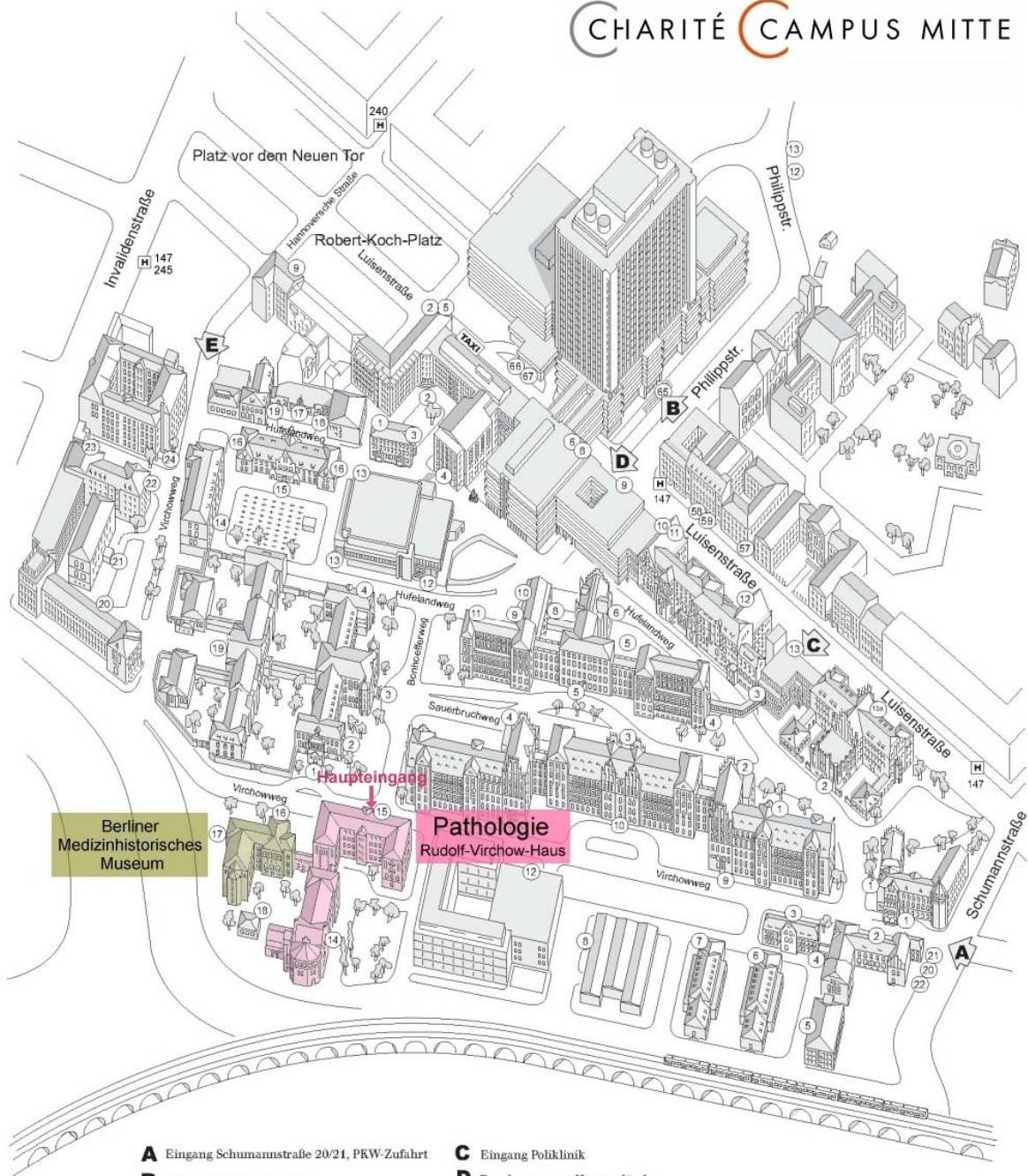
Location



Google Maps:

<http://maps.google.com/?ie=UTF8&ll=52.526065,13.376155&spn=0.010627,0.027251&z=15>

Location on Campus



- | | |
|---|---|
| A Eingang Schumannstraße 20/21, PRW-Zufahrt | C Eingang Poliklinik |
| B Eingang Bettenhochhaus,
Durchgang zum Hörsaalgebäude,
Durchgang zur Rettungsstelle | D Durchgang zum Hauptgelände |
| | E Eingang Robert-Koch-Platz, PKW-Zufahrt (nur Mo-Fr, 9-18 Uhr) |
| | H Bus-Haltestelle 12 Hausnummern |