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**WIPO-ESCWA/IP/BEY/ 03/4**

**ORIGINAL:** English

**DATE:** April 2003



LEBANESEREPUBLIC



UNITEDNATIONSECONOMIC  
ANDSOCIALCOMMISSIONFOR  
WESTERNASIA(ESCWA)



WORLDINTELLECTUAL  
PROPERTYORGANIZATION

**WIPO-ESCWAARABREGI ONALCONFERENCEONR ECENT  
DEVELOPMENTSINTHE FIELDOFINTELLECTUA LPROPERTY**

organizedby  
theWorldIntellectualPropertyOrganization(WIPO)  
and  
theUnitedNationsEconomicandSocialCommissionforWesternAsia  
(ESCWA)

incooperationwith  
theMinistryofEconomyandTrade

Beirut,May 5and 6, 2003

INTELLECTUALPROPERTY,BIOTECHNOLOGYANDPUBLICHEALTH

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# IP and Public Health

## patents on pharmaceutical products and access to medicines

Giulio C. Zanetti,  
IDLO  
Beirut, May 2003

# Why are medicines expensive?

Because they are **DIFFICULT, EXPENSIVE, TIME-CONSUMING**



to

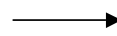
- discover
- develop
- test
- obtain Govern. authorization

## CONSEQUENCE:

...the inventor is entitled to a reward (monopoly)



necessary to encourage R & D



**DEVELOPMENT!**



**!!! Benefit for humanity !!!**

## ART. 7 (TRIPS)

«...balance of rights and obligations»

between

**A**

- users



i.e. patients

**B**

- pharmaceutical comp.  
(to recup. investments)
- humanity  
(to have new drugs)

# Is the TRIPS Agreement the real problem?

**NO**, because

·flexibility clauses in TRIPS

2) many countries are not (yet) bound by TRIPS

3) Doha Declaration

# Are patents the real problem?

NO, because

-most antiretrovirals are not patented

no patent law

no patents on drugs

no application

no registration

2) Even most basic drugs are not available/  
affordable

## REAL PROBLEM:

# LACK OF FINANCIAL RESOURCES TO CREATE A PROPER HEALTH CARE INFRASTRUCTURE for

- testing
- storing
- distributing
- monitoring
- increasing awareness/knowledge



# POST-DOHA DEVELOPMENT AGENDA

- status of negotiations
- possible solutions

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