

## Standing Committee on the Law of Patents

### Twenty-third Session Geneva, November 30 to December 4, 2015

#### SEMINAR ON THE RELATIONSHIP BETWEEN PATENT SYSTEMS AND THE AVAILABILITY OF MEDICINES IN DEVELOPING COUNTRIES AND LEAST DEVELOPED COUNTRIES

*Document prepared by the Secretariat*

1. Pursuant to the decision taken at the twenty-second session of the Standing Committee on the Law of Patents (SCP), held in Geneva from July 27 to 31, 2015, a half day seminar will be organized during its twenty-third session on the relationship between patent systems and, *inter alia*, challenges related to availability of medicines in developing countries and least developed countries, including on the promotion of innovation and fostering of the requisite technology transfer to facilitate access to generic and patented medicines in those countries.

2. The seminar will be moderated by Mr. Zafar Mirza, Coordinator, Public Health, Innovation and Intellectual Property, World Health Organization, and will consist of the following three segments:

(i) Presentation by the following four experts:

- Dr. Margaret Kyle, Professeur, MINES ParisTech., France;
- Ms. Ellen 't Hoen, a lawyer and an independent consultant in medicines policy and law, Netherlands;
- Mr. Andrew Jenner, Executive Director at JS Consulting Ltd., United Kingdom; and
- Dr. Brian William Tempest, Editor of Journal of Generic Medicines and former Chief Mentor, Vice Chairman, CEO, Managing Director and President Ranbaxy Laboratories (India), United Kingdom.

*Duration: one hour*

- (ii) Panel discussions with participation of the above experts

*Duration: 45 minutes*

- (iii) Question and Answer session

*Duration: one hour*

3. The seminar will take place under the agenda item 6(iii): "Patents and Health".

4. The *curricula vitae* of the above mentioned experts are as follows:

- (i) Dr. Margaret Kyle, Professor, MINES ParisTech., France

Dr. Kyle studies innovation, productivity and competition. She has a number of papers examining R&D productivity in the pharmaceutical industry, specifically the role of geographic and academic spillovers; the firm-specific and policy determinants of the diffusion of new products; generic competition; parallel trade; and the use of markets for technology. Her recent work examines the effect of trade and intellectual property (IP) policies on the level, location and direction of R&D investment and competition. Dr. Kyle also works on issues of innovation and access to therapies in developing countries. Her papers have been published in various journals of economics, strategy, and health policy, including the RAND Journal of Economics, Review of Economics and Statistics, Journal of Law and Economics, Strategic Management Journal, Health Services Research, and Health Affairs. Dr. Kyle holds a PhD in economics from the Massachusetts Institute of Technology. She previously held positions at Carnegie Mellon University, Duke University, London Business School, and Toulouse School of Economics. She has also been a visiting scholar at the Center for the Study of Innovation and Productivity at the Federal Reserve Bank of San Francisco, the University of Hong Kong, and Northwestern University. She is a Research Associate at the Centre for Economic Policy Research.

- (ii) Ms. Ellen 't Hoen, a lawyer and an independent consultant in medicines policy and law, Netherlands

Ms. 't Hoen has specific expertise in the area of access to medicines and intellectual property. Her most recent achievement is the establishment of the Medicines Patent Pool in 2010 to accelerate the availability of low cost HIV treatments in developing countries through patent licensing. She is a visiting fellow at the University of Amsterdam and an advisor to the Medicines Patent Pool. From 1999 until 2009, she was the Director of Policy and Advocacy at Médecins sans Frontières (MSF) Campaign for Access to Essential Medicines. She won several awards for her work on the effects of exposure to the drug (DES) in the 1980s and 1990s, including the prestigious Harriet Freezerring Award in 1989. She is a member of the World Health Organization (WHO) Expert Advisory Panel on Drug Policies and Management, a member of the advisory board of Universities Allied for Essential Medicines (UAEM) and a member of the editorial board of the Journal for Public Health Policy.

- (iii) Mr. Andrew Jenner, Executive Director at JS Consulting Ltd., United Kingdom

Mr. Jenner is an Executive Director at JS Consulting Ltd. Since January 2015, he has been serving a range of clients from Global Business Associations and companies to health-related NGOs on devising strategy and organizational design; public affairs including policy and advocacy development/deployment on innovation, trade and global health; and business development and collaborative partnerships. He joined the International Federation of Pharmaceutical Manufacturers & Associations (IFPMA) in 2009 and has worked as the Director responsible for Innovation, Intellectual Property (IP) and Trade as well as Executive Director of

Corporate Strategy and Legal Affairs. Prior to joining IFPMA, he held a number of policy roles in the UK Government including the principal UN/WTO negotiator on IP, Trade and Development for the UK Intellectual Property Office. He also led the UK Government's IP Crime Strategy which pioneered the creation of a Governmental, multi-enforcement agency and industry taskforce. He is a Fellow of the Chartered Institute of Management and a Member of the Institute of Engineering and Technology having a Bachelor degree in Engineering and a Master of Laws.

(iv) Dr. Brian William Tempest, Editor of Journal of Generic Medicines and former Chief Mentor, Vice Chairman, CEO, Managing Director and President at Ranbaxy Laboratories (India), United Kingdom

Dr. William Tempest started working for Ranbaxy Laboratories in 1995 and he held the positions of Regional Director, President, Managing Director and Chief Executive Officer until 2005 when Ranbaxy became the ninth largest Global Generic Pharmaceutical Company. He then became Chief Mentor, Vice Chairman and Non-Executive Director until 2008, when he retired. He has worked in the pharmaceutical industry for the last 40 years and has managed healthcare businesses in North America, South America, Europe, Africa, Middle East, Asia and India. He serves as Independent Chairman of Religare Capital Markets Plc. Dr. Tempest has been a Non-Executive Independent Director of Glenmark Pharmaceuticals Ltd. since January 30, 2012. He serves as a Director of Hale & Tempest Company Limited and Religare Capital Markets (UK) Limited. He has been a Non-Executive Independent Director of Fortis Healthcare Limited since August 2, 2011. He has been a Non-Executive Director of Super Religare Laboratories Limited since February 4, 2011. He is an international advisor to UNCTAD. In addition, he is a member of the SCRIP Global Awards Panel and is on the Editorial Board of the Journal of Generic Medicines. He is a member of the Royal Society of Medicine and the Royal Society of Chemistry. He has received a PhD in Chemistry from Lancaster University in 1971 and in 2009, he became Chairman of the Advisory Board for the Lancaster University Management School.

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