XVII Congresso de Direito de Autor e Interesse Público

PATROCÍNIO

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INTERARTIS BRASIL

REALIZAÇÃO

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CAHS

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XVII CODAIP

Saúde e Propriedade Intelectual:

Lições da Pandemia da COVID-19

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Centro de Desenvolvimento Tecnológico em Saúde (CDTS)
Fundação Oswaldo Cruz (Fiocruz)
Ministério da Saúde

Rio de Janeiro, 7 de novembro de 2023

Fonte: *Getty Images*

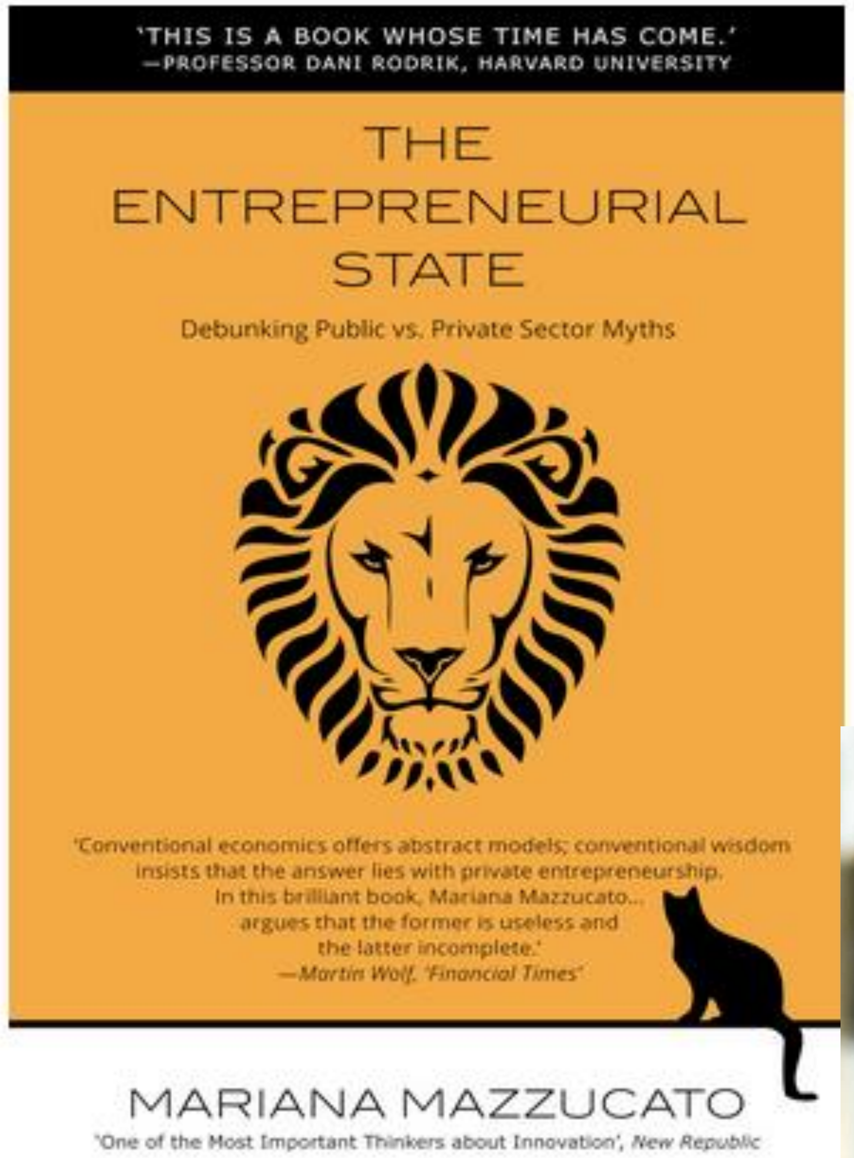
Inovação

- Vacinas
- Diagnósticos
- Fármacos
- Reposicionamento de fármacos
- Megatrials

RECOVERY
Randomised Evaluation of COVID-19 Therapy

UNIVERSITY OF OXFORD

Mariana Mazzucato (2011)



- **High risk innovation:**
  - ✓ **Who takes the risk?**
  - ✓ **Who takes rewards?**

Financiamento US Vacinas mRNA COVID-19

RESEARCH

US public investment in development of mRNA covid-19 vaccines: retrospective cohort study

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Additional material is published online only. To view please visit the journal online.

ABSTRACT

OBJECTIVE

To estimate US public investment in the development of mRNA covid-19 vaccines.

DESIGN

Retrospective cohort study.

SETTING

Publicly funded science from January 1985 to March 2022.

DATA SOURCES

National Institutes of Health (NIH) Report Portfolio Online Reporting Tool Expenditures and Results (RePORTER) and other public databases. Government funded grants were scored as directly, indirectly, or not likely related to four key innovations underlying mRNA covid-19 vaccines—lipid nanoparticle, mRNA synthesis or modification, prefusion spike protein structure, and mRNA vaccine biotechnology—on the basis of principal investigator, project title, and abstract.

of Defense ($72m; 21%) invested in vaccine development. After the pandemic started, $29.2bn (92%) of US public funds purchased vaccines, $2.2bn (7%) supported clinical trials, and $108m (<1%) supported manufacturing plus basic and translational science.

CONCLUSIONS

The US government invested at least $31.9bn to develop, produce, and purchase mRNA covid-19 vaccines, including sizeable investments in the three decades before the pandemic through March 2022. These public investments translated into millions of lives saved and were crucial in developing the mRNA vaccine technology that also has the potential to tackle future pandemics and to treat diseases beyond covid-19. To maximize overall health impact, policy makers should ensure equitable global access to publicly funded health technologies.

Introduction

Financiamento UK Vacina Oxford-AstraZeneca (1)

Original research

BMJ Global Health

Who funded the research behind the Oxford–AstraZeneca COVID-19 vaccine?

Samuel Cross,[1] Yeanuk Rho,[2] Henna Reddy,[3] Toby Pepperrell,[4] Florence Rodgers,[5] Rhiannon Osborne,[6] Ayolola Eni-Olotu,[1] Rishi Banerjee,[7] Sabrina Wimmer,[7,8] Sarai Keestra [9]

To cite: Cross S, Rho Y, Reddy H, *et al*. Who funded the research behind the Oxford–AstraZeneca COVID-19 vaccine? *BMJ Global Health* 2021;**6**:e007321. doi:10.1136/bmjgh-2021-007321

Handling editor Seye Abimbola

ABSTRACT

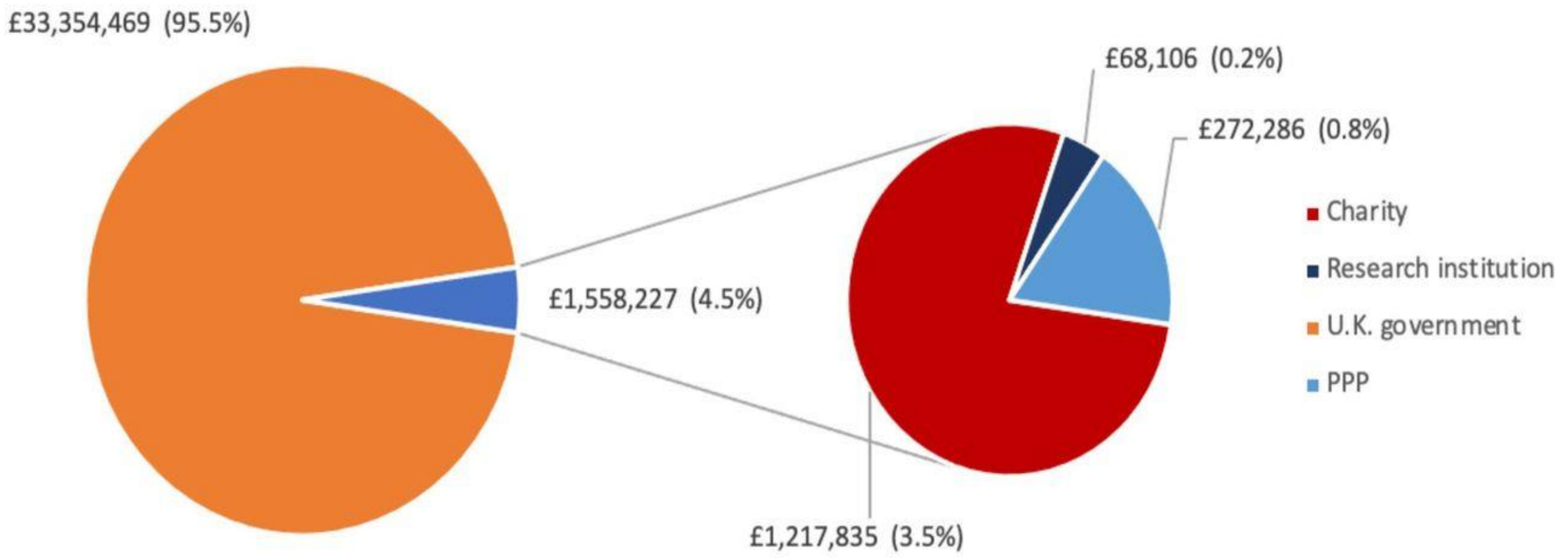
Objectives The Oxford–AstraZeneca COVID-19 vaccine (ChAdOx1 nCoV-19, Vaxzevira or Covishield) builds on two decades of research and development (R&D) into chimpanzee adenovirus-vectored vaccine (ChAdOx) technology at the University of Oxford. This study aimed to approximate the funding for the R&D of ChAdOx and the Oxford–AstraZeneca vaccine and to assess the transparency of funding reporting mechanisms.

Key questions

What is already known?

- The Oxford–AstraZeneca vaccine relies on two decades of research and development (R&D) into the chimpanzee adenovirus-vectored vaccine (ChAdOx) technology at the University of Oxford.
- The Oxford–AstraZeneca COVID-19 vaccine plays an important role in the global vaccine rollout especially

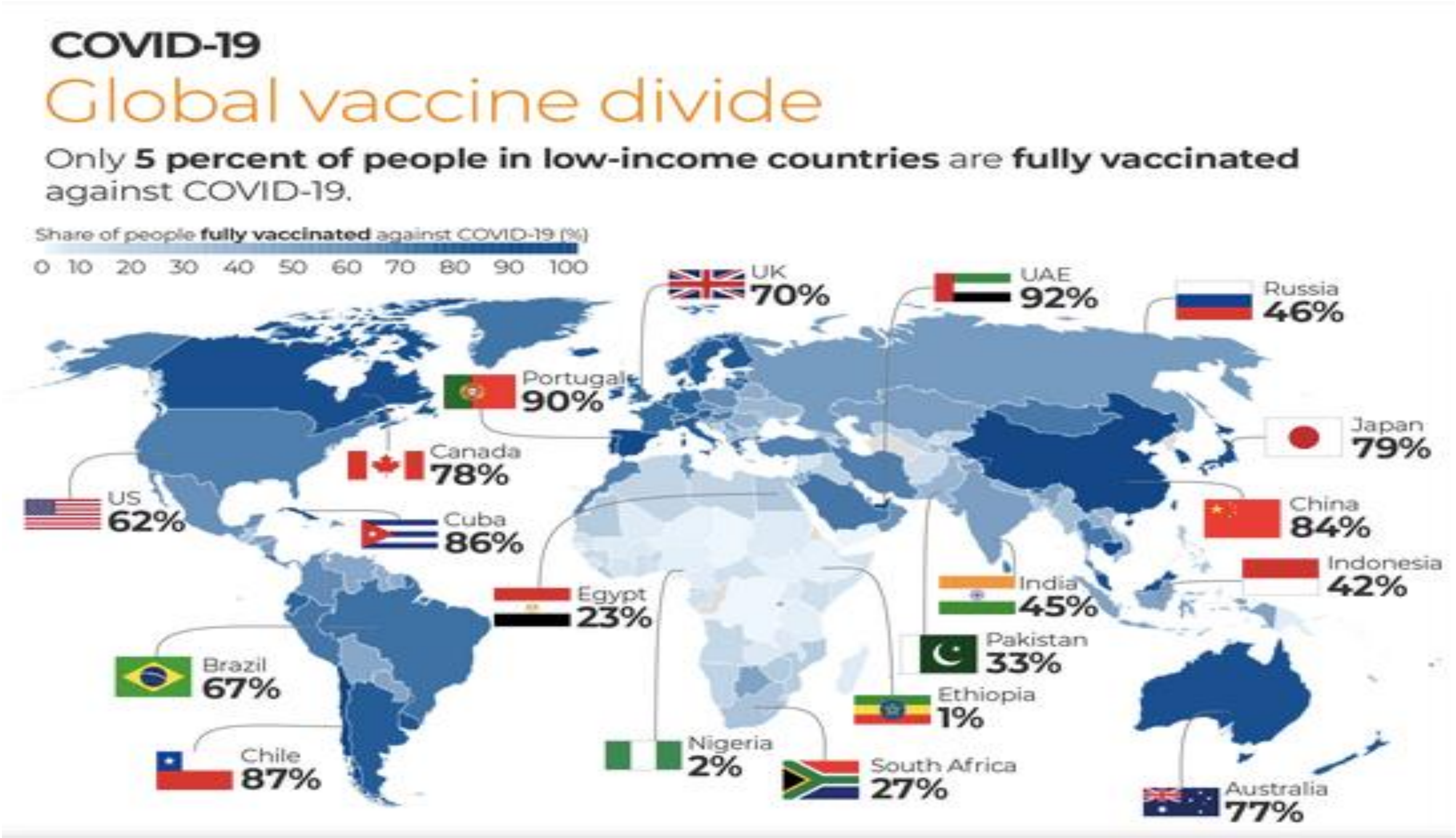
Financiamento UK Vacina Oxford-AstraZeneca (2)



What do the new findings imply?

- ► The scale of high-risk public funding for the R&D of the ChAdOx technology underlying the Oxford–AstraZeneca vaccine compels advocacy for global equitable access to the health technology beyond the favourable pricing currently implemented.
- ► Difficulty in identifying funding amounts from the academic literature compared with FOIs shows a severe lack of transparency in research funding reporting.

Cross S, Rho Y, Reddy H, et al. Who funded the research behind the Oxford–AstraZeneca COVID-19 vaccine? BMJ Global Health 2021;6:e007321. doi:10.1136/bmjgh-2021-007321



Fonte: Al Jazeera, 2022


JOURNALS
Science
SCIENCEINSIDER | HEALTH

‘I'm still feeling that we're failing': Exasperated WHO leader speaks out about vaccine inequity

Tedros Adhanom Ghebreyesus had expected more social responsibility in the face of a global crisis

18 JUN 2021 · BY JON COHEN

“even as vaccines bring hope to some, they become another brick in the wall of inequality between the world’s haves and have-nots.”

GENEVA—Few have spoken out as forcefully against the global disparity in COVID-19 vaccine distribution as Tedros Adhanom Ghebreyesus, director-general of the World Health Organization (WHO). Tedros, as he prefers to be called, has labeled the inequity "vaccine apartheid" and a "catastrophic moral failure" that has led to a "two-track pandemic."

The Washington Post
Democracy Dies in Darkness

Frustrated by vaccine inequity, a South African lab rushes to replicate Moderna's shot

By Lesley Wroughton
November 28, 2021 at 5:00 a.m. EST

In a pair of warehouses converted into a maze of airlocked, sterile rooms, scientists at the Afrigen Biologics and Vaccines facility in Cape Town, South Africa, are assembling and calibrating the equipment needed to reverse-engineer a coronavirus vaccine. (Jerome Delay/AP)

With help from the World Health Organization (WHO) and international consultants, including from the U.S. National Institutes of Health, Afrigen has become part of the African continent's first training and technology transfer hub for mRNA vaccines, a step toward answering calls from global health officials for Africa to develop its own vaccine-manufacturing capability to avoid supply shortages during a crisis.

What's missing is the vaccine formula. Moderna refuses to share its recipe, citing intellectual property, so Afrigen has used publicly available information and help from outside advisers to begin making the vaccine.

FOLHA DE S.PAULO

Laboratórios de Brasil e Argentina desafiam Pfizer e Moderna para produzir vacina de RNA mensageiro

Farmacêuticas obrigam cientistas sul-americanos a buscar rotas tecnológicas livres de proteção

Ministério da Saúde
FIOCRUZ
Fundação Oswaldo Cruz

Sinergium Biotech

19.set.2023 às 8h00

Folha de São Paulo:

- **“A Moderna já apresentou 21 solicitações de patentes no mundo todo, sendo 13 só na América Latina, segundo informou Bio-Manguinhos à Repórter Brasil. Destas, uma já foi concedida no Brasil e outras nove estão em análise no país.”**
- **“Já a Pfizer solicitou 13 patentes no Brasil, de acordo com o laboratório da Fiocruz. Uma já foi concedida, outra foi recusada e as 11 restantes estão em análise no Instituto Nacional de Propriedade Intelectual.”**
- **“O desafio dos cientistas sul-americanos não é propriamente o de quebrar as patentes, mas sim de driblá-las. Ou seja, trata-se de encontrar substâncias e técnicas análogas às usadas pelas gigantes farmacêuticas dos Estados Unidos, mas ainda não patenteadas.”**

IP Waiver (OMC)

WORLD TRADE ORGANIZATION

IP/C/W/669

2 October 2020

(20-6725)

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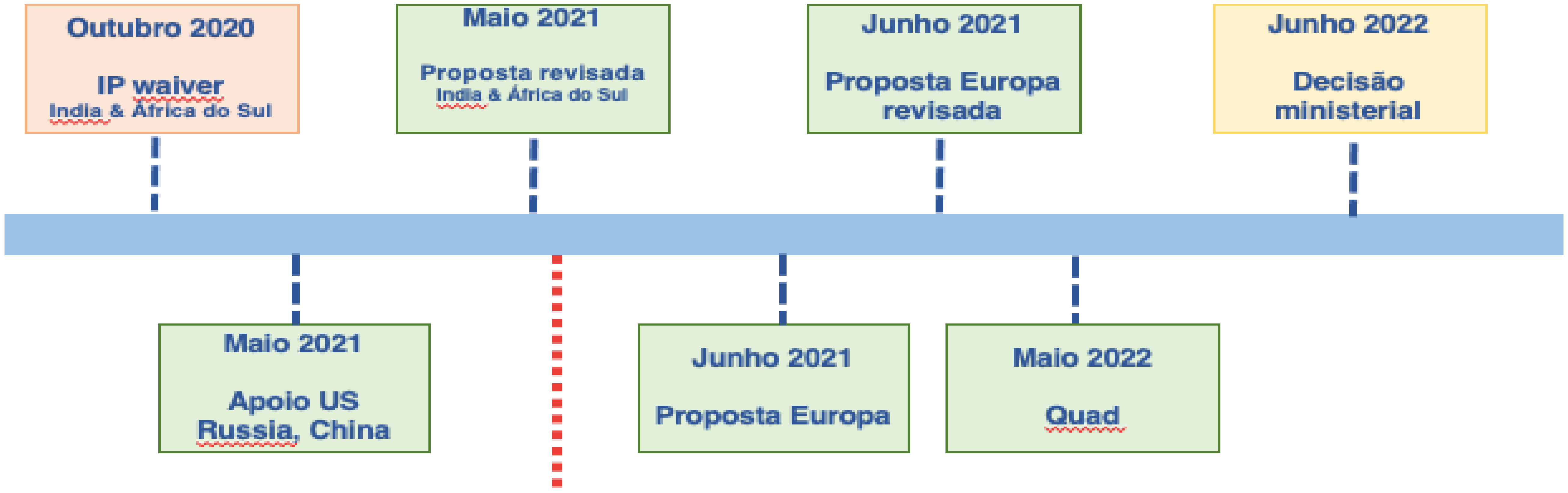
Council for Trade-Related Aspects of Intellectual Property Rights

Original: English

WAIVER FROM CERTAIN PROVISIONS OF THE TRIPS AGREEMENT FOR THE PREVENTION, CONTAINMENT AND TREATMENT OF COVID-19

COMMUNICATION FROM INDIA AND SOUTH AFRICA

IP Waiver



WORLD TRADE ORGANIZATION

Informal Open-ended Meeting of the TRIPS Council — Informal Meeting

12ª Conferência Ministerial da Organização Mundial de Comércio:

Decisão sobre Patentes e Covid-19

17 de junho de 2022

Geneva Package

Decisão ministerial sobre o Acordo TRIPS: patente de vacina contra Covid-19

Suspensão (*Waiver*) de Direitos de Propriedade Intelectual

WORLD TRADE ORGANIZATION

WT/MIN(22)/30
WT/L/1141

22 June 2022

(22-4786)

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Ministerial Conference
Twelfth Session
Geneva, 12-15 June 2022

MINISTERIAL DECISION ON THE TRIPS AGREEMENT

ADOPTED ON 17 JUNE 2022

The *Ministerial Conference*,

Having regard to paragraphs 1, 3 and 4 of Article IX of the Marrakesh Agreement Establishing the World Trade Organization;

Noting the exceptional circumstances of the COVID-19 pandemic;

WORLD TRADE ORGANIZATION

TRIPS

31 OCTOBER 2023

Members to continue dialogue on extending TRIPS Decision to therapeutics and diagnostics

At the 30-31 October meeting of the Council for Trade-Related Aspects of Intellectual Property Rights (TRIPS), WTO members continued their discussion on whether to extend the TRIPS Decision adopted at the 12th Ministerial Conference (MC12) to COVID-19 therapeutics and diagnostics. They also reacted to the results of the United States International Trade Commission (USITC) report and a thematic session with external stakeholders dedicated to the issue.

- Pandemia da Covid-19: driver for innovation
- Desigualdades
  - ✓Acesso a produtos
  - ✓Acesso a tecnologias
- Freedom to operate
- Decisão ministerial OMC (pouco eficaz, inconclusa)

Acordo sobre Pandemia – Processo de Negociação

World Health Organization

"The World Together": the Intergovernmental Negotiating Body to draft and negotiate a WHO convention, agreement or other international instrument on pandemic prevention, preparedness and response

(1) Evaborhene, N. A., Oga, J. O., Nneli, O. V., & Mburu, S. (2023). The WHO pandemic treaty: where are we on our scepticism?. *BMJ Global Health*, *8*(6), e012636.
(2) Nikogosian, H., & Kickbusch, I. (2021). The case for an international pandemic treaty. *Bmj*, *372*.

Acordo sobre Pandemia – Processo de Negociação

Dezembro 2021
Assembleia Mundial da Saúde estabeleceu "intergovernmental negotiating body" (INB)

Março 2023
Países iniciam negociação da primeira minuta do Acordo ("zero draft")

Setembro 2023 Reunião do grupo de redação do INB

Novembro 2023 Sétima rodada de negociações

Maio 2024
Apresentação da proposta para a 77ª Assembleia Mundial da Saúde

Considerações Finais

claudia.chamas@fiocruz.br

XVII CODAIP

Seu Agradecimento aqui!

PATROCÍNIO

REALIZAÇÃO

APOIO