

International Public Health University (IPHU)

Day 6 – 11/11/2018

Access to Medicines stream

The day's activities started with the Sangeeta introducing the Post-grant flexibilities on TRIPS.

- Exceptions to patents – Article 30 (Research needs, Experimental use, Exceptions for Individual use, Bolar exceptions)
- Early Working
- Parallel Import – Article 6 (with regards to International Exhaustion)
- Non-Voluntary Export – Article 31 (Compulsory & Govt Use)
- Exceptions to LDCs – Article 31 bis

Next discussion was on Transition period of LDCs – Article 66. The extension is not for imposing IP regimen, but to build technological base. This also included various exceptions for LDCs.

This was followed by the resumption of and activity and discussion on different participant group projects.

Post lunch Kajal restarted the session. Main topics were TRIPS Plus, general framework of FTAs. There was detailed discussion by Sangeeta on different TRIPS plus provisions in FTAs

- Patentability criteria
- Patent term extension / restoration
- Patent linkage – soft and hard

Sangeeta also discussed different modes used for IP Enforcement in TRIPS Agreements including Civil, Administrative and Criminal measures.

Kajal explained the different concerns with Data Exclusivity and the different relations between Drug Regulatory Authority, Patent Office, Patent holder and Generic companies and how Data Exclusivity has become a bigger threat to access to medicines, than the different TRIPS provisions itself.

Last session of the day was about Anti-microbial Resistance, and was moderated by Nafis. How AMR becomes a concern for public health, causes of AMR, the lack of R& D in the field of AMR, the contradiction of access and excess around the world and the multiple ways it affects public health and the different coalitions and groups along with Civil Society to push for better guidelines (eg. Antibiotic Resistance Coalition). The was followed by discussion on 5 papers around the theme of AMR, along with the implications on SDG and funding and the ethical issues.

Graphic summary of the day's activities [here](#).