



## **Policies of Health and Progresses in Patent Information**

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With the advent of the [TRIPS](#) Agreement and the implications of [Article 27](#)--patent protection for pharmaceutical and biotechnological inventions, the relationships between patents, policies of innovation and production and health policies they earned new and complex dimensions in the developing countries. The economic and technological growth of countries as Brazil, China, India and others inserts new demands in the global agenda.

In this context, it symposium "[Access to Medicines, Patent Information and Freedom to Operate](#)", promoted by the World Health Organization ([WHO](#)) together with the World Organization of the Intellectual Property ([WIPO](#)) and the World Trade Organization ([WTO](#)), on February 2011, constituted an excellent initiative.

The seminar had a diversified range of panelists and hearers - leaders of the promotive institutions, professors, representatives of nongovernmental organizations, companies, etc. The program of the event can be accessed in this [site](#), where the presentations are available.

Discussions on the access and the use of the patent information are not recent. [WIPO](#) and some national *patent offices* already launched various programs for the raising and the improvement of the bases of patents. However, various lacunas that need to be included and solved persist. For the health systems of developing countries, fundamental is to be able to delimit, to any time, the border between the field owner and what consists of the public domain. Without this knowledge, the design, and the implementation of health policies they remain damaged.

In the sphere of the needs of the developing countries, I list a list (not-exhaustive) of topics that I consider relevant for the continuity of the discussions:

- 1) Training of professionals of the area of patents and of the area of health (governmental organs, local innovative companies, companies of generics, academy) for the access and use of the patent information;
- 2) Development of free bases capable of recovering information on patents and scientific articles;
- 3) Guarantee of results of searches on all the patents correlated with a single substance (ex.: patent of product and all the patents of the uses for that product; patent of product or process and all the divisions of the order of patent);
- 4) Improvement of the recovery of the information on biotechnological patents, in order to make it possible to know with precision, based on the use of tools public, the table owner in this field of the knowledge;

- 5) Information up-to-date on information of patents of the Justice (for example, processes for the extension of term of patents, that can I affect decisions of investments in generics; answer of vindicatory claims, which can affect investment in new products by concurrent);
- 6) Development of methodologies for studies on "technologies proprietary" at levels global, of country and sectoral, aiming to subsidize decision-making in the spheres governmental and business;
- 7) Development of methodologies for future technological scenario building based on patent data objectifying I to cooperate with decisions of investment in innovation;
- 8) Development of studies of correlation between patents and prices of drugs;
- 9) Methodology dissemination for the identification of the patent status by product in the field of the health;
- 10) Dissemination of free tools of *dates mining* and social network analysis;
- 11) Tool development for verification of possible tie between the proprietary product and the protection in other fields (data exlcusivity, for example, including for biotechnological products);
- 12) Promotion of cooperation in patent health information between health authorities from the developing countries.

In some parts of the Americas, the lack of resources and professionals in patent health information is enormous. The collaboration of the Pan American Health Organization in the reduction of these factors restrictors of the development is therefore very well-arrival.

**ECONMED** counts on the contribution (through requests of information, sharing of best practices, dissemination materials of interest ...) of its participants to keep building up collaborative spaces of work between public health professionals in the Americas. You can submit your communications on any topic related to the legal and economic regulation of pharmaceutical products for approval to [econmed@listserv.paho.org](mailto:econmed@listserv.paho.org)

