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Comments for IPEC

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The Comments of the Right Rev. Council Nedd II to the Intellectual Property Enforcement Coordinator regarding the Joint Strategic Plan

I am thankful for this opportunity to submit comments on the recommendations regarding the Joint Strategic Plan for improving the government's intellectual property enforcement efforts and threats to public safety created by infringement on intellectual property.

In the developing world, depending on the nation, religious organizations provide 30 to 70 percent of all health care. In the United States, much of the health care in urban and rural America is provided by faith based charitable organizations. My primary interest in this issue is the delivery of the most innovative drugs to underserved communities and to the least of those among us.

Companies manufacturing new drugs to combat illnesses from the flu to AIDS are at risk of losing their patent rights. Those with less free market tendencies will argue that infringing upon the intellectual property of pharmaceutical companies will make drugs cheaper and more plentiful. However, that argument is borne of a flawed premise. Stripping drug companies of their intellectual security, however, removes the incentive for them to continue the costly process of developing new and more effective drugs. The medicines that patients are using today, be they patented medicines or generic copies, are available because of policies and laws that encourage innovation.

Those same critics of intellectual property are too quick to forget that even low cost generic drugs were once new on the markets and breakthrough medicines, protected by patents, and owe their creation to pharmaceutical innovation.

The need for pharmaceutical innovation is growing – not decreasing. The development of new drug therapies that prevent disease is in the best interest of everyone. Strong patent laws, and incentives that encourage pharmaceutical research and development offer the best hope to patients with life-threatening diseases for which there are only limited treatment options.

There is a real and present public health danger with allowing patents to be subverted. One need look no further than Google to find numerous instances of patented drugs being counterfeited in Thailand, Nigeria, India, Saudi Arabia, China and Brazil and with fatal consequences. Expropriating intellectual property does little to expand drug coverage for urban and rural Americans and many would suggest that weak patent rules contribute to the entry of substandard products into these markets.

Intellectual property protection is critical to finding solutions to current challenges to world health. Investment in research is the best hope for healthier lives, in the developing world and in urban and rural parts of the United States. Intellectual property protection has an important impact on both drug safety and world health. Patented medicines perform as advertised – they come with a guarantee of quality and integrity and access to them should be

protected at all costs.

Respectfully submitted by: Council Nedd II, PhD *the director of the Institute for Health Policy Research at Valley Forge Christian College, Woodbridge, VA and Chairman of the Alliance for Health Education and Development (AHEAD).*

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