

## Medical Research - in the public interest

### Summary:

In the research and development for new drugs and vaccines, state funding through public money plays a key role. In Germany mainly universities and non-university public research organizations conduct basic research in the pharmaceutical sector. In general research results are licensed to companies for further development and commercialization. In most cases, drugs then developed are marketed by private companies under patent protection. The resulting prices are often too high for health care in low- and middle-income countries. The continued use of publicly-funded research results is thus associated with a huge social responsibility in relation to its global health goals.

How can it be ensured, that as many people have a health benefits from publicly funded research and the resulting developed drugs?

One possible response to this challenge U.S. universities and legal experts developed the model "humanitarian license". With the help of licensing agreements between public bodies and industry is envisioned to improved access to affordable medicines for people in low- and middle income countries.

The research area takes a multidisciplinary approach:

1. In cooperation with BUKO-Pharma we conduct a systematic observation and analysis of practices at German universities and their patent offices in relation to licensing of publicly funded research to companies.

2. In cooperation with the Jean Monnet Chair of European and International Business Law, Civil Law at University of Oldenburg, Carl von Ossietzky alternative model licensing agreements for technology transfer from public institutions to private industry were developed and ongoing implementation is analyzed.

Together, the initiators of the project med4all.org have submitted the concept of "Equitable Licensing" in the context of the World Health Assembly Resolution 63.28 as a proposal for new ideas and innovative research and development. The proposal to Equitable Licensing was evaluated by the working group in the category of "open innovation". Developments on the level of WHO member states are observed and analysed. Expert Group of the World Health Organization concludes that the concept of "Equitable Licensing" may contribute to improve access to medicines globally.

Based on previous research we triggered and promoted an informed discourse in universities, research institutions, industry and politics towards alternative licensing models. This was initiated in 2009 when the first international conference on "Equitable Licensing" was hosted at the Charité.

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*Data management:*

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### *Publication:*

Godt C, Wagner-Ahlf C, Tinnemann P. Equitable Licensing - den Zugang zu Innovationen sichern. In: Silke Helfrich, Heinrich-Böll-Stiftung (Hg.) Commons. Für eine neue Politik jenseits von Markt und Staat. 2012, 528 S., ISBN 978-3-8376-2036-8 transcript-Verlag, Reihe Sozialtheorie

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Tinnemann P, Özbay J, Saint VA, Willich SN. Patenting of University and Non-University Public Research Organisations in Germany: Evidence from Patent Applications for Medical Research Results. PLoS ONE 2010; 5 (11): 1

Wagner-Ahlf C, Godt C, Jenkes C, Schaaber J, Tinnemann P, Medizinische Forschung: Der Allgemeinheit verpflichtet. „Equitable Licenses“ für Ergebnisse öffentlich geförderter medizinischer Forschung. 2010. BUKO Pharma-Kampagne/Gesundheit und Dritte Welt e.V., Bielefeld