The UNITAID patent pool proposal is an important initiative, and Gilead Sciences is committed to participating in the discussions about how this kind of innovative approach will move forward. We believe if structured appropriately, UNITAID’s patent pool can play a critical role in expanding access to antiretroviral treatment for patients around the world by encouraging the development of new fixed-dose combinations and pediatric formulations, lowering prices, while respecting intellectual property.

Gilead sees many similarities between UNITAID’s proposal and our company’s licensing agreements with Indian generic manufacturers, given the shared belief that these approaches promote innovation and offer a mechanism for increased access at lowered cost. Two manufacturers, Matrix and Aurobindo, are already having an impact by lowering the price of tenofovir disoproxil fumarate by 50 percent below Gilead’s current access price, developing fixed-dose combinations and providing more than 200,000 patients with high-quality, low-cost treatment. Today, together with the generics, over 500,000 patients are receiving Viread representing approximately 13 percent of those accessing treatment in low- and lower middle-income countries.

As the patent pool proposal takes shape, important opportunities exist for relevant stakeholders to help define the pool’s scope, structure and associated terms. Key questions that remain to be addressed include: What entity will actually administer the pool? What would be the pool’s governance structure? How would critical regulatory, medical information and other processes be supported? The answers to these questions will provide concrete details that will allow involved stakeholders to evaluate the core elements of the proposal.

With these questions in mind, we believe the following are important to consider as the patent pool takes shape:

* Flexibility in the pool, above all else, will be critical
* Structure should allow for creativity in building unique partnerships to create new development and delivery pathways
* Adjustment and re-evaluation will be vital as the patent pool develops
* Basic factors driving drug development today – cost, risk and reward among them – should be taken into account to ensure broad participation in the patent pool
* Development of processes to help manage the intellectual property aspects of this model should be clearly defined
Gilead looks forward to continuing to work with UNITAID and other partners in meeting the urgent need for expanded HIV treatment access, and we welcome the opportunity for future discussions about patent pools and other access-related topics.