



# (RE) PENSER LA PROPRIÉTÉ INTELLECTUELLE

QUESTIONS FONDAMENTALES ET NOUVEAUX ÉCLAIRAGES

## **Droit des brevets et santé publique : Aspects juridiques, économiques et de politique publique de l'accès aux médicaments**

Jerome H. Reichman

Professeur à la Duke University School of Law, Durham,  
Caroline du Nord (Etats-Unis)

Lundi, 11 octobre 2010  
17 h 00  
CEIPI– Amphithéâtre 23  
11, rue du Maréchal Juin BP 68  
67046 Strasbourg

*La conférence aura lieu en langue anglaise*



### Résumé :

*In this talk, Professor Reichman explains how compulsory licensing survived the TRIPS Agreement of 1994 and became further amplified and potentiated by the Doha Declaration on TRIPS and Public Health (2001) and by the pending Amendment to Article 31 bis (as ratified by the European Communities). He will clarify the many misconceptions surrounding this novel set of provisions. He will then discuss various proposals to reduce growing public health tensions in poor countries without weakening incentives to invest in pharmaceutical research and development.*

### Biographie :

JEROME H. REICHMAN is the Bunyan S. Womble Professor of Law at Duke Law School, Durham, North Carolina. He has written and lectured widely on diverse aspects of intellectual property law, including comparative and international intellectual property and the connection between intellectual property and international trade laws. In collaboration with Keith Maskus, he published *International Public Goods and Transfer of Technology Under a Globalized Intellectual Property Regime* (Cambridge Press, 2005). He serves as a consultant to numerous intergovernmental and nongovernmental organizations and on the board of editors for various journals, including the JOURNAL OF INTERNATIONAL ECONOMIC LAW and IL DIRITTO D'AUTORE (Rome).

In recent years, he has written extensively on the tensions between intellectual property rights and the needs of both scientific research and public health. His articles in this area include *Pathways Across the Valley of Death: Novel Intellectual Property Strategies for Accelerated Drug Discovery* (with Rai, Uhler & Crossman) (2008); *Compulsory Licensing of Patented Pharmaceutical Inventions: Evaluating the Options* (2009); *Rethinking the Role of Clinical Trial Data in International Intellectual Property Law: The Case for a Public Goods Approach* (2009); *Empowering Digitally Integrated Scientific Research: The Pivotal Role of Copyright Law's Limitations and Exceptions* (with Ruth Okediji) (2008); *The Doha Round's Public Health Legacy: Strategies for the Production and Diffusion of Patented Medicines under the Amended TRIPS Provisions* (with Fred Abbott, 2007); and *A Contractually Reconstructed Research Commons for Scientific Data in a Highly Protectionist Intellectual Property Environment* (with Paul Uhler) (2003).

He and two co-authors (Paul Uhler and Tom Dedeurwaerdere) are currently finishing a book entitled *Designing the Microbial Research Commons: Global Intellectual Property Strategies for Accessing and Using Essential Public Knowledge Assets* (Draft version presented at the International Symposium on Designing the Microbial Research Commons, National Research Council, Washington D.C., October 8-9, 2009).