

Position on Intellectual Property in Developing Countries

Background

Astellas believes that intellectual property protection of research and development results is essential to continuously creating new drugs and technologies. At the same time, we acknowledge that some developing countries need special consideration, although we do not believe that intellectual property protection is a primary factor in limiting Access to Health.

Our Position

Astellas commits to not file nor enforce patents in select countries with significant economic challenges considering the importance of improving Access to Health. These select countries will be decided by referring to those designated as Least Developed Countries (LDCs)^{*1} defined by the United Nations or Low Income Countries (LICs)^{*2} defined by World Bank.

Astellas also commits to considering licensing patents in other developing countries on a case-by-case basis. On the other hand, we believe compulsory licenses are appropriate only in the case of a national emergency or other circumstances of extreme urgency and when all other alternatives have been exhausted.

References

1. LDCs defined by United Nations
http://www.un.org/en/development/desa/policy/cdp/ldc_info.shtml
2. LICs defined by World Bank
<http://data.worldbank.org/income-level/LIC>
3. Policy on Intellectual Property
4. Position on Access to Health