**WIPO SCP Statement: IP and COVID**

October 2023

The Innovation Council’s mission is to provide information from the perspectives of organizations that are bringing technology solutions to society. We have a diverse membership that includes large and small innovative companies, TTOs, and public-private partnerships. Turning to the subject of IP and COVID, as documented in the report *Unprecedented,* IP played an enabling role at all stages of the COVID innovation response.

*Development of relevant background IP*. Existing technologies and know-how were quickly leveraged for the pandemic response. These were the result of past R&D, enabled by IP within the biopharma innovation ecosystem. In some cases, public research outcomes were moving to market via hand-off to companies. COVID technologies were “overnight successes years in the making”.

*Development of COVID technologies.* Collaboration was crucial to developing and repurposing COVID technologies in record time, and for developing and optimizing the manufacturing processes for them. Nobody could develop and deliver products at the scale needed on their own. IP made it less risky to work with others.

*Scaling manufacturing for a pandemic response.* Collaboration was essential to establish the necessary global manufacturing networks; in-house capacity was inadequate for a pandemic response. Capable partners were identified (not an easy task) then innovators shared technology and know-how with them, also helping them to set up supply chains and clear regulatory hurdles.

*Investments for the pandemic response*. IP enabled investments in a highly uncertain environment. Companies produced at risk, redirected resources to COVID, made commitments to suppliers, set up voluntary licensing arrangements, and upgraded manufacturing capacity – even before receiving regulatory approval. Government action helped to de-risk such activities.

Industry leaders interviewed for *Unprecedented* said that, had there not been IP protection, their companies would have supported the pandemic response but with less collaboration; sharing tech and know-how would have been unduly risky. This would have resulted in a slower, and perhaps very different, pandemic response. Without collaboration, manufacturing at the scale needed to fight COVID-19 would not have been possible.

By mid-2021 there were already 300 vaccine partnerships (more than 230 involving tech transfer). Technology and know-how *were* shared during the pandemic response. IP was managed to maximize global supply.

Drawing on the lessons from the pandemic, efforts are now underway to build more biomanufacturing capacity globally. Based on historic evidence and insights from biologics industry leaders, we can identify key pathways for building such capacity. They all require collaboration and tech transfer, along with legally certain business environments that include IP protection.

Conclusions: First, IP played an important enabling role in the COVID response and would undoubtedly support rapid pandemic innovation in the future as well. Second, IP continues to facilitate tech transfer and other collaborations that build global biomanufacturing capacity across regions, thus contributing to health security. Thank you.