



PARTNERSHIP TO FIGHT
CHRONIC DISEASE



Partnership to Fight
Infectious Disease

RetireSafe
Standing up for America's Seniors!

June 8, 2022

The Honorable Katherine C. Tai
United States Trade Representative
Office of the United States Trade Representative
600 17th Street, NW
Washington, DC 20508

RE: Solutions to Improve COVID-19 Vaccine Access & Protect Intellectual Property

Dear Ambassador Tai,

On behalf of the patients we serve who are living with HIV, hepatitis, cancer, lupus, autoimmune diseases and other serious chronic and complex conditions, we write to share recommendations to address global COVID-19 vaccine equity and access barriers. While we commend the World Trade Organization (WTO) and the Office of the United States Trade Representative for prioritizing efforts to improve vaccine access, it must not come at the expense of waiving intellectual property (IP) protections. To do so would have unprecedented effects on future medical development.

Companies that have developed COVID vaccines and treatments have taken unprecedented actions to ensure global access of their products. This includes offering vaccines at cost and at no profit, participating in global vaccine donation programs and medicine patent pools for treatments. Today, vaccines are plentiful and available, in fact, some countries are reporting surpluses, turning them away while others have expired vaccines that they cannot use. The barriers that are hindering the ability to adequately distribute the COVID-19 vaccine to vulnerable communities involve patient education and vaccine hesitancy along with healthcare infrastructure challenges that have been exacerbated by the pandemic.

We urge the USTR to reject the proposal to waive intellectual property rights for COVID-19 vaccines and treatments before the WTO and instead work on solutions to the real problems that are preventing access and equity globally, including:

- 1. Strengthen and maintain healthcare infrastructure to deliver the COVID-19 vaccine safely and efficiently, such as storage and last-mile capacity;**
- 2. Support frontline healthcare workers to administer the COVID-19 vaccine; and**
- 3. Launch public education programs to combat vaccine misinformation and hesitancy and increase vaccination rates among vulnerable populations.**

The COVID-19 pandemic has taught us important lessons about how the global community can effectively prepare and work together to respond to public health threats. Among those lessons is the importance of recognizing the framework that has enabled COVID-19 vaccines and treatments to come

to market. Decades of foundational research and development efforts paved the way for drug manufacturers to mobilize and discover mRNA and viral vector vaccines along with treatments at record speed to mitigate COVID-19. But the investments, collaborations, and decades of work that led to the rapid development and manufacturing of COVID-19 vaccines and treatments would not have been possible without strong global legal frameworks that support intellectual property. Those legal frameworks are essential to protect innovation and the pursuit of vaccines and treatments for other hard-to-treat diseases such as HIV, hepatitis, and cancer.

As USTR works with policymakers, public health officials, and stakeholders across the healthcare system to address vaccine access challenges, it is critical that you consider how the TRIPS waiver on IP protections will have a chilling effect on future drug development and the ability of global innovators to research and develop the breakthrough vaccines, treatments, and cures of tomorrow. The TRIPS waiver could endanger future medical breakthroughs by allowing other governments to take advantage of decades of dedicated investment in research at zero cost, thus likely deterring future investments by the industry which will only hurt patients who rely on these breakthroughs.

We commend the USTR, the Biden administration, and global leaders for continuing to explore the necessary solutions to improve COVID-19 vaccine access and equity. While we are deeply concerned about the ramifications that the TRIPS waiver could have on future medical discoveries, we believe there remains an urgent opportunity for USTR to work on solutions that will aid vaccination efforts across the globe while not threatening the innovation that will lead to future treatments for chronic and complex conditions.

Thank you for your time and consideration of this critical issue. If you have any questions or comments please contact Carl Schmid, Executive Director of the HIV+Hepatitis Policy Institute, at cschmid@hivhep.org.

Respectfully submitted,

Autoimmune Association
HIV+Hepatitis Policy Institute
International Cancer Advocacy Network
Lupus Foundation of America
National Grange
Partnership to Fight Chronic Disease
Partnership to Fight Infectious Disease
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