



FINANCIAL REVIEW

Date: Thursday, 27 October 2005
Page Number: 11
Edition: First
Supplement: Main

Market: National
Circulation: 85,373
Published: MON TO SAT
Editorial: [email the editor](mailto:email_the_editor)
Item No: P8063424

Size: 223.94 sq. cm.

Ignore antiviral patents, say experts

Annabel Stafford

The government should ignore existing patents on flu antivirals and start making its own supply in preparation for an avian flu pandemic, legal and public health experts said.

It also should reverse an undertaking to the World Trade Organisation not to import generic copies of still-patented antivirals from other countries, an online *Medical Journal of Australia* article said.

The call came ahead of a meeting of health and disaster management experts from 21 Asia-Pacific Economic Co-operation forum nations in

“Australian supplies are likely to run out within six weeks.”

Brisbane next week and as the Avian Flu Advisory Group urges businesses to put crisis plans in

place.

Australia will tighten import arrangements for all live bird and hatching eggs after three pigeons from Canada last week tested positive to bird flu antibodies.

Australian National University Medical School visiting fellow Buddhima Lokuge said: “With the global shortage of antivirals and a six-month delay before vaccines can be widely available, what’s clear is that [Australian] supplies are likely to run out within six weeks.” Australia’s antiviral stockpile is currently 4 million doses.

Roche, which makes the antiviral Tamiflu, had already “licensed four additional manufacturers” to make its drug, but “as a smaller market we are likely to have less bargaining power, that’s why it’s good to start working it out now”, said Dr Lokuge, one of the journal article’s authors.

GlaxoSmithKline, which manufactures the Australian-designed

antiviral Relenza, “would listen to any government” that approached it about licensing, health-care environment director Alex Gosman said, adding it was a matter for the World Health Organisation to decide.

But Dr Lokuge and his fellow authors want the government to use its ability to compulsorily license generic manufacturers.

Under international agreements, and the free-trade pact with the United States, the government has the right to issue such licences when it is for Crown use, said another of the article’s authors, Australian National University Regulatory Institutions Network director Peter Drahos.

But Australia’s promise to the WTO in 2003 not to import compulsorily licensed drugs means it can’t import copies of the antiviral Tamiflu from India or Taiwan, which are planning to manufacture it.



Avian flu will top the agenda of next week’s APEC meeting.