

Innovate or ©opy paste? – A debate on innovation and intellectual property in the health sector, 17 November 2015, India International Centre, New Delhi

Distinguished experts, ladies and gentleman

I would like to warmly welcome you to the symposium **“Innovate or ©opy paste? – A debate on innovation and intellectual property in the health sector”**

The aim of this interactive session is to foster a dialogue between public health experts, intellectual property rights specialists and representatives of health-related industries on how to sustainably provide access to health innovations in India.

How important today's topic is show concerted efforts since 2009 of the World Trade Organization (WTO), the World Intellectual Property Organization (WIPO) and the World Health Organization (WHO) – all based in Geneva, Switzerland, to increase coherence between public health, intellectual property and trade policy.

In fact, only two weeks ago, a very similar international symposium took place in Geneva, organized in the framework of this trilateral cooperation, on the theme of **“Public Health, Intellectual Property and TRIPS at 20: Innovation and Access to Medicines; Learning from the Past, Illuminating the Future”**

Our intention is of course **not to ©opy paste** the format of the Geneva symposium but to look particularly at the Indian context, its priorities, challenges and prospects.

One might ask: **Why is the Embassy of Switzerland engaging itself in such a complex topic?**

The answer is manifold:

First, Switzerland has expertise in promoting innovation:

Switzerland is an innovation powerhouse and ranks first in several global innovation rankings such as the Global Innovation Index, the WEF Global Competitive Index and the European Union Innovation Score Board. This high performance is based on various factors, of which a high investment in Research & Development is probably the most significant one. Switzerland has already reached the Europe 2020 target of a combined public and private R&D spending of 3 percent of its GDP. The private sector bears the cost of over two-thirds of Swiss R&D expenditure, while the public R&D expenditure is mainly intended to promote fundamental research.

Further innovation enhancing elements are Switzerland's well developed infrastructure and strong intellectual property rights, which provide an important incentive to invest in innovation by enabling firms to recover their investment costs. According to recent numbers published by the European Patent Office (EPO), in 2014 Switzerland filed the most patents per capita, with 848 new patents per one million inhabitants. Most of the

patents were filed by transnational companies such as ABB, Nestlé, Roche and Novartis but also several of Switzerland's top universities figure among the top 25 patent filers.

Second, Switzerland hosts some of the most cutting-edge, health-related R&D facilities in the world:

The Health Valley between Lausanne and Geneva with its new impressive Campus Biotech hosts some of the world's leading research institutions, companies and start-ups in the field of med- and biotechnology. Western Switzerland itself has a higher employment level per capita in life sciences, biotechnology, medical technology, and medicine than the famous Boston area.

The city of Basel is known as the "Pharmacy of Switzerland" and is not only headquarter and research hub of leading pharma companies such as Roche and Novartis but also hosts leading research institutes such as the Swiss Tropical and Public Health Institute. The pharma industry alone reinvests every year more than 6 billion Swiss francs in research and development. This is twice as much as they achieved in sales in Switzerland and underlines the importance of Switzerland as a research center and the drive for continuous innovation within this companies.

Third, the improvement of international access to essential, good-quality, affordable medicines and medical devices is one of the priorities of Switzerland's foreign health policy:

Switzerland was closely involved in the process which led, in 2008, to the adoption of the Global Strategy and Plan of Action on Public Health, Innovation and Intellectual Property by the World Health Assembly (WHO). The WHO Commission which produced the report and recommendations on which the strategy is based was chaired by former Swiss Health Minister Ruth Dreifuss. Consequently, Switzerland played a key role throughout the negotiations for this strategy and plan of action. A national action plan was developed which integrated the activities of concerned federal authorities and actors such as NGOs, public-private partnerships, the pharmaceutical industry and the scientific community.

One of the success stories in this field is Switzerland's efforts to combat malaria. Since the 1990s, the Swiss Development Corporation (SDC) has supported innovative projects designed to control this dangerous tropical disease in Tanzania, as well as local malaria research which has earned global recognition. Over the past 5 years, the SDC has invested CHF 11 million annually in malaria control efforts in which Swiss research institutions, NGOs and companies play a key role. A Swiss Malaria Group (SMG) was established with the aim to strengthen Switzerland's commitment in this area, which has already proved successful. One life-saving innovation, the antimalarial drug now most widely used in children, was jointly developed by the Medicines for Malaria Venture and Novartis – in a public-private partnership financially supported by the Swiss Development Corporation.

With this encouraging example as my last words, I would like to invite **Mr. Santanu Mukherjee, Chairman of the IPR Section of the Indian National Bar Association**, on the dias. Mr. Mukherjee will guide us through today's symposium and will moderate the panel discussion. We are very happy to have Mr. Mukherjee with us today, not only because of his expertise in intellectual property and trade related issues but also because of his profound knowledge of Switzerland, being a graduate of the reputed World Trade Institute in Berne and having worked for the WTO and the South Centre in Geneva.

I would like to thank you for your attention and give the word to Mr. Santanu Mukherjee for the introduction of the experts.