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Opinion: How the vaccine has made it all over the world

Dan Snyder May 06 2022

Biden administration is wrong to promote a waiver of the World Trade Organization's policy concerning trade-related aspects of intellectual property rights.

The barriers to people in developing countries getting vaccinated against COVID-19 is decidedly not supply.

Last week, Africa requested all COVID-19 vaccine donations be paused until the third or fourth quarter of this year. John Nkengasong, director of the Africa Centres for Disease Control and Prevention, said the primary challenge for vaccinating the continent is no longer supply shortages but logistics challenges and vaccine hesitancy.

In President Biden's State of the Union address, he noted the U.S. had sent 475 million COVID-19 vaccine doses to 112 countries. Worldwide vaccine supply is well covered.

The United States has led much of the world's health conversation around — and now the supply of — COVID. Now, it's seeking a way to upend scientific research, disrupt trade policy and hinder intellectual property protections by promoting a waiver to the World Trade Organization's policy around trade-related aspects of intellectual property rights (TRIPS). But why?

It remains unclear why the U.S. is taking such a position. In late November, President Biden debunked the notion that the U.S. was hoarding vaccines and expressed that countries such as South Africa had 'turned down additional doses.' So why push the waiver?

Availability of the vaccine is a complex issue comprising lower demand, the fragile gaps in rural health infrastructure, obstacles to safe storage and transport of the vaccine, public attitudes and misinformation, and the need for more health care experts to administer care in many developing and middle-income regions around the world. But it's not supply.

The research, testing, vetting, approval, rapid manufacture and uber-fast distribution of the vaccines by entities including Pfizer, BioNTech, Moderna and Johnson & Johnson, Inovio, CanSino Biologics, Sinovac, AstraZeneca, University of Oxford, Sinopharm, Novavax and others is nothing short of miraculous, and unprecedented. Immediacy was heeded and supply is strong and continuing around the globe.

These companies developed the knowledge and scientific basis for the vaccines' formulations after decades of research and scientific discovery, substantial investment, risk mitigation and cultivation of both shared proprietary intellectual property. The development of any therapy demands this full equation.

Some research has been open-sourced. Elements of the complex chemical formulations and compounds were already known to experts in the medical research and development space. But companies, academia, health providers must also mitigate risk and global security by protecting portions of their unique and original chemical combinations. That is the responsible thing to do.

But this new global knowledge also needs a tender touch. With this sharing of knowledge, the stipulations of trade policy have also come into play.

Trade security and protection is at the heart of sound import and export policy. TRIPS (Trade-Related aspects of Intellectual Property rights) became the defining multilateral trade policy of the World Trade Organization in 1995, seeking to and succeeding at the creation of minimum rules and disciplines required to ensure rights of inventors, makers and manufacturers, so they can realize strong measures of support and risk management with products, services and technologies. Without it, economic confidence is severely undercut. The TRIPS policy exists to clarify countries' commitment to internal and external systems of protection and to support innovations around the globe.

But in May 2021, the U.S. administration indicated support to the World Trade Organization to partition pieces of U.S.-protected R&D in violation of historic intellectual property rights and protections, in an action called the TRIPS waiver.



COURTESY PHOTO: OREGON BIOSCIENCE ASSOCIATION/MELISSA COOPERMAN PHOTOGRAPHY - Dan Snyder is the former CEO of MolecularMD, a Portland-area biotech company founded to develop cancer diagnostic assays.

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The waiver may well undercut the vaccine developers' assurances. Confidence and investment will decline in inventions and caretaking for future R&D that will create both today's and tomorrow's cures for cancer, diabetes, etc., better maternal health, increased quality of life, and new devices and technologies.

In Oregon alone, more than 800 firms are dedicated to health and biotech innovation, research, development, investment, production and distribution and many of these firms are associated with vaccine production. How can we tell them their intellectual property will be at risk around the world?

The local and national U.S. bioscience industry is speaking out. Exercising the TRIPS waiver won't meet the needs of any developing or low-income country because global vaccine supply is already at its highest levels. Safe and effective vaccines already exist and are in substantial stocks; the production of more isn't needed.

What the worldwide pandemic has taught us (and hopefully the World Trade organization) is how low- and middle-income countries need support to develop health care infrastructure, to strengthen their fragile transportation modes and to usher in the expertise to bring modern, proven treatments to benefit all global citizens no matter where they call home.

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