

Innovation and COVID: Insights For Policymakers

Innovation during the COVID pandemic was accelerated by certain enabling policies and actions. By applying lessons learned, policymakers can support the ongoing COVID response and enhance future pandemic preparedness.

IP was an important enabler of the pandemic response. Alongside patent protection, trade secrets protection has been crucial. Systems for IP protection support the development and commercialization of new health technologies – especially during a crisis.

Innovators had a range of innovative tools and technologies to apply to the COVID response when the pandemic hit. IP had supported investments in their development.

Collaboration and knowledge-sharing provided a foundation for rapid innovation in response to the crisis. IP enabled innovators to share IP assets with less risk of misappropriation.

Extensive technology and know-how transfer occurred, especially during the phase of establishing and scaling manufacturing capacity. IP facilitates tech transfer.

At every stage of development of COVID vaccines and other solutions, significant investments were required. IP protection helped to enable such investments, whether in relation to product innovation, regulatory approval, scaling production, or distribution.

Some IP assets relevant to the COVID response were licensed by the public sector research institutes to the private sector. One example is the mRNA platform. This underlines the need for policy frameworks for public-private collaboration.

Some have called for removing IP. This would have made it impossible in the case of COVID to innovate so quickly, by making knowledge and technology sharing unduly risky. It would also have made it more difficult to establish distributed manufacturing networks, which require tech transfer.

Other types of policies also affected the COVID response. Government support, whether financial support or cooperation with innovators to expedite regulatory approval without compromising safety and quality, accelerated the response. In contrast, some policies, such as export restrictions, interfered with the operation of efficient value chains and should be re-examined.

The pandemic response required collaboration and knowledge-sharing for urgent and rapid progress. IP protection made this possible.

Innovators rapidly came together to share their technologies and knowledge, working together to develop new diagnostics, vaccines, and therapeutics and to test existing solutions for relevance to COVID.

They worked with partners, knowing their IP assets would not be misappropriated thanks to contracts and IP protection. They had confidence that their business would exist on the other side of the pandemic.

Sharing trade secrets – often the highest value IP assets – was especially risky. Trade secrets protection and a culture of innovation that respects IP helped to enable such sharing.

All stages of getting new COVID solutions to society required collaboration: from innovation to manufacturing and distribution. In-house resources and capacity were simply not adequate to address the urgent global need and, especially, to manufacture enough doses quickly.

There are many examples of collaboration in the report including Pfizer and BioNTech, Oxford and AstraZeneca, J&J and Merck & Co.



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No one party can do everything. No one entity has all the tech to bring to bear to solve a problem like COVID. It has taken a tremendous amount of collaboration. And IP has really facilitated collaboration. It allowed parties to share information freely, knowing there are frameworks to protect that information.”

Matt Pugmire

Assistant General Counsel, Pfizer

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unpackingip.org

