



## Study of Intellectual Property policies in Public-Private Partnerships

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### BACKGROUND

Collaboration in pharma has a longstanding reputation. To overcome the current crisis in the drug development sector, there is an increased interest in the formation of consortia, often based on public-private partnership (PPP) models (1-3). Great promises are expected from 'precompetitive' public-private partnerships (1;4-5). However, for the different stakeholders, the Intellectual Property (IP) policy may be a major bottleneck (6-7).

### OBJECTIVE

This research aims to provide **(a)** an overview of the motives for participation in PPPs, **(b)** a comparison of the most important IP policies and to study to which extent they stimulate and/or hamper and **(c)** experience the use and exchange of proprietary knowledge and associated data within and between academia, SMEs and large pharmaceutical companies.

### METHODS

#### (a) Motives for participation (8)

In-depth semi-structured exploratory interviews (Jan-Feb 2011)

Validation interviews (Sept-Oct 2011)

#### (b) IP policies

Analysis of policies, guidelines and case studies on IP rules in PPPs

#### (c) Opinions on IP policies

Survey and round-table discussions with stakeholders

### PRINCIPLES & CONCEPTS

- Precompetitive research
- Background IP
- Foreground IP
- Sideground IP
- (Co-)Ownership
- Access Rights
- Licensing and/or Transfer of Rights

### PUBLIC-PRIVATE PARTNERSHIPS

European



National



### RESEARCH QUESTIONS

*What are the motives for different stakeholder groups to participate in a (bio-)pharmaceutical PPP? What are the hurdles for participation?*

*How do IP policies vary between different (bio-)pharmaceutical PPPs? Does the variation of IP policies coincide with the participation of stakeholders?*

*To which extent do the IP policies of the selected PPPs meet the expectations of the participants?*

*What is the importance of IP as a performance indicator for the output and/or outcome of 'precompetitive' PPPs?*

### REFERENCES

- (1) Woodcock J. , "Precompetitive research: a new prescription for drug development?", Clin Pharmacol Ther 2010, 87(5):521-3;
- (2) Gallagher W.M. et al., "Omic profiling for drug safety assesment: current trends and public-private partnerships", Drug Discov Today 2009, 14(7-8):337-42;
- (3) Croft S.L., "Public-private partnership: from there to here. Trans R Soc Trop Med Hyg 2005, 99Suppl 1:S9-14;
- (4) Wagner J.A., "Open-minded to open innovation and precompetitive collaboration", Clin Pharmacol Ther 2010, 87(5):511-5;
- (5) Goldman M., "Reflections on the Innovative Medicines Initiative", Nature Reviews 2011,10:321-2;
- (6) Vargas G. et al., "Arguments against precompetitive collaboration.", Clin Pharmacol Ther 2010, 87(5):527-9;
- (7) Mullard A., "Could pharma open its drugs freezers?" Nature Reviews 2011, 10:399-400;
- (8) Paper under preparation.

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