



**U.S. Chamber of Commerce**

*1615 H Street, N.W.  
Washington, D.C., 20062-2000  
telephone: +1-202-463-5460  
fax: +1-202-463-3114*

---

**September 28, 2007**

**U.S. Chamber of Commerce**

**Submission to the Second Public Hearing of the  
Intergovernmental Working Group on  
Public Health, Innovation and Intellectual Property**

**World Health Organization**

The U.S. Chamber of Commerce — the world’s largest business federation, representing more than three million businesses of every size and sector — welcomes the opportunity to comment on the critical importance of intellectual property rights. We believe that strong intellectual property protection will be a key driver of the 21<sup>st</sup> century economy. Around the globe, innovative industries are at the core of economic and social development – including unprecedented progress in developing new life-saving medicines and vaccines while increasing access to existing ones.

For that reason, we have deep concerns regarding any proposals to weaken standards of protection for intellectual property that could potentially threaten innovations by our members in all industry sectors, particularly small and medium-sized enterprises. We are also particularly concerned with the improper use of compulsory licenses, as issued recently by Thailand and Brazil.

There is ample evidence that protecting intellectual property brings substantial benefits to developing countries. Countries such as Colombia that have afforded strong protection of intellectual property have seen access to generics increase; stronger intellectual property protections in Mexico and Jordan have yielded substantial new investments and job creation in the pharmaceutical sector. Their citizens now are among the first in the world to attain access to new life-saving medicines, and prices for life-saving medicines in these countries did not rise after these enhanced protections were adopted. And a survey of business executives from across five continents showed that Thailand's new economic policies and poor intellectual property safeguards could be jeopardizing critical international investment.



**U.S. Chamber of Commerce**

*1615 H Street, N.W.  
Washington, D.C., 20062-2000  
telephone: +1-202-463-5460  
fax: +1-202-463-3114*

---

No alternative to the current research and development policies should be adopted without a thorough analysis of the potential consequences of such changes. While there are too few treatments for tropical diseases such as malaria, these represent some of the most difficult challenges in science; they are a major focus of today's research. We are confident that current investment in research and development in the pharmaceutical sector is producing results, and the current policy works for the benefit of citizens around the world.

The costs of abandoning strong protection for intellectual property could be high. Patients, especially the world's poor, cannot take a chance that an alternative system would be able to provide needed medicines and vaccines for the 21st century.

Should a discussion to alter intellectual property protections take place at the World Health Organization, it would be imperative for all relevant stakeholders — private sector intellectual property organizations, businesses across the global supply chain, and national and international intellectual property offices — to be heard.