



## **IP is a tainted brand – where now?**

***IP Pharma Europe Summit***

**Ian Harvey - *Chairman, Intellectual Property Institute***

**October 22, 2008**

The  
Economist

OCTOBER 18TH-24TH 2008

www.economist.com

Defeatism in Afghanistan  
The reinvention of Gordon Brown  
John McCain's last chance  
Controlling drug addiction  
Goodbye to Jörg Haider

# CAPITALISM AT BAY



£3.90

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*“Capitalism is at bay,  
but those who believe in  
it must fight for it. For  
all its flaws, it is the  
best economic system  
man has invented yet.”*

Economist Oct 2008



# CAPITALISM AT BAY



# **IPR AT BAY**

# Vorsprung durch Technik





**IP**



**Patents kill**



**Patents kill ... patients**



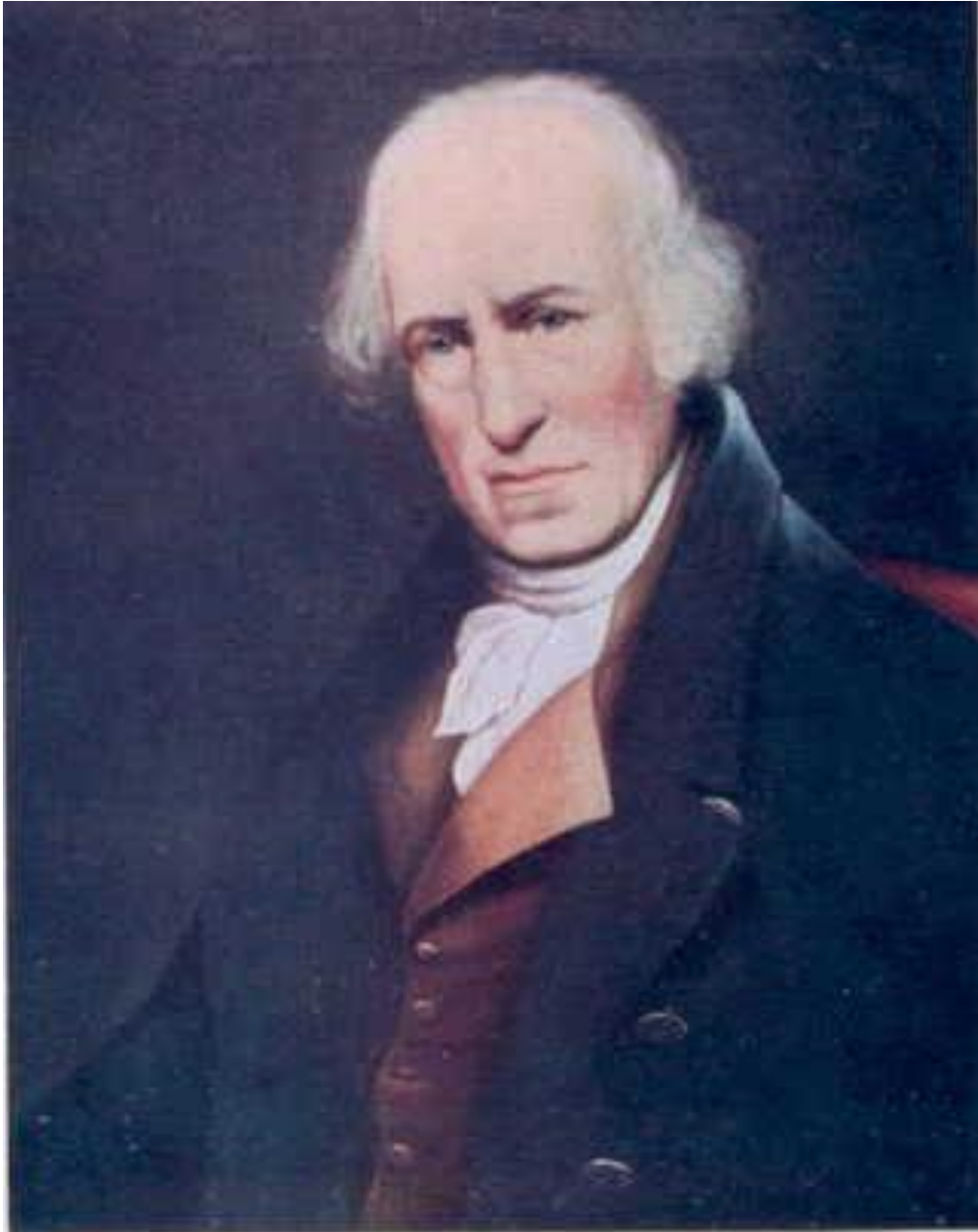


**Patents kill ... innovation**

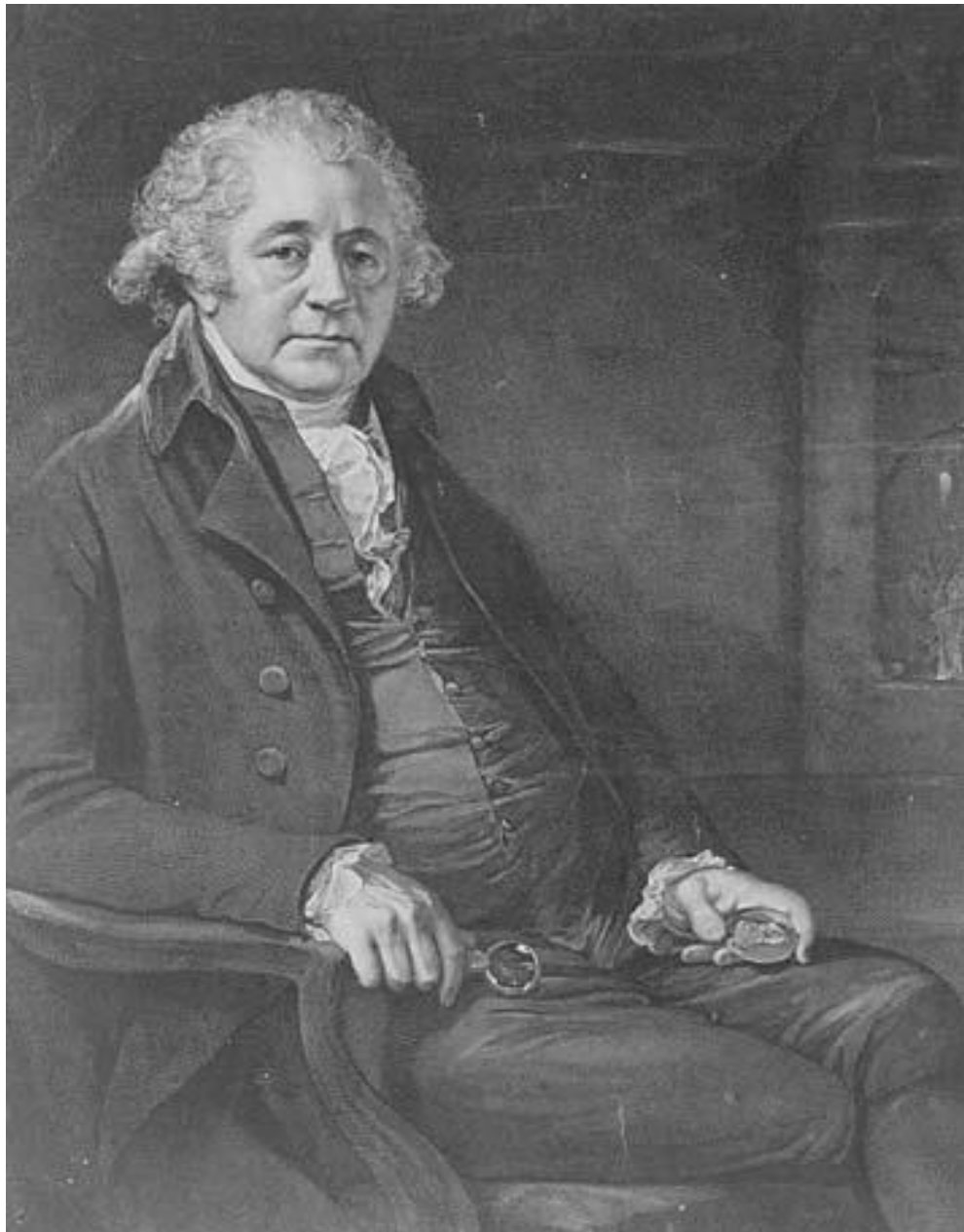
## What are the facts?

- “Perceptions of Intellectual Property: A Review”
  - Roya Ghafele (Haas School of Business, UC Berkeley)
- Public discourse about IP:
  - ***95% negative or very negative***
  - ***Download from IPI website:***

***<http://www.ip-institute.org.uk/pub.html>***



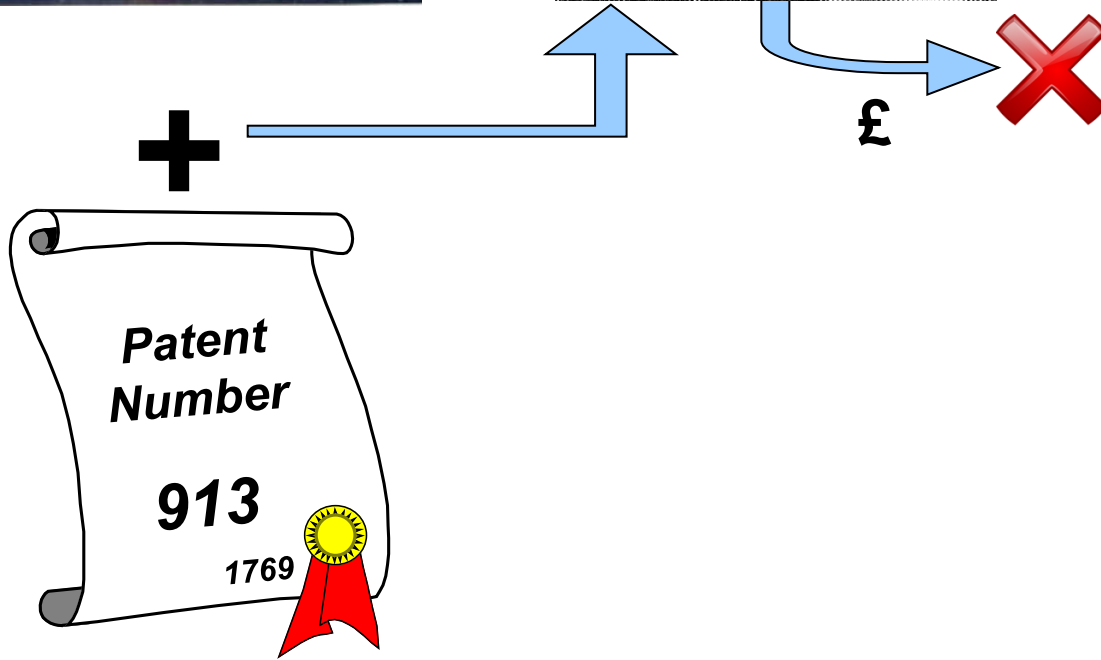
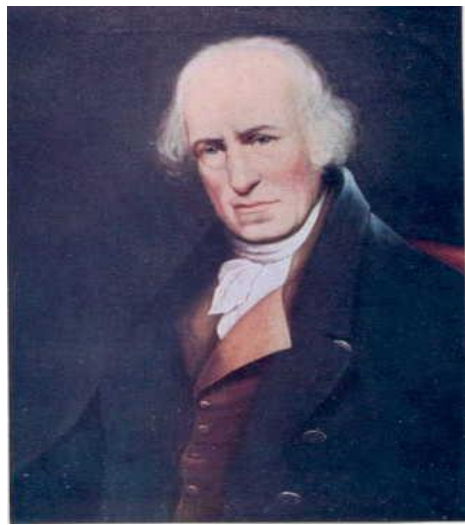
**James Watt**

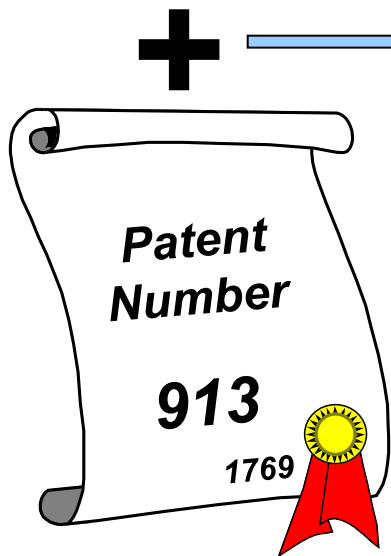
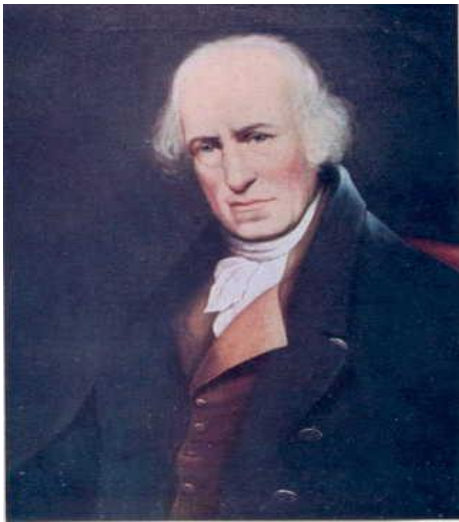


**Matthew  
Boulton**

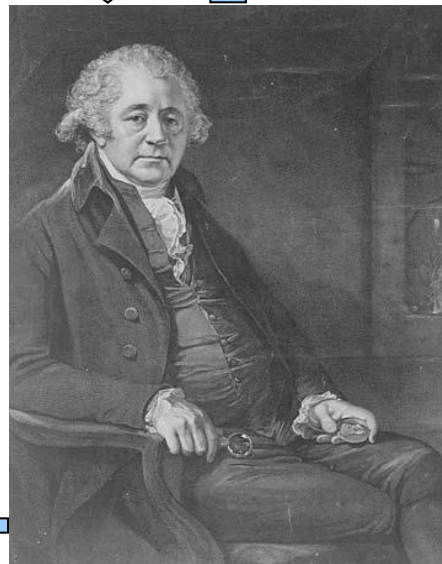


**John  
Roebuck?**

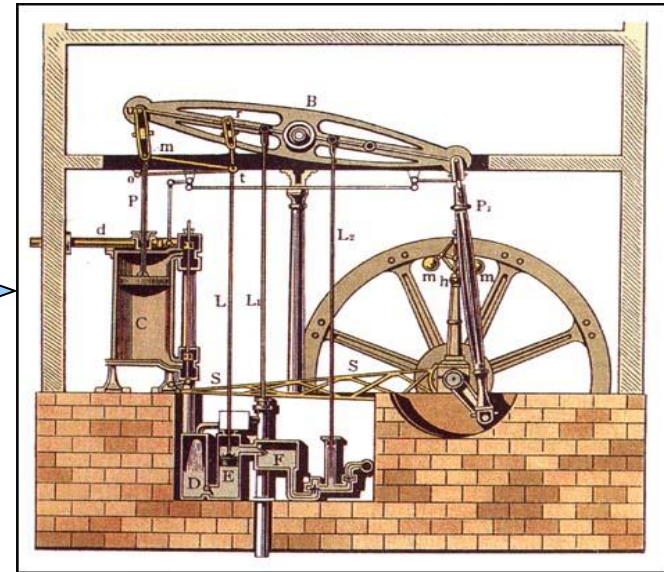




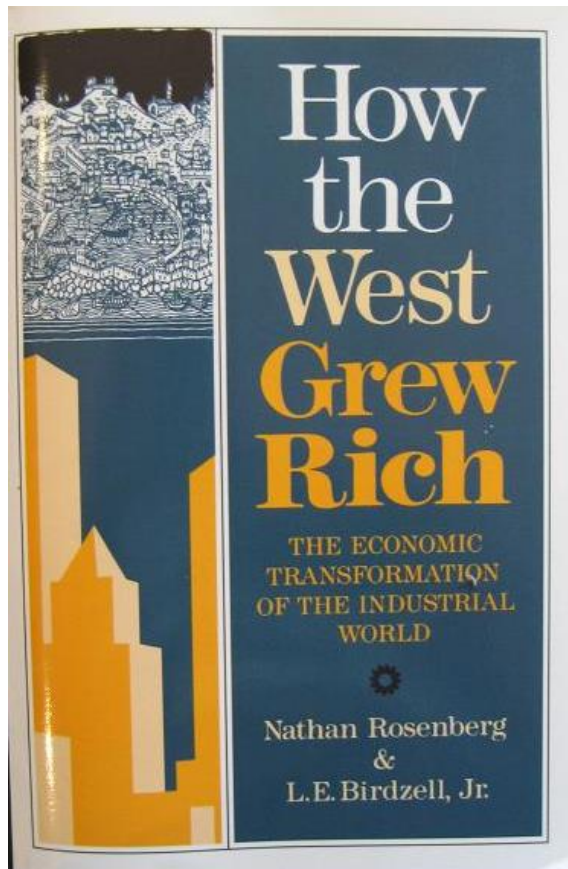
14 to 30  
Years



£



## Do Economists understand?



- 1985 - 333 pages
- Review: *“a careful, objective, scholarly explanation of the foundations of prosperity”*
- *“The West’s system of innovation is interwoven ... with its system of private property rights.”*
- The sole mention of patents:
  - “...patents, which go to the first inventor, and whose economic life is measured by the time it takes to find a better alternative.”* p23





## **IPRs provide:**

- **The incentive to innovate and invest in risky new ideas**
- **The legal clarity and certainty for technology transfer transactions**



**IPRs provide:**

**The incentive to innovate and invest in risky new ideas**



**IPRs provide:**

**The legal clarity and certainty for technology transfer transactions – including creation of IP pools**



# Problems

- **Patent thickets**
- **Developing country access**
- **Compulsory licensing**



**Breaking the  
Climate Deadlock**  
Discussion Paper: **Intellectual  
Property Rights: The catalyst to  
Deliver Low Carbon Technologies**

Ian Harvey

**Tony Blair**



THE CLIMATE GROUP



**G8 Summit Hokkaido:  
Endorsed a strong IP  
system as fundamental**

[http://www.theclimategroup.org/assets/resources/Intellectual\\_Property\\_Rights\\_-\\_Catalyst\\_to\\_Deliver\\_Low\\_Carbon\\_Technologies.pdf](http://www.theclimategroup.org/assets/resources/Intellectual_Property_Rights_-_Catalyst_to_Deliver_Low_Carbon_Technologies.pdf)

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# DIET, NUTRITION AND THE PREVENTION OF CHRONIC DISEASES



*Report of a  
Joint WHO/FAO Expert Consultation*

**2003**





# The Brand of IP

- **IP Brand Development Group**
  - **Leader: Caroline Kamerbeek** *Philips Intellectual Property and Standards*
  - **[Caroline.kamerbeek@philips.com](mailto:Caroline.kamerbeek@philips.com)**
- **Core companies:**
  - **Philips, GE, IBM, Microsoft**
  - **Pharma?**
- **Inward – outward messages**



## **Actions**

- **Get our own houses in order**
  - **Educate our own managers about IPRs**
  - **Get the Board to discuss IPR strategy**
  - **Pharma needs to be squeaky clean**
  - **Not only legal, but right**
- **Engage with other industries**
- **Argue the IPR case – in lay language**
- **Engage better with those who criticise us**
- **Come up with workable, saleable solutions**



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**IP is a tainted brand – together, we can fix it**

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