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Editorial

The Government Pharmaceutical Organisation (GPO) is developing its version of Favipiravir, that has proved successful in treating some Covid-19 patients, and expected to submit this medicine for registration with FDA in March 2021.

In 2010 and 2011, Toyama Chemical Co.,Ltd. (or currently became “FUJIFILM Toyama Chemical Co., Ltd.”) in Japan filed three patent applications Numbers 1101001988, 1301001720, and 1301001721 for production of Favipiravir tablets in Thailand. However, all patent applications still remain under examination stage. Meanwhile, the Zhejiang Hisun Pharmaceutical Company in China was granted a production licence from Fujifilm and have been shipping the drug to Thailand during the current pandemic. If Favipiravir is granted a patent, GPO could be sued for patent infringement. Therefore, a voluntary licensing agreement or compulsory licensing must be negotiated with the patent owner of the Favipiravir patent and be granted a licence to produce and distribute its drug. Nevertheless, licensing might not be the best solution for access to medicine in Thailand due to lack of technicians and capability to produce the medicines.

The Medicines Patent Pool (MPP), one of patent pool system, would be more effective method for low and middle-income countries to have rapid access to affordable treatment. MPP negotiates with patent holders for licences and these licences permit low-cost manufacturers to distribute patented medicines in developing countries. Drug and vaccine companies would be under pressure to give up the monopoly that patents allow them on their inventions so that all countries can produce or purchase affordable versions.

We believe that MPP could contribute to the global response to Covid-19. This pandemic presents an opportunity for the human family to act in solidarity and turn this crisis into an impetus to achieve the sustainable development goals.

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1. GPO gearing up to produce Favipiravir

(From Bangkok Post, April 28, 2020)

Bangkok – The Government Pharmaceutical Organization (GPO) is making its own Favipiravir – the antiviral medicine for Covid-19. “The Favipiravir patent has already expired, so Thailand can produce it legally, said Dr Sophon Mekthon, chairman of the GPO’s board of directors. Favipiravir is used to treat influenza in Japan and known for stopping viruses from duplicating and has been used to treat Covid-19. Thailand has been importing Favipiravir, mostly from Japan, to treat Covid-19 patients with moderate to severe symptoms since January. The GPO will seek approval from the Thai Food and drug Administration and the Department of Medical Sciences.

2. Patent pooling key to ending outbreak

(From Bangkok Post, April 28, 2020)

Bangkok – The World Health Organization’s Global Influenza Surveillance and Response System (GISRS) has experts from around the world to analyze and discuss the latest data on emerging flu strains, and to decide which strains should be include in each year’s vaccine. The GISRS is focused solely on protecting human lives, it gathers and distributes actionable knowledge for development of vaccines. In responding to the pandemic, the global scientific community has shown a remarkable willingness to share knowledge of potential treatments, coordinate clinical trials, develop new models transparently, and publish findings immediately. Patent pooling, prize funds, and other ideas are sought to reform how life-saving drugs are developed and made available.

3. NIA puts aside B100m for innovation

(From Bangkok Post, April 28, 2020)

Bangkok – The National Innovation Agency (NIA) has designed 100 million baht to support innovation development projects carried out by startups and small and medium-sized enterprises (SMEs) financially constrained by the pandemic. The agency is also exploring new markets for startups and encourage the government to procure products developed by local startups. Before the outbreak, startups were developing with support from corporate venture capital funds and most of them have kept growing. After the pandemic, developers are likely to focus more on deep tech, including hard sciences such as medical tech, artificial intelligence and biotech. “Local startups have to turn the pandemic into an opportunity by adjusting and recovering fast”, said NIA executive director Pun-Arj Chairatana.

4. Commerce officials pledge IP protection ramp-up

(From Bangkok Post, May 2, 2020)

Bangkok – The United States Trade Representative (USTR) announced it would keep Thailand on its Watch List (WL) for a fourth consecutive year after taking the country off its Priority Watch List (PWL) in 2017. Thailand is among 23 countries on the list. US authorities are worried over counterfeit products sold in physical and virtual markets. They specified Patpong Market in Silom district in Bangkok and the popular online trading platform, shopee.co.th. Thailand is preparing to sign up to two international agreements – the Hague Agreement Concerning the International Registration of Industrial Designs and Copyright Treaty, initiated by the World Intellectual Property Organization.

5. Thai Chamber of Commerce mulls CPTPP

(From Bangkok Post, Thailand, May 7, 2020)

Bangkok – The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) has been a controversial issue about its negative effects on food security and access to certain medicines. The Thai Chamber of Commerce has formed a study team with experts and will invite businesses to voice their opinions. Regarding CPTPP's provision on intellectual property, farmers are worried they will not be allowed to save and reuse seeds that contain patented plant materials, while patient rights advocates fear the pact will affect the compulsory licensing of pharmaceuticals, which empowers a government to allow for the manufacture of some patented products. The pact is strongly opposed by civic groups and health activists.

6. Two-thirds of Thai industries will find it difficult to pull out of depression in post-Covid era, predicts FTI

(From www.nationthailand.com, May 14, 2020)

Bangkok – The Federation of Thai Industries (FTI) called on the government to join the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) and make more free-trade deals with trade partners. Of the 45 industry groups in Thailand, 32 are expected to suffer a drop in demand and will recover slowly after the outbreak due to the global slowdown. Kriangkrai Thiannukul, vice president of FTI said. Only 13 industries will expand, namely medical and healthcare devices, pharmaceutical, information and communication technology, pulp and paper, sugar, air-conditioning and cooling systems, food, electricity generating, chemical, rubber products, plastic, printing and packaging and aluminium product, he added.

7. US extends a profitable hand of friendship to Thailand

(From www.nationthailand.com, May 14, 2020)

Bangkok – US ambassador Michael George DeSombre said Thailand would become an investment base for American investors and was ready to remove the Kingdom from the intellectual property watch list. Commerce Minister Jurin Laksanavisit said Washington was willing to cooperate with intellectual property operations and liberate Thailand from the watch list. DeSombre also told that Thailand can play a bigger role in tourism than other countries in the region once the pandemic is under control. Mr. Jurin called on the ambassador to push for the US production sector to use more raw materials from Thailand, such as rubber, rice as well as digital content.

8. Thailand to remain key producer for Panasonic

(From Bangkok Post, Thailand, May 22, 2020)

Thailand – Thailand will remain an important production base for Japanese electronics company Panasonic after it has decided to shut down its washing machine and refrigerator plants here and move production to Vietnam. The two factories are managed by Panasonic Appliances (Thailand) Co, employing about 800 workers. The two plants started operations in 1979. However, Panasonic Group still operates 18 companies and factories in Thailand making batteries, beauty equipment, lighting, electric fans, car audio and electronic parts for the automotive business, with 13,700 staff. Panasonic is in the midst of restructuring efforts, with the goal of cutting costs by about US\$930 million by the fiscal year ending March 2022.

9. Panel to work on finding out if trans-Pacific pact really beneficial

(From www.nationthailand.com Thailand, May 27, 2020)

Thailand – Thailand is finding out whether the country should become part of the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP). If it will be beneficial to the country, then the next step will be negotiating about and signing the partnership. A previous government-led study showed that if Thailand joined the partnership, its gross domestic product (GDP) would grow 0.12 per cent or by 13.32 billion and investments would rise by 5.14 per cent or Bt148.24 billion. In case the country chooses not to sign the pact, its GDP stands to contract by 0.25 per cent or Bt26.6 billion and investments are expected to drop by 0.49 per cent or Bt14.27 billion.

10. Three fruits and dragon jars get geographical indication stamp

(From www.nationthailand.com Thailand, May 28, 2020)

Thailand – The Department of Intellectual Property has placed the geographical indication sign on four products, namely emblica or makham pom grown in Nakhon Ratchasima's Non Thai district, the Thong Dee pomelo grown in Chaiyaphum's Ban Thaen district, Chachoengsao' coconut and dragon jar from Ratchaburi province, Deputy Commerce Minister Weerasak Wangsuphakijkosol said. These four new additions bring the number of items with the geographical indication sign up to 124. The dragon jars from Ratchaburi's Muang and Photharam districts are produced using ancient techniques learned from Chinese immigrants.