



FÉDÉRATION INTERNATIONALE DES CONSEILS
EN PROPRIÉTÉ INTELLECTUELLE

INTERNATIONAL FEDERATION OF
INTELLECTUAL PROPERTY ATTORNEYS

INTERNATIONALE FÖDERATION
VON PATENTANWÄLTEN

Resolution of the Executive Committee, Goodwood Park, England 2 to 7 September 2001

“Implementation of TRIPS in relation to Pharmaceuticals”

FICPI, the International Federation of Intellectual Property Attorneys, broadly representative of the free profession throughout the world, assembled at its Executive Committee held in Goodwood Park, England from 2 to 7 September 2001, passed the following Resolution:

RECOGNIZING that the HIV/AIDS epidemic is representative of serious public health problems that developing and least developed countries must address; and

RECOGNIZING that the TRIPS Agreement provides in Article 31, under government use provisions, a mechanism for WTO Member countries to obtain a license for predominantly domestic production of a pharmaceutical product, and that such mechanism is sufficient to deal with most situations; but

RECOGNIZING, however, that some developing and least developed countries do not have an adequate technological base for local production of a desired pharmaceutical product,

NOW, THEREFORE, FICPI URGES that Article 31 be interpreted leniently, and if necessary, the TRIPS Agreement be amended to allow developing and least developed countries to apply under TRIPS compliant procedures for a license in another WTO Member country having the technological base for such production, such amendment also providing that :

- i| The license granted be only for production of amounts required for supplying the needs of the developing or least developed country, and
- ii| The developing or least developed country is to use, but not to sell, the pharmaceutical product domestically, and therefore not to export it to any other country.