



Health Action International (HAI) is an independent, global network, working to increase access to essential medicines and improve their rational use through research excellence and evidence-based advocacy.

Statement

Drop in pay-for-delay good for access to medicines in Europe

8 July 2011 - This week the European Commission revealed a fall in problematic medicines patent settlements. This is good news for public health because intentional delays in opening the medicines market to competition can prevent patients from accessing the medicines they need.

Results from DG Competition's second monitoring exercise show that damaging 'pay-for-delay' settlements fell from an average of 22% of all patent settlements (2000 and 2008) to just 3% in 2010. This is good news for access to medicines because the sooner generic medicines can enter the European market and compete with higher priced originator brands, the sooner overall prices will fall, making medicines more affordable across Europe.

In practice, pay-for-delay settlements postpone the entry of low-cost generics onto the European market after the patent on a medicine has expired. Such deals between companies can prolong originator company monopolies and the high price of their medicines at the expense of the public purse and patient pocket. At a time when health budgets face constraints, HAI Europe encourages competition authorities to take measures to protect and promote fair and effective competition in the pharmaceutical market to advance equitable access to medicines across Europe.

Health Action International (Europe)

Link to DG Competition, second report on the monitoring of patent settlements:

http://ec.europa.eu/competition/sectors/pharmaceuticals/inquiry/patent_settlements_report2.pdf

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