

**Question for written answer E-004461/2020
to the Commission**
Rule 138
Marc Botenga (GUE/NGL)

Subject: Public health imperatives and the Commission's intellectual property rights action plan

The Commission's roadmap for the Intellectual Property Action Plan ¹ mentions that the COVID-19 crisis has brought to the fore a dependence on critical technologies, particularly in the health sector. The roadmap recognises the need for investment in tools to make such technologies available while ensuring a fair return on investment. Experiences with the pneumococcal vaccine and HIV/AIDS treatments have shown that intellectual property rights have an enormous impact on the availability of and access to vaccines and medicines. The Commission partially recognised this by including an obligation to license on a non-exclusive basis and at fair and reasonable conditions in the second call for research and development (R&D) projects on COVID-19 under Horizon 2020. ²

1. In line with its actions on calls for R&D projects on COVID-19 under Horizon 2020, what public health-related flexibilities or exceptions to intellectual property regimes will the Commission include or propose in its Action Plan?
2. To what extent is the Intellectual Property Action Plan developed in line with the upcoming pharmaceutical strategy?
3. To what extent will future impact assessments related to the Action Plan consider the impact of actions concerning intellectual property rights on public health?

¹ <https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12510-Intellectual-Property-Action-Plan>

² https://ec.europa.eu/info/news/second-special-horizon-2020-call-attracts-454-proposals-2020-jun-12_en