

**Question for oral answer O-000013/2021
to the Commission**

Rule 136

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Subject: Waiver of patent protection to speed up vaccine production in the EU

The ongoing COVID-19 pandemic calls for the urgent expansion of Europe's vaccine production capacity. Many Member States already have the skills and technologies to produce these vaccines, but there are still legal limitations that prevent them starting production outside the pharmaceutical companies holding the respective patents.

These patents are a necessary tool for the protection of intellectual property, but in the current circumstances they are limiting efforts to prevent the spread of the virus, and delaying access to a life-saving treatment for many European citizens.

Article 31 of the Agreement on Trade-related Aspects of intellectual Property Rights (TRIPS) provides for the right to arrange the use of patents in an emergency without the holder's authorisation. At EU level there is also the possibility of activating Article 122 of the TFEU, which makes it possible to intervene in the event of difficulties in supplying certain products.

- Does the Commission intend to use these or other tools to speed up vaccine production in Europe?
- What other measures does it intend to take to achieve this aim?

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Lapses: 02/06/2021