



4 August 2015  
FOR IMMEDIATE RELEASE  
CONTACT: Zack Struver  
+1 (202) 332-2670  
zack.struver@keionline.org

## Knowledge Ecology International Leaks TPP Text on Intellectual Property

*Tuesday, August 4th, 2015*

Washington, DC — Today, August 4, 2015, Knowledge Ecology International (KEI) released text from three sections of the 95-page secret negotiating text on the Intellectual Property Chapter being used in the Trans-Pacific Partnership Agreement (TPP, sometimes referred to as TPPA) trade negotiations. The negotiating text is dated May 11, 2015, and reflects the state of the text right before the Maui rounds of the negotiation, which ended Friday, July 31, 2015.

Released this morning is text from the following sections of the IP Chapter:

- All of Section B on Cooperation. (Pages 8 to 10 of the IP Chapter)
- All of Section E on “Patents / Undisclosed Test or Other Data / Traditional Knowledge.” (Pages 29 to 53 of the IP Chapter)
- Articles 1 through 11 from Section H on enforcement. (Pages 67 through 89 of the IP Chapter)

We hope to release the remaining sections (A, C, D, F, G, and the rest of H) later today and Wednesday.

The text will be placed on this web page: <http://keionline.org/tpp/11may2015-ip-text>

The text released this morning is most relevant to issues related to pharmaceuticals, especially rules on biologics and new chemicals. Later today or tomorrow, KEI will release sections of the text relevant to copyright and trademarks.

KEI will publish a more detailed analysis of the text later. James Love, Director of Knowledge Ecology International, released the following statement this morning:

“KEI is publishing the consolidated text for the TPP IP Chapter from May 11, 2015, in order to enable the public to understand, analyze, and influence the rules that have been proposed for intellectual property in this important trade negotiation. Over 600 corporate advisors already have access to this text, and this leak, at least temporarily, levels the field somewhat (there will be a new text coming out of last week’s talks in Maui).

The May 11, 2015, text includes country positions, and reveals extensive disagreements among parties, as well as the isolation of the United States as the country that continues to be the most aggressive supporter of expanded intellectual property rights for drug companies, publishers and other companies.

The proposals contained in the TPP will harm consumers and in some cases block innovation. In countless ways, the Obama Administration has sought to expand and extend drug monopolies and raise drug prices. The astonishing collection of proposals

pandering to big drug companies make more difficult the task of ensuring access to drugs for the treatment of cancer and other diseases and conditions.

The widely reported dispute over the number of years of protection for biologic drug test data is only one of dozens of measures that significantly expand the power of big drug companies to charge high prices. Taken together these provisions will take the public down a road of more and more rationing of medicines, and less and less equality of access. It could have and still can be different. Rather than focusing on more intellectual property rights for drug companies, and a death-inducing spiral of higher prices and access barriers, the trade agreement could seek new norms to expand the funding of medical R&D as a public good, an area where the United States has an admirable track record, such as the public funding of research at the NIH and other federal agencies. Many people reading the provisions released today will appreciate how misguided and wrong are the USTR's values and negotiating objectives.”

*James Love, Director, KEI, August 4, 2015*

For more information and perspectives, we are also attaching the names and contact information for several persons who can comment on the text released this morning, including health and consumer group NGOs, academics, and industry experts.

## **Health and consumer group NGOs**

### **Knowledge Ecology International**

- James Love, Director, +1.202.361.3040, james.love@keionline.org
- Andrew S. Goldman, Counsel for Policy & Legal Affairs, +1.202.332.2670, andrew.goldman@keionline.org
- Thiru Balasubramaniam, Geneva Representative, thiru@keionline.org, +41 22 791 6727

### **Public Citizen**

- Peter Maybarduk, Director, +1.202.588.7755, pmaybarduk@citizen.org
- Burcu Kilic, Research Director, +1.202.588.7792, bkilic@citizen.org

### **Doctors Without Borders/Médecins Sans Frontières**

- Judit Rius Sanjuan, U.S. Manager & Legal Policy Adviser, Access Campaign, T: +1.212.655.3762, M: +1.917.331.9077, Judit.Rius@newyork.msf.org

## **Academics**

### **Professor Susan K. Sell**

Elliott School of International Affairs  
George Washington University  
T: (202) 994-4896  
susan.sell@gmail.com

### **Professor Kevin Outterson**

Boston University School of Law  
mko@bu.edu

### **Dr. Deborah Gleeson**

Department of Public Health  
La Trobe University  
Melbourne, Australia  
T: +61 3 9479 3262  
M: +61 423 209029  
deborah@gleeson.net

### **Professor Margot Kaminski**

Moritz College of Law  
Ohio State University  
margot.kaminski@gmail.com

**Professor Brook K. Baker**

Program on Human Rights and the Global Economy  
Northeastern University School of Law  
T: (617) 373-3217  
M: (617) 259-0760  
b.baker@neu.edu

**Dr. Ruth Lopert**

Department of Health Policy and Management  
George Washington University  
(202) 415-7726  
rlopert@gwu.edu

**Pharmaceutical and biotechnology industry experts who are familiar with the TPP IP Chapter**

**Joseph Damond**

Senior Vice President, International Affairs  
Biotechnology Industry Organization (BIO)  
jDamond@bio.org

**Members of USTR's Industry Trade Advisory Committees (ITAC)**

**ITAC 15: Industry Trade Advisory Committee on Intellectual Property Rights**

**Gregg H. Alton, Esq.**

Executive Vice President, Corporate and Medical Affairs, Secretary and Chief Compliance Officer  
Gilead Sciences, Inc.

**Paul A. Coletti**

Associate Patent Counsel  
Johnson & Johnson

**Erik H. Iverson, Esq.**

President, Business and Operations  
Infectious Disease Research Institute

**Mr. Richard H. Kjeldgaard**

Consultant  
Representing Pharmaceutical Research and Manufacturers of America

**Jeffrey P. Kushan, Esq.**

Sidley Austin  
Representing Biotechnology Industry Organization

**Jonathan L. Marks, Esq.**

Vice President, International Affairs  
Generic Pharmaceuticals Association

**ITAC 3: Industry Trade Advisory Committee On Chemicals, Pharmaceuticals, Health/Science Products And Services**

**Ms. Tiffany McCullen Atwell**

Director, International Government Affairs  
DuPont Government Marketing and Government Affairs  
E.I. du Pont de Nemours and Company

**Mr. Harrison C. Cook**

Vice President, International Government Affairs  
Eli Lilly and Company

**Mr. Ralph F. Ives**

Executive Vice President, Global Strategy and Analysis  
AdvaMed: Advanced Medical Technology Association

**Mr. Maurice J. Kerins**

President  
Airmed Biotech, Inc.

**Douglas T. Nelson, Esq.**

Senior Advisor for Trade, Intellectual Property and Strategic Affairs  
CropLife America

**Mr. Paul A. Neureiter**

Executive Director, Government Affairs  
Amgen Inc.

**Mr. James R. Plante**

Founder and Chief Executive Officer  
Pathway Genomics

**Ms. Lisa M. Schroeter**

Global Director, Trade and Investment Policy  
The Dow Chemical Company

###