**MSF calls for no patents or profiteering on COVID-19 drugs, tests, and vaccines in pandemic**

***Rationing because of high prices and insufficient supply will prolong pandemic***

*Geneva/New York, 27 March 2020*—The international medical humanitarian organisation Doctors Without Borders (MSF) today called for no patents or profiteering on drugs, tests,or vaccines used for the COVID-19 pandemic, and for governments to prepare to suspend and override patents and take other measures, such as price controls, to ensure availability, reduce prices and save more lives.

Already, Canada, Chile, Ecuador and Germany have taken steps to make it easier to override patents by issuing ‘compulsory licenses’ for COVID-19 medicines, vaccines and other medical tools. Similarly, the government of Israel issued a compulsory license for patents on a medicine they were investigating for use for COVID-19.

Following intense criticism from civil society groups and MSF, pharmaceutical corporation Gilead just gave up a special designation from the United States Food and Drug Administration (US FDA) that would have allowed for extended monopoly control over the 20-year patents it has filed for in more than 70 countries for its potential COVID-19 treatment candidate, remdesivir. Preliminary results of clinical trials using remdesivir to treat COVID-19 are expected in April. However, Gilead has yet to commit to not enforcing its patents globally.

“Gilead has no business profiteering from this pandemic and must commit to not enforce or claim its patents and other exclusive rights,” said Dana Gill, US Policy Advisor for MSF’s Access Campaign. “Otherwise, Gilead is setting itself up to charge whatever it wants for remdesivir during this global health crisis, and for years to come. This is even more outrageous when you consider the tremendous amount of taxpayer dollars and public resources that have already contributed to the research and development of remdesivir.”

MSF is deeply concerned about access to any forthcoming drugs, tests, and vaccines for COVID-19 in places where MSF works and in other countries affected by this pandemic, and is urging governments to prepare to suspend or override patents for COVID-19 medical tools by issuing compulsory licenses. Removing patents and other barriers is critical to help ensure that there are sufficient suppliers selling at prices everyone can afford.

“We know too well from our work around the world what it means to not be able to treat people in our care because a needed drug is just too expensive or simply not available,” said Dr Márcio da Fonseca, Infectious Disease Advisor at MSF’s Access Campaign. “In countries where pharmaceutical corporations enforce patents, we urge governments to set the wheels in motion to override these monopolies so they can ensure the supply of affordable drugs and save more lives.”

US diagnostic test maker Cepheid provides another example of pandemic profiteering. The corporation just received US FDA Emergency Use Authorization for a rapid COVID-19 test (Xpert Xpress SARS-CoV-2) that delivers results in just 45 minutes, using existing testing machines that have been routinely used for tuberculosis (TB), HIV and other diseases.

Cepheid just announced they will charge about R351 per test in developing countries, including the world’s poorest countries where people live on less than two dollars per day. MSF and others’ research on Cepheid’s TB test (which uses a similar test cartridge for TB for which the corporation charges nearly R176 in developing countries), shows that the cost of goods, including manufacturing, overhead, and other expenses, for each cartridge is as low as about R53, and therefore each test could be sold at a profit for about R88.

“With a pandemic raging, now is not the time to test the highest prices the market will bear,” said Stijn Deborggraeve, Diagnostics Advisor at MSF’s Access Campaign. “We know now how critical testing is in this pandemic, so the tests need to be affordable for all countries.”

MSF warned that high prices and monopolies will result in the rationing of medicines, tests, and vaccines, which will only serve to prolong this pandemic.

“Pharmaceutical and diagnostics corporations are choosing to be part of the problem rather than part of the solution, showing that even in this acute global health crisis, they won’t do the right thing,” said Gill. “We strongly call on governments to recognise how many lives are on the line and use their powers to make medicines, tests, and vaccines available, accessible, and affordable for everyone.”

*Visit* [*msf.org*](https://www.msf.org/) *for up-to-date information on how MSF is responding to COVID-19.*