

# **Public health, innovation and intellectual property: global strategy and plan of action**

## **Open paragraphs on stakeholders**

As a result of informal consultations among Member States in order to reach agreement on the open paragraphs on stakeholders in the plan of action,<sup>1</sup> the attached table presents the final proposals for the remaining specific actions.

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<sup>1</sup> Document A62/16, paragraph 12.



ANNEX

**Global strategy and plan of action on public health, innovation and intellectual property  
Final proposal for agreement on 10 remaining stakeholders items**

Specific action	Stakeholders
<p><b>2.3(c)</b> encourage further exploratory discussions on the utility of possible instruments or mechanisms for essential health and biomedical R&amp;D, including inter alia, an essential health and biomedical R&amp;D treaty</p>	<p><b>Interested governments; other relevant stakeholders (including nongovernmental organizations)</b></p>
<p><b>3.5(a)</b> encourage the establishment of award schemes for health-related innovation</p>	<p><b>Governments; WHO;</b> other international intergovernmental organizations (including WIPO); other relevant stakeholders (including academia; international and national research institutions; development partners; charitable foundations)</p>
<p><b>5.1(a)</b> encourage and support the application and management of intellectual property in a manner that maximizes health-related innovation and promotes access to health products and that is consistent with the provisions in the agreement on Trade-Related Aspects of Intellectual Property Rights and other WTO instruments related to that Agreement and meets the specific R&amp;D needs of developing countries</p>	<p><b>Governments; WHO;</b> other international intergovernmental organizations (including WIPO, WTO, UNCTAD); other relevant stakeholders (including international and national research institutions and development partners)</p>
<p><b>5.1(b)</b> promote and support, including through international cooperation, national and regional institutions in their efforts to build and strengthen capacity to manage and apply intellectual property in a manner oriented to public health needs and priorities of developing countries</p>	<p><b>Governments; WHO;</b> other international intergovernmental organizations (including <b>WIPO, WTO, UNCTAD</b>); other relevant stakeholders (including international and national research institutions and development partners)</p>
<p><b>5.1(c)</b> facilitate widespread access to, and promote further development of, including, if necessary, compiling, maintaining and updating, user-friendly global databases which contain public information on the administrative status of health-related patents, including supporting the existing efforts for determining the patent status of health products, in order to strengthen national capacities for analysis of the information contained in those databases, and improve the quality of patents.</p>	<p>Governments; WHO; other international intergovernmental organizations (including WIPO, WTO, UNCTAD); other relevant stakeholders (including international and national research institutions and development partners)</p>

Specific action	Stakeholders
<p><b>5.1(e)</b> strengthen education and training in the application and management of intellectual property, from a public health perspective taking into account the provisions contained in the Agreement on Trade-Related Aspects of Intellectual Property Rights, including the flexibilities recognized by the Doha Ministerial Declaration on the TRIPS Agreement and Public Health and other WTO instruments related to the TRIPS agreement</p>	<p>Governments; WHO; other international intergovernmental organizations (including WIPO, WTO, UNCTAD); other relevant stakeholders (including international and national research institutions and development partners)</p>
<p><b>5.1(f)</b> facilitate, where feasible and appropriate, possible access to traditional medicinal knowledge information for use as prior art in examination of patents, including, where appropriate, the inclusion of traditional medicinal knowledge information in digital libraries</p>	<p><b>Governments; concerned communities</b></p>
<p><b>5.2(b)</b> take into account, where appropriate, the impact on public health when considering adopting or implementing more extensive intellectual property protection than is required by the agreement on Trade-Related Aspects of Intellectual Property Rights, without prejudice to the sovereign rights of Member States</p>	<p><b>Governments; WHO;</b> other international intergovernmental organizations (including WIPO, WTO and UNCTAD)</p>
<p><b>5.3(a)</b> explore and, where appropriate, promote a range of incentive schemes for research and development including addressing, where appropriate, the de-linkage of the costs of research and development and the price of health products, for example through the award of prizes, with the objective of addressing diseases which disproportionately affect developing countries</p>	<p><b>Governments; WHO;</b> other international intergovernmental organizations; other relevant stakeholders (including international and national research institutions; development partners; charitable foundations; relevant health-related industries; nongovernmental organizations)</p>
<p><b>6.2(e)</b> where appropriate, initiate programmed actions on regional and subregional levels with the ultimate goal of harmonization of processes employed by the regulatory authorities for drug marketing approvals.</p>	<p><b>Governments; WHO;</b> other relevant stakeholders (including national and regional regulatory agencies, regional bodies and development partners).</p>