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**Patent pools: a licensing option for COVID-19 medicines and SARS CoV 2 vaccines?**

This paper discusses a transnational patent pool as an alternative to complex international R&D cooperation and individual license agreements. Third parties wanting to use the patented invention, whether they are other pharmaceutical manufacturers, non-profit institutions, hospitals outside of clinical trials, or government agencies, must obtain licenses, which the patent holder can refuse to grant unless there is a situation requiring a compulsory license or a governmental order to use the invention.

A patent pool is a mechanism in which important medical solutions, know-how, and intellectual rights can be brought in and then licensed out on a non-exclusive basis to provide as many users as possible access to them. Researchers and patent holders that participate in a patent pool make their research findings and patents for the prevention (vaccination) and treatment of SARS CoV 2 available to third parties for a fee, usually in exchange for a royalty, while adhering to specified standards that apply to everyone.

The facts are that the search for effective treatment options against COVID-19 and vaccines against SARS CoV2 on the one hand, and the time pressure and public pressure to achieve results on the other, have pushed the pharmaceutical industry to new forms of cooperation, such as the worldwide exchange and disclosure of research results. Oxford University Innovation has published new rules for faster non-exclusive licensing to potential partners interested in leveraging their COVID-19-related intellectual property.

A patent pool would have the advantage of permitting use rights in a more efficient and legally secure manner than coercive measures such as compulsory licenses or governmental orders for use, which would have to be ordered individually and nationally restricted in each case. The patent pool eliminates the risk that uncertainty about the existence and enforceability of patent rights on the results under investigation will deter potential licensees and manufacturers from investing, especially if medicines and vaccines are made up of a variety of complementary innovations, such as: the active ingredient and individual components of the same or combinations of active ingredients.