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MMA wary of length of data exclusivity for drug patents



PETALING JAYA: The Malaysian Medical Association (MMA) has expressed concern over the length of data exclusivity granted to companies holding drug patents, following the conclusion of the Trans-Pacific Partnership Agreement (TPPA).

“We believe there is an extension (of data exclusivity) from what the International Trade and Industry Ministry told us but we do not know how long it will be.

“We feel it should not be extended beyond five years, as currently practised in Malaysia,” said MMA president Dr Ashok Zachariah Philip.

Biologics – which is therapy derived from a biological source and includes vaccines, anti-toxins, proteins and monoclonal antibodies – are expensive and given the high costs, there is interest in developing biosimilars, he said.

He said the United States wants it to be protected for 12 years and this would make it hard for other countries to produce biologic drugs of the same type.

Dr Ashok was giving his views following news that Malaysia and 11 other Pacific Rim countries reached a deal on Monday on the TPPA which will next require ratification by the TPPA partners.

Consumers Association of Penang and Sahabat Alam Malaysia president S.M. Mohd Idris urged the Government not to ratify the TPPA.


He said the TPPA would devastate public health, the environment, jobs and the country’s sovereignty.

He said the TPPA is a ticking time-bomb because its Investor-State Dispute Settlement mechanism allows foreign corporations to sue governments for protecting public interest and the environment.

“Many government policies needed to address public health, environmental and global warming issues will be subject to suits brought before biased and undemocratic international investment tribunals,” he said.



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