



For Immediate Release

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Statement on Balanced Pharma Patent Legislation

(Washington, D.C., February 11, 2019) — The following statement may be attributed to James Edwards, Executive Director, Conservatives for Property Rights:

“Until recently, the Hatch-Waxman Act has provided the means for fostering generic drug competition while still respecting innovators’ intellectual property rights. Lately, the generics have upset the Hatch-Waxman balance. Conservatives for Property Rights applauds Senator Tillis and Congressman Flores for their leadership with the Hatch-Waxman Integrity Act.

“This bill keeps generics drug companies from gaming the system. Now, these companies can get away with challenging a brand pharmaceutical patent under Hatch-Waxman and at the Patent Trial and Appeal Board. That gives generics an unfair advantage. It puts all the cards in generics’ hands and deprives innovators of secure patents and secure patent rights. This bill requires generics to choose one course or the other — not pursue both avenues against a patent.

“The bottom line is, there won’t be many cutting-edge medications and therapies without strong, secure patents, if the tilt-the-playing-field strategy continues. Without new brand drugs, there’s not much new for generics makers to make.”

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