

Open Source Model versus Patent for the Pharmaceutical Industry

Can changing the type of intellectual property protection for pharmaceuticals foster more innovation and greater economical distribution of drugs worldwide?

ABSTRACT

Before the tragedy of the commons, researchers developed pharmaceuticals for a common benefit. Commercialization of the process has arguably stifled innovation and restricted pharmaceuticals to only those who can afford to pay the premium caused by over protection of the intellectual property via patents. 'Open Source Code' models have been successfully used as an alternative to patents in the software industry and on the Genome project. Do patents stifle innovation and trigger increased pricing of drugs due to the amortization of the cost of research and development? Why not transfer the 'Open Source Code' model of protecting intellectual property into the pharmaceutical industry, and redefine a new business model to benefit both the rich and poor who are in need of medicine? Could this reintroduce the notion of pharmaceuticals for a common benefit, in support of lower costs of developing drugs, and greater, more cost effective distribution?

The objective of this research is to understand the variances in intellectual property and their respective applications to the software and pharmaceutical industries. This study will further knowledge of the impact intellectual property protection has on innovation, and explore designing new models of protection that could facilitate the further development and proliferation of drugs to commonly benefit humanity in the developed and the developing world.