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ATTORNEYS**

**L. S. DAVAR & CO.**  
Estd. 1932 KOLKATA \* NEW DELHI

**HEAD OFFICE:**

Globsyn Crystals, Tower 1, 2nd Floor,  
Block EP, Plot No. 11 & 12, Salt Lake Sector V, Kolkata – 700 091, India  
Phone: - + 91 (0) 33 2357 1010 /12/15 Tele Fax: - + 91 (0) (33) 2357 1018 /19  
E-mail:- [docketing@lsdavar.in](mailto:docketing@lsdavar.in); [mailinfo@lsdavar.in](mailto:mailinfo@lsdavar.in)  
PO Box-2849, Kolkata-700 001, India

**Branch Office (Delhi)**

5/1, Kalkaji Extension New Delhi-  
110 019 Telephones: (91) (11)  
2641 - 8980 Telephones : (91) (11)  
2643 - 8162 Telefax: (91) (11)  
2923 - 4443

## [Pfizer Inc got patent for pneumonia vaccine in India and the decision was challenged by MSF in High Court](#)

India has granted US pharmaceutical company Pfizer Inc. a patent for its pneumonia vaccine Prevnar 13, in spite of opposition from the health group Médecins Sans Frontières (MSF), which is a Paris-based international humanitarian-aid organization. The patent was granted on 13<sup>th</sup> August 2017 to Pfizer for its PCV 13 product, marketed as Prevnar 13, which will expire only in 2026.

The non-profit group MSF had filed a “patent opposition” to prevent Pfizer from getting a patent on its pneumococcal conjugate vaccine (PCV 13). The vaccine costs more than Rs 3,000 per dose and the three doses required to immunize a child cost more than Rs 10,000. However, such decision of grant by the patent office bars other Indian companies from making a cheaper version of the vaccine and creates monopoly of Pfizer for manufacturing the vaccine on their own.

While the approval comes almost a decade after Pfizer subsidiary Wyeth applied for a patent for Prevnar 13, MSF has already warned that such grant of the patent would put a roadblock for other manufacturers in India from supplying the vaccine.

According to Leena Menghaney, South Asia head of MSF’s Access Campaign, “The method Pfizer is trying to patent is too obvious to deserve a patent under Indian law, and is just a way to guarantee an extended market monopoly for the corporation for many years to come.”

However, Prevnar 13 is used for the prevention of pneumococcal pneumonia and invasive diseases caused by 13 *Streptococci’s pneumoniae* strains. A Pfizer spokesperson said that “We are pleased to note that the validity of the Prevnar 13 patent has now been recognized by the Indian Patent Office. Prevnar 13 provides the broadest serotype coverage of any pneumococcal conjugate vaccine available in the world today,”



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pneumonia. The pneumococcal bacteria itself has around 100 strains, but the Pfizer’s vaccine is effective against only 13 of those pneumococcal bacterial strains. It is clear that this vaccine impacts only a small spectrum of the viruses which causes of pneumonia.

The vaccine has other problems besides poor efficacy. A study published in the prestigious “*New England Journal of Medicine*”, shows that the vaccination nearly doubled the incidence of asthma. For every two cases of pneumonia prevented, one child developed asthma.

Now, Médecins Sans Frontières (MSF) has filed a petition in the High Court of Delhi to overturn the patent granted by Indian Patent Office to the US-based Pfizer’s pneumococcal conjugate vaccine (PCV). According to the petition, the vaccine has poor efficacy along with some hazardous side effects

MSF argued that this is just a mere addition of serotypes to the already established 7-valent vaccine and this vaccine Prevnar 13 by Pfizer did not involve any technical advancement – it was just a commercial strategy to preserve Pfizer’s monopoly for many more years.

“The decision of grant a patent to Pfizer’s Prevnar 13 can directly affect the access to life-saving medicines and vaccines in India and across the developing world,” according to Ms. Leena Menghaney, the petitioner who is representing the medical aid organization in court, as the Pfizer has the monopoly for the pneumonia vaccine up to 2026. Thus, MSF has appealed to High Court to annul the decision of the Indian Patent Office to grant the patent.

