

Open Letter to Gilead concerning ensuring access to remdesivir

Dear Mr Daniel O'Day

Chief Executive Officer

Gilead Science, Inc.

We write to request Gilead to take immediate actions to ensure rapid availability, affordability and accessibility of its experimental therapy remdesivir for the treatment of COVID-19, if the clinical trials results demonstrate efficacy.

The COVID-19 pandemic has rapidly spread across all continents and, up to this date, almost 400,000 people have been infected, causing more than 15,000 deaths. Making effective therapeutics available and accessible rapidly to all patients based on medical needs is essential for all countries to combat the pandemic and may save many thousands of lives around the globe.

We are seriously concerned with Gilead's current approach to remdesivir, which may obscure access to this potentially critical treatment for COVID-19. Gilead has recently announced its inability to ensure the supply for compassionate use due overwhelming demand. And in addition to holding primary patents in more than 70 countries, we are disappointed the company has chosen to seek orphan drug designation from the US Food and Drug Administration.

The COVID-19 pandemic affects every person. It is unacceptable for Gilead's remdesivir to be put under the company's exclusive control taking into account that the drug was developed with considerable public funding for both early-stage research and clinical trials, the extraordinary efforts and personal risks that both health care workers and patients have faced in using the medicine in clinical trial settings, and the unprecedented disaster all countries are facing for their people, their health care systems and their economies.

We request Gilead to fully recognize the scale and potential consequences of pursuing exclusive rights over enabling scaled-up production and affordable supply of remdesivir during this pandemic. We therefore urge Gilead to take immediate actions to:

- Declare not to enforce and claim its exclusive rights on patents, regulatory and trial data, orphan drug exclusivities and any other exclusivity anywhere in the world
- Make all data, sample products and know-how that are needed for generic development and regulatory processes publicly available to facilitate the ability of production and supply by generic manufacturers
- Increase transparency by disclosing its manufacturing and supply capacity to allow independent and proper governance over the allocation of the treatment according to medical need

An exclusivity and monopoly-based approach will fail the world in combating COVID-19 pandemic. Gilead must act in the public's interest now.