



ITSSD: Brazil Will Break International Law with Theft of U.S. Drug Patents-White Paper Finds That Brazil Patent Seizure Threatens Global Trade and Public Health

WASHINGTON, **June 16, 2005** /PRNewswire via COMTEX/ -- With a number of other non-profit groups, **ITSSD** is calling attention to Brazil's threat to break U.S. patents on American AIDS drugs used as part of Brazil's government-funded treatment program. After reviewing the initial official statements coming out of Brazil, **ITSSD** concluded that Brazil would be in violation of the Trade Related Aspects of Intellectual Property or TRIPS Treaty, if it pursues this course of action.

It is questionable if Brazil's government could invoke the "health emergency" clause of the Doha Declaration amendment to the TRIPS Treaty, allowing developing countries to temporarily suspend patents on products needed to alleviate a legitimate health crisis. Examples of such emergency often include response to an anthrax attack in the U.S. or a sudden outbreak of a treatable disease in Sub-Saharan Africa. Brazil's AIDS infection rate of 0.6% has parity with that of the United States at 0.5%. For comparison, the AIDS infection rate in Swaziland is 38.6% according to the impoverished African nation's Health Ministry.

Brazil is a major United States trade partner, with more than \$35 billion in trade occurring between the two nations each year. At the same time, Brazil is by far the worst abuser of intellectual property rights in the Americas. According to the USTR, piracy losses to American businesses add up to nearly \$1 billion in losses annually...