Pharmaceutical Protections at the Expense of Life

By Yongtian Tan

▲ Millions of children die from preventable diseases throughout the developing world, because the drugs are priced far beyond their reach.

According to the World Health Organization, one third of the world lacks access to essential drugs and vaccines (1). In addition to poor health infrastructure and the lack of health expenditure and resources in developing countries, the patent protection granted to pharmaceutical companies is responsible for this appalling statistic. Patent protection prohibits generic drugs from being developed and sold at cheaper prices in the developing world, and thus, essential drugs are beyond the reach of the majority of the sick and dying. Access to essential drugs is a basic human right: to deny people this access is a blatant violation of this human right. Developing countries need to be immediately granted exemption from all drug patent protection laws, to make essential drugs available to everyone in need.

Pharmaceutical companies report that they need to spend millions for every drug that reaches the market, due to the rigorous clinical testing of drug-candidates (2). However, in most Western countries, pharmaceutical companies are already given a 20 year period during which they have complete control over the production and sale of a new drug (3). They operate at a huge average profit margin of 30 percent, greatly exceeding the 2-3 percent margin of food manufacturers (4). Another argument used to defend the tighter patent regulation is that it would promote innovation and invite more research investment. Yet this goal can still be accomplished without imposing strict rules on developing countries. Pharmaceutical sales in Europe, Japan and the United States account for over 70 percent of pharmaceutical sales globally (4). Protections offered by those nations are more than enough to make up for the cost of research and development.

In 1994, the World Trade Organization (WTO) administered the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) (5), which took the side of Western pharmaceutical companies and banned cheaper manufacturing of patented medicines by generic companies for developing countries. Its harmful consequences were not addressed until the half-hearted Doha Declaration in 2001, which provided an additional ten-year transition period (until 2016) for the least developed countries to adopt the new patent laws. Thankfully, Doha also pointed out the ill effects of rules around "compulsory licensing" on developing countries (6). In the TRIPS agreement, compulsory licensing, which allows the generic manufacturing of drugs under special circumstances, was restricted to the domestic market—effectively excluding its use in developing countries that lack drug-producing ability. However, it was only in 2005 that an amendment to TRIPS made developing countries exempt from such unreasonable compulsory licensing restrictions.

Nevertheless, these well-meaning TRIPS modifications are not narrowing the health equity gap. A 2005 study by the WHO found that many developing countries have not been able to incorporate TRIPS flexibilities regarding compulsory licensing and parallel importation, because of their lack of the legal and technical expertise that is needed to implement flexibilities (7). Furthermore, even if the least developed countries do get more time to adapt to the tighter patent rules, the inevitable consequence is that the poor will be stripped of all access to essential medicine. The only way to prevent this tragedy is to lay out a different set of rules that makes developing countries exempt from all current patent laws dictated by WTO. The positive change for the millions who will finally have a chance at life will far outweigh the negligible effect these changes will have on pharmaceutical company profits. H

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Blurring the Lines- Reality, Fantasy, and the Internet

By Anthony Vicari

The rising speed and power of the internet in the mid-nineties saw the beginning of a profusion of new meanings associated with the phrase "Meet me online." New concepts were introduced including eBay, Yahoo, Amazon, and, of course, online gaming. Today, gaming is no longer just the province of adolescents playing alone in their rooms. In the genre of Massive Multiplayer Online Role Playing Games, or MMORPG (5), gamers interact with tens of thousands of other characters from around the world. And as the games improve, the line between the game world and the real world is being blurred.

One well known MMORPG, Everquest, was released in 1999. It featured the fictional land of Norrath, filled with mythical characters. Thousands of players each control one character, or avatar, at a time. Avatars advance through levels, and accumulate wealth in the form of virtual equipment like swords and armor and virtual money, called "platinum pieces." But very quickly, the game grew beyond the bounds its makers intended.

▲ A virtual reality system uses computer graphics to simulate a kitchen environment.

Developing a powerful avatar takes a large time commitment, so inventive players seek shortcuts. Why not buy one from another player? For those "well endowed with money…it makes no sense to spend hundreds of hours [playing]…when an avatar… can be purchased immediately for $300" (1). At the height of this game's popularity, people bought and sold fictional game currency for real money. In August 2001, "the Norrathian platinum piece trade[d] at…100pp [to the dollar]," stronger than the Japanese Yen (1,2). In China, companies hired gamers to play professionally and sell virtual wealth online. (4) This meant that people were willing to pay real money for goods which do not, in the conventional sense, exist.

MMORPG's have also allowed gaming to become a social phenomenon. More and more "the stereotype of the typical online player being a socially withdrawn young male …appears to be misplaced" (3). Surprisingly, 60% of players are over the age of 19 (3). Also, data collected from polls at EverQuest fan sites show that chatting with friends, interacting with other gamers, and role playing aspects of the game are more popular than killing monsters.[3] Blurring the lines, though, can lead to problems including internet addiction.[5] According to one poll, 15% of gamers played the game for over 50 hours a week (3). EverQuest even ensures hungry gamers do not have to leave their computer by allowing them to order Pizza Hut delivery from within the game interface. Friends and spouses of such devoted gamers have compared excessive gaming to drug addiction by nicknaming EverQuest "EverCrack." In Korea, where internet use is particularly high, abuse or over-use of the internet is correlated with higher rates of loneliness, compulsiveness, and depressive moods. (5) However, whether the relationship is causal is not known. (5)

Luckily the net has its upside as well. For years, psychologists have been digitally simulating a patient's worst fears as a form of therapy. In one recent study, the virtual environment was used to reproduce social situations to treat social phobias (7). And in certain instances, an extreme blurring of the lines can be educational. Second Life is a 3-D virtual environment that allows users to program their own worlds. There, land speculation over virtual soil and business and advertising are conducted, sometimes by real world companies (8). One psychiatrist was able to use the Second Life engine as a teaching tool by programming a world that mimicked for his students the delusions and hallucinations of schizophrenia(8). Clearly, to the extent that the technology works, the human mind can be deceived into treating digital environments like the real world.

Are these new worlds the blessings of the modern age, opening up new frontiers and possibilities or are they distractions from the real world of human experience and meaningful interactions? The answer depends mostly on us, the consumers. What virtual products will we buy and sell? Will we choose to visit the world's digitally preserved cultural relics or be content to live our lives in a virtual reality? Time will tell, and given the accelerating pace of change in recent years, it will tell very quickly.

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