



Press release - AIDES & Coalition PLUS
Amsterdam, July 25th

Game over for Gilead's monopoly on Truvada : AIDES and Coalition PLUS welcome the ruling of the Court of Justice of the European Union

The judge of the Court of Justice of the European Union has just returned his verdict: the patent extension granted to Gilead on Truvada in many European countries is now illegal. AIDES has questioned the Intellectual Property misuses of the company for two years and welcomes this European ruling for three reasons: for healthcare systems users, for the sustainability of public budgets and for access to PrEP all over Europe.

The combination of TDF and emtricitabine, marketed by Gilead and sold under the brand name Truvada, is one of the most commonly used medicines to fight the epidemic: it is one of the most prescribed drugs to people living with HIV¹ and it is the only combination approved in Europe as a tool of prevention, as PrEP, for HIV negative people.

In theory, all the patents on Truvada expired on July 2017. Yet, Gilead's monopoly is still in force in several European countries via a Supplementary Protection Certificate (SPC), a legal tool which enables the company to extend its monopoly period on the medicine.

As AIDES has flagged it for a year, this extension is neither valid nor justified. In France, the Paris High Court had already ruled against this monopoly extension on May 25th last, ensuring access to generics which were already available in France. Today, the CJEU endorses this ruling. This historic decision paves the way to the market entry of generics in all European countries and breaks down an improper monopoly resulting from misuses of Intellectual Property rights.

In France, the market entry of generics of Truvada resulted in a saving of 760 million euros. At the European level, the decision of the CJEU will generate billion euros of economy and, by allowing access to PrEP all across Europe, will prevent thousands of new contaminations.

Activists fighting for access to medicines from AIDES, Coalition Plus and other organisations attending the International AIDS Conference in Amsterdam, gathered at Gilead booth to celebrate this victory. This victory does not elude other questionable practises: Gilead maintains prohibitive prices preventing access to treatments against hepatitis C and to PrEP in the rest of the world. We will keep on denouncing these abuses which sacrifice hundreds of thousands of lives for commercial ends.

¹ For instance, in 2017, Truvada was used by 64% of people living with HIV in France that is 80 000 people. Hundreds of thousands of people use it across Europe.



Press contacts :

Antoine Henry (AIDES) : +33 6 10 41 23 86 / Camille Sarret (PLUS) : +33 7 81 73 34 77