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Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs

Innovation and Advanced Manufacturing
Intellectual Property and Fight Against Counterfeiting
Head of Unit

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Mr Adrian van den Hoven
Director General
Medicines for Europe
rue d'Arlon 50
1000 Brussels

Dear Mr van den Hoven,

Thank you for your letter of 28 September 2017 addressed to Vice Presidents Katainen, Dombrovskis, Ansip and Commissioner Bieńkowska who have asked me to reply on their behalf.

The Commission continues to work on the initiatives announced in the Commission 2015 Single Market Strategy (SMS) related to the exploration of a recalibration of certain aspects of the SPC protection, including the issue of the supplementary protection certificate (SPC) manufacturing waiver. In this context, on 12 October the Commission launched a 12-week on-line public consultation on SPCs and patent research exemptions¹ together with the study 'Assessing the economic impacts of changing exemption provisions during patent and SPC protection in Europe'.

I take note of your interest and request for a legislative initiative on the SPC manufacturing waiver reassuring you that we are assessing all the possible options.

Best regards,

Contact:

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¹ https://ec.europa.eu/info/consultations/public-consultation-supplementary-protection-certificates-spcs-and-patent-research-exemptions_en