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PHARMACEUTICAL RESEARCH IN SWITZERLAND AND PATENT PROTECTION

The need for effective protection

The opinion that the manufacturers of pharmaceutical products have a tendency to take advantage of the protection afforded by patents to charge exorbitant prices is fairly widespread among the general public. The great Molière's contempt for doctors and other men of science in his day has certainly contributed to the unfortunate reputation sometimes enjoyed by those who devote their lives to fighting disease and trying to relieve human suffering! And yet, when one realises that sulphonamides and antibiotics, to mention but these drugs, have made it possible to save the lives of millions of people, one has to admit that it would not be fair to deny the pharmaceutical industry its right to a fair remuneration for its efforts.

It is understandable therefore that Swiss pharmaceutical companies are firmly opposed to the attempts that have been made, in different countries, to shorten the period of patent protection and to relax the regulations governing the granting of compulsory licences, all of which would allow imitators to use manufacturing processes without having to invest in research themselves. Investigations have shown however that, contrary to all expectations, this type of activity does not bring down the price of pharmaceuticals, and that the profits made in this way are often higher than those of research-based firms. Furthermore, there is a tendency to overlook the fact that patent protection is one of the most important prerequisites of successful research aimed at discovering new or better drugs, which enable the community in the long run to reduce its social expenditure and improve the value obtained from that expenditure. Besides, the protection afforded by the patent is limited in time and its period of validity has often already elapsed by the time the medicine is finally placed on the market.

The high cost of scientific research

As in most countries the drugs themselves cannot be patented, the protection being granted to the manufacturing process alone, it is necessary to protect the latter. In order properly to understand this need, one has to know something about the conditions governing the invention and improvement of drugs. Mankind is indebted to industrial pharmaceutical research for over 75% of the drugs created during the last hundred years. But a new drug is not made in a day; it is the outcome of a lengthy process. The average time required for the development of a new therapeutic compound is estimated to be in the neighbourhood of 58,000 man-hours, which is equivalent to 19 years of the working life of a research scientist.

Under modern conditions of research, a team of scientists still needs from 3 to 6 years and a certain amount of good luck to develop a useful product. The research costs involved from the very outset in the creation of a new pharmaceutical preparation run into millions of francs. Each industrial research worker, complete with appropriate laboratory and equipment, laboratory assistants and instruments, costs the Swiss pharmaceutical industry on an average some 300,000 francs a year. The chances of success in pharmaceutical research on the other hand are small, being of the order of 1 in 4,000. This means that 4,000 new chemical compounds must be developed and tested before one new therapeutically active substance can be introduced. In these circumstances, it is easy to imagine the size of the sums needed for the creation of a single medicine, and manufacturers must be able to recover these investments if they wish to be able to continue their work.

From the first analyses to the sale of the product

The first stage of research consists of the analysis of natural therapeutic substances, so as to be able to synthesize them or create simpler chemical products possessing the same effects. It is also possible to synthesize completely new substances not found in nature. It is then up to the pharmacologist to discover, by a number of experiments, the way in which they act. Next, the new drug has to pass the decisive clinical tests, making it possible to find out whether the active substance has the expected therapeutic action. To do this, doctors have to be given sufficient quantities of the new product to work with, too much in fact for a research laboratory to be able to provide. The production of the drug is entrusted therefore to a pilot laboratory, which also has to work out the manufacturing process. When all the preliminary work has been completed, which, as a general rule, takes several years, the firm is at last in a position to launch the product on the market, after obtaining a permit from the public health department. But, in order to obtain such a permit, the manufacturer may have to comply with certain obligations (conditions of sale, statements printed on the packaging, etc.), which are not always of a strictly scientific nature.

Pharmaceutical firms in the service of the community

That is why the Swiss research-based pharmaceutical industry is opposed to any misuse of the drug control laws, in particular any confusion between the real function of control, which is to protect public health, and the pursuit of extraneous objectives not relevant to this function.

It ought in fact to be realized that owing to the extremely heavy financial burden and the considerable risks to which pharmaceutical research is exposed, the systems of protection in force today already represent the very lowest limit, below which the work of pharmaceutical firms would no longer be feasible. It is hardly necessary to point out in addition that the drugs created by industrial research contribute not only to alleviating much suffering and pain, but also make it possible to reduce the average length of hospitalisation and the number of medical consultations per case of sickness.

It is obvious therefore, in the light of even this considerably condensed reasoning of the Swiss pharmaceutical industry that this industry can only continue and extend its useful work if it receives legitimate remuneration and effective protection.

(O.S.E.C. = Swiss Office for the
Development of Trade.)

FEDERAL MOSAIC

Amongst recent agreements the Confederation has concluded are one on trade with France replacing one dating back to 1955, one on matters of arbitration with Costa Rica, one with Cuba regarding compensation (the latter has in many quarters been considered highly inadequate), one with Austria concerning co-operation in Technical Assistance, one each with Yugoslavia and Mexico about loans.

The Federal Council has recognised the People's Republic of South Yemen.

In October last year, Parliament accepted cuts in federal subsidies. Consequently, thirteen laws had to be modified or added to. These have become operational on 12th January with effect as from the first day of 1968. They concern railways, various sectors of agriculture, trade guarantee co-operatives, sickness, accident and unemployment insurance, assistance of the watch industry, tuberculosis, vocational training, civil defence and distilled spirits.

In their December Session, Parliament accepted the federal budget estimating a deficit of 180m. francs in the financial accounts and an overall surplus of 92m. The Finance Minister, then still Federal Councillor Bonvin, announced a new plan to be presented in 1968, which would propose new sources of revenue.

"Switzerland swimming in milk", "Swiss agriculture facing a butter mountain" are headlines met in the Press. There has been overproduction of milk and butter, and new regulations are under examination. 10,000,000 kg. of butter are in stock. The cuts in subsidies of last October increased the price of butter by Fr.1.60 per kilo. Swiss women struck and refused to buy butter. This may have helped to bring down the price.

On 10th January, the Federal Council held the traditional New Year Reception for the Diplomatic Corps. New car badges have been introduced besides CD (Corps Diplomatique) and CC (Corps Consulaire), i.e. AT (Administrative and Technical personnel of Diplomatic Missions). The three groups of initials are shown on a green background in front of the cantonal letters. The new regulations concerning the Swiss diplomatic and consular service came into force on 1st January. It is interesting to note that the draft had been submitted to the Commission of the Swiss Abroad.

Lack of funds prevented the Confederation from issuing the interesting annuary on Swiss political life in 1966, to the Swiss Embassies abroad. In December,

"Conduire ou Subir" appeared in Lausanne, the memoirs of a former Federal Councillor, Monsieur Paul Chaudet. Federal Councillor Tschudi has been made an Honorary Member of the "Confrérie du Guillon", a brotherhood of Vaudois connoisseurs of wines

[A.T.S.]

RECENT DEATHS IN SWITZERLAND

The following deaths have been reported from Switzerland:

Lieut.-Col. Hans Margadant, Chur, Commandant of the Frontier Guard Corps III.

Jean-Marcel Aubert (93), Geneva, former Manager of the cableworks of Cossonay; founder of the famous alpine garden of Champex, which he presented to Geneva and Neuchâtel.

Eduard Stiefel (92), Zurich, well-known artist and successful illustrator; teacher of graphic art at the *Kunstgewerbeschule* in Zurich from 1905 and at the *Gymnasium* from 1908 to 1944.

Anton Stocker (59), Altdorf, *Kantonstierarzt* since 1935; well-known actor in the *Tellspiele* (part of Attinghausen).

Ferdinand Beaud (52), Berne, Editor of the French-speaking sector of the "Agence Télégraphique Suisse", former teacher and publisher; with the A.T.S. since 1949.

Peter Tresch (74), Amsteg, former *Landammann* of Uri; member of one of the oldest Uri families; trained as postmaster, notary and innkeeper; member of many public bodies; Commune President; from 1929 to 1939 member of the *Obergericht* of Uri and of a Divisional Military Tribunal (Lieut. Col.); was elected to the Cantonal Government in 1940, having served on the *Landrat*; Vice-President of the Uri Bank Council and President of the Cantonal Hospital, as well as of many other organisations.

Miss Jeanne Paschoud (83), Lausanne, teacher of mathematics from 1904 to 1954; founder of the first section of girl guides in 1915; for 14 years deputy member of the Youth Tribunal.

Arnold Mueller (62), Lucerne, Editor of "Freie Inner-schweiz"; sportsman and alpinist; Socialist member of the Greater Town Council.

Ulrich Joss (53), Muensingen, Editor of the "Tagesnachrichten Muensingen"; deputy chief of the Information Service of *Heer und Haus* during the war and later of the "Schweizer spende"; specialist on Bernese politics; alpinist and ski expert; was killed in a road accident on his way to the Lauberhorn Race.

Charles Borel (72), La Chaux-de-Fonds from 1921 to 1961 Professor of Physics at the *Gymnase*; President of the Meteorological Central Office in Zurich; member of the Neuchâtel Parliament from 1943 to 1961; for 25 years Editor of "L'Effort"; a friend of Walter Mittelholzer and Colonel in the Air Force.

Arthur Alder (69), Berne, Professor of Insurance and of Theory of Probabilities at the University of Berne from 1937, having been expert officer of the Federal Insurance Tribunal; Colonel in the Army.

Dr. med. Fritz Kahn (79), Ascona, well-known writer of popular works on natural Sciences.

[A.T.S.]