Regarding need to maintain balance between compulsory licensing and voluntarily licensing in the field of Medicines under WTO/TRIPS Agreement-Laid

SHRI SRIBHARAT MATHUKUMILLI (VISAKHAPATNAM): I would like to draw the attention of the Government towards to a pressing challenge at the intersection of public health and intellectual property in our country ? the delicate balance between compulsory licensing and voluntary licensing under the TRIPS framework. Since adopting TRIPS-compliant patent laws in 2005, India has relied predominantly on voluntary licensing to expand access to medicines, as seen in HIV/AIDS therapies, Hepatitis-C treatment, and even the rapid scale-up of Covishield. These agreements have brought prices down dramatically when originator companies were willing to cooperate. Yet India?s experience also shows the limits of a voluntary-only approach. Delays or restrictive terms, as witnessed with remdesivir during COVID-19, leave patients vulnerable. Compulsory licensing, though used only once in the 2012 Nexavar case, delivered a 97% price reduction and remains a vital public health safeguard. Recent developments ? including the Natco?Roche Evrysdi decision and debates around the India?U.K. trade agreement affirm that our TRIPS flexibilities remain intact. The path forward is not choosing VL or CL, but strengthening both. India must preserve a credible compulsory licensing option while using voluntary licensing as a first resort, supported by transparency and multilateral mechanisms. For millions of patients, this balance is essential to ensure affordability without undermining innovation.