

For Immediate Release- Hepatitis C Treatment: Patient groups and civil society optimistically await a critical judgment in India.

26 July 2012, Bangkok: As HIV becomes an increasingly manageable chronic infection in resource-limited settings, more people are now dying of complications from co-infections with hepatitis C virus, undermining the global successes of HIV treatment scale-up. However, in spite of recent advances in the treatment of hepatitis C virus infection many people in Asia struggle to access it, due to the limited availability of generic pegylated interferon – a key component of effective treatment regimens.

After the initial rejection of the patent challenge for one of the few generic formulations of this medicine in India – pegylated interferon alpha 2a – a re-hearing has been scheduled on the 30th and 31st of July at the Intellectual Property Appellate Board (IPAB) in Chennai, India. The maintenance of the patent on the Pegasys formulation of this medicine, essential to the treatment of HIV-hepatitis C co-infected patients, would block treatment access and increase the risk of liver failure and death for thousands across the region.

Resource-limited Asian countries cannot procure patented pegylated interferon at the current pricing, which drastically hampers their ability to respond to hepatitis C infection on a national level. *“In the Region many people living with HIV are dying not because of HIV but because of hepatitis C related complications. We are hoping and looking forward to a positive outcome at the patent hearing in India on Pegasys, which would ensure that affordable, generic pegylated interferon is available and people don’t die because they just cannot afford the treatment”,* said Shiba Phurailatpam, Regional Coordinator of the Asia Pacific Network of people living with HIV/AIDS”.

“We depend on Indian generics for much of our field program medicine needs. If the IPAB rejects the patent, organizations like MSF can procure this key medicine from India and start treating people,” noted Paul Cawthorne from the MSF- Access Campaign.

In 2010, the World Health Assembly adopted a resolution on viral hepatitis and gave the World Health Organization (WHO) the responsibility to enhance access to affordable hepatitis treatment in developing countries. *“The WHO should be taking a more proactive role to address hepatitis C, which is killing thousands in Asia,”* said Sarah Zaidi, Executive Director of the International Treatment Preparedness Coalition.

The re-hearing in India of the patent challenge is an opportunity to create access to a medicine that is critical for the survival of HIV-hepatitis C co-infected people. Given that the Indian Parliamentary Standing Committee on Health and Family Welfare has already recommended in its 57th report that the country boost local production of hepatitis medicines and use existing health safeguards in the patent law to reduce medicine prices, advocates and patients alike are ready to see the patent restrictions lifted now.

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