



TRAINING SEMINAR PHARMACEUTICALS AND INTELLECTUAL PROPERTY

12 – 14 March 2012
Pretoria, South Africa

SESSION 4
ACCESS TO MEDICINE:
COMMERCIALISATION, DISTRIBUTION, COMPETITION

Exploitation of pharmaceutical patents:
voluntary licences



Exploitation of Pharmaceutical Licences: Voluntary Licences



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- **What is commercialisation?**

- **Choosing a business vehicle:**
 - ❖ **Sole proprietor**

 - ❖ **Company**

 - ❖ **Benefits of limited liability**



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□ Funding

- ❖ Initial capital
- ❖ Equity vs loan funding
- ❖ Securitisation

□ How to turn IP into a commercial venture?



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□ Licensing

- ❖ Types of licences
- ❖ Level of control
- ❖ Formal requirements

□ Franchising

- ❖ Extension of licensing
- ❖ Consumer Protection Act



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❑ Disposal of IP

❖ Joint ventures

❖ Equity investment in special purpose vehicle

❖ Right to buy back



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Limitations



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□ Tax

❖ CGT

❖ Royalty withholding

❖ Dividends tax

□ Exchange control

□ NIPMO



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Questions

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