

The Regulation of Vaccine-Related Intellectual Property Rights in Light of the Areas of Divergence between the Agreement on Trade-Related Aspects of Intellectual Property Rights and Investment Treaties in the Kingdom of Saudi Arabia and Australia

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Abstract : The current research seeks to explore the regulation of vaccine-related IP rights in light of the areas of divergence between the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement and investment treaties. The study is conducted in the context of the COVID-19 pandemic; therefore, it seems natural that a specific chapter is devoted to the examination of vaccine arrangements related to vaccine supplies. The chapter starts with the examination of a typical vaccine from the perspective of IP rights. It presents the distinctive features of vaccines as pharmaceutical products and investments, reviews the basics of their patent protection, reviews vaccines' components, and discusses IPR protection of different components of vaccines. The subsection that focuses on vaccine development and licensing reviews vaccine development stages investigates differences between vaccine licensing in different countries and presents barriers to vaccine licensing. The third subsection, at the same time, introduces the existing arrangements related to COVID-19 vaccine supplies, including COVAX arrangements, international organizations' assistance, and direct negotiations between governments and vaccine manufacturers.

Keywords : bilateral investment treaties, COVID-19 vaccine, IP rights, TRIPs agreement

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