

## **ERIK TAMBUIZER**

Erik Tambuyzer (Belgian) is Genzyme Corporation's Vice President, Corporate Affairs Europe, and a member of the European Executive Board of Genzyme.

Starting his professional career at Baxter Health Care in 1977, he pursued his career six years later at Innovi NV (Brussels, Belgium). In 1985 he co-founded the biotech company Innogenetics NV (Ghent, Belgium), of which he was general manager until 1992, when he joined Genzyme as Vice President Diagnostics and Genetics Europe.

In October 2000, Erik was elected Chairman of the Board of EuropaBio, the European Association for Bioindustries, of which he is also founder & Chairman of the Ethics Working Group. He is a Board Member of the European Platform for Patients' Organizations, Science & Industry, EPPOSI, and of EBE, the Emerging Biopharmaceuticals Enterprises group, a specialised group within EFPIA, and the European Pharmaceutical industry organisation. He is also a Member of the BBA (Belgian Bioindustries Association) Board of Directors.

He is an adviser to international journals and Chairman of the Advisory Board of Dresdner Kleinwort Capital Life Sciences Fund.

Erik is a bio-engineer and holds a doctoral degree in bio-industrial sciences from the University of Leuven, (KUL), Belgium.

## **IMPACT OF PATENTS AND OTHER INCENTIVES ON BIOTECH PRODUCT DEVELOPMENT**

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A patent protects an invention from unlicensed commercial competition, and is as such an incentive for investment into the subject of the patent, which is difficult to replace by other incentives. Because the biotechnology industry is requiring high levels of investments, patents and similar incentives such as orphan drug designations play a crucial role in its development, as they enable the attraction of the kind of investments needed. Rights derived from such systems are guaranteeing the development of biotech inventions into commercial products or services from raw research data. Orphan drug regulations, providing market exclusivity and other incentives to industry have proven to be crucial for the development of biopharmaceuticals for treatment of serious or chronic rare diseases.

Genzyme Corporation has not participated in the patent “landgrab” but at the same time, it has actively protected genes, sequences and other biological entities such as cancer antigens, based on specific information regarding their utility, aiming to develop improved diagnostics and/or a therapy or a prophylactic for the underlying disease. The company outlicenses a number of intellectual property rights for which the strategy is briefly discussed herein. The opinion of the medical profession and of the involved patient group's carry a high weight in the company's decision-making regarding such licenses.

Patentability of inventions ensures the advancement of science into benefits and welfare for citizens. The system of interplay between patent offices, granting patent rights, and the courts, discussing the implementation of such rights in the commercialization process, guarantees a balance between patent rights and societal needs. Moreover, based on today's experience, the fear for too broad patents in the biotech field seems unfounded. Without patents, a culture of secrecy and non-disclosure would be created within the scientific community. In the meantime, combining biotech with informatics brings biotech intellectual property issues closer to the issues of the software industry. Another trend is the increasing participation of patient advocacy groups in the process from research to product, from the political debate, to research funding and regulatory committee participation. It is one of the challenges of society to discuss these issues and achieve consensus on the application of new technologies, and the resulting benefits and risks.