



Stanford eCorner

Intellectual Property Issues Between Vaxgen and the New Social Venture

Dr. Don Francis, *Vaxgen*

January 28, 2004

Video URL: <http://ecorner.stanford.edu/videos/902/Intellectual-Property-Issues-Between-Vaxgen-and-the-New-Social-Venture>

Francis explains there are IP issues associated with forming the new venture, but since they are working for the less-developed world the licenses were given free of charge.



Transcript

Question of the IP issues, yes, of course there are. And the license for this kind of technology alone comes from Genentech and VaxGen. And we've got an agreement for the developing world. So what you can do now is say we're going to work for the less-developed parts of the world. And that's where Gates Foundation and others are interested in supporting. We developed a vaccine for that. They give us, without royalty or cost, the rights to do that. And ultimately market and develop it should we get a vaccine. And what they want appropriately is all that information back to make a vaccine for the industrialized world to be able to make a profit. So it actually turns out to be a good balance and cost free for the not for profit foundation.

But in all of these, there's huge IP issues. A lot of know-how, mind you, the manufacture of these complicated proteins. These are very complicated proteins. And I suspect the reason that we protected the chimps and didn't protect humans very well was probably either manufacturing or making the exact match of the viruses were out there because clearly we're in an unknown area. And that's what happens in biologic products. We are dealing with these. In small molecules, the aspirin since you know exactly what the structure should be. But we know what the structure is of these proteins but they're very complicated folded pieces and if they get messed up and manufactured then the immune system doesn't recognize this as what they really are when they seem in nature and then they were not protected. And so, a lot of these is really know-how not the actual IP. IP protects you but it's actually the manufacture know-how that makes this complicated proteins that really was initially Genentech and then VaxGen and were clearly world's experts.