

# The patently obvious need to protect COVID-19 vaccine intellectual property

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Kelli Larson of the School of Business, Law and Entrepreneurship at Swinburne University of Technology in Hawthorn, Victoria, Australia, discusses the role of patents in the context of COVID-19 vaccines in the

*International Journal of Intellectual Property Management.*

Given that the emergent virus SARS-CoV-2, which led to the ongoing global COVID-19 pandemic, was only identified in detail in the year 2020, it is a remarkable feat of science and technology that several vaccines against this disease were developed, tested and deployed within a few months. At the time of writing, there were significant gaps in that deployment, particularly in the [developing world](#), but for many nations widespread uptake and vaccination have taken place.

Larson points out that, nevertheless, the development of such vaccines demonstrates what can be achieved by humanity given sufficient incentive, funding and investment focus on science and technology. She adds that the requisite intellectual property laws drive the economic imperative for the necessary innovation. Within the ecosystem of intellectual property law, lies the [patent system](#). This system protects the inventors from rivals simply copying and selling their products as their own and over the coming years predictions of multibillion-dollar turnover for the COVID-19 vaccines are predicted for those companies at the forefront of the effort in this aspect of addressing the pandemic.

While a given patent is created to protect the inventor, it also has an important role to play in driving innovation among other researchers and inventors who might wish to create a rival product and can be inspired by the details given in the original patent. Of course, simply copying a product would be in breach of a patent, but given sufficient clues as to the nature of the original invention new avenues of exploration can be opened up that will ultimately lead to such rival products within a very short time given sufficient investment and ingenuity. As Larson further explains:

"The valuable information disclosed in a [patent](#) specification allows for the public dissemination of knowledge to occur, allowing others to learn

from current inventions and to build from them to create new and potentially life-saving innovations."

**More information:** Kelli Larson, COVID-19 vaccines and the role of patents, *International Journal of Intellectual Property Management* (2021). [DOI: 10.1504/IJIPM.2021.118734](https://doi.org/10.1504/IJIPM.2021.118734)

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