

Germany's BioNTech sued by rival over COVID jab formula

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German pharmaceutical company CureVac said Tuesday it was suing rival BioNTech for patent infringement over the mRNA technology used to develop the Comirnaty coronavirus vaccine.

CureVac intends to "assert its [intellectual property rights](#), accumulated over more than two decades of pioneering work in mRNA technology, which contributed to COVID-19 [vaccine development](#)", it said in a statement.

The lawsuit against Mainz-based BioNTech and two of its subsidiaries will seek "fair compensation" for infringement of intellectual property rights, the company said.

The Comirnaty jab developed by BioNTech with US pharma giant Pfizer was the first COVID-19 shot to be approved in the West and has become one of the most widely used around the world.

Tuebingen-based CureVac was founded 22 years ago by mRNA pioneer Ingmar Hoerr.

It has since patented basic technology "related to mRNA design, delivery and manufacturing" that it said had "materially contributed to the development of safe and efficacious COVID-19 vaccines".

CureVac said that as the "earliest pioneer in mRNA technology" it had supported "decades of scientific research and innovation" behind the jabs.

BioNTech said in a statement its work was original and it would "vigorously defend it against all allegations of [patent infringement](#)".

"We are aware that it is not unusual that other companies in the [pharmaceutical industry](#), having witnessed the success of Comirnaty, are now suggesting that the vaccine potentially infringes their intellectual property rights," it said.

CureVac said it was not planning any legal steps that could hinder the

production, sale or distribution of the Comirnaty vaccine.

CureVac had been working in parallel to BioNTech to develop its own COVID-19 shot but abandoned it in October 2021 after disappointing trial results.

Together with the British pharmaceutical company GSK, CureVac is now concentrating on the development of a second-generation vaccine candidate.

Scientists believe mRNA vaccines, which provoke an [immune response](#) by delivering genetic molecules containing the code for key parts of a pathogen into [human cells](#), could be a game-changer against many diseases.

US-based Moderna's COVID-19 shot also uses the same mRNA technology.

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