

July 14, 2021

Her Excellency Emily Haber  
The Ambassador of Germany  
4645 Reservoir Road, NW  
Washington, DC 2007

Dear Ambassador Haber:

As you prepare for Chancellor Merkel's visit to Washington, we, the representatives of America's biotechnology sector thought that you and your government might benefit from an update on all that our sector is doing globally to address the ongoing COVID crisis, and in particular to ensure that patients in low-and middle-income countries get quick, safe access to COVID vaccines. The Biotechnology Innovation Organization (BIO) is the world's largest biotechnology organization, with about 1000 members of all sizes, but most of whom are small and medium sized companies. BIO also has an extensive network of relationships with biotechnology associations around the world, including those in Germany.

Germany, like the United States, is a leading originator of Covid-19 vaccine technology. Indeed, unprecedented collaboration between companies in Germany, other European countries, and the United States has made seminal contributions to the record-time development and efficient production of safe and effective Covid vaccines that are currently being deployed around the world.

The primary purpose of this letter is to update you about some important facts in our sector's ongoing efforts to ensure that patients around the world get access to COVID vaccines. First, it is worth noting that in the first months following the global COVID outbreak in 2020, the global biotech sector launched over 950 projects to develop vaccines, therapeutics, and diagnostics. Many of these projects were risky, and many have failed. But as we all know, there have also been some tremendous successes.

Our goal now is to work with governments, multilateral organizations, and donors to get COVID vaccines safely in the arms of as many of the world's people as soon as possible. We have been making extraordinary efforts to achieve this goal. First, our companies have concluded over 280 global partnership agreements (see list attached) to share our technologies and know-how collaboratively with other companies around the world, with some of the key partnerships being in developing countries. Qualified manufacturing sites in countries such as India, Thailand, South Africa are implementing this technology under collaborative licensing and technology transfer agreements to further contribute to global vaccine supply. Second, we have been working hard to scale up manufacturing so that our current estimates are that nearly 11 billion vaccine doses will be manufactured by the end of 2021 (see attachment). Finally, we have been working cooperatively with COVAX partners to do all we can to identify additional manufacturing partners, both in the production of vaccines themselves, and in the production of vital inputs that are creating potential bottlenecks in vaccine production.

I recognize that more still needs to be done, and BIO itself has both made specific proposals to President Biden on this (see attachment) and I personally have been in dialogue with

WTO Director General Ngozi Okonjo-Iweala on how we can better address existing impediments to global vaccine access.

These facts and efforts confirm a point that we believe Chancellor Merkel and your government well understand: that intellectual property rights have not been, and will not be, a barrier to the development and distribution of COVID vaccines globally. Germany has played an important balancing role in WTO discussions on the matter, and we urge the German government to continue its process of deliberate, evidence-based policy development, focusing pragmatically on the real problems of supply chain/trade barriers, raw materials supplies, etc.

We thus believe that Chancellor Merkel's expressed opposition to a WTO waiver of intellectual property rights is well founded. We appreciate her insight into the fact that, however well-meaning, a waiver is not only not necessary but would have harmful effects on both existing supply bottlenecks and on the incentives to respond to future pandemics. We urge the German Government to not jeopardize the progress we are making by acceding to unsupported and coercive demands to abolish IP rights and to indiscriminately relinquish the newest manufacturing technology.

In short, we believe the world will owe a debt of gratitude to Chancellor Merkel for her principled, fact-based stand on this issue and the global leadership she is exercising not simply on the narrow issue of IP rights, and on her insistence that the world's leading economies address the *actual* causes in the global imbalance of access to COVID vaccines. The small biotech companies that will be so vital to addressing future pandemics and other pressing issues such as climate change believe this pragmatic, problem solving approach is exactly the right balance the world needs today (see attached Declaration signed by 300 biotechnology company CEOs).

Should your or Chancellor Merkel want more information, I of course would be available to meet either of you in the coming days, or in the future, either here or even in Germany with our counterparts there as necessary.

Yours Sincerely,

A handwritten signature in black ink, appearing to be 'MMH', written in a cursive style.

Dr. Michelle McMurry-Heath  
President & CEO  
Biotechnology Innovation Organization (BIO)