



[Biden Admin Surrenders on American IP Rights](#)

The Biden administration is [backing](#) a global effort to suspend all intellectual property (IP) rights for COVID-19 innovations, a move that would do little to help end the pandemic but would undermine U.S. medical innovation, jobs, and the Constitution.

Strong IP protections have facilitated the creation of several highly effective COVID-19 vaccines at a record pace.

Biden's decision to support an IP waiver for COVID-19 innovations will create a precedent that IP rights can easily be waived or undermined when government bureaucrats find it convenient. Surrendering on IP rights will also provide an [implicit endorsement](#) of the rampant theft of American IP by China. The U.S. should be doing more, not less to defend American IP.

Foreign countries like India and South Africa [have been petitioning](#) the World Trade Organization (WTO) to suspend IP rights associated with COVID-19 innovations.

According to the [Washington Post](#), the administration's decision was made in a Tuesday meeting with President Biden. Commerce Secretary Gina Raimondo, who had concerns about the waiver, was not included in the meeting.

IP rights are explicitly protected in the constitution. The Founding Fathers recognized the importance of intellectual property rights in Article 1, Section 8 of the Constitution. "To promote the Progress of Science and useful Arts, by securing for limited times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries."

Strong IP rights are vital because they turn new ideas into tangible goods and services that improve the quality of life for Americans by creating high-paying jobs and increasing economic growth.

Without IP rights, medical innovators will have no incentive to create new treatments and cures as they will have no way to recoup the investments they made in developing new medicines. Patent exclusivity for medicines has been deliberately legislated to ensure that creativity, innovation, and medical growth are protected.

Because of these policies, the U.S. is a world leader when it comes to medical innovation. According to [research](#) by the Galen Institute, 290 new medical substances were [launched](#) worldwide between 2011 and 2018. The U.S. had access to 90 percent of these cures, a rate far greater than comparable foreign countries. By comparison, the United Kingdom had access to 60 percent of medicines, Japan had 50 percent, and Canada had just 44 percent.

Strong IP for medicines also supports millions of American jobs. Nationwide, the pharmaceutical industry directly or indirectly accounts for over four million jobs across the U.S. and in every state, according to [research](#) by TEconomy Partners, LLC. This includes 800,000 direct jobs, 1.4 million indirect jobs, and 1.8 million induced jobs, which include retail and service jobs that are supported by spending from pharmaceutical workers and suppliers.

The average annual wage of a pharmaceutical worker in 2017 was \$126,587, which is more than double the average private sector wage of \$60,000.

Conservatives should oppose this effort to undermine IP rights.

Many lawmakers have rightly spoken out against this decision already. For instance, Senator [Richard Burr \(R-NC\)](#) and Ways and Means Republican Leader [Kevin Brady \(R-TX\)](#) have condemned Biden's decision to surrender on American IP protections. In addition, the Republican Study Committee announced in [a tweet](#) that Rep. Byron Donalds (R-Fla.) will be soon introducing a bill to prevent the Biden admin from undermining IP rights.

The Biden administration should reverse its position. Rather than surrendering to foreign governments and global bureaucracies, the administration should stand strong and protect intellectual property rights.