



Department for International Trade

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Dear George,

Thank you for sharing the concerns of several of your constituents regarding the alleged leak of the intellectual property (IP) chapter text from the UK-India Free Trade Agreement (FTA). I do not comment on the veracity of alleged leaks, nor on live negotiations.

Medicines used in the UK are subject to UK, not Indian IP rules. This means that generic medicines manufactured in India are only available to the NHS upon expiry of the UK patent. This is true for the entirety of our pharmaceutical imports, regardless of trade deals or whether the patent is still in force abroad. It is therefore the UK's own IP rules that determine when generic medicines become available to the NHS, not the IP systems of other countries.

With regards to wider access to medicine, I would like to stress that the UK remains committed to the Doha Declaration on the TRIPS Agreement and Public Health, and its agreed flexibilities that support access to medicines. However, without IP protection, new medicines which improve healthcare systems would not be created. The UK's approach to IP is to provide a balanced IP regime incentivising investment to develop new medicines, whilst ensuring that medicines remain affordable.

As you know, we update the Houses after each round with Written Ministerial Updates and letters to the chairs of the ITC and IAC, most recently in September when the House resumed.

Negotiations continue to be productive, and we are working with our counterparts on a schedule which works for both sides. We will continue to review progress, and only sign when we have a deal that is fair, reciprocal, and ultimately in the best interests of the British people and the economy.

Best wishes,

THE RT HON KEMI BADENOCH MP
Secretary of State for International Trade & President of the Board of Trade