

Patents and Public Health: Separating Strands of Fact from Fiction

Cynthia Ho

My goal is to advance the current dialogue on whether patent rights and public health can be reconciled on both domestic and international levels. While it may be true that it is inherently impossible to maximize both patent rights and public health interests, I believe that progress may currently be needlessly compromised. I aim to show that not only public opinion, but also legal frameworks may be shaped by well-orchestrated narratives that play in the popular press. This discussion of the power of narratives and counter-narratives draw upon prior research concerning narrative theory in law, as well as research from other disciplines. In addition, I hope to draw upon empirical studies to date to show that prevailing theories may be more a reflection of dominant narratives, rather than existing data. This study is part of a larger project examining the intersections of patents and public health on both a domestic and global scale, including what national and international policy options exist.