Exploration of access and benefit sharing models: The common domain model.

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Biodiscovery from BBNJ

Sampling in ABNJ → MGR → Chemistry

Product → Bioassay

Elements of good practice already exist at all stages of the marine biodiscovery pipeline.
Notification & Reporting Requirements

Application
• Cruise plan

Award
• Feasibility
• Checks

After Cruise
• Cruise report

Where to report data?
• Nagoya Protocol clearing-house
• New clearing house linked to NP
• A new international organisation

NP already requires evidence that collection did not come from area under national jurisdiction
Benefit Sharing

• Must be multilateral compared to bilateral for Nagoya Protocol
• In most cases most important benefits from use of MGR are non-monetary.
• Non-monetary benefits may include:
  • Scientific exchanges/training
  • Technology transfer
  • Capacity building (infrastructure)
  • Enhanced reputation
  • Increased number/quality of scientific publications
  • Biodiversity conservation
  • Valuable regional resources developed (knowledge, samples, data)
• Non-monetary benefits still cost money – however they are upfront compared to royalties
Benefit Sharing

- Multilateral NOT Bilateral
- Most important benefits are non-monetary.

Public domain approach

- Low cost
- Benefits will accrue where MGR are used
- All should be able to benefit from research, development and commercialisation on MGR from ABNJ
- Requires capacity building to ensure fairness
- This approach will lead to greater innovation, transparency and openness
IUCN Matrix: Public Domain

• Create a multilateral/pool system based on the public domain approach facilitating international access to and scientific research on MGR from ABNJ as well as associated raw data

• Fair and equitable sharing of non-monetary benefits, in particular by putting samples of MGR collected in ABNJ as well as associated data in the public domain as soon as possible (use embargo period)

• Share further non-monetary benefits by facilitating international collaboration, technology transfer and capacity-building

• Fair and equitable sharing of monetary benefits in case of commercialisation
The Idea

MGR samples and raw data

Share samples and data

Commercialisation (not just IP filing but use of IP)

Basic research
Where is the transition from basic research to research with commercial intent? (when does actual value become apparent?)

- **Organism**
- **Active compound**
- **Extract & Purify**
- **Cycle of purification and bioassay**
- **NCE/NDA**
- **Market drug**
- **Actual Commercialisation (IP licencing/development)**

- When research is initiated?
- When organism is found to be active?
- When active pure compound is identified?
- On patent filing?
- When NDA is filed?
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