

BIG PHARMA'S PATENT PLAYBOOK

Big Pharma's guide to
keeping prescription drug
prices high by gaming
the patent system.



*We're blocking competition and lower prices from generic drug makers to **keep our brand-name drug prices sky-high!** This playbook provides the Big Pharma-tested tips and tricks you need to **drive up drug prices and health care costs for all.***

BIG PHARMA PLAY #1

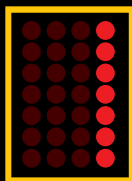
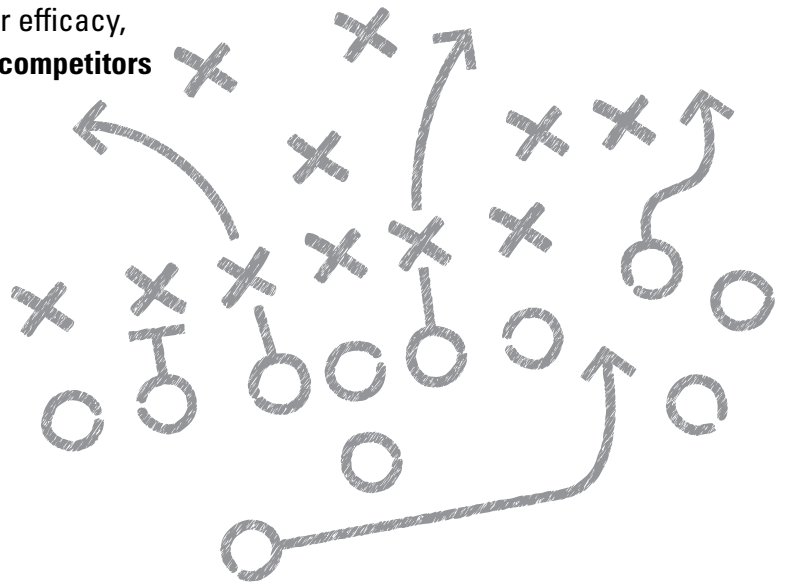
EVERGREENING

"The Fresh Coat"

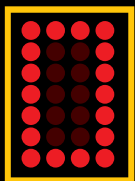
Think Big Pharma needs to show significant changes to a drug to extend its patent? **Think again.** With The Fresh Coat, Big Pharma swaps out a drug's jersey color and number, without changing the drug's position or abilities.

For this play, Big Pharma simply makes small changes to a brand-name drug – like updating the delivery method or dosage form slightly, and even if there are no improvements to the drug's safety or efficacy, **Big Pharma can extend their patent and block generic competitors from entering the market.**

Coach's Tip:
The Fresh Coat keeps drug patents looking new with an "innovative" façade **but it's a ploy to disguise the true purpose** – maintaining Big Pharma monopolies and keeping drug prices sky-high.



SCORE BOARD



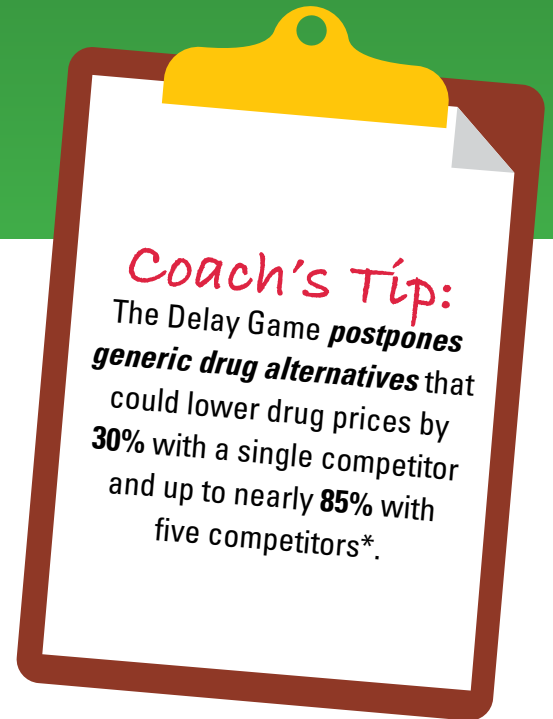
**BIG PHARMA AND
HIGH DRUG PRICES**

**PATIENTS AND LOWER
HEALTH CARE COSTS**

BIG PHARMA PLAY #2

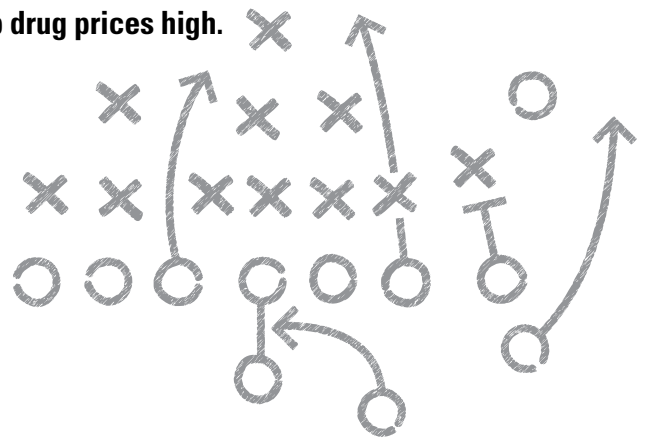
PAY FOR DELAY "The Delay Game"

The Delay Game is simple – but extremely effective. To thwart the competition, **Big Pharma pays generic drug makers to delay their more affordable options and keep them on the sidelines.** Both brand name and generic drug companies win with pay-for-delay, but patients and the public lose in the form of higher drug costs and higher health care premiums. ***It's a Touchdown!***



- STEP 1:** Pay a drug company developing a generic version of a brand-name drug to not release it.
- STEP 2:** Continue charging sky-high drug prices for the brand-name drug!

The simple one-two punch will knock out the competition and keep drug prices high.



	SCORE BOARD	
BIG PHARMA AND HIGH DRUG PRICES		PATIENTS AND LOWER HEALTH CARE COSTS

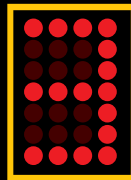
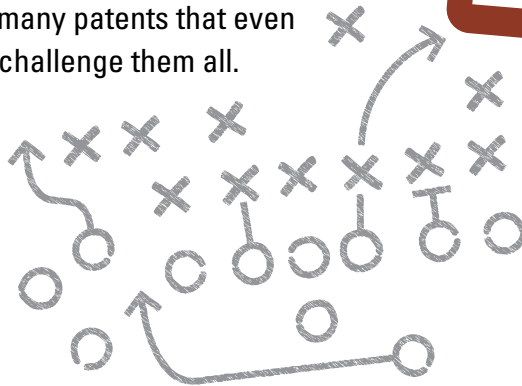
BIG PHARMA PLAY #3

PATENT THICKETS

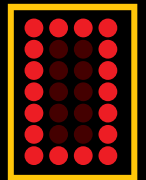
“The Thicket Trap”

There is no penalty for creating more than one patent per drug. The refs won't even throw a flag! By using The Thicket Trap, Big Pharma floods the zone with dozens of patents – even for insignificant and unnecessary “innovations” – to wrap even just one high-priced prescription drug in so many patents that even a hall-of-fame competitor couldn't ever challenge them all.

Coach's Tip:
The Thicket Trap can keep your potential generic drug competitors tangled in a mess of patents, *making it nearly impossible for them to break through and offer affordable alternatives.*



SCORE BOARD



**BIG PHARMA AND
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**PATIENTS AND LOWER
HEALTH CARE COSTS**

With these drug patent plays, you'll be ready for the big game. For more about how Big Pharma keeps drug prices – and the cost of health care – high with no accountability, visit www.RunawayRx.org.

*<https://publicinterestnetwork.org/wp-content/uploads/2023/04/The-Cost-of-Prescription-Drug-Patent-Abuse-Apr-2023.pdf>

