

Dr. Daniel Vasella  
Novartis International AG  
Schwarzwaldallee 215  
4002 Basel

Geneva, October 19, 2006

Dear Dr. Vasella,

We would like to express our concerns regarding the legal proceedings that Novartis initiated in India in May 2006, challenging the rejection of its patent application for imatinib mesylate (Glivec/Gleevec) as well as questioning the compliance of the Indian Patents Act with the World Trade Organization's Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS).

This action contradicts the WTO Doha Declaration on the TRIPS Agreement and Public Health that states that "...the Agreement can and should be interpreted and implemented in a manner supportive of WTO Members' right to protect public health and, in particular, to promote access to medicines for all."

Médecins Sans Frontières (MSF) is concerned about the consequences of these actions for hundreds of thousands of people in need of medicines produced in India, which includes people treated through MSF programs. For this reason, MSF supported the NGO letter dated October 10<sup>th</sup> that urged Novartis to drop the case.

We have taken note of your comments in the *Financial Times* of September 30<sup>th</sup>, in which you state your reservations about the capability of the existing system to provide sustainable access to innovative medicines for people in poorer countries. We would be interested in your thoughts as to which extent the implementation of the recommendations of the World Health Organization "Commission on Intellectual Property, Innovation and Public Health" can be a starting point to fundamentally address issues concerning innovation and access to medicines in poorer countries.

We would welcome the opportunity to discuss these issues with you further as soon as possible. Please let us know what dates would be convenient for you.

Best regards,



**Christian Captier**  
**Director General**  
MSF Switzerland



**Tido von Schoen-Angerer**  
**Director**  
Campaign for Access to Essential Medicines  
MSF International