

PrEP

in 2019



NCHTEC

North Carolina HIV Training & Education Center
at the UNC School of Medicine

News You
Can Use



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Site PI, Ryan White HIV/AIDS Program Part D, UNC ID Clinic
Co-Leader, UNC CFAR PrEP Scientific Working Group

Institute for Global Health & Infectious Diseases
University of North Carolina at Chapel Hill
School of Medicine

As of 1 Oct 2018, Dr. Hurt serves as UNC site PI for a Gilead-funded study of PrEP (DISCOVER, comparing FTC/TAF vs FTC/TDF).

Dr. Hurt is supported by the Centers for Disease Control and Prevention (ELC-2017-J3), Health Resources and Services Administration (U1OHA30535), Eunice Kennedy Shriver National Institute of Child Health & Human Development (U19HD089881), the National Institute on Drug Abuse (UG3DA044823), and the National Institute of Allergy and Infectious Diseases (P30AI50410, UM1AI069423, UM1AI068619).

The views expressed are not necessarily those of CDC, HRSA, or the NIH.

Learning objectives

- Outline some of the new data on PrEP from scientific conferences in 2019
- Compare and contrast FTC/TDF and FTC/TAF for PrEP
- Discuss how HIV prevention advocates have approached issues related to pricing and availability of PrEP in the US
- Explain the controversy over patents for PrEP and the meaning of the Truvada lawsuits
- Describe the potential impact of the US Preventive Services Task Force's new recommendation for PrEP



@LETSPREPWISC

See
them
from
which
100 mg
tenofovir and
emtricitabine.
NDC 61958-0701-1
Keep tightly closed.
Keep original
container for
identification.

NDC 61958-0701-1

Truvada[®]

(emtricitabine and tenofovir
disoproxil fumarate)

Tablets

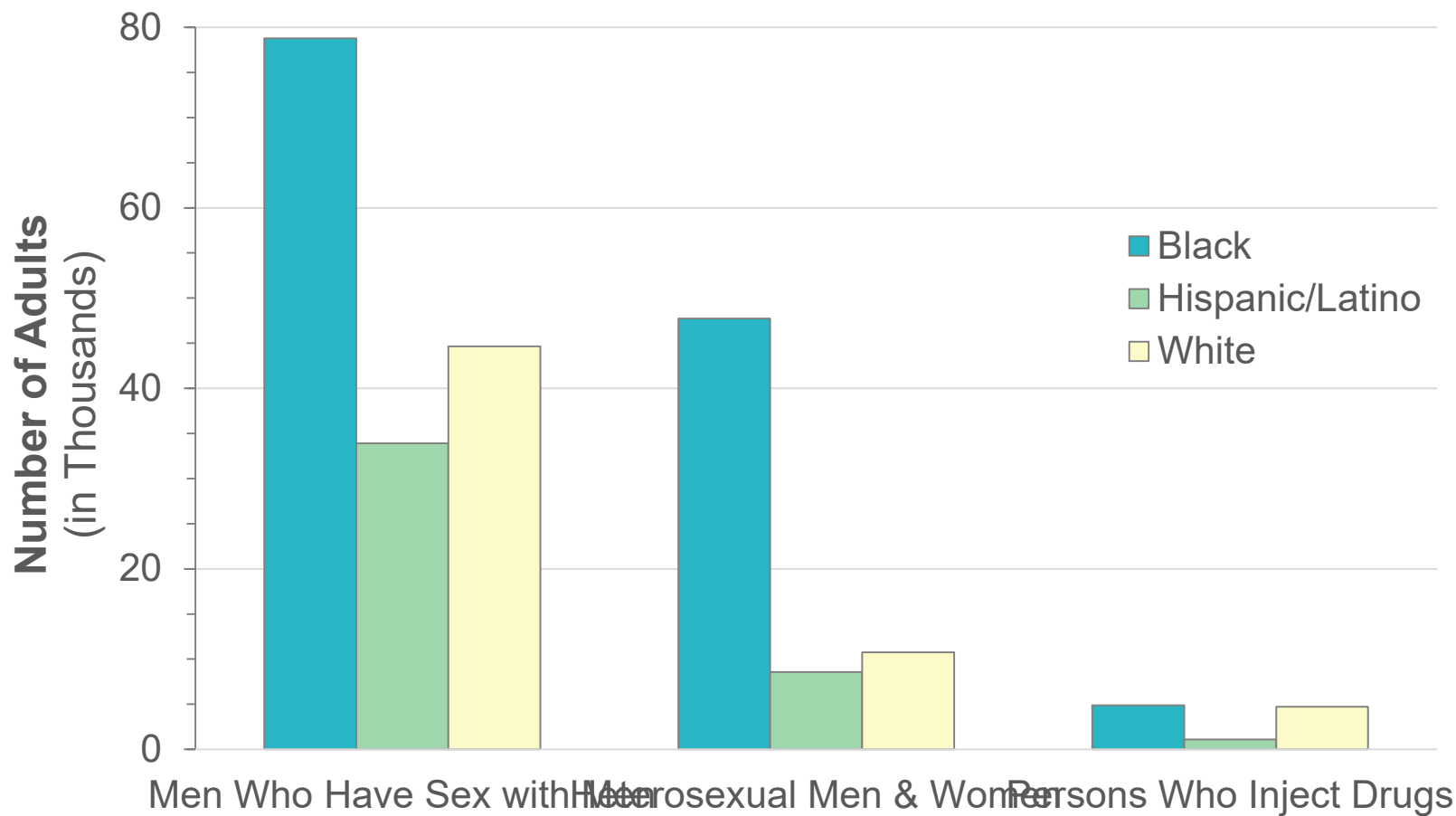
- LIMITED EDITION -
PUMPKIN SPICE

Rx only





How many adults across SE AETC states are candidates for PrEP?



As of 2015

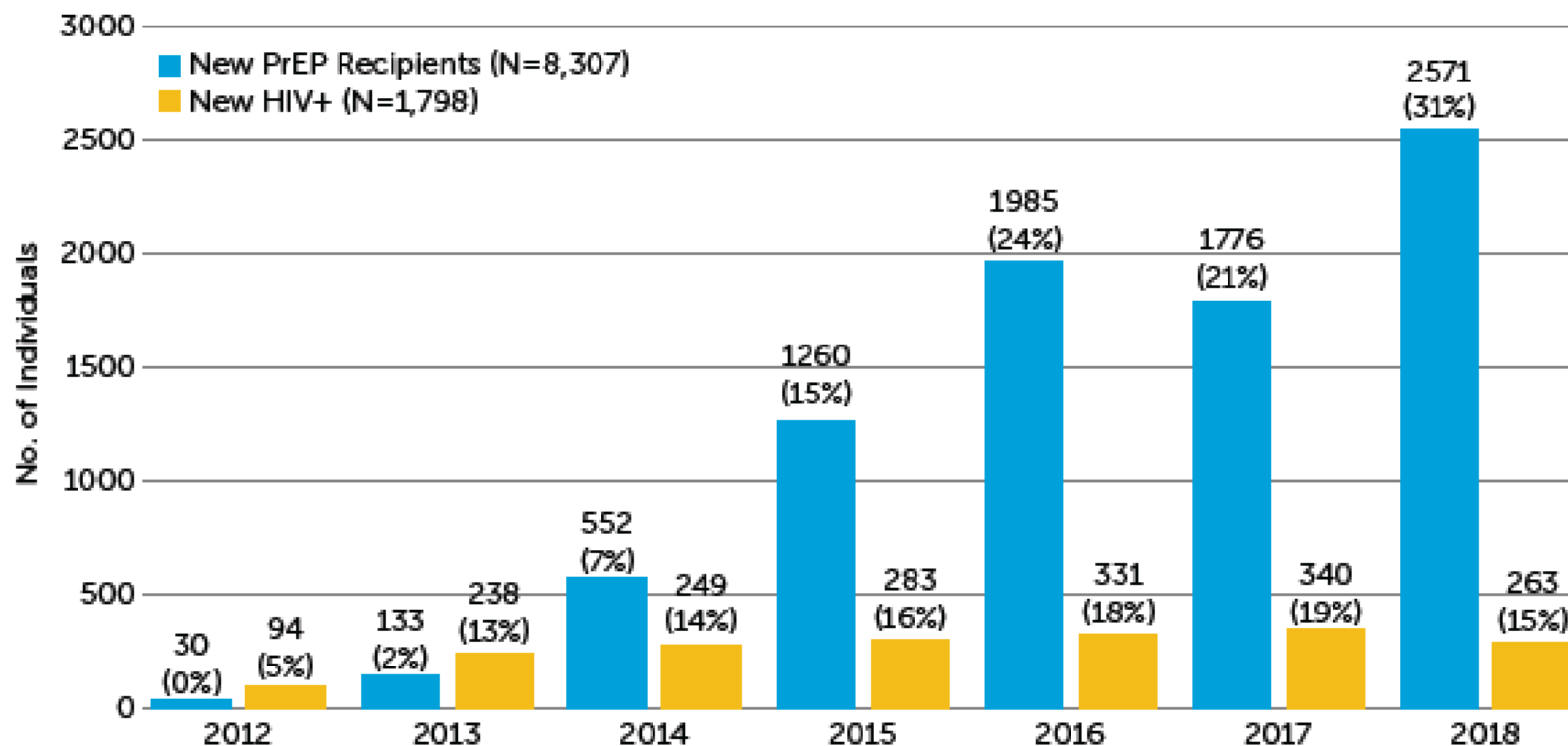
Smith DK et al., Annals of Epidemiology 28(12):850-857. 2018
Extracted data from Table 3 for AL, FL, GA, KY, MS, NC, SC, and TN

PrEP in the OPERA Cohort

Observational Pharmaco-Epidemiology Research & Analysis



Figure 1. Calendar year of PrEP initiation or HIV diagnosis



<http://programme.ias2019.org/Abstract/Abstract/1387>

http://www.natap.org/2019/IAS/IAS_111.htm

PrEP in the OPERA Cohort

Observational Pharmaco-Epidemiology Research & Analysis



Table 2. Baseline demographic characteristics

		PrEP (n = 8,307)	New HIV+ (n = 1,798)
Age	Median (IQR)	33.1 (26.8, 42.9)	29.9 (25.1, 40.1)*
Sex	Female	538 (6.5%)	157 (8.7%)*
Gender	Transgender	96 (1.2%)	28 (1.6%)
Race [†]	Black	1488 (17.9%)	586 (32.6%)*
Ethnicity [‡]	Hispanic	1774 (21.4%)	619 (34.4%)*
Region**	Northeast	1934 (23.3%)	60 (3.3%)*
	South	3024 (36.4%)	1032 (57.4%)
	Midwest	146 (1.8%)	75 (4.2%)
	West	3203 (38.6%)	631 (35.1%)

*p-value <0.05

[†]Unknown race: 1081 PrEP recipients, 141 new HIV+; [‡]Unknown ethnicity: 1185 PrEP, 43 new HIV+

**Northeast: CT, MA, ME, NH, NJ, NY, PA, RI, VT; South: AL, AR, DC, DE, FL, GA, KY, LA, MD, MS, NC, OK, SC, TN, TX, VA, WV; Midwest: IA, IL, IN, KS, MI, MN, MO, ND, NE, OH, SD, WI; West: AK, AZ, CA, CO, HI, ID, MT, NM, MT, OR, UT, WA, WY

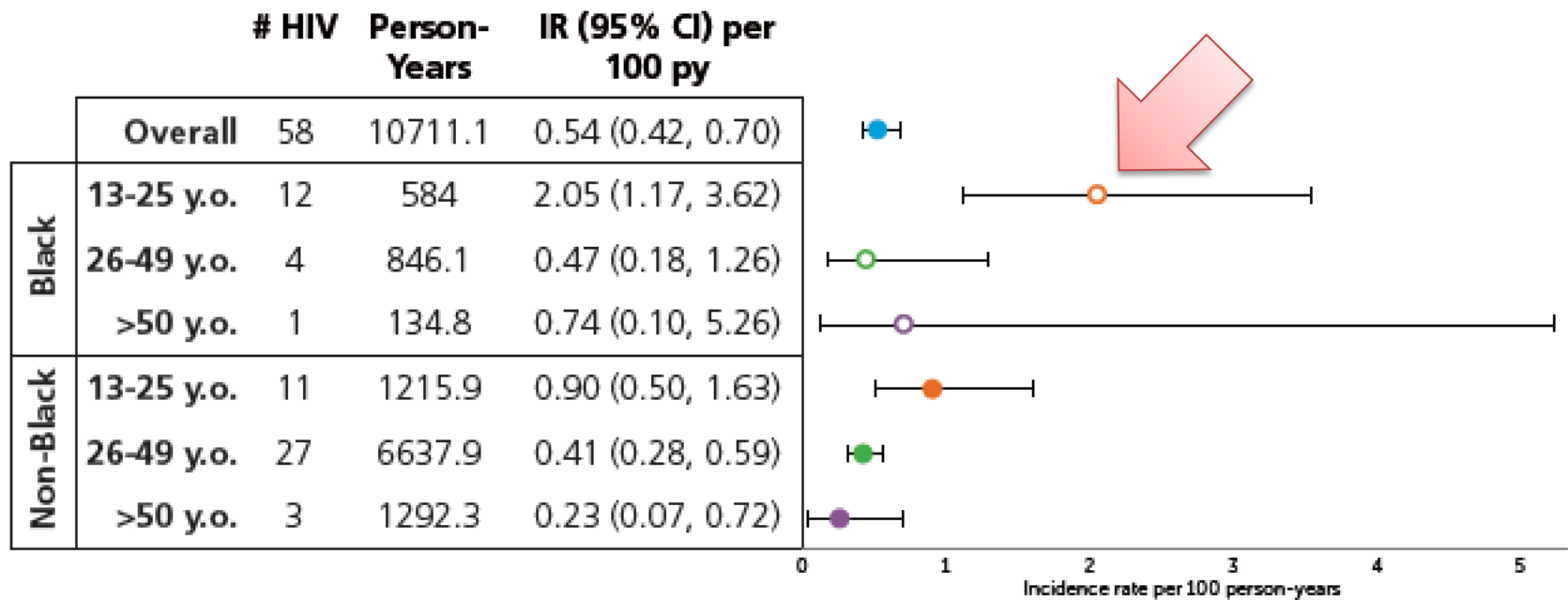
- 59% of PrEP initiators returned for a follow-up visit 60-120 days later; 11% never returned for follow-up
- 42% discontinued PrEP with median time to discontinuation 12 months (IQR 11, 19)

PrEP in the OPERA Cohort

Observational Pharmaco-Epidemiology Research & Analysis



Figure 2. Incidence rates of new HIV infection among PrEP recipients (N=8,307)



HIV incidence relatively high after stopping PrEP

986 starting PrEP in SF Primary Care Clinics,
7/2012 – 11/2018 (15 centers for publicly-insured & uninsured persons)

66%
MSM

12%
TGW

37%
White

8

HIV seroconversions

- 7 after stopping
- 1 on 2-1-1 PrEP

50%

**didn't discuss
stopping with
their provider**

HIV incidence relatively high after stopping PrEP

986 starting PrEP in SF Primary Care Clinics,
7/2012 – 11/2018 (15 centers for publicly-insured & uninsured persons)

66%
MSM

12%
TGW

37%
White

8

HIV seroconversions

- 7 after stopping
- 1 on 2-1-1 PrEP

Themes among seroconverters:

- Adherence challenges due to housing, substance use, or mental health ^(7/8)
- Competing priorities given cost and effort ^(5/8)
- Difficulty assessing benefits and risks ^(5/8)
- Conflict with partners over trust/intimacy ^(3/8)

DISCOVER

RCT of FTC/TAF vs FTC/TDF

Sept 2016 – Sept 2020 (May 2019)

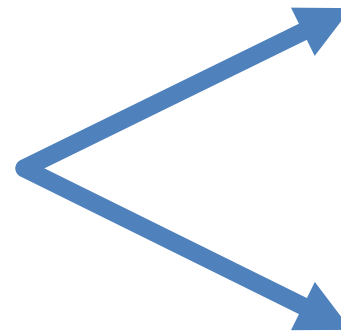


Adult MSM/TGW at high
risk for HIV infection

(N = 5387)

5313 MSM

74 transgender women



FTC/TDF
with placebo FTC/TAF



FTC/TAF
with placebo FTC/TDF

92 sites across US, Canada, Europe

96 weeks of f/u planned w/**48 wk FTC/TAF open-label extension**

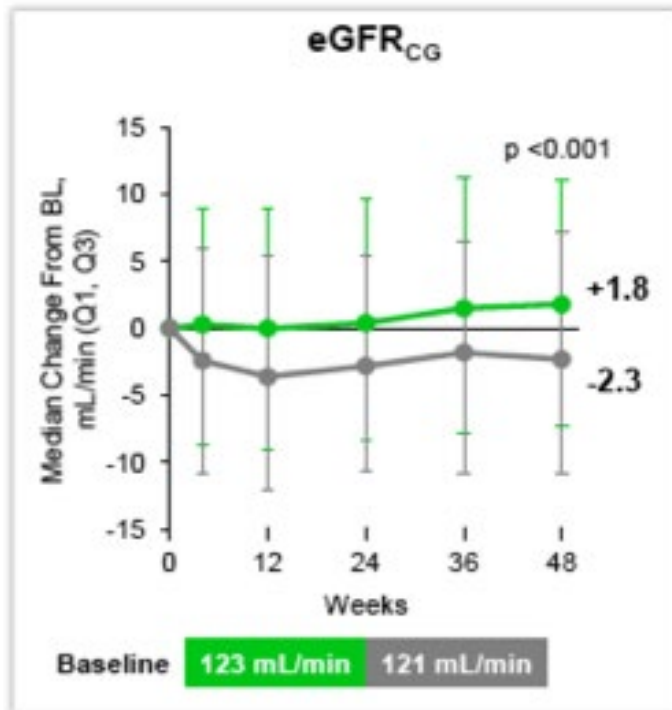
FTC/TAF had fewer kidney, bone issues...



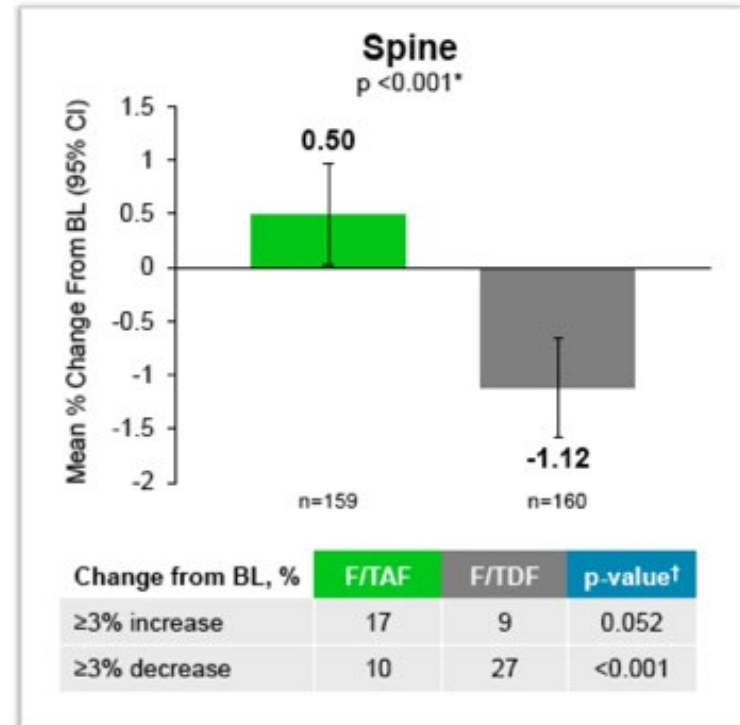
emtricitabine /
tenofovir alafenamide



emtricitabine /
tenofovir disoproxil



F/TAF **F/TDF**



BMD

Baseline vs. Week 48

... and was non-inferior to FTC/TDF ...

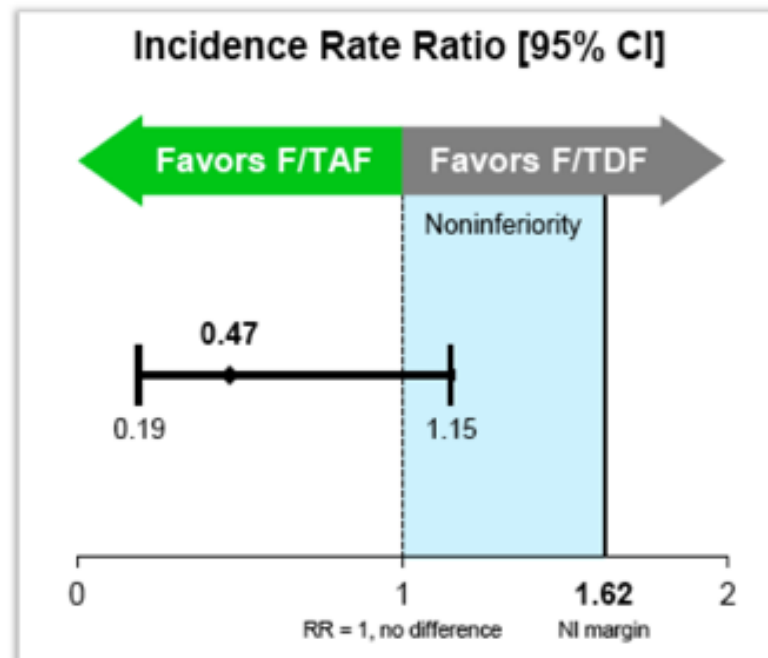
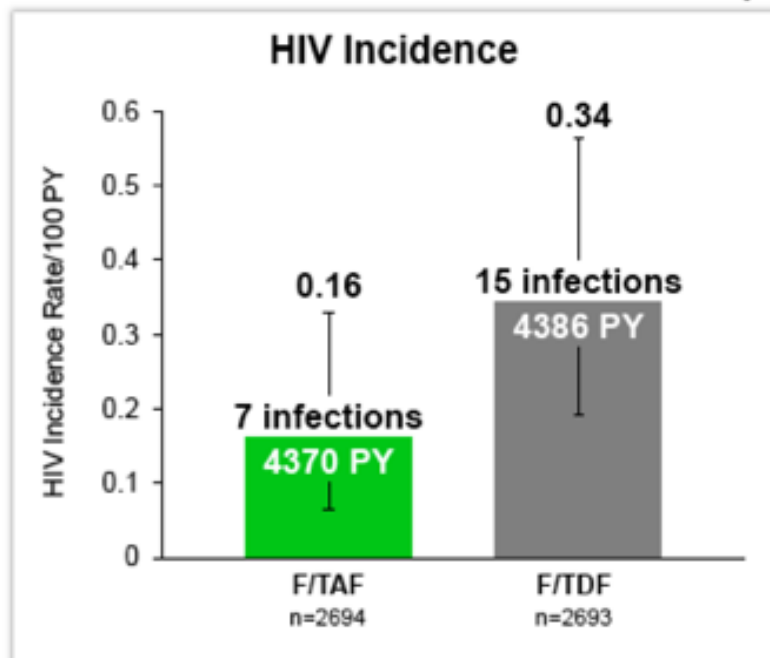


emtricitabine /
tenofovir alafenamide



emtricitabine /
tenofovir disoproxil

22 HIV infections in 8756 PY of follow-up

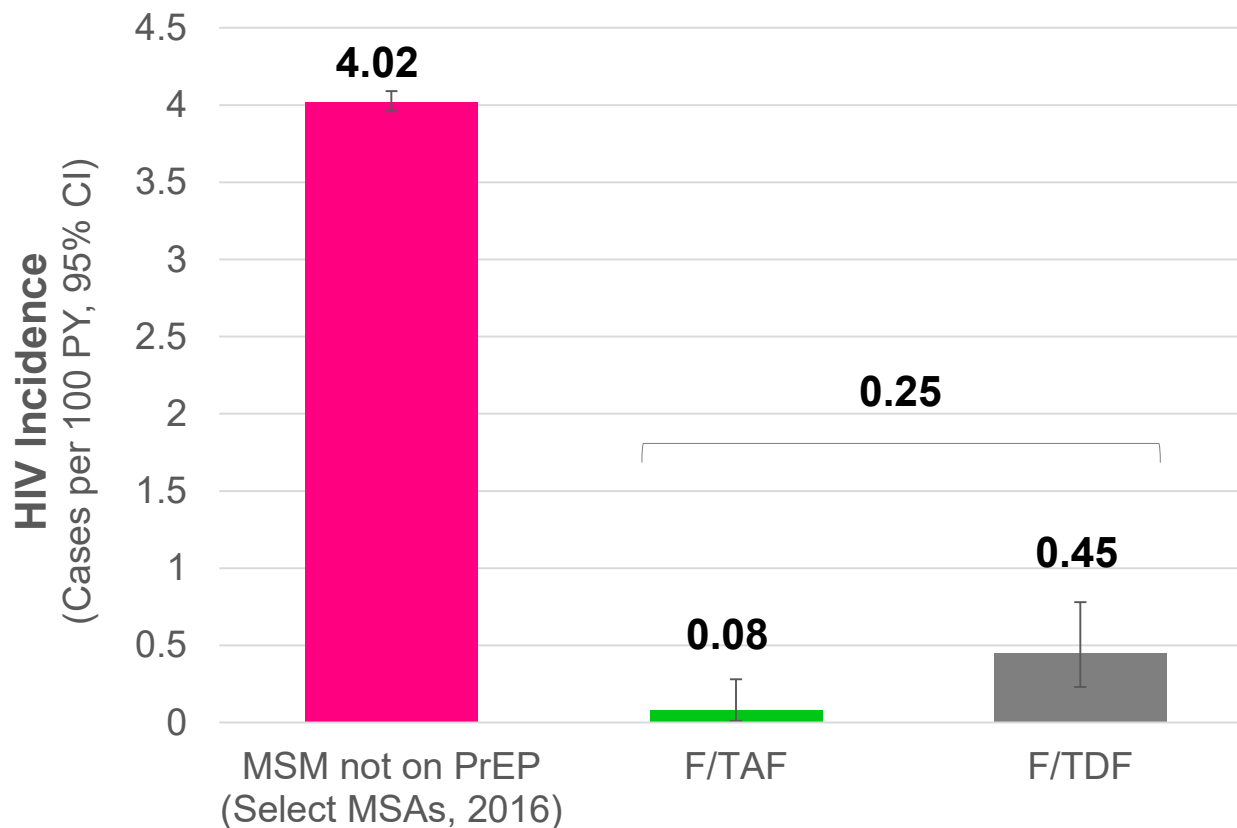


5313 MSM
74 transgender women

Hare B. et al. CROI 2019, abstract 104
http://www.natap.org/2019/CROI/croi_21.htm

... but there were comparatively few infections

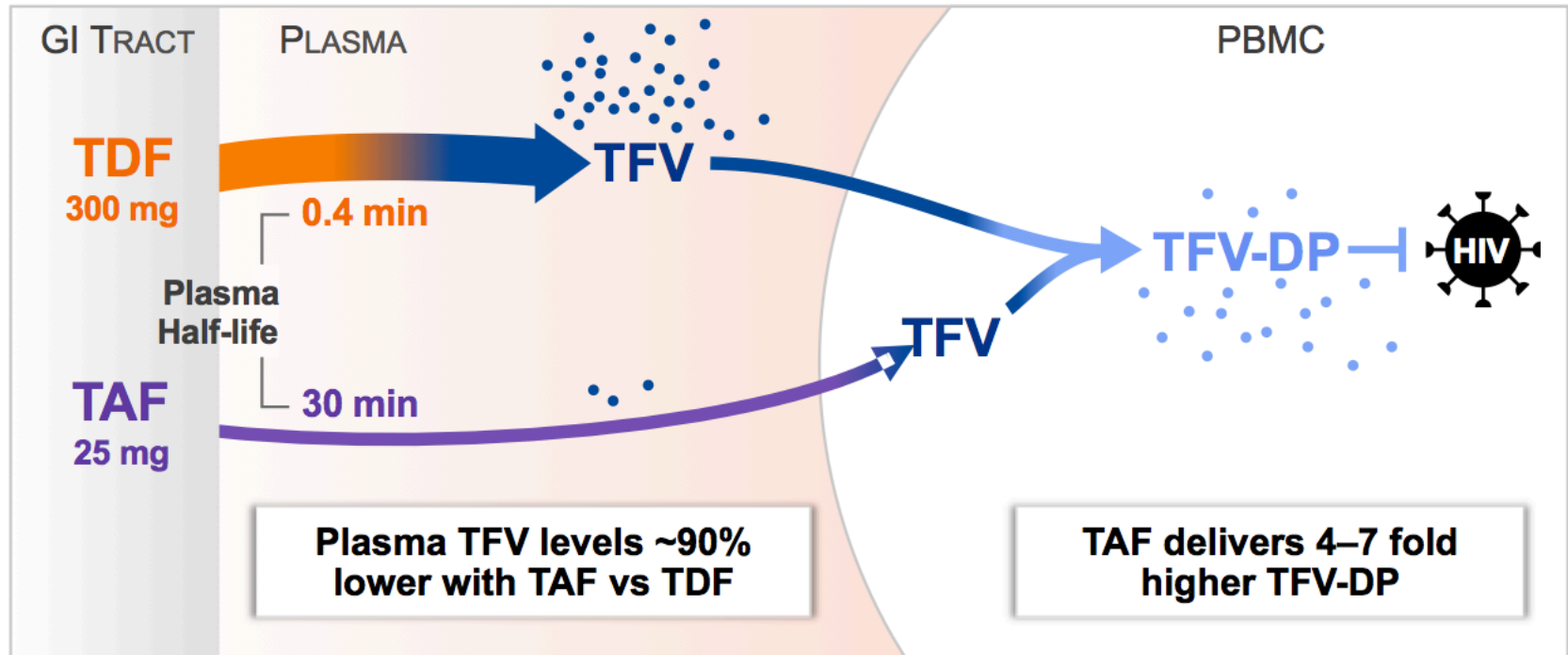
Comparison of HIV Incidence: MSM from Metropolitan Statistical Areas Overlapping DISCOVER Sites (2016) against Participants in DISCOVER



5313 MSM
74 transgender women

Hare B. et al. CROI 2019, abstract 104
http://www.natap.org/2019/CROI/croi_21.htm

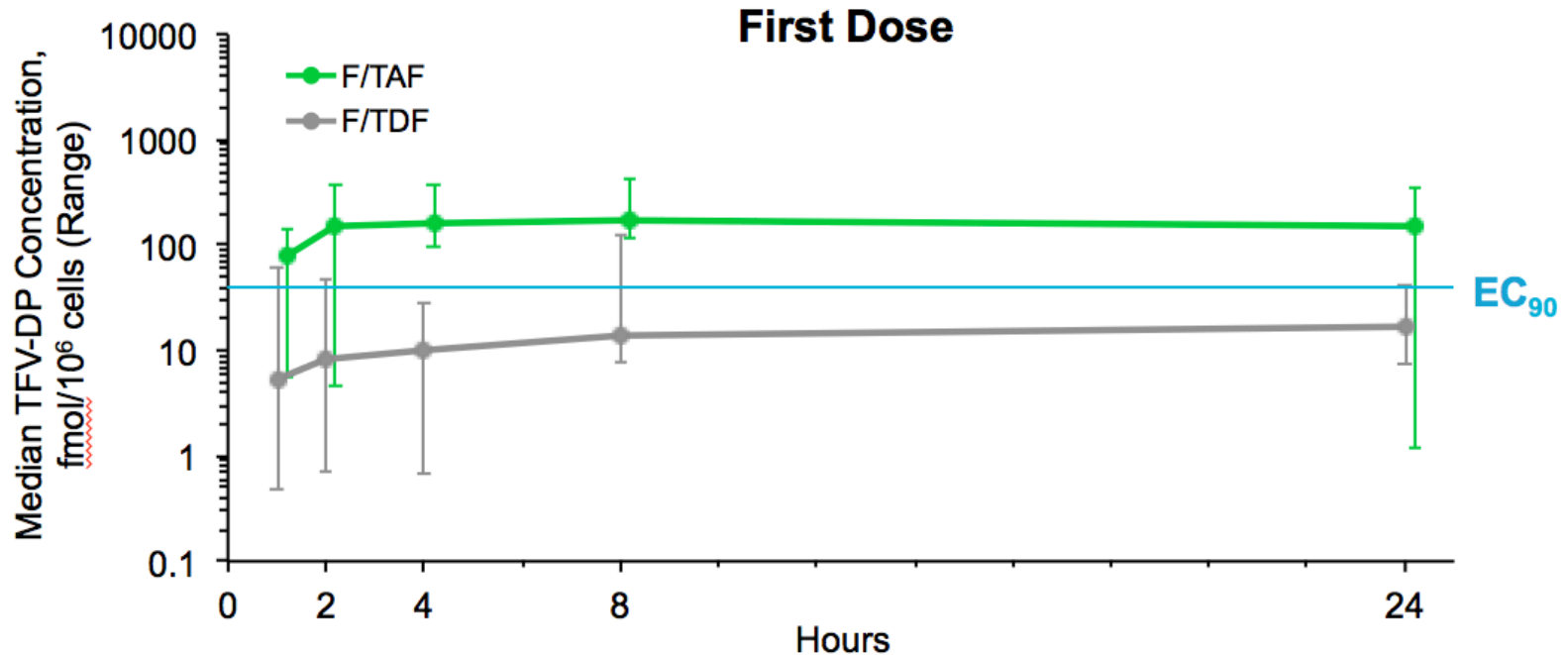
TAF has special pharmacological properties



GI, gastrointestinal.

Lee W, et al. *Antimicrob Agents Chemo* 2005;49:1898-1906; Birkus G, et al. *Antimicrob Agents Chemo* 2007;51:543-50; Babusis D, et al. *Mol Pharm* 2013;10:459-66; Ruane P, et al. *J Acquir Immune Defic Syndr* 2013; 63:449-51; Sax P, et al. *JAIDS* 2014;67:52-8; Sax P, et al. *Lancet* 2015;385:2606-15.

More from DISCOVER: up to speed faster



- ◆ With F/TAF, median TFV-DP concentrations exceeded EC₉₀ within 1-2 h, all within 4 h, consistent with 2 prior studies¹⁻³
- ◆ In contrast, 3 daily doses of F/TDF are needed to achieve EC₉₀ in PBMCs⁴

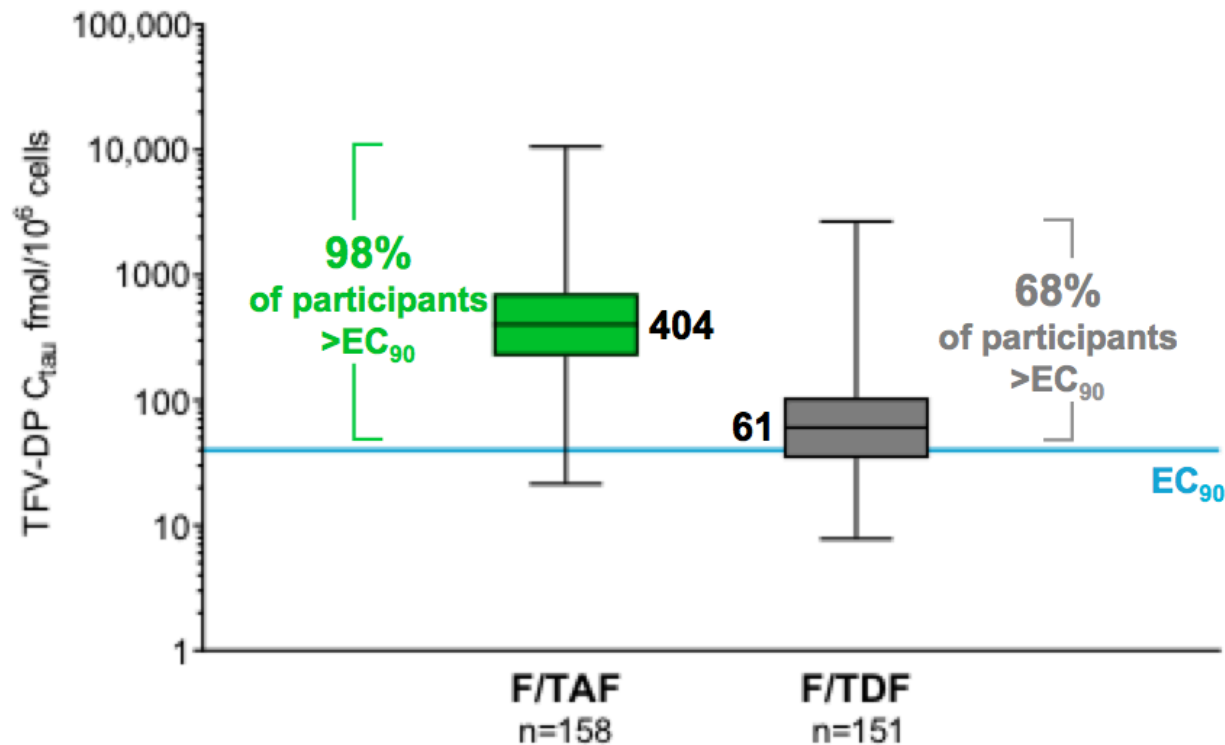
EC₉₀, 90% effective concentration.

1. Schwartz JL, et al. R4P 2018.; 2. data on file; 3. Cottrell ML, et al. J Antimicrob Chemother 2017; 4. Anderson PL, et al. CROI 2012

<http://programme.ias2019.org/Abstract/Abstract/4898>

http://www.natap.org/2019/IAS/IAS_08.htm

More from DISCOVER: higher level over time



◆ Steady-state TFV-DP levels in PBMCs were **6.3-fold higher with F/TAF vs F/TDF**

C_{12AU} concentration 20–28 h postdose. Box median, IQR, whiskers min, max

Affordability has become a clear issue



per month if paid
totally out-of-pocket

(excluding lab costs & provider fees)



Break the Patent → <https://slate.com/human-interest/2018/05/act-up-is-challenging-gilead-to-make-truvada-more-accessible.html>

TAF lawsuits → <https://www.latimes.com/business/la-fi-gilead-hiv-drug-lawsuit-20180509-story.html>

TAF patent → <https://www.i-mak.org/wp-content/uploads/2018/12/Roadmap-SE-Report-on-TAF-2018-05-07F.pdf>

2018



L to R: Cameron Kinker
(Prevention Access Campaign)
and two of PrEP4All's co-founders:
James Krellenstein & Nick Faust

#BREAKTHEPATENT

The drug Truvada has the ability to reduce the risk of HIV transmission by more than 99%, but it's being withheld from the American public because of the greed of its manufacturer.

Gilead Sciences has inflated the cost from \$6 to more than \$1,600 per month, despite the US taxpayer paying for almost the full cost of its development. If we could lower the price of the drug, we could end the HIV epidemic without a vaccine. **Drug companies have held the American people hostage for too long. Join the campaign to #BreakThePatent.**

TAKE ACTION

HELP SPREAD THE WORD



SIGN THE PETITION TO **#BREAKTHEPATENT**
AND LOWER THE PRICE OF PREP



(12) **United States Patent**
Heneine et al.



(10) Patent No.: **US 9,044,509 B2**
(45) Date of Patent: **Jun. 2, 2015**

(54) **INHIBITION OF HIV CHEMOPROPHYLAXIS**

(75) Inventors: **Walid M. Heneine, Thomas M. Folks, Robert Janssen, Ronald A. Otten, Jose Gerardo Garcia Lerma**, Rica, GA (US)

(73) Assignee: **The United States of America, as represented by the Secretary, Department of Health and Human Services**, Washington, DC (US)

(*) Notice: Subject to disclaimer, the term of this patent is extended under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: **11/669,542**

(22) Filed: **Jan. 31, 2006**

(65) **Prior Publication Data**
US 2007/0265227 A1

Related U.S. Application Data
(60) Provisional application Ser. No. 60/723,333, filed Jan. 3, 2006.

(51) **Int. Cl.**
A61K 31/675
A61K 31/505

(52) **U.S. Cl.**
CPC *A61K 31/675*
(2013.01)

(58) **Field of Classification Search**
CPC *A61K 31/675*
USPC
See application file for search history.

(12) **United States Patent**
Heneine et al.



(10) Patent No.: **US 9,579,333 B2**
(45) Date of Patent: ***Feb. 28, 2017**

(54) **INHIBITION OF HIV INFECTION THROUGH CHEMOPROPHYLAXIS**

(71) Applicant: **THE UNITED STATES OF AMERICA, as represented by the Secretary, Department of Health and Human Services**, Washington, DC (US)

(72) Inventors: **Walid Heneine, Thomas M. Folks, Robert Janssen, Ronald A. Otten, Jose Gerardo Garcia Lerma**, Atlanta, GA (US)

(73) Assignee: **THE UNITED STATES OF AMERICA, as represented by the Secretary, Department of Health and Human Services**, Washington, DC (US)

(*) Notice: Subject to disclaimer, the term of this patent is extended under 35 U.S.C. 154(b) by 0 days.
This patent is subject to a terminal disclaimer.

(21) Appl. No.: **14/679,887**

(22) Filed: **Apr. 6, 2015**

(65) **Prior Publication Data**
US 2015/0272972 A1

Related U.S. Application Data

(63) Continuation of application Ser. No. 13/460,344, filed Jan. 31, 2007, now U.S. Pat. No. 9,044,509 B2 (US 2015/0272972 A1).

(51) **Int. Cl.**
A61K 31/675
A61K 31/505

(12) **United States Patent**
Heneine et al.



(10) Patent No.: **US 9,937,191 B2**
(45) Date of Patent: ***Apr. 10, 2018**

(54) **INHIBITION OF HIV INFECTION THROUGH CHEMOPROPHYLAXIS**

(71) Applicant: **THE UNITED STATES OF AMERICA, as represented by the Secretary, Department of Health and Human Services**, Washington, DC (US)

(72) Inventors: **Walid Heneine, Thomas M. Folks, Robert Janssen, Ronald A. Otten, Jose Gerardo Garcia Lerma**, Atlanta, GA (US); **Thomas M. Folks**, Helotes, TX (US); **Ronald A. Otten**, Villa Rica, GA (US); **Jose Gerardo Garcia Lerma**, Decatur, GA (US)

(73) Assignee: **The United States of America, as represented by the Secretary, Department of Health and Human Services**, Washington, DC (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.
This patent is subject to a terminal disclaimer.

(21) Appl. No.: **15/406,344**

(22) Filed: **Jan. 13, 2017**

(65) **Prior Publication Data**
US 2017/0143745 A1 May 25, 2017

Related U.S. Application Data

(63) Continuation of application No. 14/679,887, filed on Apr. 6, 2015, now Pat. No. 9,579,333, which is a continuation of U.S. Pat. No. 9,044,509 B2 (US 2015/0272972 A1).

(51) **Int. Cl.**
A61K 31/675
A61K 31/505

(52) **U.S. Cl.**
CPC *A61K 31/675* (2013.01); *A61K 9/0053* (2013.01); *A61K 31/513* (2013.01)

(58) **Field of Classification Search**
CPC *A61K 31/7072*; *A61K 31/676*
(Continued)

(56) **References Cited**
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5,914,331 A 6/1999 Liotta et al.
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WO 1996/01110 1/1996
(Continued)

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Grant et al., "Promote HIV chemoprophylaxis research, don't prevent it," *Science* 309(5744): 2170-2171 (Sep. 29, 2005).
(Continued)

Primary Examiner — Shengjun Wang
(74) Attorney, Agent, or Firm — Klarquist Sparkman, LLP

(57) **ABSTRACT**

A process is provided for protecting a primate host from a self-replicating infection by an immunodeficiency retrovirus. Protection is achieved by administering to the primate host a combination of a pharmaceutically effective amount of a nucleoside reverse transcriptase inhibitor and a pharmaceutically effective amount of a nucleotide reverse transcriptase inhibitor prior to exposure to the immunodeficiency retrovirus. The administration is effective if provided in a single dose within 24 hours of the exposure. A regime of regular daily doses is also effective in providing protection against an immunodeficiency retrovirus becoming self-replicating after infection.

2018



(12) United States Patent
Hencine et al.



(10) Patent No.: US 9,044,509 B2
(45) Date of Patent: Jun. 2, 2015

(54) INHIBITION OF HIV
CHEMOPROPHYLA



US009579333B2

(75) Inv

(57) **ABSTRACT**

(73) A A process is provided for protecting a primate host from a self-replicating infection by an immunodeficiency retrovirus. Protection is achieved by administering to the primate host a combination of a pharmaceutically effective amount of a nucleoside reverse transcriptase inhibitor and a pharmaceutically effective amount of a nucleotide reverse transcriptase inhibitor prior to exposure to the immunodeficiency retrovirus. The administration is effective if provided in a single dose within 24 hours of the exposure. A regime of regular daily doses is also effective in providing protection against an immunodeficiency retrovirus becoming self-replicating after infecting a primate host. A process for

(Continued)



US 9,937,191 B2

US 9,937,191 B2
*Apr. 10, 2018

14/675 (2013.01); A61K 9/0053
(2013.01); A61K 31/513 (2013.01)
Int. Search
A61K 31/7072; A61K 31/676
(2013.01)

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U.S. PATENT DOCUMENTS

Liotta et al.
Liotta et al.
(2004)

U.S. PATENT DOCUMENTS

Liotta et al.
Liotta et al.
(1996)

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US 2017/0143745 A1 (Sep. 29, 2005)
(2017)

Wang
Klarquist Sparkman,

(51) Int. Cl.
A61K 31/675
A61K 31/505

Publication Data
US 2017/0143745 A1 May 25, 2017

Related U.S. Application Data

(63) Continuation of application No. 14/679,887, filed on
Apr. 6, 2015, now Pat. No. 9,579,333, which is a
(Continued)

(51) Int. Cl.
A61K 31/675 (2006.01)
A61K 31/505 (2006.01)

(Continued)

(57) **ABSTRACT**

A process is provided for protecting a primate host from a self-replicating infection by an immunodeficiency retrovirus. Protection is achieved by administering to the primate host a combination of a pharmaceutically effective amount of a nucleoside reverse transcriptase inhibitor and a pharmaceutically effective amount of a nucleotide reverse transcriptase inhibitor prior to exposure to the immunodeficiency retrovirus. The administration is effective if provided in a single dose within 24 hours of the exposure. A regime of regular daily doses is also effective in providing protection against an immunodeficiency retrovirus becoming self-replicating after infecting a primate host. A process for

2018



(12) United States Patent
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(10) Patent No.: US 9,044,509 B2
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(54) INHIBITION OF HIV
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(75) Inv

(57) **ABSTRACT**

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(Continued)



(51) Int. Cl.
A61K 31/675
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Publication Data
US 2017/0143745 A1 May 25, 2017

Related U.S. Application Data

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(51) Int. Cl.
A61K 31/675 (2006.01)
A61K 31/505 (2006.01)

(Continued)

March 2019



Yale Global Health Justice Partnership
A PROGRAM OF YALE LAW SCHOOL AND THE YALE SCHOOL OF PUBLIC HEALTH

Summary of Statement on CDC's Patents for PrEP

On March 12, 2019, the Yale Global Health Justice Partnership ("GHJP") published a "Statement on CDC's Patents for PrEP" by GHJP fellow and patent attorney Christopher Morten, which presents analysis of certain patents owned by the U.S. government that appear relevant to use of TRUVADA® tablets for pre-exposure prophylaxis ("PrEP") against HIV infection.

The key conclusions of the Statement are these: The U.S. Patent and Trademark Office determined that U.S. government inventors affiliated with the Centers for Disease Control and Prevention were the first to determine that the drugs in Gilead's TRUVADA® tablets can be used to prevent HIV transmission. Through patents that it owns, which we've termed "CDC's Patents for PrEP," the U.S. government appears to have a legal right to prevent anyone in the United States from using these drugs for this purpose without its permission.

This document provides a summary of relevant facts and conclusions in the Statement.

- **The U.S. government owns patents that cover HIV PrEP:** "CDC's Patents for PrEP" are U.S. Patent Nos. [9,044,509](#), [9,579,333](#), and [9,937,191](#). Each patent is entitled "Inhibition of HIV Infection through Chemoprophylaxis." Broadly speaking, each of the patents claims methods of protecting a person from infection by an immunodeficiency retrovirus, e.g., HIV-1, by administering to the person a combination of two drugs, (1) emtricitabine and (2) tenofovir or a chemical derivative of tenofovir known as an ester, such as the tenofovir ester tenofovir disoproxil fumarate, prior to exposure to the virus. In plainer terms, each of CDC's Patents for PrEP covers HIV PrEP with a combination of emtricitabine and tenofovir disoproxil fumarate, the two drugs in TRUVADA® tablets sold by Gilead Sciences, Inc. ("Gilead"). Each patent is assigned to—that is, owned by—the United States of America, as represented by the Secretary of the Department of Health and Human Services. The research underlying the patents appears to have been performed at the Centers for Disease Control and Prevention ("CDC").

March 2019



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A PROGRAM OF YALE LAW SCHOOL AND THE YALE SCHOOL OF PUBLIC HEALTH

Summary of Statement on CDC's Patents for PrEP

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The key conclusions of the Statement are these: The U.S. Patent and Trademark Office determined that U.S. government inventors affiliated with the Centers for Disease Control and Prevention were the first to determine that the drugs in Gilead's TRUVADA® tablets to prevent HIV transmission. Through patents that it owns, which cover the use of TRUVADA® for PrEP, the U.S. government appears to have a legal right to prevent other U.S. States from using these drugs for this purpose without its permission.

This document provides a summary of relevant facts and conclusions.

- **The U.S. government owns patents that cover HIV PrEP.** The patents are U.S. Patent Nos. [9,044,509](#), [9,579,333](#), and [9,937,191](#). The patents claim "Inhibition of HIV Infection through Chemoprophylaxis." The patents claim methods of protecting a person from infection with the human immunodeficiency virus (HIV), e.g., HIV-1, by administering to the person a combination of (1) emtricitabine and (2) tenofovir or a chemical derivative of tenofovir, such as the tenofovir ester tenofovir disoproxil fumarate. In plainer terms, each of CDC's Patents for PrEP covers the use of a combination of emtricitabine and tenofovir disoproxil fumarate, the two drugs in TRUVADA® tablets sold by Gilead Sciences, Inc. ("Gilead"). Each patent is assigned to—that is, owned by—the United States of America, as represented by the Secretary of the Department of Health and Human Services. The research underlying the patents appears to have been performed at the Centers for Disease Control and Prevention ("CDC").

“Through patents that it owns... the U.S. government appears to have a legal right to prevent anyone in the United States from using these drugs for this purpose without its permission.”

March 2019

The Washington Post
Democracy Dies in Darkness

Business



An HIV treatment cost taxpayers millions. The government patented it. But a pharma giant is making billions.



April 2019



Press Releases

April 05, 2019

Gilead Submits Supplemental New Drug Application to U.S. Food and Drug Administration for Once-Daily Descovy® for HIV Pre-Exposure Prophylaxis

- Filing Supported by Data Demonstrating Non-inferiority Compared to Truvada® Coupled with Bone and Renal Safety Advantages in People at Risk of Sexually Acquired HIV Infection -

FOSTER CITY, Calif.--(BUSINESS WIRE)--Apr. 5, 2019-- Gilead Sciences, Inc. (NASDAQ: GILD) announced today that the company has submitted a supplemental New Drug Application (sNDA) to the U.S. Food and Drug Administration (FDA) for Descovy® (emtricitabine 200 mg and tenofovir alafenamide 25 mg tablets) for pre-exposure prophylaxis (PrEP) to reduce the risk of sexually acquired HIV-1 infection among individuals who are HIV-negative and at risk for HIV. A Priority Review voucher was submitted with the filing, leading to an anticipated review time of six months.

The filing is based on the results of the Phase 3 DISCOVER trial which evaluated the safety and efficacy of Descovy compared to Truvada in men and transgender women who have sex with men at high-risk for sexually acquired HIV infection. Truvada® (emtricitabine 200 mg and tenofovir
PrEP is currently the only FDA

Despite MSM (&TGW) focus of DISCOVER, application was to expand the indication to include PrEP *for all persons at risk*



April 2019

4/23: Sens. Stabenow (D-MI),
Cardin (D-MD), Baldwin (D-MN),
Duckworth (D-IL), Sanders (I-VT),
Blumenthal (D-CT), and
Van Hollen (D-MD) ask DHHS &
CDC for information
about the patents

United States Senate
WASHINGTON, DC 20510

April 23, 2019

The Honorable Alex M. Azar II
Secretary
U.S. Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, DC 20201

Dr. Robert Redfield, M.D.
Director
Centers for Disease Control and Prevention
1600 Clifton Road
Atlanta, GA 30333

Dear Secretary Azar and Director Redfield:

We write today regarding recent reports that the Centers for Disease Control and Prevention (CDC) has patented methods for the prevention of HIV infection that are relevant to Gilead Science's prescription drug Truvada.¹ Gilead charges between \$1,600 to \$2,000 for a month's supply of Truvada and generated \$3 billion in revenue off of Truvada sales last year.² I'm deeply concerned that a drug company is marketing a product that appears to potentially be infringing upon patents owned by the United States Government and selling it at a price that makes the drug unaffordable for many Americans. I would like to know what steps have been taken to ensure that any usages by private companies of government-held patents are properly licensed and that any potential infringements are acted upon.

The federal government is the major funder of basic research, much of which ultimately leads to the discovery and development of innovative drugs. According to the Government Accountability Office, in 2014 alone the National Institute of Health (NIH) obligated \$13.6 billion to basic research; pharmaceutical companies in the U.S. contributed \$6.3 billion towards basic research that year.³ Gilead's Truvada relies on the usage of the drugs emtricitabine and tenofovir for pre-exposure prophylaxis against HIV (PrEP). PrEP was invented – and patented – by scientists working for the CDC.⁴ Those patents are held by the United States of America, as represented by the Secretary of the Department of Health and Human Services (HHS).⁵

¹ An HIV treatment cost taxpayers millions. The government patented it. But a pharma giant is making billions., Washington Post (Mar. 26, 2019).

² *Id.*

³ Government Accountability Office, *Drug Industry: Profits, Research and Development Spending, and Merger and Acquisition Deals*, (November 2017) (GAO-18-40).

⁴ E.g. U.S. Patent No. 9,044,509 (issued Jun. 2, 2015); U.S. Patent No. 9,579,333 (issued Feb. 28, 2017); U.S. Patent No. 9,937,191 (issued Apr. 10, 2018).

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an May 7, 2019. Thank

12, 2019).


Bernard Sanders
United States Senator


Richard Blumenthal
United States Senator


Chris Van Hollen
United States Senator

May 2019

5/8: Gilead announces it's voluntarily shortening patent by a year (FTC expires in 2021)

The image is a screenshot of a CNBC news article. At the top, there is a blue navigation bar with the CNBC logo on the left and a search bar on the right. Below the navigation bar, the article is categorized under 'BIOTECH AND PHARMA'. The main headline reads 'Generic HIV prevention drug coming in 2020, Gilead says'. Below the headline, it says 'PUBLISHED WED, MAY 8 2019 • 1:53 PM EDT'. The author is identified as 'NBC NEWS | Tim Fitzsimons'. There are social media sharing icons for Facebook, Twitter, LinkedIn, and Email. A 'KEY POINTS' section is visible, containing three bullet points. The article is presented on a white background with a blue border, suggesting it's a digital document or a screenshot of a webpage.

SEARCH QUOTES 🔍

MARKETS BUSINESS INVESTING TECH POLITICS CNBC TV

BIOTECH AND PHARMA

Generic HIV prevention drug coming in 2020, Gilead says

PUBLISHED WED, MAY 8 2019 • 1:53 PM EDT

NBC NEWS | Tim Fitzsimons

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KEY POINTS

- Gilead Sciences announced Wednesday that a generic version of Truvada will be available in September 2020, one year earlier than expected.
- When taken daily, Truvada prevents HIV transmission.
- In the United States a month's supply sells for \$1,600 to \$2,000, and activists have mounted a pressure campaign to force Gilead to make the drug more widely available in order to curb the global HIV epidemic.

May 2019



BIOTECH AND PHARMA

Generic HIV prevention drug in 2020, Gilead says

PUBLISHED W



KEY POINTS

Press Releases

May 09, 2019

Gilead Sciences to Provide Free Truvada for PrEP[®] to Support U.S. Initiative to End the HIV Epidemic

– Donation Provides up to 2.4 Million Free Bottles Annually to Uninsured Americans at Risk for HIV –

FOSTER CITY, Calif.--(BUSINESS WIRE)--May 9, 2019-- Gilead Sciences, Inc. (Nasdaq: GILD) today announced that it will donate Truvada for PrEP[®] (emtricitabine 200 mg and tenofovir disoproxil fumarate 300 mg tablets)

“The donation, which extends up to 2030, will transition to Descovy[®] (emtricitabine 200 mg and tenofovir alafenamide 25 mg tablets), if it is approved for use as PrEP.”

May 2019

Opinion

A Million Americans Need This Drug. Trump's Deal Won't Help Enough of Them.

A donation of H.I.V.-prevention drugs from the pharmaceutical giant Gilead could benefit shareholders more than patients.

By The Editorial Board

The editorial board represents the opinions of the board, its editor and the publisher. It is separate from the newsroom and the Op-Ed section.

May 13, 2019



Federica Bordoni

May 2019

Roll Call

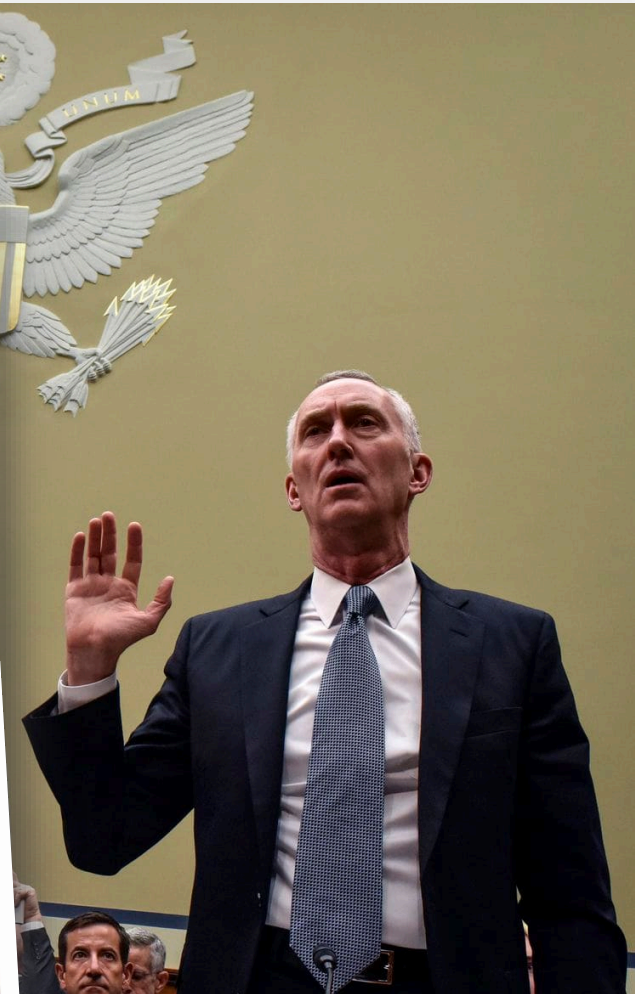
Congress

Ocasio-Cortez grills CEO of pharma company making billions on government-patented HIV drug

Daniel O'Day faced scathing questions over taxpayers funding research and development for blockbuster drug



Rep. Alexandria Ocasio-Cortez, D-N.Y., was among the Democrats on the House Oversight Committee grilling Gilead CEO Daniel O'Day on Thursday over the high price of the HIV prevention drug, Truvada. (Tom Williams/CQ Roll Call)



Gilead CEO
Daniel O'Day

Spring & early Summer 2019


Legal Help Services
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Gilead hid a safer version of Truvada for over 15 years while denying their HIV drug had a greater risk of kidney damage and/or bone injuries. The FDA warned Gilead twice but they did not admit the danger until their patent was about to expire. Anyone Injured by one of these drugs may Qualify for Financial Compensation. [less](#)

Sign Up

lawsuit_watch
Sponsored • Keep Watching



Gilead concealed the risks Kidney & Bone Damage with Truvada, Viread & other medications for PrEP & HIV. They also developed a safer less toxic version of the drug but kept it secret for over a decade. Anyone who suffered Kidney or Bone Damage may be entitled to Financial Compensation. Click or Call (888) 508-0836 [less](#)

Sign Up

Legal Help Services
Sponsored • Keep Watching



Gilead Sciences is not the Champion of the LGBTQ Community that many believe.

Gilead hid a safer version of Truvada for over 15 years while denying their HIV drugs had a greater risk of kidney damage and/or bone injuries. The FDA warned Gilead twice but they didn't admit the danger until their paten... [more](#)

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You are here: [Home](#) » [Recommendations for Primary Care Practice](#) » [Published Recommendations](#) » [Recommendation Summary](#) » **Final Recommendation Statement : Final Recommendation Statement**

Final Recommendation Statement

Prevention of Human Immunodeficiency Virus (HIV) Infection: Preexposure Prophylaxis

Recommendations made by the USPSTF are independent of the U.S. government. They should not be construed as an official position of the Agency for Healthcare Research and Quality or the U.S. Department of Health and Human Services.

Recommendation Summary

Population	Recommendation	Grade (What's This?)
Persons at high risk of HIV acquisition	The USPSTF recommends that clinicians offer preexposure prophylaxis (PrEP) with effective antiretroviral therapy to persons who are at high risk of HIV acquisition.	A

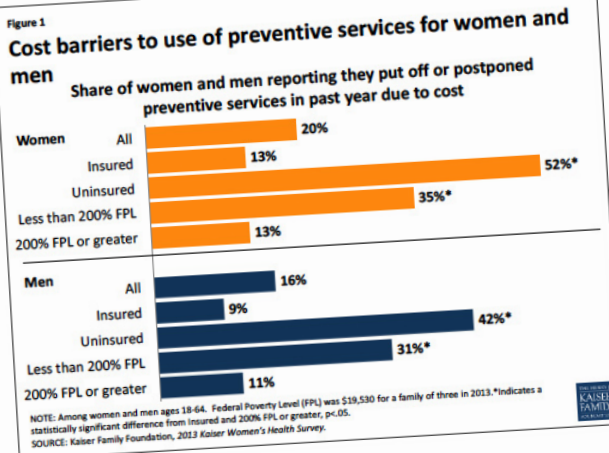
To read the recommendation statement in *JAMA*, select [here](#).

To read the evidence summary in *JAMA*, select [here](#).

See the [Clinical Considerations section](#) for information about identification of persons at high risk and selection of effective antiretroviral therapy.

Preventive Services Covered by Private Health Plans under the Affordable Care Act

A key provision of the Affordable Care Act (ACA) is the requirement that private insurance plans cover recommended preventive services without any patient cost-sharing.¹ Research has shown that evidence-based preventive services can save lives and improve health by identifying illnesses earlier, managing them more effectively, and treating them before they develop into more complicated, debilitating conditions, and that some services are also cost-effective.² However, costs do prevent some individuals from obtaining preventive services (**Figure 1**). The coverage requirement aims to remove cost barriers.



ACA REQUIREMENTS FOR COVERAGE OF PREVENTIVE SERVICES

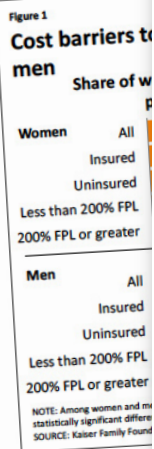
Under Section 2713 of the ACA, private health plans must provide coverage for a range of preventive services and may not impose cost-sharing (such as copayments, deductibles, or co-insurance) on patients receiving these services.³ These requirements apply to all private plans – including individual, small group, large group, and self-insured plans in which employers contract administrative services to a third party payer – with the exception of those plans that maintain “grandfathered” status. In order to have been classified as “grandfathered,” plans must have been in existence prior to March 23, 2010, and cannot make significant changes to their coverage (for example, increasing patient cost-sharing, cutting benefits, or reducing employer contributions). In 2014, 26% of workers covered in employer sponsored plans were still in grandfathered plans,⁴ and it is expected that over time almost all plans will lose their grandfathered status.

The required preventive services come from recommendations made by four expert medical and scientific bodies – the U.S. Preventive Services Task Force (USPSTF), the Advisory Committee on Immunization Practices (ACIP), the Health Resources and Services Administration’s (HRSA’s) Bright Futures Project, and HRSA and the Institute of Medicine (IOM) committee on women’s clinical preventive services. The ACA requires that insurers cover preventive services recommended by the USPSTF, ACIP, and Bright Futures beginning on or after September 23,

August 2015 | Fact Sheet

Preventive Services Covered by Private Health Insurance Plans under the Affordable Care Act

A key provision of the Affordable Care Act (ACA) is the requirement that private health insurance plans cover recommended preventive services without any patient cost-sharing.¹ Research has shown that evidence-based preventive services can save lives and improve health by identifying illnesses earlier, managing them more effectively, and treating them before they develop into more complicated, debilitating conditions, and that some services are also cost-effective.² However, costs do prevent some individuals from obtaining preventive services (**Figure 1**). The coverage requirement aims to remove cost barriers.



ACA REQUIREMENTS FOR COVERAGE OF PREVENTIVE SERVICES

Under Section 2713 of the ACA, private health plans must provide and may not impose cost-sharing (such as copayments, deductibles, or coinsurance) for these services.³ These requirements apply to all private health plans and self-insured plans in which employers contract with an administrator, with the exception of those plans that maintain “grandfathered” status. “Grandfathered,” plans must have been in existence prior to the ACA and have not made changes to their coverage (for example, increasing patient contributions). In 2014, 26% of workers covered in employer-sponsored health plans,⁴ and it is expected that over time almost all plans will be required to cover preventive services.

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USPSTF, ACIP, and Bright Futures recommend that insurers cover preventive services recommended by the USPSTF, ACIP, and Bright Futures beginning on or after September 23,

“A key provision of the Affordable Care Act (ACA) is ... private health insurance plans cover recommended preventive services without any patient cost-sharing. ... Insurers now must cover evidence-based preventive services for adults that have a rating of “A” or “B” in the current recommendations of the [USPSTF]”

June 2019

“Donating the Truvada costs them almost nothing because we know that it costs less than \$60 a year to make, so the activists estimate that that donation is costing them less than \$10 million a year. But they’re taking a tax deduction for something like the retail cost, not the cost of making it. That’s how donations work for the pharmaceutical industry. You donate something that costs you pennies to make, and you take the tax deduction for the dollars that you sell it for.”

**The
Daily**



– Donald G. McNeil
Science & Health Reporter
The New York Times
June 5, 2019

July 2019



August 2019



October 7

(MSM & TGW only)



FDA Advisers Give Descovy PrEP Mixed Reviews

Evidence supports new PrEP option for gay men and trans women, but there's no consensus for other groups.

August 8, 2019 By [Liz Highleyman](#)

There is ample evidence that Descovy (tenofovir alafenamide/emtricitabine) is a safe and effective new HIV prevention option for gay and bisexual men and transgender women, but the jury is still out regarding other groups, according to a Food and Drug Administration (FDA) advisory committee.

At a hearing on August 7, the panel of independent experts voted 16 to 2 in favor of FDA approval of Descovy for pre-exposure prophylaxis (PrEP) for men who have sex with men (MSM) and trans women, based on findings from the DISCOVER study. But the panel was split—8 in favor and 10 opposed—over whether this recommendation should extend to cisgender (non-trans) women.

Gilead Sciences' Descovy contains tenofovir alafenamide (TAF), an updated version of the tenofovir disoproxil fumarate (TDF) in the Truvada combination pill. The FDA approved Truvada for HIV prevention in 2012, and this indication includes adults and adolescents at risk for sexually acquired HIV regardless of sex, gender or sexual orientation.

Compared with TDF, TAF produces higher levels of the active drug (known as tenofovir diphosphate) in immune cells that are susceptible to HIV. This means TAF can be given at lower doses, leading to less drug exposure for the kidneys, bones and other organs. Studies have shown TAF has a less negative effect than TDF on kidney function and bone loss biomarkers, although it



August 2019

The Washington Post
Democracy Dies in Darkness

Business

Gilead files challenge to government patents for HIV prevention pill

August 21, 2019



Take home messages

- Plenty of linkage and retention challenges remain for PrEP... but when it's taken consistently, it works well
- FTC/TAF was non-inferior to FTC/TDF for HIV prevention among MSM and TGW... approval as PrEP pending
- FTC/TAF gets up to speed faster than FTC/TDF and lingers for longer period... both beneficial for prevention
- USPSTF's recommendation means greater access to PrEP... but does "PrEP" mean the service or the drug?
- Stay tuned to see what happens with ongoing patent disputes and advocacy efforts!



STOP AIDS

Questions?

Please email me!

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