Index

applicability of Article 101 to integrated drug discovery and development
affect trade 86
introduction 79–80
prevention, restriction or distortion of competition 86–9
undertaking 81–5
Article 101(3) exemption 89–91
consumer fair share of benefits 94–6
economic benefit test 92–4
indispensability of restrictions 96–7
no elimination of competition 97–8

collaboration agreement, integrated drug discovery organization and industry
background intellectual property 178–9
commercialization options 181–5
conflict of interest 188–9
continued R&D of declined projects 179–81
ownership of resulting intellectual property 176–7
research restrictions 185–8
contractual restrictions
exclusivity 161–3
field of use restrictions 165
improvements and grant backs 163–4
R&D restrictions 167–9
territory restrictions 165–7
effects on drug discovery and development 168–71

drug discovery and development

valley of death 55–60

economic theory and the pharmaceutical industry 233–6

integrated drug discovery and development
Centre for Drug Design and Discovery 49–50
Centre for Drug Research and Development 48–9
Lead Discovery Centre 50

legal support of model 13–19
Medical Research Council 50–51
model, description of 45–8
intersection of competition law and intellectual property law 19–22, 68–78

license agreement, integrated drug discovery organization and industry
exclusive license 191–2
field of use 214–17
no-challenge 220–222
restriction on own use 217–20
royalty bearing license 202–14
territorial restraints 192–202

methodology
empirical research 31–2
law and economics 30–31
legal dogmatics 28–30
proactive law 28
socio-legal approach 27–8

pharmaceutical industry
facts and figures 34–6
nature of 130–132
266  Achieving proof of concept in drug discovery and development

Research and Development Block Exemption Regulation
  applicability 107–11
  competitors vs non-competitors 111–13
  innovation market 113–18
  introduction 103–106
  market share 128–29
  R&D poles 118–24
  relevant technology market 124–8
  restrictions 129–30
  role of competition law on drug discovery and development 227–33

sector specific considerations 98–9
  nuanced approach 236–8

Technology Transfer Block Exemption Regulation
  applicability 139–40
  competitors vs non-competitors 147–54
  contractual restrictions 161–9
  effect on integrated drug discovery and development 222–3
  hardcore restrictions 160
  innovation market 158–60
  interface with R&D block exemption 141–6
  introduction 133–8
  market share 154–8

university technology transfer 41–5