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gLAWcal
Comment #314

CHANGING 21 CENTURY DYNAMIC IN THE PHARMACEUTICAL IMPORT/EXPORT MARKET

Based on

Francesca Spigarelli and Andrea Filippetti "Grasping Knowledge in Emerging Markets: is this the case of Western Pharmaceutical Companies in China?"



gLAWcal
Global Law Initiatives for Sustainable Development



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A gLAWcal comment on Francesca Spigarelli and Andrea Filippetti “Grasping Knowledge in Emerging Markets: is this the case of Western Pharmaceutical Companies in China?” in Paolo Davide Farah and Elena Cima (Eds.) **China’s Influence on Non-Trade Concerns in International Economic Law**

From the start of the Open Door Policy in the 20th century, foreign companies have flooded the Chinese markets in hopes to capitalize on the new market that was previously unavailable to participate in. The Chinese government is understandably at a position to mediate this market, and stem the introduction of new products that compete with Chinese-made equivalents. However, because of their status in the TRIPS Agreement, they must make certain concessions to foreign competitors. In more recent times, the Chinese markets have become an increasingly imports-heavy endeavour, recognizing the new appetite for these products from other nations. In this same regard, there are heavy investments in the manufacturing infrastructure for pharmaceutical research and develop inside of China. There has been

a huge number of Research & Development dollars being spent in the nation, a large change in the participation of these companies from simply a production-focused presence. This introduces a new regulatory need to ensure that the protection of intellectual property from this research and development. In previous decades the regulation was in the areas of product safety, and there must now be greater regulatory focus on the less tangible, but equally important patent protection. A renewed focus on this task will ensure that the foreign companies know that the R&D efforts inside of the Chinese nation are as equally effective as other nations.

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The gLAWcal comments are insight and short analytical pieces written by the gLAWcal team. The gLAWcal comments are based on, and inspired by, the books and chapters published within one of the [gLAWcal book series](#) published by Routledge Publishing (New York/London).

gLAWcal is an independent non-profit research organization (think tank) that aims at providing a new focus on issues related to economic law, globalization and development, namely the relationship between international economy and trade, with special attention to a number of non-trade-related values and concerns. Through research and policy analysis, gLAWcal sheds a new light on issues such as good governance, human rights, right to water, rights to food, social, economic and cultural rights, labour rights, access to knowledge, public health, social welfare, consumer interests and animal welfare, climate change, energy, environmental protection and sustainable development, product safety, food safety and security.

OUR MISSION

To collaborate with Government, Civil society and business community to balance the excess of globalization with Non Trade Concerns.

OUR GOALS

To influence policymakers, to raise awareness over Non Trade Concerns, to encourage stakeholder participation, and to disseminate gLAWcal’s publication results.



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