



Since 2015, Gilead Sciences has likely been infringing on a portfolio of patents owned by the United States government protecting the use of Truvada (tenofovir disoproxil fumarate/emtricitabine) as pre-exposure prophylaxis (PrEP). Gilead, despite not funding any of the research that led to the development of Truvada as PrEP, charges over \$2,000 a month for a drug that costs less than \$4.50 per month to manufacture.

These patents represent a potential multi-billion dollar funding stream for the Centers for Disease Control and Prevention (CDC), offering a potential return on the public's investment in PrEP's research and development. Gilead earned \$3 billion from Truvada last year alone, and has consistently increased the price of the drug, for both prevention and treatment, since its introduction. Patent royalty payments from the company could fund a universal PrEP program to dramatically reduce the number of new HIV infections in the country. The CDC could also use these patents to force Gilead to dramatically lower the price of PrEP.

Yet the CDC refuses to act in the interest of people living in the United States and enforce these patents against Gilead. The exorbitant price charged by Gilead continues to be a significant barrier to scaling-up PrEP access. As a result, less than 10% of the people who need PrEP are using it, and the number of new HIV infections in the U.S. has not dropped since 2012.

The CDC is directly responsible for this stagnation of the HIV response domestically and the failure to adequately roll out PrEP to everyone who needs it.

We demand the following from Dr. Robert Redfield, Director of the Centers for Disease Control and Prevention, and Admiral Brett Giroir, Assistant Secretary for Health, to promote the public health of people living in the United States:

1. The CDC must license its patents protecting the use of Truvada as PrEP for maximum access and competition to benefit people living in the United States. Any licensing agreement must require that Gilead dramatically reduce the price of Truvada, provide the drug at cost to public health programs, provide high quality data regarding PrEP utilization, and utilize royalty revenue for a National PrEP Access Program. This program must explicitly focus on increasing access in communities where PrEP is underutilized, including but not limited to communities of color and communities in the South, and fund existing community health centers providing HIV prevention services.
2. Any and all communications between the CDC and Gilead Sciences must be disclosed to the public. Furthermore, all communities vulnerable to HIV must be involved in all future discussions and potential settlement agreements with Gilead.
3. The CDC should utilize these patents and other means at its disposal, including existing statutory licensing authorities, to lower the price of PrEP to a maximum price of \$15 per month, whether through the entry of generic competitors or from an agreement with Gilead Sciences.

The Trump Administration says it wants to eliminate HIV by 2030. We, the undersigned, believe that will not be possible without affordable PrEP for all.



The PrEP4All Collaboration
The Global Health Justice Partnership at Yale Law School
Public Citizen
amfAR, The Foundation for AIDS Research
Housing Works
AVAC
Sero Project
US People living with HIV Caucus
VOCAL New York
Health GAP
Positive Iowans Taking Charge
National Working Positive Coalition
Positive Women's Network USA
Let's Talk About It/ Rural Women's Health Project
Act Up-Paris
T1International
ACT UP NY
ACT UP Philadelphia AIDS Coalition To Unleash Power
ACT UP Cork (Ireland)
Student Global AIDS Campaign
My Fabulous Disease
CWRU AIDS Clinical Trials Unit
Be PrEPared
Transgender Resource Center of New Mexico
University of Utah
Unity Fellowship of Christ Church NYC
Beyond Care Inc NFP
Black Bear Brotherhood
Brooklyn Community Pride Center
African American Office of Gay Concerns
Women With A Vision
Region 8
Pierce County AIDS Foundation
Community Research Initiative of New England, Inc.
Frontline Legal Services
Advocacy Core Team
International Treatment Preparedness Coalition (ITPC)
Los Angeles LGBT Center
CenterLink: The Community of LGBT Centers
Tennessee Association Of People With AIDS
Fair Pricing Coalition
GMHC



The International Treatment Preparedness Coalition
The American Medical Students Association