

IBM Research Blog

April 20, 2020 / Written by: Mark Ringes

IBM offering Free Access to Patent Portfolio to Combat COVID-19

Technological ingenuity is playing a critical role in society's response to the COVID-19 pandemic. Already, there are dozens of examples around the world of businesses, nonprofit organizations, government agencies, educators and individuals improvising and adapting technologies to meet their needs. Scientists, for example, are using supercomputers to accelerate COVID-19 drug discovery. Programmers are writing code to help with crisis communication, remote education and community cooperation. Meanwhile, industry and academia are 3-D printing face visors to address shortages in protective gear for healthcare professionals.

In the spirit of such innovation, IBM, the leading U.S. patent recipient for each of the last 27 years, is granting free access to its considerable patent portfolio to those developing technologies to help diagnose, prevent, contain or treat coronaviruses, including the one that causes COVID-19. Our pledge covers thousands of IBM AI patents, including Watson technology patents, as well as dozens of active U.S. patents in the general area of biological viruses

One such patent describes anti-viral agents and methods of treatment using these agents. The anti-viral agents include cationic polyamines active against a broad spectrum of viruses, including Dengue, H1N1, SARS, influenza and coronaviruses. Other relevant patents, for example, describe a touchscreen that uses ultraviolet light for pathogen mitigation and algorithms for predicting the time and range of events, including epidemics.

IBM's pledge will last for the life of our more than 80,000 patents and patent applications, and any new patent applications filed through the end of 2023 will likewise be covered by this commitment.

In promising to not assert IBM patents against entities using them in the fight against coronaviruses, IBM is joining the recent [Open COVID Pledge](#) as a founding adopter. The Open COVID Pledge calls on organizations to promise to make their intellectual

property available free of charge for use in ending the current pandemic and minimizing the impact of the disease.

Our hope is that, in making our technology more widely available, we can provide valuable tools that innovators worldwide can use to help stop the spread of COVID-19 and better prepare us to meet any similar challenges we may face in the future.

IBM Coronavirus Pledge of Patent Non-Assertion

International Business Machines Corporation (IBM) makes the following pledge of patent non-assertion in order to help speed the development and dissemination of the technologies needed to end the COVID-19 pandemic and mitigate the effects of the disease, and with the intent that developers, users and distributors of such technologies may rely on this pledge. IBM covenants that it will not assert any Pledged Patent Claims¹ against any person or entity for making, using, importing, selling, or offering for sale any machine, manufacture, process, or composition of matter solely for the purpose of diagnosing, preventing, containing, or treating COVID-19 or any disease in humans caused by a novel coronavirus as defined by the World Health Organization.

This non-assert covenant is effective as of December 1, 2019, and shall continue until the expiration of any IBM Patents that have Pledged Patent Claims. IBM may, at its option, terminate and render void ab initio this non-assert covenant as to any persons or entities who assert any patent against IBM, an IBM subsidiary, or their machines, manufactures, processes, or compositions of matter (including products and components thereof).

[1] “Pledged Patent Claims” shall mean any claim of an IBM Patent which, but for this this non-assert commitment, would be necessarily infringed by making, using, importing, selling, or offering for sale any machine, manufacture, process, or composition of matter solely for the purpose of diagnosing, preventing, containing, or treating COVID-19 or any disease in humans caused by a novel coronavirus.

“IBM Patent” shall mean all patents and patent applications throughout the world, including reissues, continuations, divisionals and continuations-in-part, utility models and typeface design patents and registrations (but not including any other design patents or registrations): (a) entitled to an effective filing date prior to December 31, 2023; and (b) under which IBM or any of its subsidiaries has as of April 21, 2020, or

thereafter obtains, the right to make the non-assert covenant of or within the scope granted herein without such making or the exercise of freedoms thereunder resulting in the payment of royalties or provision of other consideration by IBM or its subsidiaries to third parties (except for payments among IBM and its subsidiaries, and payments to third parties for inventions made by said third parties while employed by IBM or any of its subsidiaries).

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