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Open COVID Pledge: Part 1

Introduction

In this new era of closed offices, closed restaurants, and home deliveries left at front doors, the [Open COVID Pledge](#) throws intellectual property barriers **open** and encourages collaborative efforts towards ending and mitigating the COVID-19 Pandemic. This article serves as an introduction to the Open COVID Pledge. [Part 2](#) will discuss licensing considerations for those **making** the pledge, and those **using** the pledge.

Since the inception of the Open COVID Pledge on April 7, owners of intellectual property, large and small, have pledged to share their rights in the fight against COVID-19. Heavy hitters such as Amazon, Facebook, Hewlett Packard Enterprise, IBM, Microsoft, and Sandia National Laboratories have pledged their entire patent portfolios, making hundreds of thousands of patents available to anyone working to minimize the impact of COVID-19 – from diagnosis to prevention, containment, treatment and cure.

Intellectual property rights holders who take the pledge make a legal commitment in the form of a public license agreement, granting no-cost use rights for the limited purpose of ending and mitigating the COVID-19 Pandemic. For the most part, the licenses cover an entire patent portfolio, but the license can be broader (encompassing other types of intellectual property rights) or narrower (covering less than the entire portfolio).

The international coalition behind the Open COVID Pledge has developed three sample license agreements in association with Creative Commons. The licensor can adopt one of these [Open COVID Licenses](#) as-is or with modifications. Alternatively, the licensor can develop its own unique license, as Intel did. See Part 2 of this article for an overview of the available standard licenses and license considerations.

Businesses and individuals without intellectual property rights to share can nevertheless support the Open COVID Pledge initiative through public statements of support on their websites, and on social media by using #OpenCovidPledge.

For more information, please contact [Connie Lindman](#) or any attorney in Frost Brown Todd's [Intellectual Property](#) Practice Group.

To provide guidance and support to clients as this global public-health crisis unfolds, Frost Brown Todd has created a [Coronavirus Response Team](#). Our attorneys are on hand to answer your questions and provide guidance on how to proactively prepare for and manage any coronavirus-related threats to your business operations and workforce.

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