Opposition filed against patent on chimpanzees

Patent violates ethical boundaries of European patent law
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Munich

Eleven organisations from Germany, Switzerland and Great Britain have filed a joint opposition against a patent on genetically engineered chimpanzees granted to the US company Intrexon. Patent EP1456346 was granted by the European Patent Office (EPO) in February 2012. The animals will be manipulated with synthetic DNA originating from insects and are intended for use in pharmaceutical research. The joint opposition argues that this patent violates ethical provisions in patent law. The opponents, Albert Schweitzer Foundation for Our Contemporaries, British Union for the Abolition of Vivisection (BUAV), Deutscher Tierschutzbund, Gen-ethisches Netzwerk (GeN), Gesellschaft für oekologische Forschung, No Patents on Life!, Pro Wildlife, Schweizerische Arbeitsgruppe Gentechnologie (SAG), Schweizer Tierschutz (STS), Testbiotech and Wild Chimpanzee Foundation Germany (WCF), are warning that the patent can create commercial incentives to run more animal experiments for commercial purposes and calling for animals to be treated with more respect.

“Animals should be seen as fellow creatures, treated with the respect they deserve and protected from commercial abuse. There is absolutely no justification for patenting great apes - it would, in fact, be an affront to our own species”, says Christoph Then for Testbiotech. “The EPO has gone far beyond boundaries accepted by European society. It is time to stop patents on animals.”

Recent research revealed that the EPO has granted three patents on genetically engineered chimpanzees this year, two of them for Intrexon which claims animals such as mice, rats, rabbits, cats, dogs, bovines, goats, pigs, horses, sheep, monkeys and chimpanzees. A third patent was granted to the US company Altor BioScience.

“Throughout Africa, chimpanzees are badly threatened in their survival as forests are more than ever under pressure to produce more food or biofuel for the developed world and our efforts to conserve them are facing more and more challenges. At the same time, science has confirmed in all new studies how close chimpanzees are to humans in their cognitive abilities, in their social life, their culture, their use of tools as well as their abilities to feel empathy towards the weak ones. This last point is well illustrated worldwide in the new Disney film “Chimpanzee”. With respect to these points, it is more than puzzling that the EPO should grant a patent on chimpanzees without considering the moral questions it raises”, says Professor Christophe Boesch, President of the Wild Chimpanzee Foundation.

The EPO has already granted around 1200 patents on animals, since the first one in 1992 on the so-called “oncomouse”. Several patents have been granted on great apes. In 2010, the company Bionomics received a patent on genetically engineered chimpanzees suffering from an epileptic disorder (EP 1852505).

Some EU countries have already prohibited experiments on great apes and the EU has adopted Directive 2010/63/EU which places a ban on the use of great apes in research except under exceptional circumstances. The opponents are warning that patents can create commercial incentives to produce and market these animals by using legal loopholes within the 38 member states of the European Patent Convention.

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Further information: Patents as granted [14]
Text of the opposition [15]
The Great Ape Project [16]

Attachment	Size
MR_opposition_Intrexon.pdf [17]	2.29 MB

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