Perspectives on Gene Patents

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Gene Patents: A Controversial Topic

- On the one hand, patenting and licensing can induce the investment necessary to bring a quality product to market
- On the other hand, critics argue that genetic patents have impacted medical care
- The public debate ranges from the sensible to the sensational

Even a NY Times Bestselling Novel

- "Next," by Michael Crichton (2006)
  - Thriller based on genetic engineering run amok
- In an Author's Note, Crichton makes five recommendations:
  - Stop patenting genes
  - Establish guidelines for use of human tissues
  - Ensure data about gene testing is public
  - Avoid bans on research
  - Rescind the Bayh-Dole Act

...and Subsequent Legislation

- H.R. 977, "Genomic Research and Accessibility Act"
- The gist is to add the following new section to 35 U.S.C.10:

"Sec. 106. Prohibition on patent of human genetic material

"Notwithstanding any other provision of law, no patent may be obtained for a nucleotide sequence, or its functions or correlations, or the naturally occurring products it specifies.".

Tech Transfer Practitioners Need To…

- Understand the debate and the very real issues on both sides
- Work toward creative solutions that minimize negative impacts on patient care, while still providing sufficient incentives for companies to develop new, useful and high-quality products

Today's Agenda

- An empirical perspective
- A clinical perspective
- An industry perspective
- A technology transfer perspective
- Open discussion

Our Panelists

Wayne Grody	**Director, Diagnostic Molecular Pathology Laboratory, UCLA Medical Center**
Lori Pressman	**Private Consultant**
Mark Rohrbaugh	**Director, Office of Technology Transfer, National Institutes of Health**
James Weseman	**Director of Intellectual Property InVivoScribe Technologies, LLC**
Wendy Streitz (Moderator)	**Director, Policy, Analysis & Campus Services, OTT, University of Calif.**