

European Patent Office revokes Altor BioScience patent

Claims on genetically engineered chimpanzees withdrawn before the decision
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The European Patent Office (EPO) has revoked the patent EP1409646 held by Altor BioScience. After the US company withdrew its controversial claims on genetically engineered chimpanzees, the EPO has now also revoked a changed version of the patent claiming genetically engineered rats and mice as inventions. The decision was made on the basis that there were flaws in the technical quality of the patent. The opponents believe this outcome is an important success, but are warning that it does not indicate a general change in the legal practice of the EPO.

The EPO is granting patents on animals based on a controversial legal interpretation despite the patent law prohibits patents on animal varieties. Around 1500 patents that concern animals and its usages have already been granted in Europe.

Testbiotech recently published a report showing that patents and market interests in genetically engineered animals are factors driving the increasing numbers of animal experiments. To stop companies from making profits from animal suffering, Testbiotech is appealing to investors such as banks to set clear standards for ethical investment. In this context, Testbiotech is today publishing a dossier on the internet platform 'Banktrack'.

Between 2012 and 2014, Testbiotech together with several other organisations filed four oppositions against patents on genetically engineered chimpanzees, triggering various reactions from the companies concerned. Some months ago, the Australian company Bionomics announced it would step back from claims covering genetically engineered animals. In contrast, the US company Intrexon, which holds two European patents on great apes which are manipulated with DNA derived from insects, wants to uphold its patents. A public hearing on the opposition against the patents held by Intrexon will take place on 29 September at the EPO in Den Haag.

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