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## Appeal against patents on genetically engineered chimpanzees

The European Patent Office and companies are turning animal experiments into an unethical business

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The next round in the legal battle against patents held by a US company on genetically engineered chimpanzees has now started. After the European Patent Office (EPO) rejected joint oppositions against patents EP1572862 and EP1456346, the opponents are appealing the decision. Intrexon has claimed genetically engineered mice, rats, rabbits, cats, dogs, cattle, pigs, horses, sheep and even chimpanzees as its invention. The animals are supposedly manipulated with some kind of 'gene switch' that targets gene activity in the mammals. The crucial concern of the appellants: Patents on genetically engineered animals provide incentives to perform unnecessary animal experiments for commercial purposes. So far, the EPO is refusing to take these ethical arguments on board. In its 2015 decision, the EPO stated that no medical benefit was shown for the invention, but that it nevertheless wanted to uphold the patent. Now the appeal might become a precedent decision.

"We have to take action against the steady increase of animal experiments in this field. An important first step would be a prohibition on patents on genetically engineered animals, which are driven by commercial interests", says Thomas Schröder, president of the German animal welfare organisation, Tierschutzbund. "This issue only can be solved by politicians."

The EPO has already granted around 1500 patents on animals, most of them genetically engineered, and around 5000 patent applications have been filed. There are several companies that specialise in business with these kinds of animals; they even run advertisement campaigns to sell them. At the same time, the number of experiments involving genetically engineered animals have soared in the past few years. For example, in Germany in 2013, around one million animals were used in various experiments, a threefold increase since 2004.

"As long as such patents are granted, the respective companies are likely to try to make a profit from these animals even if no medical benefit can be expected," Christoph Then says for Testbiotech. "The EPO and the patent holder are jointly turning animal experiments into an unethical business."

Intrexon claims to be a leading company in the field of Synthetic Biology, and is active in agriculture as well as in pharmaceutical research. Intrexon has in the meantime acquired companies that are actively involved in cloning cattle and producing genetically engineered salmon. It is also involved in the genetic engineering of trees and owns the UK company Oxitec. Oxitec is a company hoping to make a profit from the release of genetically engineered insects. While Intrexon is not the only company that was granted patents on genetically chimpanzees, two other companies withdrew their patents after opposition.

A broad coalition of civil society organisations opposing the patents held by Intrexon have joined together as opponents of the patents. Amongst these are the Albert Schweitzer Stiftung für unsere Mitwelt, Cruelty Free International, Deutscher Tierschutzbund, Gen-ethisches Netzwerk (GeN), Gesellschaft für ökologische Forschung, the Jane Goodall Institut (Deutschland), Kein Patent auf Leben!, Menschen für Tierrechte, Pro Wildlife, Schweizerische Arbeitsgruppe Gentechnologie (SAG), Schweizer Tierschutz (STS), TASSO, Testbiotech und the Wild Chimpanzee Foundation Deutschland (WCF).

Further information about the organisations involved:

[www.albert-schweitzer-stiftung.de](http://www.albert-schweitzer-stiftung.de) [1]

[www.crueltyfreeinternational.org](http://www.crueltyfreeinternational.org) [2]

[www.gen-ethisches-netzwerk.de](http://www.gen-ethisches-netzwerk.de) [3]  
[www.gentechfrei.ch](http://www.gentechfrei.ch) [4]  
[www.janegoodall.de](http://www.janegoodall.de) [5]  
[www.keinpatent.de](http://www.keinpatent.de) [6]  
[www.oekologische-forschung.de](http://www.oekologische-forschung.de) [7]  
[www.prowildlife.de](http://www.prowildlife.de) [8]  
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[www.tierschutzbund.de](http://www.tierschutzbund.de) [13]  
[www.wildchimps.org](http://www.wildchimps.org) [14]

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**Further information:** [Press release on the decision of the European Patent Office \(September 2015\)](#) [17]

Attachment

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[Intrexon\\_appeal filed.pdf](#) [18]

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**URL:** <https://www.testbiotech.org/en/press-release/appeal-against-patents-genetically-engineered-chimpanzees>

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