
European Patent Office upholds patents on genetically engineered chimpanzees

Testbiotech announces it will appeal the decision
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The European Patent Office (EPO) has upheld two patents issued to US company Intrexon. In these patents, EP1572862 and EP1456346, Intrexon claims genetically engineered animals such as mice, rats, rabbits, cats, dogs, bovines, goats, pigs, horses, sheep, monkeys and chimpanzees as inventions. Together with other organisations, Testbiotech filed an opposition against the patents on ethical grounds, arguing that they can provide incentives to carry out animal experiments for commercial reasons. Testbiotech now will file an appeal against the decision.

The patent describes the animals as genetically engineered using artificial DNA synthesised from a mixture of genes originating from insect and other life forms. Using these methods, the company aims to control and manipulate the gene function of various genes in the animals.

“This case sends a clear signal to the public as well as to the EPO, companies, investors and politicians that ethical boundaries need to be given much higher priority. Based on patents, genetically engineered animals are traded as profitable products and even marketed aggressively. Without clear regulation, companies simply will continue to follow the money”, Christoph Then says for Testbiotech.

Intrexon sees itself as “a leader in synthetic biology” and is also active in the agricultural sector as well as in pharmaceutical research. The company has bought up several other companies including some that clone livestock and produce genetically engineered salmon. Intrexon is also actively interested in genetically engineered trees and has just recently acquired Oxitec, a company aiming to release genetically engineered olive flies into the environment in the near future.

Testbiotech considers Intrexon’s business activities and interests to be immoral as the company is expecting to make a profit from activities such as genetically engineering great apes and the release of genetically engineered organisms into the environment that cannot be controlled once released. Contrary to Intrexon, two other companies withdrew its patent claims on genetically engineered chimpanzees after oppositions were filed.

Besides Testbiotech, other opponents to the patents are the Albert Schweitzer Stiftung für unsere Mitwelt, Cruelty Free International (former British Union for the Abolition of Vivisection), Deutscher Tierschutzbund, Gen-ethisches Netzwerk (GeN), Gesellschaft für ökologische Forschung, Jane Goodall Institute (Germany), No Patents on Life!, Menschen für Tierrechte, Pro Wildlife, Schweizerische Arbeitsgruppe Gentechnologie (SAG), Schweizer Tierschutz (STS), TASSO, and Wild Chimpanzee Foundation Deutschland (WCF).

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