

Media Release

European Patent Office issues patents on chimpanzees

Initiative urges more respect for animals

Munich/ Berlin 22.October 2012. In 2012 the European Patent Office (EPO) has granted three patents on genetically engineered chimpanzees as recent research carried out by No Patents On Life shows. The animals are intended for use in pharmaceutical research. A joint initiative of several organisations is preparing legal oppositions against these patents and urging their legal prohibition. They are warning that such patents can create commercial incentives to run more animal experiments with chimpanzees and calling for animals to be treated with more respect.

“Patents granted on great apes highlight a perverse development in patent law. The EPO needs to be more active in protecting mammals, especially primates, and stop granting patents on animals”, says Ruth Tippe for No Patents On Life. “Within the last few years, we have witnessed a strong increase in the number of animals being used in experiments in biotechnology. The EPO should not provide incentives to run even more experiments for commercial reasons.”

This year two patents have been granted to the US company Intrexon (EP1456346 und EP 1572862), which is active in the area of synthetic biology. The company claims animals such as mice, rats, rabbits, cats, dogs, bovines, goats, pigs, horses, sheep, monkeys and chimpanzees. These animals will be genetically engineered with DNA such as that derived from insects so that their gene activity can be changed via technical means.

The US company Altor BioScience is cooperating with Genentech (which is part of Hoffmann La Roche Group) to produce antibodies which are then tested on primates. They were granted a patent on chimpanzees with a humanised immune system (EP 1409646).

“These patents are undermining current attempts at better protection of primates. There are good reasons to completely prohibit animal experiments using chimpanzees,” says Christoph Then for Testbiotech. “But those institutions even applying for or granting patents on great apes, seem to have lost any respect for animals.”

The EPO has already granted around 1200 patents on animals, since the first patent on mammals was granted in 1992 on the so called “oncomouse”. Patents on great apes have already been granted several times. For example, in 2006 a patent was granted on apes, which were manipulated with DNA to cause cancer (EP 0811061). After opposition from Greenpeace, the patent holder withdrew some of his claims. In 2010, the company Bionomics was issued a patent on genetically engineered chimpanzees suffering from an epileptic disorder (EP 1852505).

Internationally, experiments using great apes are largely restricted, especially within the EU. Genetic similarity, proven self-awareness and the ability to plan and feel have motivated both

scientists and animal rights campaigners to advocate legally recognised fundamental rights for great apes. The international Great Ape Project promotes their legally recognised rights to life, freedom and physical and emotional integrity. Some EU countries have already prohibited animal experiments with great apes but patents can create commercial incentives to produce and market these animals by using legal loopholes. In light of this background, the Gene-ethical Network, the Society for Ecological Research, the Initiative No Patents on Life! and Testbiotech are preparing legal opposition against these patents and will also continue to mobilise the public opinion.

Further Information:

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Patents as granted:

http://www.testbiotech.org/sites/default/files/EP1409646_monkey_Altor.pdf

http://www.testbiotech.org/sites/default/files/EP1456346_monkey_Intrexon.pdf

http://www.testbiotech.org/sites/default/files/EP1572862_monkey_Intrexon.pdf

Report “Black list of European patents”: <http://www.testbiotech.de/en/node/584>

Further information about participating organisations:

www.keinpatent.de

www.gen-ethisches-netzwerk.de

<http://www.oekologische-forschung.de/>

www.testbiotech.org

Further relevant information:

The Great Ape Project: <http://www.greatapeproject.org/>