

Testbiotech e. V. | Frohschammerstraße 14 | 80807 München

HSBC

Susanna Wilson, Head of Reporting & Engagement

Brendan McNamara, Global NGO Engagement

Francis Sullivan, Environment Group Corporate Affairs

John Laidlow, Head of Sustainable Business, Corporate Sustainability

8 Canada Square

London E14 5HQ

UK

open letter

München, 27 April 2015

Dear Ms Wilson, Mr McNamara, Mr Sullivan, Mr Laidlow

Invitation to a Testbiotech conference in Berlin on patents on life,
genetic engineering and animal welfare

Thank you very much for your letter dated July 2014. Please let me thank you for your willingness to interact with Testbiotech on the issue of animal welfare and patents. We regret you are not able to participate in our conference in Berlin, but we are still hoping that you may send some representatives to hear what we have to say, and possibly take part in the discussions.

On 17 June 2015, we are holding a conference on “The Patented Ape: New methods in genetic engineering, patents on life and the protection of humans and animals“, in Berlin, Germany. As ethical investment policies are on the agenda, we would very much like to invite you to attend this conference. For details please see the programme attached.

One of our main topics at the conference will be patents on animals used in experimental research. We are concerned that the European Patent Office in Munich has already granted around 1500 patents on animals used in biotechnology. As we have said to you before, some of these patents even claim chimpanzees:

- EP1409646 held by Altor BioScience, USA, claims chimpanzees with a genetically engineered immune system;
- EP1364025 held by Bionomics, Australia, claims chimpanzees with a manipulated genome making them more likely to suffer from cancer, and EP1852505 also held by Bionomics, Australia claims chimpanzees genetically engineered to suffer from epilepsy;

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Sitz des Vereins:

München

Vereinsregister:

Amtsgericht München

VR 202119

Als gemeinnützig

anerkannt

- EP1456346 and EP1572862 held by Intrexon, USA, both claim chimpanzees genetically engineered with synthetic DNA originating from insects.

Other companies heavily engaging in filing patents on genetically engineered animals include Novartis, Hoffmann La Roche and Pfizer. As you can see from our programme, we will be presenting a report on the investors active in this field, including your own banking institute. Our research has shown that the HSBC Bank is – beyond those specific patents mentioned - amongst those financial institutions that have to carry a share of the responsibility in this context. HSBC has a special responsibility due to its close personal links with Novartis, in the person of Mr Andreas von Planta, Chairman of the Board of HSBC Bank, who is also a member of the Novartis Board of Directors. For more details please see below.

We strongly believe that animals are our fellow creatures and, as such, they should be treated with the respect they deserve. Allowing patents on animals means that incentives are provided to conduct animal experiments for commercial reasons. Nobody should be investing to make a profit from animal suffering. And, more generally, animals should not be treated as if they were technical inventions. For this reason patents on animals, especially those claiming mammals or even great apes, should neither be filed by companies nor granted by patent offices.

Since you are one of the investors in this field we would very much welcome your participation at our conference. We are convinced that your bank is ready to play a constructive role in this dialog, helping to find constructive answers to the problems as outlined. Since we are very much aware of the rapid innovation and new applications in this field, we feel that it is vital to maintain and uphold high ethical standards in this field of investment. Please give us your point of view and take part in our discussions. We would also very much appreciate your comments on the findings from our research. If possible, please let us know your comments and notification of attendance at the conference till 1 June 2015.

We look forward to your response.

With kind regards



Dr. Christoph Then, Executive Director, Testbiotech

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Annex:

Overview of affiliations between HSBC and some relevant pharmaceutical companies

- **Novartis**

HSBC Securities was part of a consortium of banks issuing Novartis bonds in 2012, with HSBC underwriting bonds worth USD 80 million. In February 2014, HSBC Bank USA, part of HSBC, underwrote Novartis bonds worth USD 160 million.

Andreas von Planta has been a member of the Board of Directors of Novartis since 2006, qualifying as an independent Non-Executive Director. He is Chairman of the Risk Committee, and a member of the Audit and Compliance Committee, as well as the Governance, Nomination and Corporate Responsibilities Committee. At the same time he is the Chairman of the Board of HSBC Private Bank Suisse and HSBC Private Banking Holdings (Suisse), part of HSBC (United Kingdom). He has also been a member of the Board of Directors of Nationale Suisse (Schweizerische National Versicherungsgesellschaft) since 1997, acting as Chairman since 2010. He continued in this role after the completion of the takeover of Nationale Suisse by Swiss insurance company Helvetia in 2014.

- **Pfizer**

In 2013, HSBC was part of a syndicate of 20 banks issuing a USD 7 billion loan to Pfizer, with HSBC committing USD 591 million. In May 2013, HSBC Securities, as part of a consortium, underwrote Pfizer bonds worth USD 240 million, and in May 2014 as part of another syndicate underwrote bonds for USD 144 million.

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