

BUSINESS AND REGULATORY NEWS

GMO roundup

- According to Greenpeace, its candidate in the US presidential election, the mutant tiger, FrankenTony, received the support of 1,275 voters. Greenpeace does not say how many of these were Floridians.

- Research published in *Nature Neuroscience* this month (*Nat. Neurosci.* 3, 1301, 2000) has exposed the duality of thinking within certain organic farming organizations. The research suggests little more than that animals treated with the pesticide, rotenone, might be reasonable models of Parkinson's disease in human. However, the UK's organic farming enforcer, the Soil Association, has been galvanized into putting out a press release on the subject. Rotenone, you see, is a plant extract, and one of the seven chemical treatments permitted in organic farming. The Soil Association says that the real worry is not the use of rotenone (even though that was actually the subject of the reported research) but the synthetic pesticides that work in a similar way but which do not break down in the environment. It calls for urgent research into the effects of those synthetic chemicals. Presumably, by the same token, the Soil Association will be allowing the use of another substance readily broken down in the environment, Monsanto's herbicide, RoundUp. And surely they will be supporting crops that encourage the substitution of RoundUp for other herbicides.

- Ah, the perils of medical publishing. The five defendants charged with criminal damage for removing an Aventis GM oilseed rape crop from a field in the North of England used Arpad Pusztai's research, "peer-reviewed and published in *The Lancet*" as part of their defense in their trial in mid-November. They argued that if they had not destroyed the crop it was likely that personal injury or death would have almost certainly resulted. Pusztai's paper was used as "proof of the dangers caused by GM contaminated foods." They also argued that the advent of GM technology will bring about new allergens and toxins that will not be detected by current food safety tests, wheeling out in support of this thesis the old saw (now discredited) of the 1989 outbreak of eosinophilia-myalgia syndrome associated with the use of amino acid supplements by body-builders. *JH*

Business and Regulatory News Briefs written by Aaron Bouchie, Liz Fletcher, Jeffrey Fox, Michael Francisco, John Hodgson, and Anna Meldolesi.

Aclara found guilty

On October 26, a California jury awarded Caliper Technologies (Mountain View, CA) \$52,568,000 after Aclara BioSciences (Mountain View, CA) was found guilty of misappropriating trade secrets. Attorney Bertram Roland, as an outside patent counselor for both companies, allegedly used Caliper's microfluidics trade secrets to draft the "'015 patent" for Aclara. Roland was "pry to confidential information concerning...everything Caliper was doing, would do, and our take on the market," according to Jane Green, Caliper's senior director of corporate communications. "Since the '015 patent has never been used, it was our opinion, and the jury agreed, that it's drafting was solely to block Caliper's growth." Roland separately settled with Caliper for \$12 million in September, and is no longer employed by either company. Meanwhile, Aclara has filed with the US District Court that Caliper's LabChip infringes on its '015 patent. Although a judge has already declared there was no "literal infringement," a trial will begin on December 4 to address the "equivalence" of the two technologies, as well as Caliper's countersuit for '015 invalidity. *AB*

Mouse genome in 2001

The Mouse Sequencing Consortium (MSC) was formed in October to accelerate and expand the sequencing begun by the US National Human Genome Research Institute (NHGRI; Bethesda, MD) in September 1999. The aim of the public-private enterprise is to sequence 93-95% of the widely-used "black six" mouse strain by spring 2001. This will be done using \$58 million provided by consortium members, including \$34 million from six of the US National Institutes of Health (Bethesda, MD), \$6.5 million from SmithKline Beecham (King of Prussia, PA), and \$3.5 million from Affymetrix (Santa Clara, CA). Initially, "whole genome shotgun" strategy will generate short, random reads for immediate online public access (<http://www.ncbi.nlm.nih.gov/>). Then, genetic markers will be used to systematically arrange the sequences in an orderly, contiguous fashion to create a physical genomic map.

Also in October, Celera Genomics (Rockville, MD) announced it had sequenced 95% of a mouse genome comprising three different strains, and that it also plans to create a mouse SNP database that will probably include the MSC's data. Celera's stock ended the day down 9% at \$63.25. *AB*

Invalidating patents

A new web-based company hopes to change the US patent system by allowing companies to post bounties of \$10,000 or more in exchange for information that can either support or invalidate an existing patent. BountyQuest's (Boston, MA) vision of "market-based patent reform" permits anyone online to submit published information pertaining to a company's request for prior art—published articles or online documents about a composition of purified primate embryonic stem cells, for example. If the information is an exact match, the bounty hunter bags the prize. Former patent attorney and BountyQuest CEO Charles Cella hopes www.bountyquest.com will help companies fight overly broad patents that increase consumer prices, as well as help patent-holder defense. "BountyQuest is targeting industries where patents play a significant role, and one of the main targets is biotechnology," says Cella. "Patents threaten to impede basic research in areas such as stem cell technology and genomics." Cella has filed a patent on this "broadcast rewards system" and, naturally, posted a \$14,159 bounty on his new site. *MF*

Italian minister axes GMOs

In his latest effort to undermine agbiotech (*Nat. Biotechnol.* 18, 919, 2000), the Italian minister of agriculture Alfonso Pecoraro Scanio has explicitly told scientists they will no longer receive funding from the ministry unless they eliminate GMOs entirely from their experiments, even if it means abandoning research conducted over the past 4 years. Urging the public and scientific community to oppose Pecoraro Scanio's unilateral decision, the Nobel Prize winner Renato Dulbecco of the Institute for Biomedical technologies in Milan, together with leading geneticists, stem cell researchers, anthropologists, and physicists, published a petition in the Italian financial newspaper *Il Sole 24 Ore* (November 5) defending public research and freedom of scientific thought. Since then, more than 500 international researchers have signed, including director of the Center for Plant Biotechnology Research at Tuskegee University CS Prakash, whose own petition in support of agbiotech (<http://www.agbioworld.org>) has more than 2,900 signatures worldwide. Those wishing to endorse the Italian petition should email appelloMipaf@hotmail.com. *AM*