GOT A NEWS TIP?

Send any article ideas for Nature's News section to newstips@nature.com

K. CAMPBELL/GETTY IMAGES

SNAPSHOT

Track record

CHINA Qi Zhou, a cloning specialist at the Institute of Zoology of the Chinese Academy of Sciences in Beijing, is one of more than 20,000 luminaries selected to carry the Olympic torch on its 137,000-kilometre journey to Beijing for next month's Games.

Zhou had lessons in how to hold the torch for the 200-metre sector that he ran last month. He also had to prepare for possible encounters with protesters, because his leg took place in Xinjiang in northwest China, a region with a large and active minority population of Turkic Uighurs who are striving for independence. "Even though there are some risks, it is worth it to be there," Zhou says. "As a scientist I am so excited to have been chosen as a torch carrier."

It's not his first brush with the Olympics. In 2001, a cow born through a new cloning technique that Zhou helped to develop was named 'Olympic 2008' by his then colleagues at France's national agricultural research organization INRA in Jouy-en-Josas, in celebration of Beijing's selection as host city.

David Cyranoski

XIAOJUAN DUAN

Affymetrix in new patents row

The Massachusetts Institute of Technology (MIT) has filed a lawsuit against DNA microarray company Affymetrix, claiming that some of the company's GeneChip technology — widely used for high-throughput genomic analysis — infringes an MIT patent.

Patent disputes are routine in biotechnology, but this one targets a business of growing importance for Affymetrix of Santa Clara, California. The MIT patent, based on work by David Housman, specifically covers "a method for detecting the presence or absence of a single nucleotide polymorphism (SNP) allele in a genomic DNA sample". A popular use of such chips is to search the genome for SNPs associated with disease susceptibility.

"The claims are very broad," says Shaun Rodriguez, a Boston-based analyst for Cowen and Company investment bank. "They cover most of what Affy sells on the genotyping side."

The lawsuit, filed on 1 July in Massachusetts

District Court, cites MIT and a patent-holding company called E8 Pharmaceuticals of Cambridge, Massachusetts, as the plaintiffs. Two days later, Affymetrix filed a notice about the lawsuit to the US Securities and Exchange Commission stating: "We believe that the plaintiffs' claims are without merit and will vigorously defend against the claims advanced in the complaint."

Housman's patent was awarded on 9 March

Affymetrix's GeneChips are big business.

2004. Six months later, Affymetrix filed an application with the US Patent and Trademark Office claiming that the company's 1994 patent application for its basic microarray technology had priority. Last year, the patent office officially disagreed. Affymetrix has continued to produce and sell the disputed GeneChips, and MIT is claiming that the company wilfully infringed the institute's patent.

If a jury agrees, the decision could result in hefty royalty payments to MIT. Affymetrix won a similar case four years ago when a jury awarded it 15% royalties from arrays produced by San Diego-based rival Illumina. And there is no word yet about any effect the lawsuit might have on Affymetrix's relationship with the Broad Institute — a genomics institute run by Harvard University and MIT. Some of the company's SNP-based chips use technology developed from this collaboration.

Heidi Ledford

R. BAER