

complaints about bureaucracy at the IMB. He turned down a permanent professorship at the University of Jena, and the opportunity to continue as scientific director of the IMB after negotiations with his home university in Vienna.

On the other hand, because of the excellent research facilities at the IMB, Schuster did not want to step down from his position as head of the IMB's evolutionary biology group. Because the IMB valued his expertise as an evolutionary biologist, Schuster was given the opportunity to run the IMB group from Vienna, but the geographical distance proved too much and left a noticeable leadership gap in the group.

The article refers to our cooperation with industry as "source of conflict", but cooperation with industry is a declared goal of the IMB, which has a considerable number of project contracts with industrial partners.

I should also like to point out that IMB scientists have themselves contributed to the situation at our institute. Early in 1996, some scientists chose not to use one of the several routine channels of in-house discussion, but instead complained anonymously to the press. Group leaders complained about the decision of the scientific advisory board, headed by Professor Rudolf Rigler, to keep evaluation reports confidential,

although this is normal procedure.

The contracts of two of Schuster's senior scientists ended in the autumn of 1996 and were supposed to be extended, assuming positive results from a pending evaluation of Schuster's group. Only after the scientists had appealed to the IMB's Kuratorium (supervisory board) and had made public complaints, including serious accusations against both directors of the IMB, did the scientific director decide not to renew their contracts.

As a result, the reputation of the IMB has been severely damaged, first by scientists of the IMB, including Schuster, who made their problems public before attempting to solve them in-house, second by lack of agreement of the chairman of the scientific council with members of the Kuratorium and the institute's directors, and last but not least by the publication of magazine articles.

Now that Schuster and Rigler have resigned, the IMB scientists can return to their proper task and, by using the outstanding technical facilities and funding at the IMB, can convince the scientific community of their quality by their achievements in research and development.

Stephan Diekmann

*Institute for Molecular Biotechnology,
Beutenbergstr. 11,
D-07745 Jena, Germany*

Biology, not microbiology

Sir — Contrary to what Kent, Scott-Ram and Thomas say (*Nature* 386, 641; 1997), European patent law does not exclude "biological materials derived from 'essentially microbiological processes'". The European patent law, in its unfortunate language in Article 53 (b) EPC, expressly confirms the patentability of "microbiological processes or the products thereof".

Volker Vossius

*Holbeinstr. 5,
D-81679 München,
Germany
e-mail: dr.volker.vossius@t-online.de*

Scott-Ram replies — The sentence should have referred to "biological processes". The point that we were trying to make, and which still stands, is that one cannot "make use of a microbiological process in obtaining plants or animals only in order to be able to patent them".

Nick Scott-Ram

*British Biotech Pharmaceuticals Ltd,
Watlington Road,
Oxford OX4 5LY, UK*