

## US courts throw ES cell research into disarray

Funds for human embryonic stem cell (hESC) research are flowing again following a temporary ban on federal support for such research. A lower court injunction imposed by US District Court Judge Royce Lamberth on August 23 was lifted mid-September by the US Court of Appeals for the District of Columbia. When the injunction was issued, the US National Institutes of Health (NIH) responded by broadly suspending its funding for grants and contracts involving hESC research, including for projects that took shape under the restrictive federal policies of the Bush Administration. For now, that blanket ban is lifted, but the issue is far from resolved. The lawsuit that led to the injunction is still pending.

"We are pleased with the Court's interim ruling, which will allow promising stem cell research to continue while we present further arguments to the Court," says NIH director Francis Collins. The ongoing legal battle is seen as harmful to hESC research across the world as it will slow progress and stymie collaborations with US researchers. As Ian Wilmut at the MRC Centre for Regenerative Medicine in the UK puts it: "Any disruption of [hESC] research, such as that imposed by the present injunction, will have a chilling effect on research throughout the world." According to Elaine Fuchs of Rockefeller University, New York, president of the International Society for Stem Cell Research, "Halting federal funding for such research impedes efforts aimed at 'translating' this knowledge into new and improved treatments for patients."

The lawsuit was brought in part by the Alliance Defense Fund (ADF), a group of "Christian attorneys and like-minded organizations," based in Scottsdale, Arizona. ADF, acting on the behalf of "doctors opposed to the [Obama] Administration's [hESC research] policy," argues that this policy violates the federal Dickey-Wicker Amendment, which prohibits "federal funding of research involving the destruction of human embryos." The Administration says that its hESC research policy complies with that law because cells from human embryos are donated from private sources and no federal funds are used obtaining them. Congress, with Representative Diana DeGette (D-CO) as a chief sponsor, twice passed legislation that would explicitly permit federal funding for hESC research, but former President Bush vetoed those bills. Although President Obama would surely sign such a bill, moving it through Congress seems unlikely anytime soon.

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Embryonic stem cells are proving hard to standardize.



## IN their words



**"This is not a fixer-upper, this is beachfront property."**

Genzyme's CEO Henri Termeer explains why he rejected the unsolicited \$69 a share offer from pharma giant Sanofi-aventis (*Boston Globe*, 1 September 2010).

**"I wasn't looking to move away. In fact, this is probably the only job that could have lured me away from Genentech."**  
Marc Tessier-Lavigne, who will give up his role of chief scientific officer at Genentech to become president of Rockefeller University. (*The New York Times*, 8 September 2010)

**"The makers of Viagra would jump at the chance to sponsor the largest pole in North America."**

City councillor Howard Moscoe of Toronto, where a 410 foot pole to fly the Canadian flag is being proposed, makes a pitch for corporate support from erectile dysfunction drugmaker Pfizer. (*Pharmalot*, 27 August 2010)

**"What they've been doing for years is buying off doctors to sell their products and a doctor's primary obligation should be to the patient not the pharmaceutical company."**

Paul Thacker, an investigator working for Republican Chuck Grassley on the US Senate Finance Committee who recently stepped down to join a non-profit, highlights the Washington perspective on conflicts of interest. (*Pharmalot*, 23 September 2010)