

GENETICS, PHILOSOPHY

AGAINST DNA PATENTING

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I remember a long struggle against gene DNA patenting in the 1990ies around the Venter case while [Science magazine](#) has now an update.

Patents balance providing incentives to take the financial risks necessary to convert an invention into useful products with the benefits of sharing information to drive other useful inventions. Since the advent of DNA sequencing and gene identification methods, patenting human genes has been controversial. A notable example involves patents for the genes BRCA1 and BRCA2, variations in which modulate risks for breast and ovarian cancer. These patents supported increased costs and hence, limited accessibility, for diagnostic tests for cancer patients and their families. In 2013, the U.S. Supreme Court ruled that these patents were invalid (Association for Molecular Pathology v. Myriad Genetics).

I still think that there is way to much money spent on rather trivial discoveries of natural products where purification doesn't justify a patent. So maybe only now the existing law is being revised.