

Media Release

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Gene patents threat to cancer research

Senate to hear of dangers in outdated, flawed system

Patenting genetic sequences may stifle groundbreaking research in cancer treatment as well as restrict access to life-saving diagnostic procedures, a Senate hearing in Sydney will hear today.

Cancer Council Australia Chief Executive Officer, Professor Ian Olver, and President of the Clinical Oncological Society of Australia (COSA), Professor Bruce Mann, will stress to a Senate inquiry that the current patent system allows human genetic material to be monopolised by commercial interests, posing a serious threat to cancer research and care.

Professor Olver, a medical oncologist and researcher, said genes and genetic products were the keys to a new field of cancer treatment that would target an individual patient's cancer, maximising benefits and minimising side effects.

"Medical science will soon be able to tailor cancer treatments according to prognoses made from genetic analyses and with treatments that target genetic products," he said.

"But our potential to profoundly improve patient outcomes may not be realised, if an outdated patent system continues to let commercial interests monopolise matter that naturally exists in our bodies.

"The Senate must put the public interest first and recommend that non-commercial use of genetic sequences is exempted from patent enforcement, as a first step towards changing the law to invalidate future gene patent claims."

Professor Mann, a breast cancer surgeon representing more than 1200 cancer care professionals nationwide, said an Australian company's now withdrawn claim to enforce its patent licence over the genetic tests for breast and ovarian cancer risk set an alarming precedent.

"Genetic Technologies Ltd's demand for public laboratories to cease testing for genetic risk of breast and ovarian cancers was only a hint of how the fundamental flaws in gene patent law could undermine public health," Professor Mann said.

"We need to get the system right, before any more genes that are essential to competitive cancer research are locked up by patent owners.

"Commercial incentives through patent monopoly should only apply to the invention of therapies that target genetic mutations— not the gene sequences themselves, which are naturally occurring substances, not inventions."

Media materials including audio and video: www.cancer.org.au/genepatents

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