

Media release



US Patent granted on the design of human offspring

US company to offer methods for the selection blue eyes, longer life and athletic properties for offspring

Munich, 4 October 2013 The US company 23andMe has received a US patent for the selection of human sperm cells and oocytes (US8543339). Genetic data can be collected from which potential parents can choose donors according to criteria such as eye colour, longer life span and athletic properties.

“The genetic identity of humans never should be selected according to fashion, trends or even commercial interests. Eugenic selection governed by commercial interests is in fundamental conflict with human dignity”, Christoph Then says for Testbiotech. “Any business based on creation of designer babies should not be fostered by patent law.”

The patent was also filed in Europe and other regions (WO 2010/065139). However, it is not likely to be granted in Europe because there is a prohibition of patents that are against morality and public order. Further the patent can be classified as a business method which is - contrary to the US - regarded as not patentable in Europe. Meanwhile the application seems to have been withdrawn in Europe.

Nevertheless, the European Patent Office, EPO, has already granted several patents, which are problematic from this ethical point of view. For example, Ovasort received a patent in 2011 (EP1263521) on the selection of human sperm cells. In 2009, Merck Serono received a patent on the usage of human oocytes (EP1794287). In both cases Testbiotech has filed oppositions - however the EPO has not made any decisions yet.

Contacts: Christoph Then, 004915154638040, info@testbiotech.org

More informations about European patents in this field:

www.testbiotech.de/sites/default/files/BlackList_Patente_de_0.pdf