



Menschen für Tierrechte  
Bundesverband der Tierversuchgegner e.V.



*Albert Schweitzer*  
Albert Schweitzer Stiftung  
für unsere Mitwelt



Gesellschaft für  
ökologische  
Forschung e.V.



Please respond to:

Christoph Then, Testbiotech, Frohschammerstr. 14, 80807 München, Germany

[info@testbiotech.org](mailto:info@testbiotech.org)

Munich, 13 May 2015

Open letter to

**Bionomics Limited**

Ms Deborah Rathjen  
CEO & Managing Director  
31 Dalglish Street  
Thebarton SA 5031  
AUSTRALIA

Dear Ms Rathjen

Your position on patents on animals / great apes

We are writing to you about our pending opposition against the European Patent EP 1364025, which is supported by 11 organisations and around 15.000 signatures. Our reason for filing the joint opposition was that the patent claims genetically engineered great apes and other animals as patented inventions. The claims also cover DNA sequences isolated from the human body.

However, a letter we received from your patent attorneys (HGF Limited, UK) has informed us that a new main request was presented in the proceedings to the effect that any claims directed at animals or human DNA sequences will no longer be maintained. We would like to congratulate you on this decision and say that we therefore expect the opposition procedure to be settled soon.

We see your decision as a sign that Bionomics is fully aware of its responsibility to set ethical boundaries and respect animals as fellow creatures. If we are right, we would like to encourage you to continue this line of decision making. There is, however, some further action that you could take:

Our research has shown that Bionomics appears to have filed the greatest number of patent applications worldwide on genetically engineered chimpanzees. Some of the patents have already been granted unchallenged. Some are still pending. It seems there are around a dozen patents and patent applications filed by Bionomics that are relevant in this context.

We would very much like to ask you to engage with us in further constructive discussions and would also like to ask you to get back to us with a short comment on the following questions:

- Is Bionomics willing to abandon claims on chimpanzees and genetically engineered animals in the patent applications still pending?
- Could Bionomics give a statement on how the patents already granted will be applied or changed so that they do not provide a commercial incentive to conduct animal experiments?

You may be interested to know that we are holding a public conference on patents, biotechnology and animal welfare on 17 June in Berlin ("*the patented ape*"). Please see our draft programme attached. We kindly invite you to join us and to give us your point of view during the discussion. We will be presenting a report on the oppositions we have filed and relevant companies and investors in this field. We would therefore very much appreciate you letting us have your statement at the beginning of June since this will enable us to provide our audience with information that is as correct as possible.

We look forward to receiving your comments

Yours sincerely

on behalf of the organisations signing



Dr. Christoph Then, Testbiotech

Tel: +49 151 54638040

[info@testbiotech.org](mailto:info@testbiotech.org)

List of signing organisations:

- Albert Schweitzer Stiftung für unsere Mitwelt, [albert-schweitzer-stiftung.de](http://albert-schweitzer-stiftung.de)
- Deutscher Tierschutzbund, [www.tierschutzbund.de](http://www.tierschutzbund.de)
- Gen-ethisches Netzwerk (GeN), [www.gen-ethisches-netzwerk.de](http://www.gen-ethisches-netzwerk.de)
- Gesellschaft für ökologische Forschung, [www.oekologische-forschung.de](http://www.oekologische-forschung.de)
- Jane Goodall Institut, Deutschland, [www.janegoodall.de](http://www.janegoodall.de)
- Kein Patent auf Leben!, [www.keinpatent.de](http://www.keinpatent.de)
- Menschen für Tierrechte - Bundesverband der Tierversuchsgegner, [www.tierrechte.de](http://www.tierrechte.de)
- TASSO e.V., [www.tasso.net](http://www.tasso.net)
- Testbiotech, [www.testbiotech.org](http://www.testbiotech.org)
- Pro Wildlife, [www.prowildlife.de](http://www.prowildlife.de)