

SCIENCE NEWS®

The Weekly Newsmagazine of Science

Science Service Publication
Volume 145, No. 3, January 15, 1994

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SCIENCE NEWS (ISSN 0036-8423) is published weekly on Saturday, except the last week in December, for \$39.50 for 1 year or \$68.00 for 2 years (foreign postage \$6.00 additional per year) by Science Service, Inc., 1719 N Street, N.W., Washington, DC 20036. Second-class postage paid at Washington, DC, and additional mailing office. **POSTMASTER:** Send address changes to SCIENCE NEWS, P.O. Box 1925, Marion, OH 43305. Change of address: Four to six weeks' notice is required — old and new addresses, including zip codes, must be provided.

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Editorial and Business Offices:
1719 N St., N.W., Washington, DC 20036
(202-785-2255)
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Subscription Department:
P.O. Box 1925, Marion, OH 43305
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Letters

Crying foul over fowl name

In "From Antarctica: The Elvis of dinosaurs" (SN: 10/23/93, p.261), you refer to a male peacock. There is no other. The female is a peahen.

Betty O'Dell
Bradenton, Fla.

Indeed she is, and together they are peafowl.
— The editors

Company disputes gene patent facts

"All Rights Reserved" (SN: 9/4/93, p.154) contains errors of fact. Bernice Wuethrich mentions "codiscoverers of the gene for dystrophin." There was only one discoverer of the dystrophin gene — Louis Kunkel and his team at Boston's Children's Hospital.

Wuethrich also writes, "the Toronto group had to drop its [patent] application because it could not afford the \$20,000-plus cost of pursuing the patent." A sound reason for not filing a

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Cover: Planned for launch this April, the Wind spacecraft will soar to a unique vantage point, enabling it to study the solar wind — the stream of charged particles emanating from the sun — before it reaches Earth. Wind is one of several craft on NASA's 1994 launch schedule designed to explore Earth and its interaction with the sun. (Illus: NASA)



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Science Service, which publishes SCIENCE NEWS, is a nonprofit corporation founded in 1921. It gratefully accepts tax-deductible contributions and bequests to assist its efforts to increase the public understanding of science, with special emphasis on young people. More recently, it has included in its mission increasing scientific literacy among members of underrepresented groups. Through its Youth Programs it administers the International Science and Engineering Fair, the Science Talent Search for the Westinghouse Science Scholarships, and publishes and distributes the *Directory of Student Science Training Programs for Precollege Students*.

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patent application in this case is the incontestable fact that Kunkel's team had discovered the dystrophin gene first and that filing a patent application would be foolishly spending money.

The story continues, "Genica patent lawyers . . . threatened to file a lawsuit for patent infringements" against the Toronto researchers. Had Wuethrich bothered to call Genica, we would have explained to her that at no point did Genica threaten a lawsuit against the Canadians. As a matter of fact, we asked the Toronto researchers about collaborating.

What's most unfair about the article, however, is that the main point — namely, allowing patents on gene fragments of unknown function may be a terrible thing for all mankind — is poorly substantiated by including Genica's patent situation as a representative example. The dystrophin patent, licensed exclusively to Genica by Children's Hospital, is not about a gene fragment at all; the patent includes the entire gene and the encoded protein dystrophin, which is well known to cause the major

disorder Duchenne muscular dystrophy.

Genica is looking forward to the Office of Technology Assessment's study on patenting DNA sequences, due this spring. Can one patent fragments of genes with unknown functions? That's a legitimate debate, and we look forward to the resolution of this important issue.

Robert E. Flaherty
Chief Executive Officer

Nigel Fleming
Founder
Vice President, Business Development
Genica Pharmaceuticals Corp.
Worcester, Mass.

Address communications to:
Editor, SCIENCE NEWS
1719 N Street, NW
Washington, D.C. 20036
All letters subject to editing.

JANUARY 15, 1994

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