

Ms Ingrid Zappe
Senate Community Affairs Committee Secretariat
PO Box 6100
Parliament House
Canberra ACT 2600

15 August 2009

Dear Ms Zappe

Re: CORRECTIONS TO PROOF HANSARD TRANSCRIPT 4/8/09 - INQUIRY INTO GENE PATENTS

I wish to inform the Committee of an error in a statement that I made whilst giving evidence on the above date.

On page CA 46 I indicated that the current owners of the patents to the haemochromatosis gene were the “20-somethingth owner of that patent”. This statement was made from memory of something I had read about nine or ten years ago. However, from my searches since appearing before the Inquiry, it appears that there were six US patents granted over the HFE gene and I could only find published evidence of control of the patents appearing to have passed through five companies - Mercator Genetics, Progenitor, Smith Kline Beecham Clinical Laboratories, Quest Diagnostics, and finally Bio-Rad Laboratories.*

In relation to the question of whether they were traded at a profit asked of me by Senator Boyce (bottom of page CA 52), I understand that Smith Kline Beecham Clinical Laboratories paid around \$US3m for an exclusive licence, but all of the other exchanges appear to be for undisclosed sums.†

I thank you for the opportunity to correct this apparent error.

Yours sincerely



Michael Ralston
Member, RCPA Genetic Advisory Committee

* Merz JF et al. **Diagnostic testing fails the test.** *Nature* 2002;415:577-579

† Secretary’s Advisory Committee on Genetics, Health, and Society (SACGHS). **Public Consultation Draft Report on Gene Patents and Licensing Practices and Their Impact on Patient Access to Genetic Tests.**
For Public Comment from March 9 to May 15, 2009