



January 4, 2010

The Honorable Xavier Becerra
1119 Longworth House Office Building
U.S. House of Representatives
Washington, D.C. 20515-0531

Dear Representative Becerra:

On behalf of the members and supporters of Friends of the Earth, I commend you for introducing the "Genomic Research and Accessibility Act." Friends of the Earth supports this legislation and believes that it is crucial that Congress acts to prevent the further patenting of human genes.

Genetic material is the basis for all life, existing in nature since the beginning of the living world. The human genome is shared by all human beings, varying by only a fraction of a percent between persons. This makes human genetic material a common good.

Unfortunately, patents have erroneously been granted to this naturally occurring common good. Currently, more than 660¹ animal and 12,000² plant species have been patented, and up to one fifth of every person's genetic material is already owned or patented by companies and scientists. Friends of the Earth believes that genetic material is not patentable under patent law, which states that patents can only be granted for novel, non-obvious things which do not occur independently in nature. Simply decoding genetic material is akin to figuring out the composition of water, both of which are not patentable because they are common natural goods.

Allowing patents on genetic material has entered us into a moral and environmental slippery slope that could inevitably end with the commodification of all life. A patent has been granted to a company which has engineered glowing, transgenic zebrafish which are being sold as household pets³. Already, in some cases, in order to study our own genetic material we have to gain access and pay royalties to companies who have patents on our genes.

By commercializing genetic material, which is the basis for all life, we have turned living beings into economic goods. Friends of the Earth ultimately strives to stop and prevent the patenting of all living beings. We are grateful for your introduction of this important bill, and are eager to assist with its passage.

Sincerely,

Eric Hoffman
Genetic Engineering Policy Campaigner

¹ American Anti-Vivisection Society, "Can Animals Be Patented?" news release March 23, 2007. Online: http://www.stopanimalpatents.org/images/pressrelease_rabbit.pdf

² U.S. Patent & Trademark Office, "Patent Counts by Class by Year: January 1977-December 2005." Online: <http://www.uspto.gov/web/offices/ac/ido/oeip/taf/cbcby.htm>

³ US Patent Nos. 7,135,613; 7,150,979 and 7,166,444. GloFish® <http://www.glofish.com/default.asp>