University of Crete Research Center
UCRC
for the Humanities, the Social & Education Sciences

Webinar

Jacob S. Sherkow (New York Law School)

"***The Pick-And-Shovel Play: Bioethics For Gene-Editing Vector Patents"***

Tuesday 29 January 2019
14:00 Athens time

The TECHNIS research group in association with the BENETeC Laboratory at UCRC (University of Crete Research Center for the Humanities, the Social and Education Sciences) are pleased to invite you to a free webinar on Tuesday 29 January 2019 at 12:00 London time (i.e. 13:00 Brussels time, 14:00 Athens time).

The speaker is Jacob S. Sherkow, Professor of Law, Innovation Center for Law and Technology, New York Law School, USA. The title of the talk is ***"The Pick-And-Shovel Play: Bioethics For Gene-Editing Vector Patents"***. Please find attached the related paper.

The moderator will be Dr. Andreas Panagopoulos, Assistant Professor at the Department of Economics, University of Crete. More information can be found at http://technisnet.org/current%20seminars.html.

This webinar is free and open to all. To participate and for further information, please contact Dr. Andreas Panagopoulos *at least a day prior to the seminar*. The program used to deliver webinars is called VSee and you can easily download it for free. A very short demo of VSee can be found at https://www.youtube.com/watch?v=nDb7-Mrz0L4.

Abstract: Concerns over patent protection covering new forms of gene-editing have largely focused on the intellectual property covering the editing mechanism itself, most notably CRISPR (clustered regularly interspaced short palindromic repeats), but also ZFNs (zinc finger nucleases) and TALENs (transcription activator-like effector nucleases). Some of the most important technical advances in these areas, however, relate not to these technologies themselves but to vectors—the means for introducing the gene-editing machinery into human cells. In this Article, we discuss the implications of one intellectual property strategy used by some commercial developers of gene-editing vectors: a divided strategy of keeping some of the most significant information about vectors secret while patenting, cryptically, other aspects. We liken this to the business strategy of a "pick-and-shovel play": using secrecy as informational arbitrage to sell gene-editing's necessary equipment. Such a strategy raises specific ethical and safety issues pertaining to many gene therapy interventions, namely, the uncertainty of risk, a reliance on insufficient preclinical evidence, the detriment of patient–physician decision-making, and increases in monetary costs. At the same time, these bioethical issues seem to illuminate the importance of patents' disclosure function to, perhaps surprisingly, consumers, users, and standards developers.