

DNA data war reaches Supreme Court

The following is an excerpt.

About 9 months ago – the DNA Spit Kit from 23andMe was \$299. From [their website](#) today – it's \$99. But who owns the resulting genetic data and the rights associated with that data? That's the issue now headed for the Supreme Court. Oral arguments are Monday.

One of the primary goals of The Human Genome project (completed in 2003) was to identify the 20-25,000 genes in human DNA. The good news, of course, is that they succeeded and today about 84% of those genes remain free of legal encumbrance. The bad news is that about 16% of those genes are now protected by one or more patents – and we're losing more and more of our genes to the patent process each year. According to an article last week in The New Yorker ([here](#)) there are now...

“... more than 4,000 genes that are covered by at least one U.S. patent. These include genes for Alzheimer's disease, colon cancer, asthma, and two in particular—BRCA1 and BRCA2—that are highly associated with breast cancer [the most deadly cancer for women in the Western world]”

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