

Australian court agrees with U.S.: Patents for breast cancer mutations stand

Cancer survivors and advocates are devastated at a decision by the full bench of the Federal Court that private companies have the right to control human genes.

They fear the decision in the so-called “breast cancer gene” case, which found a company could patent mutations in the gene BRCA1, will lead to higher costs for patients in need of potentially life-saving tests.

They have called on the federal government to intervene to change the laws, and Maurice Blackburn, the lawyers that brought the case, have vowed to fight it “to the end”, flagging a potential appeal to the High Court of Australia.

Director of Advocacy at Cancer Council Australia, Paul Grogan, said that, if the ruling was an interpretation of the law, then the law needed to change.

“In 2008, Australian women were only protected from an attempted commercial monopoly over the BRCA1 and BRCA2 tests because the company that threatened to take those tests away from public laboratories withdrew its patent claims voluntarily,” he said.

“There was nothing in the law to protect healthcare consumers ... and there still isn’t.

Read the full, original story: [Mutation of breast cancer gene can be patented, says Federal Court](#)