

Gene patenting ruling unlikely to really impact oncology care

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Kenneth Offit, M.D., M.P.H., from the Memorial Sloan-Kettering Cancer Center in New York City, and colleagues reviewed previous court cases and [gene patents](#), as well as earlier rulings in the course of this case.

The authors note that, for most common [cancer susceptibility genes](#) other than *BRCA*, which is at the center of this case, genetic testing is not

restricted by exclusive patent enforcement. Isolated DNA patents are already becoming obsolete with the advent of next generation sequencing technologies. Additionally, methods patents based on DNA sequence have already been weakened by earlier rulings. Patents related to new drug development usually involve cellular methods and thus will not likely be impacted by this case.

"It is important that judicial and legislative actions in this area maximize genomic discovery while also ensuring patients' access to personalized cancer care," the authors write.

One author disclosed financial ties to the pharmaceutical industry.

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