

Nuffield Council on Bioethics

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26 May 2004

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Dear Dr McLaren

Draft Code of Practice for the Use of Human Stem Cell Lines

Thank you very much for inviting the Nuffield Council to comment on the Draft Code of Practice for the Use of Human Stem Cell Lines. We welcome the publication of this document and note that it follows many of the recommendations set down in our 1995 Report *Human tissue: ethical and legal issues*, and 2000 Paper on *Stem cell therapy: the ethical issues*, regarding issues of consent and stem cell donation.

The draft Code of Practice considers intellectual property and the patentability of stem cells. Commercial and patent issues related to the use of stem cells are discussed in our 2000 Paper. We consider that the technologies to produce and make use of stem cells may have the potential to result in many therapeutic applications and, thus, should not be unduly restricted by overly broad patents. **We recommend that the granting of over-generous patents with broad claims in this important field should be discouraged** (paragraph 39).

We also recommend that **expert advice be sought to evaluate the possible implications for public health of the use of stem cell lines** (paragraph 40). We consider that the MRC and BBSRC, as joint co-ordinators of the stem cell bank, are in an appropriate position to commission this research and that it should be given a high priority.

We look forward to seeing the final Code of Practice when it is published.

Yours sincerely

A handwritten signature in blue ink that reads "Sandy Thomas". The signature is written in a cursive style.

Dr Sandy Thomas
Director