Patient Sues UCLA over Patent on Cell Line

Lawyers representing a UCLA cancer patient have filed suit against the University of California which has patented a cell line derived from his spleen without obtaining his explicit consent. In what is believed to be an unprecedented case, the suit raises questions about an individual's rights of ownership to bodily tissues that have been turned over for biomedical research but are subsequently used commercially.

John Moore, a victim of a rare hairy-cell leukemia, has been treated at UCLA since 1976 when his spleen was removed surgically as part of his early treatment. From his spleen, which Moore turned over to the university when he signed a routine surgical consent form, scientists established a cell line that has proved useful to cancer research. Named Mo (for Moore), the cell line produces a number of biologically interesting substances including T-cell growth factor (interleukin-2) and immune interferon 2.

The university and researchers David Golde and Shirley Quan recently received a patent on the Mo cell line. Moore, who has continued to be seen by UCLA research physicians, argues in a suit filed in Los Angeles County Superior Court that the researchers misappropriated his "bodily substances," thereby violating his rights of ownership. Attorney Jonathan Zackey of the Los Angeles firm of Gage & Mazursky says that although Moore signed over rights to his spleen (and later in the course of therapy to samples of his blood) for research purposes, nothing was said about possible commercial use.

In addition to claiming that the university misappropriated his tissues, Moore's suit claims that Golde and Quan failed to obtain a valid informed consent because they did not formally tell him about the potential commercial applications of the cell line.

Although the potential commercial value of any products that may one day emerge from work with the Mo cell line is anybody's guess, Moore and his attorneys argue he has a right to some of the profits. In a statement prepared for the press, attorney Sanford Gage said "the value of our client's contribution is not capable of calculation at this time but the market potential for such products is believed to be in the billions of dollars." The suit, which the attorneys have accepted on a contingency basis, seeks unspecified damages.

The question of a person's ownership rights to bodily tissues is one whose time has come in this new era of the commercialization of biotechnology. In the past, the issue seldom, if ever, arose. However, should new laws or policies be set establishing such a right, the implications for biomedical research could be substantial. Several researchers contacted by *Science* see no reason why some sort of provision should not be made that would give patients rights in cases such as this. But other people find the idea of the suit disturbing.

Lawyers for the University of California, who first read about the suit in the press, have no official response to the issues as yet.

—**Barbara J. Culliton**

Computers and the Family: More Toys Than Teachers

A survey of computer-owning families in New York City and its suburbs indicates that children rarely use the instruments for purposes related to school. But once they start doing so, equity problems will arise with regard to students who do not have computers at home.

The preliminary survey of 20 families is part of a joint project by New York University (NYU) and Scholastic, Inc., billed as "the first in-depth study of the use of microcomputers in the home."

The investigation, headed by Joseph B. Giacquinta of NYU, found that after games, programming was by far the most popular activity. Word processing was next. Instructional software was only used in two families.

Various reasons for the lack of popularity of instructional software are advanced, including its inadequacy, unavailability, expense, and parental confusion about how to use it. "If these families are at all typical," says the report, "the educational software R&D effort currently under way may fall on deaf ears, so to speak."

Even if the use of educational software grows, the home-school relationship "may be in for some rough sledding," according to the report. It recounts instances of teachers forbidding children to do homework on their computers because other students do not have them. Clashes such as this "between two cherished American values: achievement and equality of opportunity" may become more pronounced once good software is developed and becomes widely used "by families who can afford it," says the report. —**Constance Holden**

Academy to Propose Social Science Research Priorities

An unprecedented exploration of the next decade of basic research in the social sciences is now under way at the National Research Council.

The project has been launched with $400,000 from the National Science Foundation following 18 months of determined effort by Otto Larsen of NSF's Biological, Behavioral and Social Sciences Directorate.

Larson says the chemists and the astrophysicists have done 10-year plans, and it's time for the social sciences to get into the business of priority-setting.

The NRC Committee on Basic Research in the Behavioral and Social Sciences, headed by Duncan Luce of Harvard and Neil J. Smelser of the University of California at Berkeley, has taken an unusual approach. Six months ago it sent letters to 2500 researchers asking them to describe research they thought was particularly important, exciting, or neglected.

The committee received about 500 replies which will be parceled out to two dozen working groups to fashion the "Decade Outlook."

"We're seeking nominations of hot opportunities," rather than convening "elders of the tribe" to deduce future research directions, says Larsen.

He says many people have voiced skepticism about the possibility of gaining consensus about the sprawling social science endeavor. But, according to sociologist James L. McCartney of the University of Missouri, "the Reagan Administration's