

subject of active research. The problem is that the simplest form of supersymmetry, with the most natural assumptions, predicts too large an electric dipole moment for the neutron. The simplest way to improve that situation leads to the opposite extreme, where the predicted electric dipole moments are much too small to measure. In-between situations are possible, but no one has yet proved that they are implied by the supersymmetry theory.

Thus a positive experimental result would have major implications because it would tell us some properties of the basic theory, and a negative result would help almost as much by telling us the theory does not have those properties. The results of these "low-budget" experiments would complement the Superconducting Super Collider (SSC) physics. The SSC will detect or exclude most of the new particles predicted by supersymmetry, including the light Higgs boson, and thus arrive at definite conclusions about whether supersymmetry is indeed the next stage of understanding of particles and their interactions. Eventually data from the SSC and other colliders can lead to a basic theoretical description if nature is supersymmetric; but one of the most difficult tasks for the SSC would be getting data on the relative phases of various parts of the basic theory, and it is just these phases to which the complementary information from the electric dipole moment experiments is most sensitive.

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### Corrections and Clarifications

In the report "Secondary and tertiary structural effects on protein NMR chemical shifts: An ab initio approach" by Angel C. de Dios *et al.* (4 June, p. 1491), the abscissas of figure 1, B and D, on page 1492 were inadvertently transposed during production. Figure 1B's abscissa should have read, "Cutoff radius (Å)," and figure 1D's abscissa should have read, "Experiment (ppm)."

In John Travis' article "Novel anticancer agents move closer to reality" (Research News, 25 June, p. 1877), work by investigators at the Eisai Research Institute in Andover, Massachusetts, is mentioned. This work will appear in a forthcoming issue of the *Journal of Biological Chemistry*, not the *Journal of Biochemistry*, as implied.

Explanatory material was omitted from the bar graph accompanying the article "World Bank report calls for network to bolster research" by Peter Aldhous (News & Comment, 9 July, p. 155). The y axis should have been labeled "Disability-adjusted life years per 1000 population."

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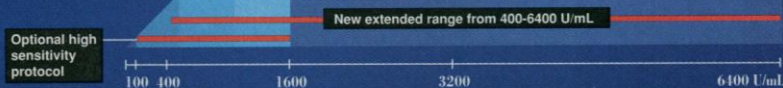
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Research Use Only. Not for use in Diagnostic procedures. <sup>a</sup>U.S. Patent No. 4,707,443; <sup>b</sup>U.S. Patent No. 5,006,459; <sup>c</sup>Patents Pending. D.C. #453.0.

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### BIOTECH Patent News

#### On the Horizon . . .

Genetic Corporation (Emeryville, CA) has applied for a covering therapeutic methods utilizing catalytic patent.

#### BIOTECH Patent News

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#### United States Patents

Genetic Corporation (Emeryville, CA) has applied for a covering therapeutic methods utilizing catalytic patent.

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## BIOTECH Patent News

Vol. 5 No. 11

#### Centocor Infringes XOMA's patent

XOMA CORPORATION (Berkeley, CA 415-644-1170) (1990 revenue - \$20 million) won its patent infringement suit against Centocor, Inc. (Malvern, PA 215-266-4444) (1990 revenue - \$70 million) when a United States District Court jury returned its verdict upholding the validity of XOMA's patent and finding infringement of it by Centocor. The patent covers the use of certain anti-endotoxin monoclonal antibodies in the treatment of humans with gram-negative sepsis.

XOMA had filed suit against Centocor for infringement of United States Patent No. 4,318,163, which was issued to the LAWRENCE DE CALABRESA in April 1980. XOMA is the exclusive licensee of this patent. In addition to upholding the validity of XOMA's patent and XOMA's claim of infringement by Centocor, the jury also decided Centocor's claim of implied license to the patent.

The jury trial, which was presided over by Judge Robert H. Schnacke and conducted in the United States District Court for the Northern District of California in San Francisco, began on July 16.

"We are very gratified by the jury's decision," said Steven C. Mendel, chairman and chief executive officer of XOMA Corporation. "We were confident that once the jury members studied the evidence, they would find in our favor."

XOMA initiated the litigation in April 1990, in order to enforce its rights under the '163 Patent. XOMA claimed that Centocor's HA-1A product, an anti-endotoxin antibody, is used in a manner that infringes on the '163 patent. In the next phase of the proceedings, Judge Schnacke will consider whether to grant further infringement of the '163 Patent.

In support of its claim of infringement, XOMA's testimony pointed to the work of Lowell Young, M.D., who performed research on ES while a professor of medicine at UCLA (Los Angeles, CA). In 1982, Dr. Young published the first scientific abstract to describe protection against the lethal effects of endotoxin in a mouse model. In 1984, he co-authored an abstract demonstrating the effectiveness of ES in mice. The first four human patients were treated with ES between February and April of 1986.

XOMA was represented at the trial by the law firm Kaye, Scholer, Fierman, Hays and Handler, Gerald Sobel, a senior partner in the firm, was lead counsel.

ES, which is undergoing review by the Food and Drug Administration, constitutes a new treatment for gram-negative sepsis, a massive bacterial infection that kills an estimated 70,000 people in the United States each year. Gram-negative bacteria release into the body a poison known as endotoxin, which in and of itself can result in multiple organ dysfunction. Although endotoxin therapy is highly effective in destroying the bacteria, such treatment is unable to prevent the bacteria from releasing endotoxin. The advantage of ES is that it is designed to bind to and neutralize endotoxin.

Last October, United States Patent No. 5,057,598 issued to Centocor. The patent relates to anti-endotoxin monoclonal antibodies and their use.

XOMA is also involved in several class action lawsuits in the same District Court concerning allegations that the company violated federal securities laws and related state laws. These violations involve, among other things, failing to adequately disclose information related to FDA review of the company's application for approval to market its ES product for the treatment of gram-negative sepsis.

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