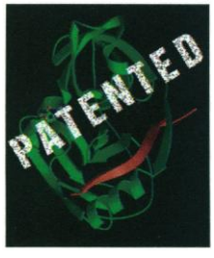
hood philosophy, that of Dr. Seuss's "Cat in the Hat"; to paraphrase, if you eliminate all error, you'll be left with the truth.

Samuel P. Kounaves
Department of Chemistry, Tufts University, Medford, MA 02155, USA. E-mail: skounave@tufts.edu

Chiron's Licensing Policy

The article "The scientific challenge of hepatitis C" by Jon Cohen (News Focus, 2 July, p. 26) contains a number of characterizations that I would like to clarify regarding Chiron's role in the discovery of hepatitis C virus (HCV) and the development of important diagnostic and therapeutic products to address this epidemic disease. In particular, the sidebar entitled "Chiron stakes out its territory," in describing Chiron's actions related to its HCV patents, does not adequately recognize Chiron's liberal policy of granting HCV licenses in many areas in order to assure the availability of new technology to meet important medical needs.



HCV protease, covered by Chiron patents

Chiron has announced it will license other companies under its HCV patents for drug discovery work. To our knowledge, no other company has made a similar offer with respect to such significant drug discovery technology. Five major pharmaceutical companies that are working to develop novel HCV therapeutics have taken licenses, and Chiron is collaborating with one of its licensees, Pharmacia & Upjohn, Inc. The companies we are suing refused to take a license on essentially the same terms as the others have accepted.

In diagnostics, Chiron has licensed Ortho-Clinical Diagnostics, Inc.; Gen-Probe, Inc.; Abbott Laboratories; Bayer Corp., and Pasteur Sanofi Diagnostics, among others. The HCV probes litigation against Roche followed its refusal of the licensing terms Chiron had offered. While Chiron has not yet granted an HCV vaccine license, we have had discussions with several companies.

We believe that highly innovative companies are the best hope for the patients who need new treatments. Chiron's policy is to bring the benefits of its innovations to the public through the most effective means, including collaborations and licensing. The company has never used its patents to block products addressing unmet health needs. No company can afford to invest in innovation, however, if others are able to appropriate and commercialize that technology by infringing patent rights without compensation.

Robert P. Blackburn
Vice President and Chief Patent Counsel, Chiron, Emeryville, CA 94608, USA. E-mail: Robert_Blackburn@cc.chiron.com

Response

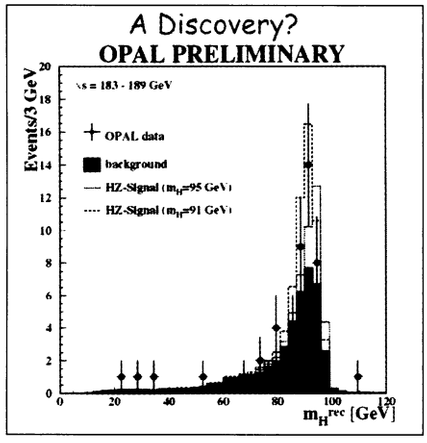
My article quoted Chiron representatives, including Blackburn, making nearly every point he makes in his letter. **—Jon Cohen**

Uncertainty About the Higgs

Although I appreciate the articles in general, I would like to clarify two statements derived from my talk at the 7th Interational Conference on Supersymmetry at Fermilab quoted by James Glanz in "Will the Higgs particle make an early entrance?" and "A tentative nondiscovery of the Higgs" (News Focus, 25 June, pp. 2079 and 2080).

1) Calculations presented at the conference actually showed that it would not take much more than 1 year of low luminosity running at the Large Hadron Collider (10 inverse femtobarns) to claim observation at the 5–standard deviation level, of a low-mass Higgs.

2) Regarding the apparent excess of events seen by the OPAL collaboration, possibly suggesting a Higgs of a mass of around 91 giga-electron volts, I must say in retrospect that it was presumptuous of me to say that it was "probably a misunderstanding of backgrounds." First, being a member of OPAL, I know well the extreme care with which the analyses are performed and how well the detector is now understood. Behind any such result are detailed technical notes analyzing thoroughly all possible sources of error. Of course, it is a suspicious coincidence that the excess of events occurs just near the mass of the Z boson, and this may suggest that there is some misunderstanding of background. It would, however, require a major correction to the estimated efficien-



Viewgraph showing a possible Higgs mass

CREDITS: (CLOCKWISE FROM LEFT) STRUCTURE: NANHUA YAO AND PATRICIA WEBER/SPRI/EILAM GROSS/CERN; OPAL