

## Abstract

Denker, Hans-Werner: Die Potenz von menschlichen ES-Zellen als Argument gegen ihre Patentierbarkeit

[The developmental potential of human embryonic stem cells argues against their patentability]

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Embryonic stem (ES) cells can be channelled to develop into viable individuals using the one-step procedure of tetraploid complementation (Nagy et al., PNAS 1993), a methodology, established worldwide for the mouse, which appears principally applicable for human ES cells. This paper argues that this peculiar property, shared only by early embryonic cells, precludes patentability, as does autonomous early embryonic pattern formation and germ line differentiation potential. With the tetraploid complementation technology at hand, patenting of any human ES cells, even of genetically modified cell lines, would equal patenting of potential human beings and must, therefore, be considered unacceptable, as long as cells remain suspect of totipotency.