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NHRC enters row over GM papaya patent

US application for samples 'not fair'

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The National Human Rights Commission (NHRC) will submit a letter to the government on Monday demanding it oppose a US university's patent application for genetically modified (GM) papaya virus DNA samples.

The samples are from a joint research project involving Thai scientists and Cornell University in the United States.

The NHRC says the patent claim exaggerates the actual contribution of the university to the discovery.

Buntoon Srethasirote, a member of the NHRC subcommittee on biodiversity, said Cornell University had asked the US Patents and Trademark Office for patents of the DNA structures for all strains of the papaya ringspot virus.

However, Thai researchers had taken only some strains to use in the research project nine years ago at the university.

He said granting the patent would deprive others from using the research information while violating Thai people's right to use their natural resources.

"It's clearly not fair," said Mr Buntoon.

In 2002, the university also applied for patents for the DNA structure of the papaya ringspot virus found in Thailand, GM papayas developed from Thai papaya seeds and a GM technique to grow those papayas, but the applications are still being considered.

A Thai agricultural legal official claimed the university has offered Thai researchers co-inventor status and that if the patents were approved, Thailand would be able access all research material without paying any patent fees.

The Agriculture Department insisted co-registration of the patent would benefit the country's future research in the area because the department could use the technology for other crops.

According to the department, Thailand has proposed a memorandum of understanding to share benefits from GM papaya sales with the university in different ratios depending on the sale values.

The proposal will be tabled before Agriculture and Cooperatives Minister Somsak Thepsuthin in October before being sent to cabinet for approval.