



THE ROCKEFELLER UNIVERSITY

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OFFICE OF THE PRESIDENT

See transcript / RONA.

Prof. Wm. Messy
Vice President
Stanford University
Stanford Calif., 94305

6 August 1982

Dear Bill:

I had noticed in the press that there has been some fuss about prior public statements on DNA-splicing provoking delays in the Patent Office with respect to Stanford's claims.

This led me to introspect again, what had my own statements on the matter been? You may or may not know that my lab was actively engaged in research on DNA-splicing in the early 70s; but Stan had a far sharper experimental approach, and it was no accident that he succeeded ahead of us. He has also been very generous (and accurate) in crediting Vittorio Sgarbetta with some very important insights. These are well known and do not impinge on the priority of the patent, as far as I know.

Since 1962, I have given many talks about genetic engineering -- e.g. to point out that 'cloning' might eventually pose some problems of social decision. I was sure I had somewhere made some specific speculations about DNA splicing; but until now, I could not locate anything very concrete. Curiously, a sentence in a piece I did for Encyclopedia Britannica, ca. 1972, was elided by the editor; for what reason I did not know.

Well, I did find what I was seeking; and as you can see

it is concrete enough! It is however speculation, and emphatically does not report on specific experimental realizations. In fact, it is mainly about Kornberg, and what I viewed as the significance of his work on DNA-replicase -- a recently accurate forecast as it turned out.

The text in question was a radio broadcast on KZSU given on Jan. 16, 1968 as part of a series that was later published by Basic Books in 1970. I think the material enclosed gives adequate pointers to document these attributions.

I have no idea whether such speculations have any bearing on the patent. They are however in the public record, where they are bound to be rediscovered. If they do have some bearing on the patent, we would all obviously be vulnerable to substantial criticism if there were any opening for imputed concealment. There is no other advantage to me to pursue the matter; so unless I should get some concrete legal advice to the contrary, I will leave the matter in your hands as the responsible officer of the university, (and one with whom I had many prior discussions as a member of the faculty on what Stanford's policy should be on patents in molecular biology.)

I will be back at the Genetics Dept. the latter part of August; and I would be glad to see you if there is anything to talk about further on this matter -- or in any case!

Yours,

Joshua Lederberg

cc: Stan Cohen