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Case before
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Robert C. Gallo and colleagues at the National Cancer Institute said that their landmark 1984 article on the acquired immunodeficiency syndrome virus they named HTLV-III "inadvertently" was accompanied by an illustration of the virus LAV supplied by French scientists. The French immediately seized on the similarity as evidence of what they have been claiming since they sued their American counterparts last year, charging the Americans had misappropriated research.

The Americans say it was merely the case of a technician under deadline pressure choosing the wrong photograph from a file.

The LAV virus was supplied to Dr. Gallo by architect Luc Montagnier of the Pasteur Institute. Dr. Gallo's original article was published in May 1984 in the journal Science and great fanfare. A letter to editor from Dr. Gallo's team corrected the caption is scheduled to appear in Science today.

Dr. Gallo sees it as a tempest in a test tube. But the dispute sheds light on the underlying nature of scientific publishing. When a newspaper caption misidentifies a photo, a simple correction relegates the offense to the realm of typographical trivia. In science, where you are what you publish, mistakes die hard.

Moreover, AIDS research is a field polarized by political and proprietary battles over publishing priority and patent rights. Mistakes could reverberate from the laboratory to the courtroom.

The Pasteur Institute had sued the U.S. Public Health Service last December, charging that Dr. Gallo's AIDS research and a resultant patent were based upon the earlier work of Dr. Montagnier. At stake are not only acclaim, but royalties on sales of AIDS blood-test kits.

Dr. Gallo, in an interview last week, characterized the misidentified photo as an unfortunate but insubstantial glitch that doesn't affect the content of his article. "It wasn't primary data, but an aesthetic thing—an illustration," he contended. "It was an accident. Nothing I ever did in the laboratory was ever knowingly wrong by one comma."

However, Dr. Montagnier, in a telephone interview from Paris yesterday, said the affair "confirms what Pasteur Institute has said before, that he used our virus as a standard, and that he used LAV to characterize HTLV-III."
Although Dr. Gallo has long maintained the French virus strain was too small and

Dr. Montagnier says he used Dr. Montagnier's name in the incident showing his American counterpart was both growing and photographing the French virus.

Why it took two years for the mistake to surface isn't fully clear, but differences in appearance of the two viruses are difficult for even a trained observer to detect. The mistake may have surfaced as researchers pored over documents to support conflicting claims in the case.

Dr. Gallo said it is routine to photograph other scientists' samples, adding: "What were we supposed to do with the virus? Eat it?" He said American scientists didn't promise not to study the French virus when they got it from the French, only to refrain from commercializing it.

The photographs in question are actually electron micrographs that depict the AIDS virus "budding" or reproducing, under the powerful magnification of an electron microscope. The pictures weren't taken in Dr. Gallo's laboratory at the National Institutes of Health in Bethesda, but 40 miles away in the Frederick, Md., laboratories of Program Resources Inc., a National Cancer Institute contractor.

Matthew A. Gonda and Raymond Gillen, employees of the subcontractor who signed the letter to Science, couldn't be reached for an explanation of how the photo mistake happened. But Dr. Gallo and the cancer institute said it was a combination of deadline pressure and innocent but uncomprehending technicians.

"I said to Gonda, 'Make a composite (picture),'" Dr. Gallo recalled. "The paper was in press. I said, 'Don't use any of the HTLV-III (pictures) from prior publications. Then Gonda got lost. A technician goes to the file and selects a picture of an LAV. Well, cuts it out, blows it up, Gonda comes back and mounts it."

He said he believed the technician involved didn't know what "LAV" meant. The cancer institute press office said yesterday that such photos were only marked with a code number, not names.

Angerily branding the affair an artificial controversy, Dr. Gallo said: "It's of no consequence. If it were any other field, without the dirtiness this involves, I wouldn't be spending ten seconds on this."

Attempting to sound a conciliatory note, Dr. Montagnier said: "It is good of (Dr. Gallo) to acknowledge that a mistake was made." But he also said the French will use the incident to try to bolster their position in court.

Commenting on the affair, Nobel laureate Howard Temin of the University of Wisconsin said: "The patent dispute has nothing to do with science and nothing to do with the (AIDS) epidemic. Scientists are human beings and are as prone to mistakes as other human beings."

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