

# Patent protection extended to organisms

United Press International  
 WASHINGTON — In a case that will affect genetic research, the Supreme Court Monday ruled 5-4 that man-made living organisms may be patented.

The decision upheld a U.S. Court of Customs and Patent Appeals ruling approving patent protection for a manmade "oil-eating" bacterium developed to combat oil spills.

The court's opinion is expected to have significant economic impact on the growing commercial field known as recombinant DNA or gene splicing. It is estimated the first tests on humans of new drugs created from genetically engineered bacteria will come as early as next year.

Writing for the court, Chief Justice Warren Burger said the bacterium was patentable under existing patent law which says whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new useful improvement thereof, may obtain a patent.

The slender majority held the bacterium was a "manufacture" or "composition of matter" under the law.

"In choosing such expansive terms as 'manufacture' and 'composition of matter,' modified by the comprehensive 'any,' Congress plainly contemplated that the patent laws would be given wide scope," Burger wrote.

However, he noted "this is not to suggest that (the patent law) has no limits or that it embraces every discovery. The laws of nature, physical phenomena, and abstract ideas have been held not patentable."

Justice William Brennan led the dissenters, writing the court's ruling "extends the patent system to cover living material even though Congress plainly has legislated in the belief that (the law) does not encompass living organisms."

The majority rejected the government's argument that Congress, in passing the 1930 Plant Patent Act, meant living organisms to be unpatentable and extended patent protection to certain kinds of artificially produced plants because they were not covered under general patent laws.

The government had urged the court to leave the issue up to Congress to "extend the patent laws to specifically defined

categories of living things."

Burger said Congress may rewrite the patent laws to specifically cover living things, but until that time "the language (in the law) fairly embraces respondent's invention."

The respondent was Ananda Chakrabarty, who filed a patent application in June 1972 for a bacterium that degrades oil into simpler substances. Chakrabarty was a scientist working for General Electric Co.'s Research and Development Center in Schenectady, N.Y.

A patent examiner approved a patent for the process of creating the microorganism, but refused it for the microorganism itself on grounds it was a "product of nature" that did not fall under existing patent laws.

A review board agreed but the federal patent court held patent law did not distinguish between living and inanimate matter. Over two dissents, the court reaffirmed an earlier ruling that patent law should treat living microorganisms "no differently from chemical compounds."

In other rulings, the Court also:

— Let stay a ruling that Federal Trade Commission chairman Michael Pertschuk could not be disqualified from considering restrictions on television advertising directed toward children.

— Overturned the conviction of a Virginia man which had been based on incriminating statements made to a government informant sharing his cell. The justices held the statements amounted to an interrogation that triggered a Virginia bank robber's constitutional right to a lawyer.

— Refused to hear an appeal from top-level Agriculture Department officials, fired by the Carter Administration, who disputed a ruling they could be dismissed for political reasons because they were policy makers.

— Refused to lift a lower court order that temporarily blocked the merger of the Burlington Northern Inc. and the St. Louis-San Francisco Railway Co. into the largest railroad in U.S. history.

— Declined for a second time to take up a challenge to counting illegal aliens in the 1980 census.

# THE BATTALION

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## Congressman arraigned in Abscam investigation

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 WASHINGTON — Rep. John Jenrette, D-S.C., today faced arraignment on charges he conspired to accept \$225,000 in bribes from FBI undercover agents in the

Abscam investigation.

The 43-year-old, third-term congressman was due to enter his plea before U.S. District Judge John Penn a week before his scheduled primary runoff election for the Democratic nomination in his district.

A federal grand jury indicted Jenrette and John R. Stowe, a former Myrtle Beach, S.C., businessman, Friday on one conspiracy count and two bribery counts for allegedly plotting to trade Jenrette's influence for cash.

Jenrette's lawyer, Kenneth Robinson, charged the indictment should have been returned sooner so it would not cloud the congressman's reelection chances. Jenrette got the most votes in the June 10 Democratic primary, but he did not receive a majority and faces a runoff next Tuesday against state Rep. Hicks Harwell.

Jenrette is one of three congressmen indicted so far, and action still is pending for five other members of Congress implicated in the investigation in which FBI agents posed as an Arab sheik and his bribe-paying associates.

The criminal indictment said Stowe received \$50,000 on Dec. 6, 1979, on behalf of Jenrette from an FBI agent seeking help

with an immigration bill that would allow the sheik to remain in the United States.

It said Jenrette telephoned the agent later that day and said he had received "the package" from Stowe. According to the indictment, Jenrette agreed he would receive a final \$50,000 installment after introducing the immigration bill.

A month later, he agreed to receive \$125,000 for convincing Sen. Strom Thurmond, R-S.C., to introduce a similar bill in the Senate, it said. Jenrette never discussed the bill with Thurmond before news leaks about "Abscam" brought the probe to a premature end on Feb. 2, the indictment said.

Even before the indictment was handed up, Robinson filed an \$11 million damage suit charging the Justice Department and FBI conspired to ruin his client's career. The suit contended Jenrette was entrapped and that he was drunk when he met with the undercover agent.

Jenrette said he never received any money from Stowe, except a \$10,000 loan. But Stowe's lawyer, Jack Nageley of Miami, has said his client picked up a "bag of money" on Jenrette's instructions and took it to the congressman.

## Enrollment record established

A record 11,782 students are officially enrolled at Texas A&M University for first summer session classes.

Associate Registrar Donald Carter said the figure surpasses the number enrolled the same period last year by seven percent, establishing a new enrollment record for the summer session at Texas A&M.

The figure also exceeds the number estimated for first session summer enrollment at the University's Office of Planning and Analysis, Carter said.

## First day of Klansmen trial brings violence; four arrested

United Press International  
 GREENSBORO, N.C. — Four people were arrested Monday during a scuffle between police and communists who tried to bring their way into the courtroom where Ku Klux Klansmen and Nazis are on trial for the shooting deaths of five communists

last November.

Witnesses in the hallways at the Guilford County courthouse said members of the Communist Workers Party, led by Nelson Johnson, attempted to push their way into the courtroom despite a ring of officers providing security.

Five people, all members of the Communist Workers Party, died in the shootout with the KKK and American Nazis last November. The Klansmen and Nazis went on trial Monday.

Capt. J.P. Worrell of the sheriff's department said two people were charged with assault on police officers and two others were charged with violating a judge's order restricting access in the hallway. The names of those arrested were not released but Johnson, a leader of the Communist Workers Party, was not among them.

Worrell described the incident as a "little scuffle."

"There was some pushing and shoving trying to get into the courtroom" he said.

Worrell there were more than 20 members of "this communist bunch" who attempted to get into the courtroom, protected by 10 to 15 officers.

"They were hollering that they were going to get in," he said.

"Everybody was pushing, shoving and swinging," said UPI photographer Jerry Huff who was in the hallway. "We've had a donnybrook here."

Worrell said there were no serious injuries but two people charged with assaulting police officers "were hit up side of the head" by policemen attempting to restore order. The other two people arrested refused to move out of the hallway, he said.

People in the courtroom did not hear the disturbance outside. Johnson said relatives of the people killed in the November shooting were unable to get into the courtroom but Worrell said the families would be allowed in.

## CSCC approves bids, name changes

by DEBBIE NELSON  
 Battalion Staff

The College Station City Council Thursday voted approval of low bids on the Dowling Road Pump Station, a steel ground storage tank and the final third of a water pipeline which will complete the city's new \$3,164,000 water system.

The system, which came in \$536,000 below budget, will pipe in water from the city's new wells on Sandy Point Road. City manager North Bardell previously described the well site as "one of the two or three most prolific aquifers in Texas."

Elrey Ash, city engineer, said with its 18.5-million-gallons-per-day peak capacity, the system should supply the city's water needs until 1990.

The council also approved an ordinance giving the chief of police power to create a reserve police force for high traffic periods such as football games.

The reserve policemen, who will receive a nominal amount of pay, must comply with Texas minimum training standards for reserve officers before being allowed to carry weapons.

The council deferred final approval of the 1980-81 budget and revenue sharing until its next regular meeting, June 26. No mention was made of either raising water and sewer rates or taxes, as had been discussed at the council's workshop meeting June 12.

In other action, the council referred to the Parks Committee the question of permits for selling concessions, beer or other articles in city parks. There is presently no policy concerning concessions.

The council also approved names for College Station city parks and changed a street name.

The Krenek Tap Road park became College Station City Park, the park at Dexter and Haines — Gabbard Park, the soccer fields at Anderson and Holleman — Anderson Athletic Park and the park at Lemon Tree — Lemon Tree Park.

The name of Village Drive between Holleman and Brentwood was changed to Bartholow Drive, due to confusion caused because the street is separated from the rest of Village Drive by Anderson Athletic Park.

In other action, the council eliminated the necessity of a public hearing for apartment projects of eight units or less.

Director of Planning Al Mayo recommended the ordinance because he said developers spend thousands of dollars preparing plans for apartments, only to have owners of adjoining property come to the public hearings and protest the building of apartments next door.

The ordinance only applies to property already zoned for apartments. If an area's zoning is to be changed, all property owners within 200 feet will still be notified for a public hearing.



These General Telephone Co. service trucks are being manned by their regular repairmen again, as Communications Workers of America workers return to work this week from their 25-day strike against the phone company.

Staff photo by Lee Roy Leschper Jr.

## Most workers to be back this week

## Return to work 'smooth'

Sunday was the first day back on the job for General Telephone Company of the Southwest employees who had been striking since May 16.

"It was very smooth," GTE division manager Bill Erwin said Monday about the transition. "They've been very anxious to get back to work."

A tentative agreement was reached June 9 between GTE and the Communication Workers of America, but it hasn't been ratified by CWA members yet. Details of the

agreement have not been released.

"This week we'll have the majority of our installations back on schedule," Erwin said. Repairs are on a current basis, he said.

Temporary workers hired during the strike will stay "until things get back on an even keel," Erwin said.

"My main concern is getting schedules to the workers," Erwin said. "Just from the initial onslaught things seem to be falling back into place."

Erwin said at least half the workers

should be back on the job by mid-week, and the rest should be working by June 30.

The workers are being phased in by seniority to avoid confusion over scheduling.

"I think my people are very positive about this, both management and labor," Erwin said. "I think everybody was glad to get back."

Management workers have been helping to fill the gaps left by the strike, which was over pay increases and employee benefits.

## House approves oil reparations

United Press International  
 WASHINGTON — The House has approved and sent to the Senate a bill providing \$80 million to compensate citizens and businesses along the Texas Gulf Coast that suffered economic losses as a result of the Mexican oil spill in the Bay of Campeche.

The spill began June 3, 1979, when an offshore oil rig blew out and caught fire. It was not contained until almost 10 months later, after some 140 million gallons of oil leaked out into the waters of the Gulf of Mexico.

Much of the oil was swept north to beaches along the Texas coast, seriously disrupting the normal tourist business. Owners of hotels, motels and charter boats reported substantial revenue losses.

The compensation bill, which passed the

House Monday on a voice vote, now goes to the Senate.

Supporters of the measure said potential damage claims resulting from the oil spill may reach \$315 million.

The oil well was owned by PEMEX, the Mexican national oil company, but Mexico reportedly has refused to consider U.S. damage claims. A number of south Texas businesses have filed suit against Mexico.

## The Weather

Yesterday

High . . . . . 94  
 Low . . . . . 70  
 Humidity . . . . . 50%  
 Rain . . . . . 0.0inches

Today

High . . . . . 95  
 Low . . . . . 74  
 Humidity . . . . . 50-55%  
 Chance of rain . . . . . none

## Massacre 'worse than My Lai' reported

United Press International  
 NEW DELHI, India — Tribesmen trying to eliminate Bengali settlers killed hundreds of villagers in a massacre described by one army officer as worse than My Lai, reports said Monday.

The village of Mandai in Tripura state in northeast India was attacked June 6-7 by the tribesmen, Indian news reports said.

State officials said 212 people were killed. Police estimated 350 were killed and unaccounted Indian news reports said as many as 2,500 were killed.

Army Maj. R. Rajamani said to reporters, "I wonder whether My Lai in 1968 was half as gruesome as here."

Hundreds of villagers at My Lai in South Vietnam were killed by American forces in 1968. Lt. William Calley was

convicted of 22 counts of murder in the case and sentenced to life in prison, later reduced to 20 years.

About 1,000 armed Tripura tribesmen descended on Mandai June 6 and launched a spree of killings and arson for two days, the Indian news reports said.

"The tribals subjected women and children to the worst of torture," the United News of India reported.

"Children had been decimated and sharp weapons had been inserted into the sex organs of women as could be determined from the bodies," the report said. "The men were just shot down," the United News of India said, quoting witnesses.

Tripura's Marxist Chief Minister Nripen Chakravarty and four Indian lawmakers visited the charred ruins of Mandai Sunday and "saw for themselves the mass graves

of the victims of the carnage," newsmen accompanying the group said.

"There were shallow graves. From one the hand of a buried one was visible."

"In a nearby ditch, there was the body of a child in a highly decomposed state. It was pulled out by dogs or jackals from its grave," one reporter said.

"Hardly any living creature disturbs the deathlike stillness of the lush green village of Mandai," he said.

Chief Minister Chakravarty placed the death toll in Mandai at 212. Army officers said they counted 164 bodies.

The tribesmen rose up in arms against the Bengali Hindu migrants from neighboring Bangladesh who outnumber the local residents and have reduced them to a minority in their homeland.