October 13, 1992

Dr. Robert C. Gallo
Chief, Laboratory of Tumor Cell Biology
National Cancer Institute
Building 37, Room 6A09
Bethesda, Maryland 20892

Dear Dr. Gallo:

As you requested, I have tried to remember the origin of the Material Transfer Agreement (MTA) used in 1984 for the H9 and H9/HTLV-IIIB cell lines. To the best of my recollection, since these were the first reagents your laboratory had ever patented, we searched for a model MTA. Dr Flossie Wong-Staal had received some reagents from Dr. Robert Weinberg and his standard MTA seemed concise and complete. I believe we had the government lawyers look it over and that they felt it would protect the government's patent interest and protect against any government liability for safety. The purpose of the MTA was: 1) to ensure the safety of those who received the AIDS virus, 2) to share knowledge gained, and 3) to protect the U.S. patent.

In the early stages, little was known about how the virus was transmitted and the NIH Safety office required that the virus be cultured in P3 facilities. There was great fear in the academic community about the danger of the cultured AIDS virus. This was particularly evidenced by Dr. Max Essex of Harvard being locked out of his tissue culture laboratory after receiving the cultured lines. As more information was gained, the biosafety requirement was changed to allow work with the cultured cells in a biosafety level 2 facility if the equipment and techniques of biosafety level 3 were used. These original versions of the MTA were later replaced by an official NCI MTA.

Sincerely,

Ann H. Sliski, D.Sc.
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