

Paul Offit's Mythical Millions (v. 2)

By David N. Brown

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As I have written elsewhere, proponents of “vaccine-caused autism” and other dubious claims of vaccine injury have long since come to rely on the doubtful premise that vaccines make their creators rich, and that said creators thus have a financial motive and means to cover up vast numbers of vaccine injuries. They have concentrated these allegations on Paul Offit, who has been especially vocal in denying a link between vaccines and autism. He has been particularly condemned for allegedly making a personal fortune of tens of millions from the Children's Hospital of Philadelphia's 2007 sale of its rights to the patent on the Rotateq rotavirus vaccine. Most versions of this claim, mainly circulating on the internet, either directly copy or cite (frequently inaccurately) a single article from the blog Age of Autism. Written by Mark Blaxill and Dan Olmstead, it was provocatively (one may easily say libelously) headlined, **Voting Himself Rich: CDC Vaccine Adviser Made \$29 Million Or More After Using Role to Create Market**. This article, and even less accurate and responsible secondary literature, have created a large pool of disinformation, the sum total of which does not just to attack Offit's credibility, but to present him as somehow powerful and sinister, and by extension reinforce suspicion against vaccines and, for that matter, orthodox medicine in general. Here are the major myths, and the facts that refute them:

Myth 1: The inventor's share from the CHOP's sale was at least \$29 million, and as high as \$45M or \$55M.

- Facts: I) Offit reports that the share was \$18M, consistent with 10% gross as prescribed by CHOP policy at the time the patent was filed (Bedside to Bench (in-house CHOP publication), January 2007).
- II. The \$29M figure was suggested by Blaxill and Olmstead, based solely on the fact that the hospital reported revenue of \$153M rather than \$182M. The difference is more likely to represent the expense of arranging the sale.
- III. The \$45M figure, also suggested by AoA, was calculated as 30% of net (\$153M) based on a policy introduced in 2006. But there was apparently no attempt to apply the new policy to the considerably older patent. Also, a significant theme in the 2006 revised policy is to broaden eligibility for payment from the “inventor's share”. Hence, its application in the present case might conceivably have reduced payment to the patent holders.
- IV. The \$55M figure, not endorsed by AoA, is undoubtedly calculated from 30% of the gross of the sale. No past or present CHOP policy supports calculating the share on this basis.

Myth 2: Offit was paid the entirety of the inventor's share.

Fact: Offit is one of three inventors to put their names on the original patent, the others being Stanley Plotkin and H. Fred Clark. AoA has denied that the other two patent holders were eligible for the CHOP share, based on the fact that they previously received payment from the 2005 sale of the Wistar Institute's rights to Rotateq. But Clark and Plotkin did hold positions at CHOP while Rotateq was under development, and so had entirely valid claims to a part of the CHOP inventor's share. Offit has confirmed that he and his coinventors received equal portions of the share, for a total of *\$6M each*. It deserves to be noted that, even if AoA's account had been accurate as far as the letter of patent policy, it leaves a gaping hole in explaining how Offit could have exercised his claim without having to fight for it in court. As it is, there would still seem to be ample grounds for a lawsuit against those who received payment from many who did not, like the thirty-plus coauthors of Offit's pre-patent papers on

rotavirus. Two lessons can be learned: One is that patent laws and other policies centered on the “individual inventor” are completely useless in addressing the realities of modern research science. The other is that scientists are less litigious and “greedy” than typical members of the general public might be under similar circumstances.

Myth 3: As CDC adviser, Offit voted for rotavirus vaccination to create a market for his own vaccine.

Fact: AoA maintains that it was inappropriate for Offit to participate in two votes related to rotavirus vaccination. (See “Myth 4”.) This is a valid objection to his conduct. But any allegation that he was influenced by conscious expectation of financial gain can be easily dismissed. From the perspective of ca. 2000, any commercial success of Rotateq would have seemed a most improbable development. At the time, the vaccine Rotashield was in position to dominate any market that might arise. If Rotashield had not failed in trials, Rotateq might never even have been considered for commercial production. A development which would have been even more unexpected was that annual Rotateq sales would be over half a billion (\$665 M in 2008) where decades of experience showed that even sales of very important vaccines were relatively trivial.

Myth 4: As a CDC adviser, Offit voted to approve his own vaccine.

Fact: The vaccine on which Offit holds a patent, Rotateq, was never up for approval while Offit was on the ACIP. The council did make three votes of long-term significance: the recommendation to vaccinate against rotavirus, the approval of the Rotashield vaccine for that purpose, and the withdrawal of approval for Rotashield. As duly noted by AoA, Offit voted in the first two votes, but recused himself (while continuing to act in an advisory capacity) in the third.

Myth 5: Offit collects royalties on Rotateq.

Fact: As acknowledged by AoA, the 2007 transaction waived future royalties for CHOP and its staff in exchange for a lump sum.

Myth 6: Offit denies vaccine-caused autism because of his financial interest in vaccines.

Fact: The vaccines alleged to cause autism are MMR and various ones containing thimerosal. Offit has no financial or academic stake in these vaccines. In fact, he wasn't even alive when thimerosal was introduced to vaccines (1942). Thus, he has nothing to gain or lose through any contribution to the “controversy”.

David N. Brown is a semipro author, diagnosed with Asperger's Syndrome as an adult. Previous works include the novels *The Worlds of Naughtenny Moore*, *Walking Dead* and *Aliens Vs Exotroopers*, and the nonfiction ebook *The Urban Legend of Vaccine-Caused Autism*. This and other articles related to autism are available free of charge at evilpossum.weebly.com.