

Appeals court: Quarter horse group may reject clones

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The United States' pre-eminent quarter horse organization may refuse to register cloned animals, an appeals court ruled Wednesday in a case brought by two Texas ranchers.

In a 20-page opinion, a three-judge panel of the 5th U.S. Circuit Court of Appeals in New Orleans ruled that the ranchers failed to prove their antitrust case against the American Quarter Horse Association.

The ruling overturns a lower-court decision that had said the association had to admit cloned quarter horses to its breeding registry. The prestigious list adds financial value to listed animals.

In August 2013, U.S. District Judge Mary Lou Robinson in Amarillo had issued a permanent injunction against the group's prohibition after the ranchers sued. The ranchers argued the association was operating a monopoly by not allowing clones.

The lower-court ruling would have set a precedent as no American horse-breeding groups allow cloned horses to be registered.

"We always knew our case was sound," said Don Treadway, executive vice president of the 280,000-member AQHA, in a statement posted on the association's website. "Obviously, this decision lifts a huge burden from the shoulders of our association, and we are relieved to finally have a judgment in our favor."

The [ranchers](#) plan to appeal, said their attorney, Nancy J. Stone of Amarillo.

"We are extremely disappointed and will seek to have the trial court's judgment reinstated," she said in an email. "Appellate courts are to give great deference to the verdict of a properly instructed jury and we believe the jury's verdict and the trial court's judgment were proper."

The cloning method at issue, called [somatic cell](#) nuclear transfer, is the most common means of cloning.

A somatic cell, which isn't from a sperm cell or egg cell, contains the complete DNA of the animal. An egg cell is then taken from a female of the same species. In the lab, a scientist extracts and discards the nucleus of the [egg cell](#), which holds the egg donor's genes and the somatic cell from the genetic donor is inserted into the egg. The resulting egg develops using the genetic donor's DNA and is then implanted into a surrogate mother.

In 1997, scientists in Scotland announced the birth of Dolly, a sheep born a year earlier and the first animal cloned using somatic cell nuclear transfer.

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