

## NORTHWEST ANDROLOGY & CRYOBANK

April 2015	DSR Facebook Page
<p>A few days ago, I put a brief message on NW Cryo's Forum letting people know I was looking for anyone who used my husband as a sperm donor (he is currently NOT anonymous due to NW Cryo losing part of his file). They just called him up and told him his post was a huge breach of privacy (whose, exactly?) and not to make anymore posts like that. Very shocked by their tactics, it felt very much like bullying</p>	
April 2014	DSR Facebook Page
<p>“When I contacted NW Andrology after I turned 18 they said that they had thrown out the records of my donor; they didn't have records of my birth from him, either (or any children from him).”</p>	
2/3/12	<a href="http://health.groups.yahoo.com/group/DonorSiblingRegistry/message/14894">http://health.groups.yahoo.com/group/DonorSiblingRegistry/message/14894</a>
<p>NW Cryobank is the only bank that I know of that actually threatened a donor into removing his posting from the DSR.</p>	
2/3/12	<a href="http://health.groups.yahoo.com/group/DonorSiblingRegistry/message/14892">http://health.groups.yahoo.com/group/DonorSiblingRegistry/message/14892</a>
<p>We used Northwest Cryobank (<a href="https://www.nweryobank.com/">https://www.nweryobank.com/</a>) to have our daughter, and our experience with them has been nothing but fantastic. They are very friendly and easy to talk to on the phone. Zack and Derrick, the two customer service representatives, spent as much time as I needed on the phone explaining the process from start to finish, from choosing a donor to how many vials to how exactly to use those vials. I've always been able to call and ask weird questions, and get great answers.</p> <p>They've also been very supportive of our efforts to contact other donor sibling families, which we've done successfully through their message board (<a href="http://iamtryingtoconceive.com/">http://iamtryingtoconceive.com/</a>). They've also just recently launched a sibling registry for their clients, though they have encouraged our use of the DSR as well. Through their forums, I have seen the rare customer service issue arise (like a vial not meeting their minimum guarantee) and seen them quickly solved to the satisfaction of the buyer (e.g. a refund or a replacement vial, sometimes also with free shipping).</p> <p>To my knowledge, they are also very good about maintaining contact with donors, and encouraging donors to maintain contact with them, especially the donors that are listed as "Want Contact". They have "Want Contact", "Willing to be Contacted" and "Prefer No Contact" donor categories, which we found really helpful in making our decision. We wanted a donor that wasn't just willing, he really Wanted to be contacted (and thank you to the DSR for enlightening us to the importance of open donors). Northwest has also recently begun offering baby photos of their donors, which is a new feature and not yet available for all donors. The donor we used is now retired (aka permanently out of stock), and they are reaching out to him at our request to ask for a baby photo. They go above and beyond.</p> <p>Northwest also has a limit of 10 families with reported pregnancies per donor, which they strongly enforce. You won't suddenly discover your child has 26 siblings.. well, unless those 10 families were quite prolific! They also actively recruit minority donors.</p> <p>And just a last little note - if you've found a donor you are fond of at Northwest, but you'd like to know specifically how many vials of what type they have, just give them a quick phone call. They'll tell you without you having to be a client. You can even email. They're very open, and very fast at responding to inquiries. You might find that the Mexican donor you like only has 1 vial left, and you want 3, or they might have dozens. It</p>	

might make the choice for you, depending on the bank's availability.

7/8/10 <http://health.groups.yahoo.com/group/DonorSiblingRegistry/message/13359>

As far as I can tell, he was using Northwest Andrology (one of the very few banks that will ship directly to recipients without a doctor's signature).

I do think he was doing it wrong, though. The Tax Court mentioned in passing that his website said a typical woman (and he only accepted women with no known fertility issues) would require 80 vials to get pregnant.

8/4/08 <http://health.groups.yahoo.com/group/DonorSiblingRegistry/message/10956>

NordicCryoBank/European Sperm Bank bought out a little spermbank in Aarhus, Denmark called Alpha Bio Bank, sometime in 2005. Northwest Andrology and Cryobank in the U.S. bought inventory from ESB and sells it in the U.S. under the same donor number. These are N### and N### for sure.

8/4/08 <http://health.groups.yahoo.com/group/DonorSiblingRegistry/message/10954>

A member recently wrote to ask about Fairfax Cryobank and which other clinics they have bought up or sold sperm for. Here is the information that we've collected about who shares/sells/buys sperm:  
-When accessing the archives of Northwest Andrology, I click on a donor number sometimes and another donor number's information comes up. People who know they used that cryobank are not able to match their numbers to Northwest's and they say they have no record of them or that donor.  
-Northwest Andrology & Cryobank Inc. was founded in Missoula, MT in 1986 to provide infertility-related services. A second branch is in Spokane, Washington, since around 1995.

7/23/08 <http://health.groups.yahoo.com/group/DonorSiblingRegistry/message/10861>

Northwest Andrology and Cryobank is now selling sperm from Scandinavian donors that was imported from a Northern European bank that was bought out by another facility. The donors were recruited and processed by the Northern European bank. <http://www.nwcryobank.com/Import%20Donor%20Listing.asp>

10/31/07 <http://health.groups.yahoo.com/group/DonorSiblingRegistry/message/9171>

I am just wondering how many people out there actually consider posting on the dsr by either mothers or donors a 'violation'?  
{Note from Wendy: There is only one sperm bank that I know of, NW Andrology, that has asked a donor to remove his posting from the DSR listings. Several other sperm banks actually refer their curious families to the DSR.}

10/14/07 <http://health.groups.yahoo.com/group/DonorSiblingRegistry/message/9099>

I do know that NW Andrology feels strongly about donors not signing up on the Donor Sibling Registry. They sent an email with a very strong message to a donor posted on the DSR that he was in violation of his agreement with them, and had him actually remove his posting. Overall, they have been the bank most unwilling to dialog about the issues and moving forward with a more accountable record keeping system and a system also more in tune with the needs of the donor conceived. My impression is that they would be very happy if the DSR ceased to exist and we just stopped all this public discussion. Hopefully, they will soon realize that we are all now aware of the issues, and that change is inevitable. I invite them to join in with more forward and progressive thinking.

10/1/07 [http://health.groups.yahoo.com/group/DSR\\_Discussion/message/3992](http://health.groups.yahoo.com/group/DSR_Discussion/message/3992)

I think that you are very wise to be seeking feedback prior to making a decision about which spermbank to use. The choice of spermbank is critical since their competency in screening donors is crucial as is their accurate

description of donors so that you are making an informed choice.

I would really not be too concerned about choosing locally as choosing right!

I could never under any circumstances recommend the spermbank I used (the NECC) since they did not properly screen my donor or if they did they didn't divulge his very significant medical issues. They also lied very substantially about his education and personality. They also told me he was identity release when he was not. If I was the only one reporting these NECC problems then maybe I would think it was a one-off case but I know of several other women reporting the same problems.

So my best recommendation is to try to look through the old DSR messages and use the search facility to check out the names of spermbanks you might want to use. Note carefully the negative feedback. In general you can pretty much ignore positive feedback since all spermbanks have great customer service upfront and 96% of children are born normal. So even if the spermbanks didn't screen at all, then nineteen out of every twenty kids from their sperm would be born just fine. Spermbanks should be screening their donors at a level to significantly reduce the incidence of hereditary disorders.

A very important factor you should consider is if the spermbank take affected donor sperm out of circulation when congenital abnormalities or disorders are reported. In my case an offspring was reported with problems prior to my children's birth, yet I was not informed about the issue despite being in good contact with the NECC. They ever gave me the option of considering an abortion. Then when I and another mother reported problems with later offspring, nothing was noted upon the medical file and the sperm was still sold for several years until I began legal proceedings.

Spermbanks are definitely not all equal and since you are buying a product sight unseen and will have a child as an outcome, you owe it to yourself to be very, very careful and heed the warnings of the people who actually make the effort of posting to this site.

It is certainly worth while spending the effort to do your due diligence in order to reap the benefits and fun of raising a healthy child.

- > Right now I'm still trying to decide on a spermbank. I know this
- > site is mainly for the purpose of contacting other possible siblings
- > and families, so I'm hoping no one minds, but is there any chance
- > anyone on here has had recent experience with either Northwest
- > Andrology and Cryobank (Spokane, WA) or Zygen Laboratories and
- > Cryobank?

8/30/07 | [http://health.groups.yahoo.com/group/DSR\\_Discussion/message/3888](http://health.groups.yahoo.com/group/DSR_Discussion/message/3888)

Re: Northwest Andrology recipient agreement

It would also prevent you from sharing the donor's medical history with the child's doctor. I think these clauses have been added recently as I don't remember them when I signed up and I know there have been some babies born with genetic issues lately and I think there getting scared of a lawsuit.

8/24/07 | [http://health.groups.yahoo.com/group/DSR\\_Discussion/message/3859](http://health.groups.yahoo.com/group/DSR_Discussion/message/3859)

- > How would you feel if Microsoft included with each copy of MS
- > Word the same sort of language from the NW Andrology contract....
- > "It shall be unlawful to scan this disc for viruses, flaws or
- > any other defect by any method.

Red herring, IMHO. Viral / genetic testing in preparation for whichever method of insemination the contract allowed isn't specifically prohibited, and that's not what's being proposed. What is being proposed is more along the lines of reverse-engineering or decompiling, both of which \*are\* prohibited in the MS Word shrinkwrap license.

Playing Devil's Advocate for a moment:

- This isn't a shrinkwrap license, reading the terms of which requires giving up the ability to return the product. It's 2 pages of large type, which anyone who wants long profiles, sperm, or other potentially-identifying information had to download, print, initial each paragraph to indicate agreement, sign, and mail back to NW in an envelope she addressed and stamped. NW suggests in at least two places that potential recipients have their own attorneys review the agreement before they sign. (In the case of someone who transferred the profile data or sperm to another recipient in violation of the contract, that original purchaser would have liability for disclosures on the part of everyone down the line, so "I didn't sign" doesn't mean no one is on the hook. It

might just not be you.)

- Because NW ships to women who are doing home insemination, they have more potential liability. If a donor's identity were known, a mentally unbalanced person could inseminate herself with sperm purchased on her behalf by an accomplice, in a location close to the donor, then claim he's the child's legal father. She has DNA and records showing she stayed in the hotel down the street and called his house on dates that matched probable conception. (This isn't as spurious as you may think. I know of a woman on another board who was able to identify a donor prior to purchasing sperm, and went to look at him in person to help her decide.) He has his unsupported word, liability for child support, and a claim against NW for failure to safeguard his identity.

Physician authorization (which provides third-party testimony that the woman was buying sperm from the bank the man donated at) reduces or negates many of those risks. To avoid that liability with home insemination, NW may have to destroy remaining specimens of donors whose identities become known. They have a legitimate business reason for a contract with onerous penalties.

- Anyone who doesn't like the onerous conditions of the contract can buy from some other bank, with conditions more to their liking. NW doesn't have the lion's share of the market. They aren't Microsoft; they're more like Xoom (which offered a word processing package, and was criticized for having an overly-strict TOS).

8/23/07 | [http://health.groups.yahoo.com/group/DSR\\_Discussion/message/3854](http://health.groups.yahoo.com/group/DSR_Discussion/message/3854)

> I suppose that there will always be businesses that  
> try to strip their customers of their constitutional  
> rights and intimidate them in submission.

Constitutional rights protect you against the government, not against private businesses. You can voluntarily contract away quite a few of rights that would be yours in the absence of a contractual agreement. This is essentially a nondisclosure agreement, and those are pretty common (and commonly enforceable).

I personally suspect that the NW agreement wouldn't be deemed enforceable in court, but with a \$10k per violation liquidated damages provision and their attorney claiming that every hit to the website is a violation, I sure wouldn't want to be the test case.

I do find it interesting that NW pressured a donor into removing his listing, but apparently hasn't gone after recipients - I see quite a few over on the DSR.

8/23/07 | Email to Wendy Kramer

I certainly read this 'agreement' as blatant intimidation, an attempt to stop all efforts by the DSR, Cabri, parents, offspring, donors, or anyone else, to find out more, make contact, etc UNLESS Northwest controls the process.

[Note from Wendy: NW Andrology has threatened a DSR donor and forced him (out of fear) remove his posting from our site. Yup, I'd call that control, and a very scared sperm bank.]

8/23/07 | [http://health.groups.yahoo.com/group/DSR\\_Discussion/message/3843](http://health.groups.yahoo.com/group/DSR_Discussion/message/3843)

Excerpts posted for anyone who's interested. NW is popular among do- it-yourselfers, because they'll ship without a physician's signature.

"Client agrees not to seek, nor make any effort to obtain any information not directly provided through Cryobank concerning the identity, background, or whereabouts of the Donor at any time and from any source, whether directly or indirectly, and by any means. Further, Client agrees never to contact, directly or indirectly, nor attempt to contact the Donor for any reason whatsoever unless initial contact is through the Cryobank acting as third party and then approved of by Donor. It shall not be considered a violation of the covenant for Client or their donor produced offspring to contact Cryobank directly with inquiries concerning or relating to the Donor. Client hereby agrees not to distribute any information provided in a donor history to any third party, as that act could be interpreted as attempting to contact a donor through a third party that is not a part of this or similar agreement."

[P's comment: this clause probably precludes you from listing on the DSR.] {Note from Wendy: AFFIRMATIVE on that!}.

"Moreover, the Client understands and agrees that the harm suffered by the Donor and or Cryobank as a result of any violation of this Covenant is difficult to ascertain to an economic certainty, and therefore hereby

stipulates and agrees that liquidated damages in the amount of \$10,000.00 for each such act in violation thereof shall be imposed by a court of competent jurisdiction."

"Client has chosen to purchase donor sperm from Cryobank without referral by a physician. Said donor sperm is sold for the sole intended purpose of vaginal artificial insemination. This donor sperm may not be used for intrauterine artificial insemination or any other type of ART procedure."

[The relevant clause from the "with physician" contract reads "Client has chosen to purchase donor sperm from Cryobank with referral by a physician. Said donor sperm is sold for the sole intended purpose of vaginal, intracervical, intrauterine artificial insemination, or other assisted reproductive methodology such as IVF, as determined appropriate by Clients professional health care provider."]

"Client acknowledges that client is purchasing the donor sperm that is the subject of this Agreement exclusively for her own use. Client hereby represents and warrants that client will not permit any third party to use the donor sperm purchased hereunder. Client agrees that any embryos or other products of conception created with the use of this donor sperm and not used by the client must be destroyed unless use by a third party is approved of in writing by the Cryobank prior to that use."

6/21/07 | [http://health.groups.yahoo.com/group/DSR\\_Discussion/message/3272](http://health.groups.yahoo.com/group/DSR_Discussion/message/3272)

I have to strongly agree as I'm in the same situation, my donor lied and my child was also born with an autosomal dominant issue. We NEED to pass laws to criminalize what some of these donors are doing and give effected families the right to sue lying donors who may or may not be able to win something from. There is no way in heck I would have had a child with someone with my child's issues. I opted not to use my best friend and possibly future husband when I conceived a child because of his own health history. I found my donor and he knew the condition was in his family, yes he may not have realized he himself had it but his sibling does have it clearly and he hid that fact.

4/26/07 | [http://health.groups.yahoo.com/group/DSR\\_Discussion/message/3058](http://health.groups.yahoo.com/group/DSR_Discussion/message/3058)

I used them and wouldn't do so again since I had horrid customer service issues (I've heard they have fixed it but it left a bad taste in my mouth) but at this point I don't think I'd use donor sperm again at all due to a bad outcome from a donor lying on his application.

12/3/06 | [http://health.groups.yahoo.com/group/DSR\\_Discussion/message/2780](http://health.groups.yahoo.com/group/DSR_Discussion/message/2780)

I apologize for not updating this sooner. I spoke with the geneticists at the sperm bank I used and I was surprised that they immediately placed a hold on further sales of his remaining vials and posted a public warning to others who used this donor because of the diagnosis. Right now its listed as unconfirmed because I haven't faxed over the Dr's report yet (I just got it Friday at 5pm) but it sounds like they will be permanently pulling him from sales once it's confirmed. I'm glad they are taking such a proactive step even though I've gotten serious flack from one of the parents TTC with this donor. I did feel better that the geneticists pulled my donors file and studied his info and picture in detail trying to see signs and he could see none so if it came from the donor he could have had such a mild expression it was missed but either way it sounds like they will be trying to test the donor to see if he has the mutation for this syndrome but its not a guarantee as they can only test for one major variant which only accounts for 60% of cases. (Waiting for insurance auth to test the baby then me if she has the major variant to rule out me as the source) Either way, I have to say its been nice that they have responded this way after hearing so many horror stories from other banks refusing to pull donors who may be the source or are known to be the source of health issues in offspring.

11/24/06 | [http://health.groups.yahoo.com/group/DSR\\_Discussion/message/2743](http://health.groups.yahoo.com/group/DSR_Discussion/message/2743)

My ADI baby was just dx'd with a genetic syndrome that we know for a fact had to have come from the donor and he had the syndrome himself as this syndrome is passed from generation to generation. There is no such thing as a carrier, you either have it or you don't. I don't have it. The baby has multiple issues and had the hospital pediatrician and our family Dr been a little more proactive she would have been diagnosed at birth as its features were quite obvious in her. I have reported the various defects my daughter has to the bank multiple times as we learn of new issues and call and update which they have requested I do. I just found out they are

still telling people there have been no reports of problems with the offspring! This is very upsetting to me as each offspring has a 50% chance of getting the defect and its not exactly minor imo. We may be facing major reconstructive surgery at most and cosmetic surgery at the least to make her appear more normal. I feel the bank was negligent in catching this in the donor, a standard exam should have found something in the donor I would think. Now I'm wondering, I've told the other families that I know have offspring from the donor about our diagnoses and one of them called the bank and was told "there are no reported problems with offspring". I've called and spoken to them several times and given them updates over the last 5 months so I know there are reported problems because I reported them! Wouldn't this open them up to a law suit if more children were born with this defect because they lied?

4/4/06 <http://health.groups.yahoo.com/group/DonorSiblingRegistry/message/6905>

For those of you choosing a sperm bank, you might want to read very carefully through the release forms that you will be required to sign. Northwest Andrology now has a liquidated damages clause for \$10,000.00 per attempt to identify and/or contact the donor. Not sure about other sperm banks, but take note and be careful. Not sure how this deals with the child's right to be curious and search, as they don't sign any paperwork going into this deal. As parents, you need to be prepared, as your child may be very curious (even though you may not be).

"Client further understands that Cryobank is not permitted to, nor will it, disclose nor divulge the identity of the anonymous commercial donor to Client or any other party, unless specifically authorized by the donor. Client does not expect, nor will Client at any time attempt to require Cryobank to disclose or divulge such information to Client, or any third party. Client recognizes the legitimate, substantial privacy concerns and interests of the Donor, and covenants and agrees to honor the same without exception. In this regard, and without limiting the generality of the foregoing, Client agrees not to seek, nor make any effort to obtain any information concerning the identity, background, nor whereabouts of the Donor at any time and from any source, whether directly or indirectly, and by any means. Further, Client agrees never to contact, directly or indirectly, nor attempt to contact the Donor for any reason whatsoever. Notwithstanding the foregoing, this covenant does not include the information provided to the Client by Cryobank in the course and scope of the donor selection process, nor shall it be considered a violation of the covenant for Client or his or her offspring to contact Cryobank directly with inquiries concerning or relating to the Donor. Client understands that any violation of this covenant not to seek, obtain, nor attempt to obtain information concerning the Donor, and/or to contact or attempt to contact the Donor will cause the Donor and/or Cryobank to suffer irreparable harm. As such, in the event of the violation of said covenant, the Donor, and/or Cryobank shall be entitled, in addition to all legal remedies, to obtain equitable relief, including temporary restraining order, preliminary injunction, and permanent injunction in a court of competent jurisdiction in connection therewith. Moreover, the Client understands and agrees that the harm suffered by the Donor and or Cryobank as a result of any violation of this Covenant is difficult to ascertain to an economic certainty, and therefore hereby stipulates and agrees that liquidated damages in the amount of \$10,000.00 for each such act in violation thereof shall be imposed by a court of competent jurisdiction. Said stipulation includes Clients agreement that the amount of the liquidated damages provided for herein is both reasonable and appropriate."

2/28/06 <http://health.groups.yahoo.com/group/DonorSiblingRegistry/message/6715>

I know NW Andrology has threatened to sue those who talk badly about them on their msg board....

2/16/06 <http://health.groups.yahoo.com/group/DonorSiblingRegistry/message/6020>

I just had a donor (who donated at Northwest Andrology) contact me to request that I remove his information from the DSR because the spermbank contacted him after seeing the post, to remind him that he signed an agreement to not put forth any efforts to contact recipients or their children in any way. I reminded him that by posting his information, he was only putting himself in a position to be found and not actively tracking down any recipient or offspring. I reminded him that our website was a mutual consent website and that I felt that a spermbank had no right to tell offspring or donors that they could not make mutual consent contact. This donor felt threatened enough, although believing in everything that the DSR stands for and a child's right to know, to pull his information off of the DSR. Ryan thinks that the sperm bank doesn't have a leg to stand on.

I worry that other sperm banks are also phishing on our website and taking down information that isn't theirs to take.

8/31/05 | [http://health.groups.yahoo.com/group/DSR\\_Discussion/message/990](http://health.groups.yahoo.com/group/DSR_Discussion/message/990)

I used NW Andrology & Cryobank. They did say it was possible to have more than 10 pregnancies reported if someone did not report or had stored vials before the 10, etc. Who knows, I just thought this was very interesting.

3/12/05 | <http://health.groups.yahoo.com/group/DonorSiblingRegistry/message/4272>

I had a similar experience with NW from Seattle, Wa. even though we had the profile which indicated there had been genetic testing done, when contacted they say they have no record of this donor. So, I don't know if the hospital or doctor gave me the wrong information on the donor, or the NW did.