

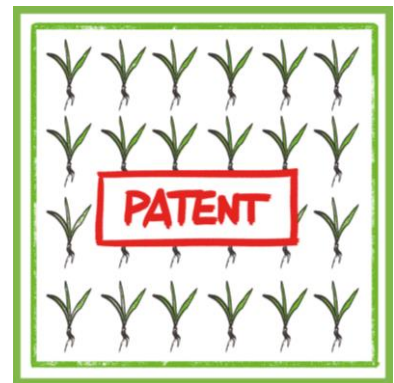


More than 1.000 plant varieties affected by patents

Traditional plant breeding and food security at risk

28 June 2023 / According to recent research of *No Patents on Seeds!*, more than one thousand conventionally-bred varieties are already affected by European patents. Despite European patent law specifically prohibiting patents on plant varieties, this development has crept in unnoticed by the public. As a consequence, the current European plant breeding system is facing a deep crisis, leaving traditional breeders facing a serious threat, the possible end of their current freedom to operate. These are some of the findings in an expanded version of a recently compiled report published by *No Patents on Seeds!* today.

“Our research shows that more and more new varieties brought onto the market are being covered by patents. Many of the conventionally-bred varieties are even covered by claims in several different patents. We need political decisions to make sure that biodiversity needed by all plant breeders is not grabbed by big companies”, Johanna Eckhardt says for *No Patents on Seeds!*.



Fifty years after the European Patent Office (EPO) was set up, their decisions no longer align with its legal basis, i. e. the European Patent Convention (EPC), which prohibits patents on conventionally-bred varieties. EU directive (98/44) does allow patents, but only for technical inventions such as transgenic plants.

“The European Patent Office should use its 50th anniversary in October this year to end this dark side of its history. As a birthday gift to its own institution and to the public, it should send a clear signal that patents on seeds will be stopped. The EPO should act in the public interest and respect the European patent laws,” Dagmar Urban says for Arche Noah.

No Patents on Seeds! is demanding that the Administrative Council of the EPO, which meets today and is composed of representatives from 39 contracting states, should take action. According to the rules of the EPC, it is the Council that has to apply the correct interpretation of the law. The international coalition is warning that unless the EPC is correctly interpreted, innovation in traditional plant breeding will be blocked and future food security endangered.

Progress was made just recently when the Austrian Parliament adopted a national patent law explicitly prohibiting patents on conventional breeding. *No Patents on Seeds!* believes this could be a model law for national patent legislation in other countries and also act as a guidance for the clarifying decisions expected to be brought forward by the Administrative Council. In addition, also the EU should get active: The Dutch parliament just recently adopted a resolution that patents on seeds should be tabled at the Council of the EU Ministers for Agriculture.

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Further information

- The new report: <https://www.no-patents-on-seeds.org/en/report2023>
- The law on the homepage of the Austrian parliament (in German): <https://www.parlament.gv.at/gegenstand/XXVII/ME/229?selectedStage=100>
- The resolution of the Dutch Parliament (in Dutch): <https://t.co/ID00ZjOGRm>

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