



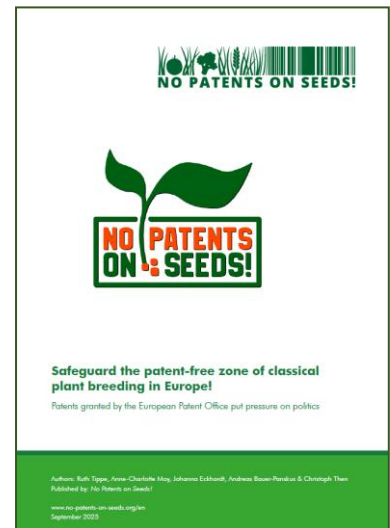
Safeguard the patent-free zone for classical plant breeding in Europe!

Patents granted by the European Patent Office put pressure on EU politics

16 October 2025 / Today, *No Patents on Seeds!* published a report on recently filed or granted European patents on classical plant breeding. One example is a patent on breeding of a native trait in tomatoes, just based on crossing and selection (EP3911147). Against this backdrop, *No Patents on Seeds!* is presenting a new proposal to clarify the provisions of the European patent law to prevent such patents from being granted in future.

“These patents disrupt existing food production systems and plant breeding by blocking or hampering access to biological resources. Since they are not based on genuine technical inventions, we consider this a severe abuse of the patent law to misappropriate nature”, says Dagmar Urban of Arche Noah.

The patent (EP3911147) was granted in July 2025 for the Dutch company Enza Zaden. It claims native genetic resources discovered in wild tomatoes that provide resistance to a virus. The patent is also relevant for the discussion on plants obtained from new genetic engineering, also called new genomic techniques (NGTs): Native traits and genetic resources could also be patented for NGT applications. Although the use of such genes would merely be an imitation of what already occurs in nature, the European Patent Office still could classify it as ‘inventive’.



To prevent such patents to be granted in future, *No Patents on Seeds!*, in exchange with experts, developed a proposal that only would need some minor changes to be added to the current legal provisions. The proposal is in accordance with current patent laws and would only change their interpretation.

“Our proposal follows the logic and the intention of the EU patent law to define certain criteria for technical inventions that can be patentable. At the same time, all other methods for breeding would remain non-patentable as originally intended by the legislator”, says Christoph Then of *No Patents on Seeds!*. “We expect the EU now to come up with viable solutions for safeguarding the future of plant breeding”.

As explained in the report, the proposal could help to solve several problems such as safeguarding access to biological material needed by all breeders. It addresses the root cause of the problem instead of only mitigating negative effects created by patents on seeds. In consequence, even patents already granted in the field of classical breeding or on native traits could no longer be enforced in the European Courts.

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Further information

- Find the report here: <https://www.no-patents-on-seeds.org/en/report-2025>
- More info about patents on tomatoes (TBRF-Virus): https://www.no-patents-on-seeds.org/en/jordan_virus

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