



Patent on lettuce upheld

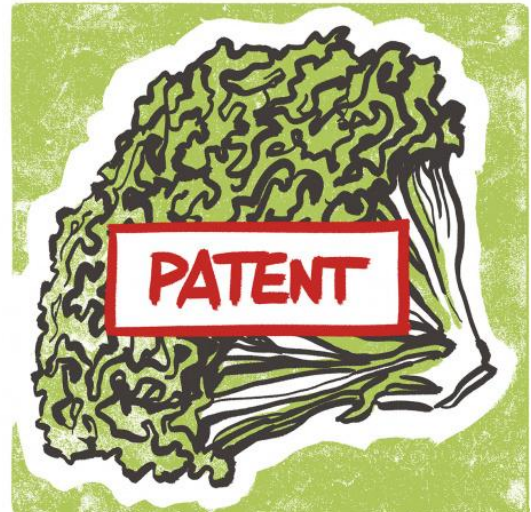
European Patent Office rejects appeal

22 September 2026 / The European Patent Office (EPO) has rejected an appeal filed by *No Patents on Seeds!* against a patent on conventionally bred lettuce (EP2966992). The appellants are now calling on the EU to take action. The EU must require companies to waive all claims to conventionally bred plants before establishing its planned patent registry.

The lettuce is not genetically engineered; it was simply selected from a large number of randomly mutated plants. The lettuce seeds remain viable even at higher temperatures – a trait that may prove vital under future climate change scenarios. However, access to these seeds is controlled by the patent holder, the Dutch company, Rijk Zwaan.

“We must prevent private companies from deciding who has access to the biological material needed for traditional breeding,” says Christoph Then from *No Patents on Seeds!*. “The EU must therefore strengthen the ban on patenting conventional plant breeding. As a first step, companies must be required to make mandatory commitments.”

In Europe, conventionally bred plants have been falling under a prohibition to grant patents on plant varieties. Against this backdrop, *No Patents on Seeds!* is now calling on policymakers to provide clarity. The European Commission has announced the establishment of a working group to which each EU member state can send two representatives. *No Patents on Seeds!* has already participated in the public consultation that began in September.



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Further information

- The patent on lettuce: <https://www.no-patents-on-seeds.org/en/patent-cases/lettuce-hot-climate>
- The consultation by the EU Commission: https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/18805-Plants-obtained-by-new-genomic-techniques-information-requirements-and-verification-of-category-1-status_en
- The feedback provided by *No patents on seeds!*: <https://www.no-patents-on-seeds.org/en/NGT-Consultation>

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