



## ***No Patents on Seeds!***

### **Annual report 2025**

March 2026

#### **The organisation**

*No Patents on Seeds!* (Keine Patente auf Saatgut e.V.) is a non-profit organisation registered in Germany and founded in 2018. The NGO continues the activities against patents on seeds of the previous international coalition.

The members of the organisation in 2025 were: Arbeitsgemeinschaft bäuerliche Landwirtschaft (AbL), ARCHE NOAH, Beyond GM, Biorespect, Bund Naturschutz in Bayern (BN), Corporate Europe Observatory, Dachverband Kulturpflanzen- und Nutztiervielfalt e.V., Danish Seed Savers, Gene-ethical network (GeN), IG Nachbau, IG Saatgut, Kein Patent auf Leben!, Munich Environmental Institute, Oxfam, Plataforma Transgénicos Fora, ProSpecieRara, Public Eye and SWISSAID (<https://www.no-patents-on-seeds.org/en/about-us/member-organisations>).

EU Transparency Register TR ID: 562793946026-60

#### **The team**

Dr. Christoph Then is the executive director of the organisation. Johanna Eckhardt coordinates public outreach (responsibility for the website, social media, organisation of media releases, newsletters) and contact to the experts of EPO member states. Johanna is based in Vienna and is supported through the infrastructure of the ARCHE NOAH organisation. Dr. Ruth Tippe, Anne-Charlotte Moy and Andreas Bauer-Panskus conduct ongoing patent research and are organising a database of relevant patents.

#### **The initial situation**

The Administrative Council of the European Patent Office (EPO) decided in 2017 that patents could no longer be granted on plants and animals derived from “essentially biological processes” of breeding. New Rule 28(2) was subsequently added to the Implementing Regulations of the European Patent Convention (EPC). This was an important success for the previous international coalition of *No Patents on Seeds!*. Patents on conventional plant and animal breeding are significantly restricted by the decision of the Administrative Council.

However, the decision is not sufficient to generally prohibit patents on plants and animals from conventional breeding. Plants from random mutagenesis are still patented. In addition, plants that are selected and bred on the basis of naturally occurring gene variants are also patented. In addition, the Enlarged Board of Appeal introduced a new ‘cut-off date rule’: according to this rule, the decision only applies to patents filed on or after July 1, 2017. This could lead to hundreds more patents being granted on conventional breeding.

Since 2023, the EU has been discussing the future regulation of plants derived from new genetic engineering (NGT). This also involves changes to patent law. Against this backdrop, “No Patents on Seeds!” is trying to enforce a ban on the patenting of conventional breeding.

## The activities

In 2025, the organisation’s activities focussed on the following:

- **Patent research and publication of a report on current patent applications**

For this purpose, patent applications for plants filed at the EPO (or WIPO) in 2024 were analysed and divided into categories. In particular, patents granted after July 2017 were analysed. In addition, comparative figures on NGT patent applications were also published. The report focused on the EU discussion on NGT plants and related patent law issues. The report was published in English and German (<https://www.no-patents-on-seeds.org/en/report-2025>). It was presented in a well-attended online workshop on October 16, with contributions from DeBolster, the German Plant Breeders' Association (BDP), and legal expert Prof. Dr. Godt (<https://www.no-patents-on-seeds.org/en/workshop>). Back in March 2025, we published a report on patents on plants with resistance to pathogens (<https://www.no-patents-on-seeds.org/en/report-patents>).



Funding for the patent research by the Salvia Foundation has been secured until the end of 2028.

- **Political work**

The focus of our activities has shifted to the EU. Here, patents in connection with the planned deregulation of plants from new genetic engineering (NGT) were a central issue. The legislative process is not yet complete. The EU Parliament in particular had spoken out against patents on seeds (NGT and random mutagenesis). However, this position became fragile at the end of 2025. The outcome of the trilogue in December 2025 did not result in any clear measures against patents on conventionally bred seeds. Instead, a report by the EU Commission was announced. A report published in this context by Technopolis, an agency commissioned by the Commission, does indeed report on many problems for SME breeding companies, but the proposed solutions cannot solve this problem.

We also contacted the German ministries of justice and agriculture regarding the EU's position. However, they did not take a clear stance. In addition, we worked with other organizations to develop a joint position with the German Farmers' Association (DBV), the German Plant Breeders' Association (BDP), and NGOs. This position also took into account key demands from “No Patents on Seeds!”

In our report mentioned above, we also published a new proposal for solving the problems, which has met with interest and support, at least among the Greens and Social Democrats in the EU Parliament. Legal expert Prof. Dr. Godt also supported this proposal.

We held a total of five workshops (four of them online), which focused in particular on the upcoming decisions in the EU and also attracted considerable interest:

Our report “Putting food security at risk: Patents on conventionally bred seeds with resistance to plant pathogens” (<https://www.no-patents-on-seeds.org/en/report-patents>) was presented at a workshop on March 25, attended by members of the EU Parliament, experts from member states, breeders, and NGOs. In a second workshop in May 2025, aimed at the same target audience, we presented further case studies together with Frans Carree from the Dutch company DeBolster and legal expert Prof. Dr. Christine Godt from the University of Oldenburg. In May 2025, a third workshop was held in The Hague with the support of Oxfam Novib, which was also attended by the Dutch plant breeding organization Plantum and Dutch politicians. On October 16, our current report on patent applications from 2024 was presented in another workshop (<https://www.no-patents-on-seeds.org/en/report-2025>). On November 4, we held a background discussion on our opposition to a patent held by KWS at the opposition division at the EPO on November 6 (<https://www.no-patents-on-seeds.org/en/outcome>). On December 10, we published further background information on patents granted in 2025 (<https://www.no-patents-on-seeds.org/en/7-Patents>).

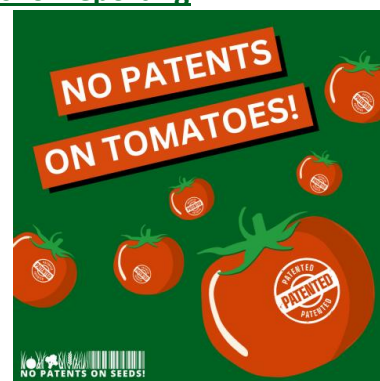


On December 4, the EU presented the results of the so-called trilogue on future legislation regarding plants derived from new genetic technologies (NGT). The text does not contain sufficient proposals to limit patents on seeds. We therefore strongly advocate rejecting the proposal. We also offer a template for an email that can be sent to members of the EU Parliament: <https://www.no-patents-on-seeds.org/en/parliament>

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- **Realisation of public activities to create images and occasions for reporting**

At the end of May, we joined forces with a total of 40 organizations and plant breeding companies to file an opposition against a patent held by Vilmorin (EP3629711) on tomatoes ([www.no-patents-on-seeds.org/en/jordan\\_virus](http://www.no-patents-on-seeds.org/en/jordan_virus)). In connection with this, there was also a public event to hand over the appeal in front of the European Patent Office building in The Hague ([www.no-patents-on-seeds.org/en/tomato-opposition](http://www.no-patents-on-seeds.org/en/tomato-opposition)).



- **Follow-up of selected patents/legal cases**

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In March, we had a hearing before the Technical Board of Appeal on a patent held by Carlsberg. No decision was made; instead, the case was referred back to the Opposition Division due to a procedural error ([www.no-patents-on-seeds.org/en/patent-cases/beer](http://www.no-patents-on-seeds.org/en/patent-cases/beer)).

In July, another hearing was held before the Technical Board of Appeal concerning BASF/Nunhems' 'bushy melon'. Our opposition and appeal were rejected ([www.no-patents-on-seeds.org/en/patent-cases/melon](http://www.no-patents-on-seeds.org/en/patent-cases/melon)).

[seeds.org/en/patent-cases/bushy-melon](https://www.no-patents-on-seeds.org/en/patent-cases/bushy-melon)). This decision may also have implications for our pending proceedings. We are therefore considering extending our legal activities to the Federal Patent Court and the European Court of Justice.

In November, another hearing took place before the Opposition Division concerning a corn variety from KWS with increased digestibility (KWS, <https://www.no-patents-on-seeds.org/en/maize>). The opposition was rejected.