

no patents on seeds



Media Release

European Patent Office a “democracy-free zone”

World Food Day: Protest against patents on plants and animals in Munich

Munich 16 October 2013. In parallel to a meeting of the Administrative Council, the highest control institution of the European Patent Office (EPO), farmers and civil society groups are jointly protesting against patents on plants and animals. Activists are installing barriers outside the main building of the EPO in Munich where the meeting takes place today. They are warning that the EPO is a “democracy-free zone”. This year the EPO has ignored demands from elected institutions such as the EU Parliament and granted several patents on plants and animals derived from conventional breeding. These include patents granted to Syngenta on pepper plants (EP 1597965) and to Monsanto on broccoli (EP 1597965). At the end of August, a further patent was granted to Monsanto, covering tomatoes with and without genetic engineering (EP 1812575). Just recently, after serious protests the President of the EPO decided to stop further patents, but this decision is only temporarily in force until pending decisions are taken on cases concerning patents on broccoli and tomatoes.

The Administrative Council consists of representatives from the 38 member states of the EPO. The Council could change the implementation regulation of the EPO at any time and thereby permanently stop patents on plant and animal breeding. That is why the international coalition of *No Patents on Seeds!* approached the members of the council via an email letter some weeks ago. There has however been no response so far.

“It is a huge success for our protest movement that no more patents on conventionally bred plants and animals are currently being granted. But we need a prohibition that is permanent and comprehensive”, says Christoph Then for *No Patent on Seeds!* “Today is world food day which should be an ideal starting point for a legally binding policy shift at the EPO.”

Just before the meeting, members of the European Parliament from the European Peoples Party (EPP), the Progressive Alliance of Socialists and Democrats (S&D) and the Group of The Greens/European Free Alliance sent a joint letter to the Administrative Council urging the council to implement a resolution of the European Parliament from May 2012 which *“calls on the EPO also to exclude from patenting products derived from conventional breeding and all conventional breeding methods, including SMART breeding (precision breeding) and breeding material used for conventional breeding.”* In 1999, the European Patent Office adopted an EU Directive (98/44 EC) but now applies its own interpretation rather than the one given by the EU Parliament. The implementation of this resolution is one of the most important demands from the organisations demonstrating today. Since April 2013, more than two million people have signed an online petition supporting this demand. Further an opposition against a Monsanto patent on “severed broccoli” has already been signed by around 30.000 people. In July 2013, the German Parliament voted against patents on plants and animals derived from conventional breeding.

The organisations behind the coalition of *No Patents on Seeds!* are extremely worried that patents will foster further market concentration, making farmers and other stakeholders in food supply even

more dependent on just a few big international companies and ultimately giving less choice to consumers. The coalition, *No Patents on Seeds!* is organised by Bionext (Netherlands), The Berne Declaration (Switzerland), GeneWatch (UK), Greenpeace (Germany), Misereor (Germany), Development Fund (Norway), No Patents on Life (Germany), Rete Semi Rurali (Italy), Réseau Semences Paysannes (France) and Swissaid (Switzerland). These organisations are calling for a revision of European Patent Law to exclude breeding material, plants and animals and food derived thereof from patentability. The coalition is supported by several hundred other organisations (www.no-patents-on-seeds.org).

Contact:

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Resolution of EU Parliament:

www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2012-0202+0+DOC+XML+V0//EN

The recent letter from Members of the European Parliament to the Admin Council:

www.no-patents-on-seeds.org/en/information/background/members-ac-epo

EPO decision to stop patents on plants and animals from conventional breeding:

www.epo.org/law-practice/legal-texts/official-journal/information-epo/archive/20131002.html

Signatories list against patent on severed broccoli:

www.no-patents-on-seeds.org/en/recent-activities/opposition-against-monsanto-patent-severed-broccoli

Petition from Avaaz with two million signatures:

http://avaaz.org/en/monsanto_vs_mother_earth_loc/

A background report from “No Patents on Seeds!”: www.no-patents-on-seeds.org/en/information/background/president-european-patent-office-gives-green-light-patents-plants-and-animals