

Melons now a Monsanto “invention”

US corporation awarded a European patent on conventionally bred melons.

Munich, 17 May 2011. Recent research conducted by the coalition *No Patents on Seeds!* shows that in May 2011, the US corporation Monsanto was awarded a European patent on conventionally bred melons (EP 1 962 578). Melons have a natural resistance to certain plant viruses. It is especially evident in melons grown in India. Using conventional breeding methods, this type of resistance was introduced to other melons and has now been patented as a Monsanto “invention”.

“This patent is an abuse of patent law because it is not a real invention. It contravenes European law excluding patents on conventional breeding. Further, it is a case of bio-piracy, since the original and most relevant plants come from India,” says Christoph Then, a spokesperson for *No Patents on Seeds!*. “Patents like this are blocking access to the genetic resources necessary for further breeding, and basic resources needed for daily life are subordinated to monopolisation and financial speculation.”

In a precedent decision, the European Patent Office (EPO) decided in December 2010, that conventional breeding could not be patented (G2/07 and G1/08). However, in the Monsanto patent case, the EPO just excluded the process for melon breeding. The plants and all parts of the plant, such as the seeds and the melon fruit, have been patented as an invention. Therefore, the patent was only changed cosmetically but not in substance.

The actual plant disease, Cucurbit yellow stunting disorder virus (CYSDV), has been spreading through North America, Europe and North Africa for several years. Monsanto can now block access to breeding material inheriting genetic conditions that confer resistance. DeRuiter, a well known seed company in the Netherlands, originally developed the melons. DeRuiter used plants designated PI 313970 - a non-sweet melon from India. Monsanto acquired the seed company in 2008, and now also owns the patent.

The coalition *No Patents on Seeds!* are calling for a revision of European Patent Law to exclude breeding material, plants and animals and food derived thereof from patentability. More than 160 organisations and about 15.000 individuals have already signed up to this call that was started in March 2011.

Further information www.no-patents-on-seeds.org

Link to the patent: <http://www.no-patents-on-seeds.org/en/information/patent-cases/patent-melons>

Link to the call <http://www.no-patents-on-seeds.org/en/recent-activities/open-letter-members-european-parliament-and-european-commission>

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