

NAVDANYA



27.01.2012

To

No Patents on Seed
Christoph Then
Firohschammertr, 14
80807, Munchen
Germany

Navdanya a network of 500,000 seed keepers and organic farmers in India join the No Patents on Seed Coalition in supporting the challenge to patents EP 1962578 on Closterovirus – Resistant Melon Plants.

A handwritten signature in blue ink that reads "Vandana Shiva".

Dr. Vandana Shiva
Founder
Navdanya
A-60, Hauz Khas
New Delhi – 110 016

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A-60, Hauz Khas, New Delhi-110 016, INDIA

Tel : 91-11-2696 8077 / 2685 3772 / 2653 2561 • Fax : 91-11-2685 6795 & 2696 2589
E-mail : vshiva@vsnl.com, navdanya@gmail.com, Website : www.navdanya.org



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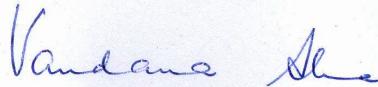
As your opposition states this patent is violative of European Law because conventionally bred material is not patentable. We believe that plants and seeds are not human inventions, and therefore not patentable subject matter.

Further, this patent is also based on Bio-piracy, since it patents traits taken from indigenous, melon varieties from India. It is thus violative of Indian laws, namely, the Biodiversity Act and the Plant Variety Protection and Farmers Rights Act which require a patent applicant to seek prior informed consent from local communities and the appropriate authorities.

This patent is an example of Biopiracy. Monsanto, which is making the claim, was assigned a patent (EP 0445929 B1) on wheat on 21 May, 2003 by the European Patent Office in Munich under the simple title "plants". On January 27, 2004 Research Foundation for Science and Technology and Ecology (RFSTE) along with Greenpeace and Bharat Krishak Samaj (BKS) filed a petition at the European Patent Office (EPO), Munich, challenging the patent rights given to Monsanto on Indian Landrace of wheat, Nap Hal. The patent was revoked on October 2004 and it once again established the fact that the patents on Biodiversity, indigenous knowledge and resources are based on biopiracy and there is an urgent need to ban all patents on life and living organisms including biodiversity, genes and cell lines.

Monsanto also faces a charge in India for the unlawful attempt to obtain and modify indigenous brinjal varieties to develop Bt.Brinjal. India's Biological Diversity Act (2002) requires that any modification of a plant for commercial or research purposes must first be approved by India's National Biodiversity Authority.

This Biopiracy epidemic must stop. The opposition to the melon patent upholds European and Indian laws, as well as the UN Biodiversity Conventions. We support your challenge to this unethical and illegitimate patent.



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