

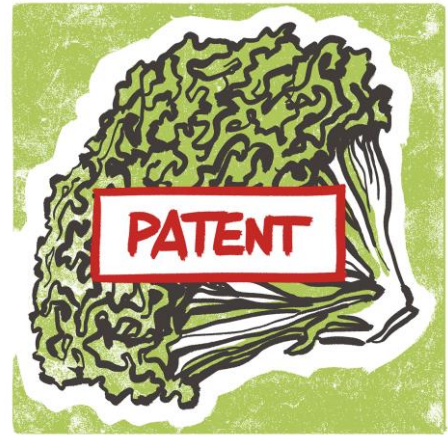


Opposition against patent on conventionally-bred lettuce rejected

EU urged to take political initiative

7 February 2024 / Today, after public hearing, the European Patent Office (EPO) rejected an opposition against a patent on conventionally-bred lettuce. The patent (EP2966992) was granted to the Dutch company, Rijk Zwaan, in 2018, and was opposed by *No Patents on Seeds!*. The 'invention' in the patent: the seeds are supposedly capable of germinating at higher temperatures.

"By granting patents on plants, the EPO gives exclusive rights on biodiversity needed for the development of varieties to, for example, cope with climate change. The patent holders can restrict or block other breeders from using this biological diversity", Christoph Then says for *No Patents on Seeds!*. "The current practice of the EPO is not backed by law and clearly against the interest of the public. Further political initiatives will be needed to stop further, similar patents to be granted."



The patent claims lettuce seeds, plants, and their offspring with the described characteristics, regardless of whether the plants originated from conventional breeding or from genetic engineering. Actually, the trait was developed by using conventional plant breeding (random mutagenesis).

Patents granted by the EPO are already impacting access to more than one thousand conventionally-bred varieties, thus undermining the breeders' freedom to operate, which is guaranteed in the European plant variety protection (PVP) law. Patents on plants obtained by new genomic techniques (NGTs) like CRISPR/Cas, are known as a particular problem in this context, as the scope of these patents frequently extends to conventionally-bred plants.

No Patents on Seeds! is demanding that the whole spectrum of biological diversity will continue to be available for future conventional breeding, without restrictions being imposed by patent holders. As long as patents on seeds are not completely banned, they must be strictly limited to plants obtained from genetic engineering processes. The international organisation is calling for public action to send letters to the EU Commission, to move the EU to take a political initiative quickly.

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Further information

The new backgrounder: Patent on lettuce:

<https://www.no-patents-on-seeds.org/en/lettuce>

More info about the lettuce patent:

<https://www.no-patents-on-seeds.org/en/patent-cases/salad-hot-climate>

Recent report of *No Patents on Seeds!*:

<https://www.no-patents-on-seeds.org/en/report2023>

The recent campaign (Send an email to the EU Commission):

<https://www.no-patents-on-seeds.org/en/campaign>

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