

Media Release



International appeal to the President of the European Patent Office, António Campinos

Call for an immediate moratorium of patents on plants and animals

24 January 2019 / No Patents on Seeds! together with more than 40 other organisations today published an international appeal to the president of the European Patent Office (EPO), António Campinos. The president, who is Portuguese, is being asked to halt all pending patent applications on plants and animals derived from conventional breeding. These patents cover vegetables, including broccoli and tomatoes. Companies such as Bayer and Syngenta want to monopolise the breeding of the plants and food derived thereof through the misuse of patents. In December 2018 the EPO declared that these patents could be allowed, contrary to a decision made in 2017 by the governments of its 38 contracting states saying that they were prohibited.

Within the last few years, the EPO has granted around 200 patents on food plants such as tomatoes, broccoli, peppers and lettuce derived from conventional breeding and not genetically engineered. After public protests such patents were prohibited in a decision made by the 38 contracting states of the EPO; this decision was also supported by EU Commission and EU Parliament. Now, this decision has been called into question after Syngenta – surprisingly – was successful in a hearing on a patent covering pepper plants in December 2018.

“This has led to the kind of legal chaos that can and will be abused by big companies such as Bayer, Syngenta and BASF to further monopolise our daily food resources. Under these circumstances, the pending patent applications must be stopped immediately,” says Christoph Then for *No Patents on Seeds!*. “It is now the responsibility of António Campinos to prevent further damage to public interests.”

The president of the EPO has the power to halt pending procedures and his predecessors have indeed done so in similar situations. The moratorium should give sufficient time to the contracting states of the EPO to take further steps towards implementing the existing prohibitions.

Industry has already started to exploit the legal chaos: at the end of October 2018, the EPO revoked a patent on conventionally bred broccoli (EP1597965), which grows a little bit higher and can therefore be harvested more easily. The patent was granted in 2013 to the US based company Monsanto that is now owned by Bayer. In 2014, a broad coalition of organisations filed oppositions and succeeded. Now Bayer has filed an appeal against the decision. If António Campinos does not take action, the patent might be reinstated.

Signatories:

Arbeitsgemeinschaft bäuerliche Landwirtschaft (AbL); Arbeitsgemeinschaft der Umweltbeauftragten der Gliedkirchen der Evangelischen Kirche in Deutschland (AGU); Arche Noah; Bäuerliche Erzeugergemeinschaft Schwäbisch Hall (BESH); Bäuerliche Gesellschaft Demeter im Norden; Bingenheimer Saatgut; Bioland; Bund Ökologische Lebensmittelwirtschaft (BÖLW); Bundesverband Deutscher Milchviehhalter; Bundesverband Naturkost Naturwaren (BNN); Bundesstelle Katholische Landvolkbewegung (KLB); BUND Naturschutz in Bayern e.V.; Bund für Umwelt und Naturschutz Deutschland (BUND); Brot für die Welt; Cultivari Getreidezüchtung Darzau; Die freien Bäcker; Evangelischer Dienst auf dem Land (EDL); FIAN; Forschung und Züchtung in der Landbauschule Dottenfelder Hof;Frösamlerne; Gää e.V.- Vereinigung ökologischer Landbau; Gen-ethisches Netzwerk; GLOBAL 2000; Gesellschaft für ökologische Forschung; Getreidezüchtung Peter Kunz; IG Nachbau – Gegen Nachbau-Gebühren; IG Saatgut; Katholische Landvolk Bewegung Freiburg; Kein Patent auf Leben!; No Patents on Seeds!; Keyserlingk-Institut; Kultursaat e.V.; Sambucus; Sativa; Verband Katholisches Landvolk (VKL); Plataforma Transgénicos Fora; ProSpecieRara; Public Eye; Save our Seeds!; Slow Food Deutschland; Swissaid; Umweltinstitut München; WeMove Europe; Zivilcourage Miesbach; Zukunftsstiftung Landwirtschaft.

Contacts:

Christoph Then, Spokesperson *No Patents on Seeds!*, Tel +49 (0) 151 54638040,
info@no-patents-on-seeds.org

Johanna Eckhardt, Project coordination *No Patents on Seeds!*, Tel + 43 (0) 680 2126 343,
johanna.eckhardt@no-patents-on-seeds.org

Links:

[The Appeal to the President](#)

[Media release on the decision of the EPO in December 2018](#)

[Media release on the revocation of the patent on broccoli](#)