



Protest on 50th anniversary of European Patent Office

Drumming up support against patents on seeds

5 October 2023 / *No Patents on Seeds!* will be holding a demonstration today on the 50th anniversary of the European Patent Office (EPO) in Munich. *No Patents on Seeds!* will join with other partner organisations, e. g. Friends of the Earth in Bavaria, Arbeitsgemeinschaft bäuerliche Landwirtschaft (AbL), Munich Environmental Institute and ARCHE NOAH (Austria), outside the EPO, where several large images of patented tomatoes, broccoli, barley and maize will be set up to form part of the demonstration. Participants will be attracting attention and making themselves heard by banging loudly on cooking utensils at the protest. Just recently, the EPO granted another new patent on broccoli produced by conventional breeding.

“Patents on conventionally-bred plant varieties are prohibited in Europe. The EPO continues to violate the interests of the public, plant breeding, agriculture, food production and consumers when they grant these patents. That is why there is no reason to celebrate today!”, says Johanna Eckhardt from *No Patents on Seeds!*.



The EPO was inaugurated in 1973. Its legal basis is the European Patent Convention (EPC). According to Article 53b) of the EPC, patents on plant varieties and conventional plant breeding are prohibited. In 2017, the contracting states of the EPO reaffirmed this prohibition, a circumstance that was prompted, in particular, by a patent that was granted on broccoli crossed with wild broccoli. The wild broccoli has a high content of healthy bitter substances and was found in Sicily. A further very similar patent was granted to Monsanto/Bayer (Seminis) (EP2708115) in September this year.

The latest patent on broccoli is not an isolated case: a dozen other patents on conventionally-bred plants have already been granted so far this year, covering peppers, melons, tomatoes, wheat, spinach, cucumbers, sugar beets and stevia.

“The industry already holds thousands of patents on transgenic plants, including patents on plants obtained from so-called new genetic engineering. Against this backdrop, at least the conventionally-bred varieties must remain freely available for traditional breeding. Otherwise, it will mean the privatisation of biodiversity, and the development of new varieties adapted to the challenges of climate change will be hampered or even blocked”, says Christoph Then from *No patents on seeds!*.

Austria has already passed an amendment to its national patent law, and in the Netherlands, a parliamentary resolution against patents on conventional seeds has been passed. At the same time, the EPO continues to introduce more and more new legal justifications to circumvent the prohibitions laid down in European patent law.

No Patents on Seeds! is demanding that the European parliament takes action to ensure that the existing prohibitions in patent law are correctly implemented. These decisions can be taken by the Administrative Council of the EPO, where all 39 contracting states are represented.

Contact

- Christoph Then, spokesperson *No Patents on Seeds!*, info@no-patents-on-seeds.org, +49 151 54638040
- Johanna Eckhardt, project coordination, *No Patents on Seeds!*, johanna.eckhardt@no-patents-on-seeds.org, + 43 680 2126 343

Further information

- Photos of the event will be available here: <https://www.no-patents-on-seeds.org/en/activities/50years>
- The broccoli patent: <https://www.no-patents-on-seeds.org/en/patent-cases/broccoli>

You can share our posts about this press release on [Facebook](#) and [Twitter](#) or share the link to this press release: <https://www.no-patents-on-seeds.org/en/news/50-years>