



EUROPEAN PARLIAMENT
"PATENTS ON PLANTS AND ANIMALS"

8 February 2012

Statement by Dr. Niels Louwaars , Director:

1. Protection of IP is essential for stimulating innovation
2. IP is a contract between society and the inventor to the benefit of society
3. In plant breeding, breeder's rights has evolved to represent that balance
4. patents have entered the sector from a different 'culture', disturbing the balance
5. re-balancing is urgently needed by
 - restricting patentability of plants and varieties
 - limiting the scope of patents ("breeder's exemption"), and
 - by FRAND licenses on rights that have been granted
6. National seed associations such as Plantum and the European Seed Association have developed clear positions about the need for such re-balancing. Seed companies are currently discussing FRAND-mechanisms; courts are moving towards restricting patents on plants, and the legislator has important stakes as well.