

# No Patents on Seeds !

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## Applied / granted patents in Europe up until the end of 2015



### **Granted:**

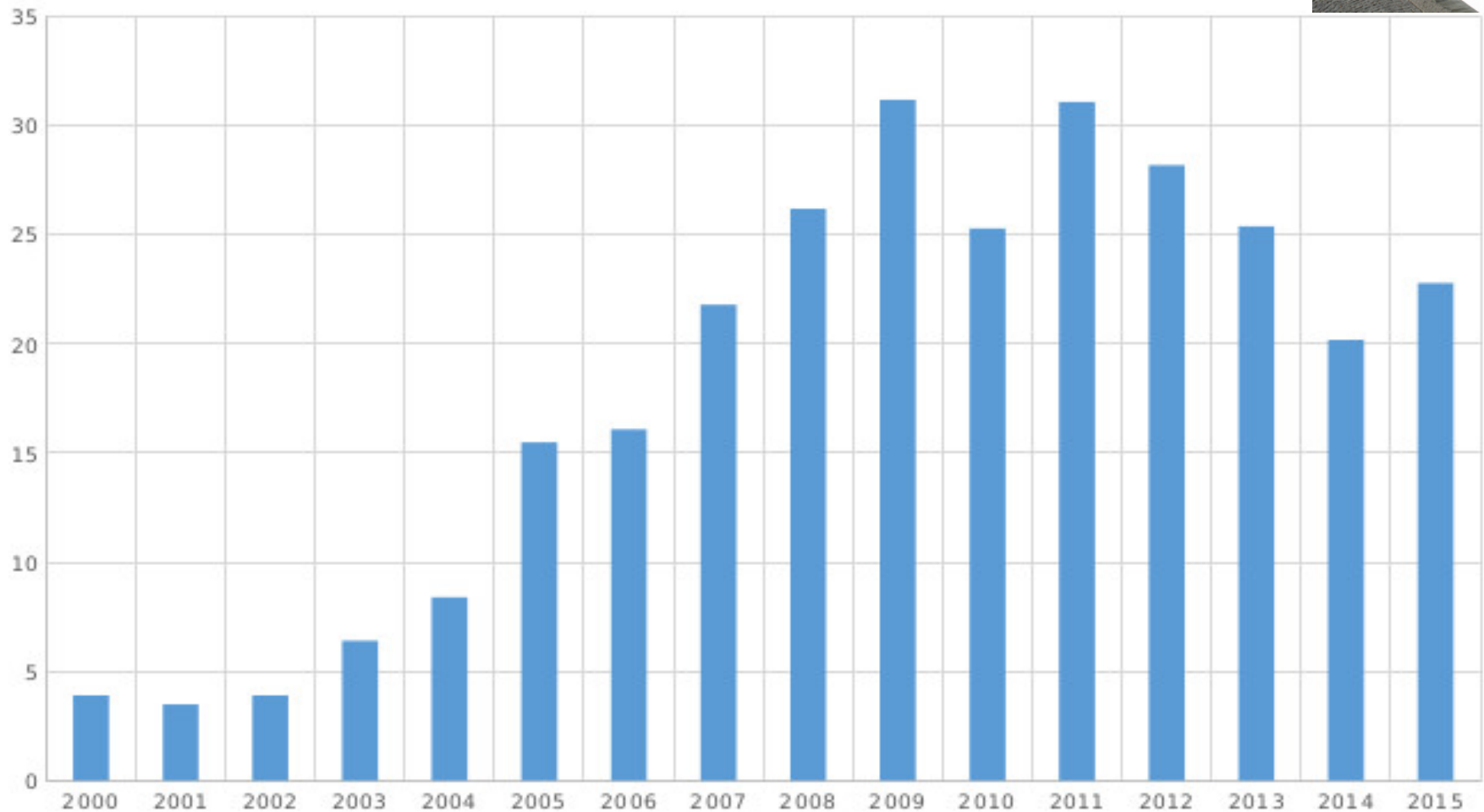
- |                         |       |
|-------------------------|-------|
| • Plants                | 2.800 |
| • Conventional breeding | 180   |

### **Applications (approximately):**

- |                         |       |
|-------------------------|-------|
| • Plants                | 8.600 |
| • Conventional breeding | 1.400 |

In addition, around 1500 patents were granted on **animals**, including farm animals derived from conventional breeding

## European patent applications concerning conventional breeding compared to overall patent applications on plants







# Patents on conventional breeding ...



- >> are an abuse of patent law, aiming to take control of resources needed for our daily life
- >> foster further market concentration, hamper competition and innovation
- >> endanger agro-biodiversity, ecosystems and our adaptability in food production systems
- >> are putting global food security at risk as well as regional food sovereignty.

## A first step: Strengthen existing prohibitions

Make sure that

- The definition of essentially biological processes encompasses all relevant steps and purposes used in the conventional breeding of plants and animals.
- A 'whole content approach' is applied and prohibitions cannot be circumvented by clever wording of the claims.
- Patents granted on plant or animal related inventions do not overlap with Art 53 b prohibitions regarding plant and animal varieties nor with plant or animal characteristics that are derived from conventional breeding.



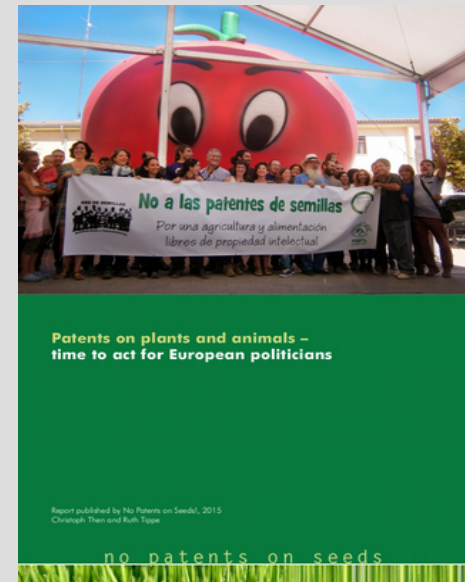
# The fast way forward



- Change the Implementing Regulation of the European Patent Convention via the Administrative Council of the European Patent Organisation.
- Strengthen the existing prohibitions via the interpretation of the EU Patent Directive 98/44.
- Adopt national patent laws accordingly.

# Stop proposing inadequate “solutions”

- Exclusion of plants and animals only if derived from a combination of crossing and selection, not taking into account all relevant methods used in conventional breeding;
- 'Swiss solution' for compulsory licences;
- Limited breeders exemption;
- Voluntary data bases and licensing platforms;



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