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Press Release

Copa & Cogeca welcome EU Ministers move to act against the use of patents on plants bred via essentially biological processes

Copa & Cogeca welcomed this week EU Ministers move to act against the use of patents on plants bred via essentially biological processes, saying that we have constantly stressed that patent law is not the right instrument for the EU agriculture sector.

The move comes after EU Ministers for Competition adopted Council conclusions this week which supports recommendations from the European Commission.

The Commission issued a notice in November which underlined that plants that are obtained by means of “essentially biological” breeding techniques are not patentable. This recommendation works against the practices of the European Patent Office (EPO) which has already authorized many patents using essentially biological processes like patents on tomatoes and broccoli.

“Ministers position is therefore a positive step”, Thor kofoed Chairman of the Seed Working Party said. “All genetic resources must be available to all breeders breeding programmes, so that they can develop the best quality new varieties for the future needs of the EU’s modern and diverse agricultural sector. We must remember that we have a good Community Plant Variety Right (CPVR) system in the EU, which grants intellectual property rights to new plant varieties and provides royalties to finance the breeding programmes, so patents are unnecessary here”, he insisted.

“We consequently welcome governments calls and want to ensure that the European Patent Office (EPO) respects the Commission’s recommendation in order to ensure that plants bred via essentially biological processes do not come under the scope of patent law”, Copa & Cogeca Secretary-General Pekka Pesonen said.

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