NO PATENTS ON SEEDS!

7 July 2020 Conference call NPOS

Minutes

Participants

1. Erling Frederiksen / Danish Seed Savers
2. Bram de Jonge / Oxfam
3. Fulya Batur
4. Martha Mertens / FOE Germany
5. Katherine Dolan / ARCHE NOAH
6. François Meienberg / ProSpecieRara
7. Ruth Tippe / No patents on life
8. Anne-Charlotte Moy / No patents on seeds!
9. Christoph Then / No patents on seeds!
10. Johanna Eckhardt / No patents on seeds!

excused

- Teresa Rodrigues / Plataforma Transgénicos Fora

Chair: Christoph
Minutes: Johanna

1. Updates

1.1. Updates from the countries / organisations

- **Bram / Oxfam**: Exchange with Plantum, they want to support us to get random mutations into the definition of essentially biological processes. As the Austrian authorities, they consider 'reproducibility' to be a strong argument in the debate. It is good if we can test our arguments to see which ones can work.
- **Katherine / ARCHE NOAH:** We prepared a letter that the Austrian ministry was supposed to send to the other countries. But then the Austrian Patent Office convinced them that now is not a good time, they should wait until it is discussed at the Admin. Council and probably wait for a statement from the EU. But at the Admin.Council meeting end of June the Austrian Patent Office made a statement – with the content of the letter. We have a meeting with the Austrian Patent Office mid-August.

Christoph / Germany: The letter has been forwarded to the ministry, but no official reaction.

Christoph / EPO: The topic was discussed at the Admin. Council meeting end of June, but I don't know more details.

We received the list of participants for our online meeting on 14 July with the EPO. (Mr Christoph Ernst, Vice-President Legal/International Affairs, Mr Mihály Ficsor, Principal Director Legal Affairs, Ms Heli Pihlajamaa, Director Patent Law, Mr Rainer Osterwalder, Director Communication Strategy).

Proposed agenda for the meeting:

1. scope of patents
2. cells should be excluded
3. definition of essentially biological processes
4. all pending patent applications should be excluded
5. How can that be legally achieved?
6. Maybe mention access to documents, participate at meetings, observer status

We will send the minutes of the meeting to the group.

Christoph: Carlsberg sent a letter asking to move forward with the procedure. After the EPO meeting I will send a draft to the group with a response. It regards the first two Carlsberg patents (at the opposition hearing a disclaimer was added reducing the scope of the patent – NPOS appealed the decision). There was no hearing for the third patent.

2. Next steps

- See above. We will wait for the EPO meeting before discussing next steps. Something has to happen at the Admin. Council meeting in October.

2.1. EPO level

2.2. EU level

2.3. national level

3. Other

3.1. Project ARCHE NOAH / Fulya

- **Katherine/Fulya**: 2 Workshops on patents in 2 different countries are planned for end of this year and next year. The goal is to find new allies for campaigns within CSOs, retailers, consumer organisations. Either physical workshops or webinars. The shortlisted regions for a workshop are
  - Belgium, Netherlands, Luxemburg: Oxfam, strong organic movement, contacts with seed savers, campaigns in the past, Luxemburg administration could play a role
  - Spain, Portugal: already active organisations, strong sentiment against patents
  - UK, Ireland: complicated with Brexit, Unified Patent Court, but EPO might listen to them
  - Baltic/Nordic region: big NGOs
  - Eastern Europe is difficult, not a lot of civil society organisations, no experience or capacity for campaigns. Food sovereignty is an important issue and the discussion around random mutation can sometimes get difficult.
  - In September there will be a meeting of the "Balkan Beets" project inviting organisations from Eastern Europe where Katherine will hold a workshop on patents.

3.2. Update from the Board

- Erling will be our third board member
- We still don't have enough votes to accept the Danish Seed Savers (and formally 3 of the founding organisations) as members. – Please vote! Latest until 20 July.
- Christoph will set up a meeting to get the statutes changed.

3.3. Next conference call

- Beginning of September – during the summer we'll keep each other posted via email.