3 November 2022 Conference call NPOS

Minutes

Participants (EN and DE call)

1. Erling Frederiksen / Danish Seed Savers
2. Judith Düesberg / GeN
3. Nout van der Vaart / Oxfam
4. Fulya Batur
5. Martha Mertens / FOE Germany (BUND, BN)
6. Michael Gfrerrer / ARCHE NOAH
7. Katherine Dolan / ARCHE NOAH
8. Axel Grunt / ARCHE NOAH
9. François Meienberg / ProSpecieRara
10. Annemarie Volling / AbL
11. Georg Janßen / IG Nachbau
12. Andreas Riekeberg / Dachverband Kulturpflanzen- und Nutztiervielfalt
13. Ruth Tippe / No patents on life
14. Christoph Then / No patents on seeds!
15. Tommy Schweiger / No patents on seeds!
16. Johanna Eckhardt / No patents on seeds!

Chair: Christoph
Minutes: Johanna

Agenda

1. Updates

1.1. New colleagues

- Tommy Schweiger is the new campaigner for NPOS. He will support us with the organisation of the upcoming activities. He has a lot of experience in campaigning and has been working with Christoph for a long time.
- Michael Gfrerrer supports NPOS and ARCHE NOAH during his internship until the end of the year.
- Axel Grunt has been supporting ARCHE NOAH with PR/communication for the policy team and now started leading the communication team at ARCHE NOAH

1.2. Johanna

- We had a meeting with the Plant Variety Protection Office in **Bulgaria**. Good exchange. They don't have a national organisation of breeders, but breeders might be willing to support our letter. There is a breeder that is negatively affected by the patents on the **tomato patents** on Jordan virus. [after the call: We had as well a meeting with the National Patent Office: not a lot of concrete outcome]

- Christoph and Nina (CEO) have an in person meeting with **Belgium** on 17 Nov. – together with our partner organisation Nature et Progrès
- Johanna participated at the **Let's liberate diversity** meeting in Budapest and held a workshop on patents. There was as well a workshop on deregulation of new GMO and Open Source Seeds. Good opportunity for networking.
- Johanna will be working from Barcelona until the end of April 2023.

1.3. Austria / Katherine

- The Austrian government has a consultation on a **change of the national patent law** running until 21 of November. We should know the result by mid-December and have the adoption by the end of January (first Nationalrat, then Bundesrat). Some parties are still a bit suspicious about this proposal coming from the Green party, f.e. agricultural lobby, chamber of agriculture, business services, etc.
- They had to make technical changes for the Unitary Patent Court.

1.4. Germany / Christoph

- German governments published a report on patents on conv. breeding, not very important.
- Christoph got in touch with the ministry again in regards to the hand-over of the petition. Not very cooperative.

1.5. Netherlands / Nout

- gov has been organising a consultation with stakeholders about biotechnological developments in general, new GMO techniques legislation, not very clear how they are going to be
- After we met the NL ministry, Nout will still organise a follow-up meeting with the breeders and the ministry

1.6. Denmark / Erling

- elections in DK, outcome still unclear

2. Upcoming events

2.1. 15.11.2022 Committee on Patent Law (hybrid / Munich)

2.2. 16.11.2022 NPOS-Workshop EU Parliament, online

- info slightly updated after the meeting
- We invited the MEPs. Around 20 participants from MEP offices, plus EU COM, Euroseeds, KWS, a few breeders, our member organisations, etc.
- translation costs are around 1.000€ (the 2 inviting MEP will take care of 2/3 of the costs)
- We did not invite other experts or partner organisations.

2.3. 23 November: hand-over petition in Germany

- in Berlin, Ministry of Justice
- Ministry is not very cooperative, so we will most likely not meet the minister
- We will as well inform the ministry of agriculture and let them know that the Ministry of Justice is not doing anything
- We will prepare an announcement for the press and a press release for 23 Nov
- participants. GeN, BUND?, AbL, Dachverband?

2.4. Workshop for politicians

- postpone until next year (February better than January) since we have a lot of activities already this year

- we could present the KWS report
- End of January International Green week in Germany (https://www.gruenewoche.de/en/)

2.5. 06.12.2022 KWS shareholder meeting, Einbeck

- for the shareholder meeting we will use the vegetable sculptures – including the new maize, we will have a tractor
- Start of the meeting 11h, we should be there around 8h/9h to hand out information to the participants. – We have to prepare a flyer.
- We can either raise questions in writing before the meeting – or raise questions during the meeting. We can get access to the meeting as a shareholder.
- We can aswell hold a short speech, but this is usually only around 18h/19h.
- We have a meeting beforehand with KWS on 25 November
- participants: GeN, AbL
- possibly organise a preparatory meeting for the press beforehand

2.6. 12.12.2022 handover petition Switzerland
2.7. november/december? hand-over petition in Austria?

- date still has to be confirmed, between end of nov and 13 dec

2.8. 13.12.2022 Administrative Council (hybrid / Munich) - final hand over of petition

- we will hand over 39 seed packages (member countries) with 250.000 organic maize kernels (number of signatures)
- at 12h so that the Admin. Council representatives could come out in their lunch break
- The kernels come from Nordic Breeding, NL, who participate as well in the Workshop for MEPs as a speaker
- We will print something on the seed packages.

2.9. end of year coming into force of Unitary Patent?

- postponed to 1st of April 2023
- https://www.epo.org/applying/european/unitary/unitary-patent/faq.html

2.10. 50th Anniversary EPO

- 5 of October

2.11. 16.2.2023 hearing Syngenta pepper

- the lead about this case is with Public Eye and Bionext
- in contact with Prof.Dolder
- this case is still dealt under the old rules.

3. Further steps

3.1. contact to breeders

- AN has a drafted a letter for the breeders.
- The timeline to get signatures of breeders is a couple of months

4. Patent cases

4.1. KWS report

- KWS started offering licenses (KWS Homepage in German: https://www.kws.com/de/de/media-innovation/presse/press-corner/foerderung-von-innovationen-in-der-pflanzenzuechtung-kws-startet-lizenzierung-via-traitway/)
- now 20 patents that seem to be on genetic engineering, but is as well conv. breeding
- they patent genes and the usage of genes
- A very detailed new report, good opportunity to show what the consequences are.

4.2. Broccoli

- the case is dead. They filed appeal for the opposition, now they withdrew. We can make no press release about it.

4.3. Beer patent

- we file the appeal against the decision on 14 November, so that ARCHE NOAH can make media work with it during the consultation of the national patent law

4.4. Syngenta pepper

4.5. tomato patents / Jordan virus

- breeders in Austria and Bulgaria that are affected. We'll try to follow up and connect them.

Info from Fulya (see email to group):

"Here are some resources on the announcements of HM CLAUSE/LG regarding the launch of ToBRFV (Jordan virus) resistant tomato varieties, which mention a patent filed by Limagrain in 2017:

https://hmclause.com/hm-clause-launching-first-tomato-brown-rugose-fruit-virus-tobrfv-resistant-tomato-varieties/
https://european-seed.com/2022/10/hm-clause-launches-first-tobrfv-resistant-tomato-varieties/
Do you think they are referring to this patent filed by Vilmorin (Limagrain company), together with some Israeli researchers?
https://worldwide.espacenet.com/patent/search/family/059034689/publication/EP3629711A1?q=pn%3DEP3629711A1"

5. Other

5.1. Short update on the budget (third quarter 2022)

- update after meeting: we did get the Salvia grant
- We filed an application for funding with GeS.
- We received the funding from Oxfam for this year.
- We are still in line with the budget – no problems at all right now
- We can approach WeMove to help fund our current activities.
- The financial year of NPOS is the calendar year. But we will only finalise it at our meeting of members around March 2023.
- We can expect that we'll need the same amount of funding from member organisations for 2023.

5.2. Next conference call

- Beginning of December