NO PATENTS ON SEEDS!

16 June 2021 Conference call NPOS

Minutes

Participants

1. Erling Frederiksen / Danish Seed Savers
2. Bram de Jonge / Oxfam
3. Martha Mertens / FOE Germany (BUND, BN)
4. François Meienberg / ProSpecieRara
5. Ruth Tippe / No patents on life
6. Giulio Carini / WeMove (for Agenda point 2. Next steps)
7. Simon Degelo / SWISSAID
8. Viktoria Frey / ARCHE NOAH intern
9. Anne-Charlotte Moy / No patents on seeds!
10. Christoph Then / No patents on seeds!
11. Johanna Eckhardt / No patents on seeds!

Excused: Gabi & Pascale (Biorespect)

Chair: Christoph
Minutes: Johanna

Agenda

1. Updates

1.1. from countries / member organisations

- Christoph/Johanna shared our new analysis in regard to the retroactivity of G3/19. Belgium responded that indeed that is an aspect that needs further discussion. UK did not see any problem.
- Latvia is about to chance its patent law. There is no date yet for a final vote in Parliament.

1.2. Austria

- Christoph and Johanna had a meeting with the Austrian Patent Office (ÖPA). We discussed the retroactivity of G3/19. ÖPA is of the opinion that the argumentation of the Enlarged Board of Appeal is understandable and they do not agree with our argumentation.
- They don't want to change the Austrian patent law, because they expect too much protest from the industry.
- We'll try for a meeting on political level with the Minister.
- The patent law will be amended to adapt it to the Unitary Patent. There is no date yet when this will be discussed/voted on in Parliament.

- We were in contact with the Greens in regard to Nagoya and patents on plants in the amended patent law.

François: The "French solution" in the French biodiversity law is a very interesting one. Conventional breeders can not be affected by patents. (Johanna sends the text).

1.3. Carlsberg hearing

- It was a lost case from the beginning.
- We tried to get rid of the G3/19 deadline, we lost the argument.
- We will have a look on the written decision of the Technical Board of Appeal.
- We didn't have a lot of time to prepare for this case. We might have more time for the hearing on the other beer patent, that might come up soon. We could then get the support of lawyers.
- François: Could there be a final argument, that random mutagenesis can not be inventive?

2. Discussion about next steps

<u>Upcoming Dates:</u>

- 29/30 June Administrative Council
- 13 October Administrative Council
- 16 November Hearing Fish patent
  - We could publish a report on patents on animals.
- 24 November Committee on Patent Law
- 1 December? Opposition BASF Melon patent
- 14/15 December Administrative Council

2.1. Meeting Administrative Council 29/30 June, petition

- It will be an online meeting, not in Munich. We'll run a media release. We already collected signatures, mainly WeMove and Umweltinstitut München. We'll finalise the petition.
- Giulio: We could share an update with our members, share the media release.

2.2. Meeting Administrative Council 13 October

- We could hand over barley plants in pots with flags of the countries, with our demands, etc. and hand them over to the representatives of the Administrative Council.
- Giulio: Sounds very good. We can be involved. Maybe our members could share a message on the pots or we could do a video, etc. WeMove could come to the hand over of the plants, make a video, etc.
- Video: We could tell the story of the breeder, show how we prepare the pots, etc. We could produce shorter videos before the meeting that we share on social media.
- Should we invite a brewery? Maybe. But the main story should be about the barley plants and the breeder.
- Maybe have 38 people handing over the pots.

- For now the meeting is scheduled for Munich, but it could once again be an online meeting.
- Maybe have members from WeMove as representatives from different countries hand over the plants. But would be difficult in Munich. Online would be easier.
- WeMove could do an "escalation" and ask members to write to the Administrative Council.
- We'll have an artist who will prepare the pots.
- We'll check with the breeder if he is willing to participate.

2.3. Melon patent

- BASF Bushy melon
- We could file the opposition at the end of the year.
- Would be good if we would have around 1.000 supporters.
- WeMove can get their members involved.
- File it in good time before the Admin.Council meeting in December, so that they still have time to react to it, discuss it.
- Official deadline for opposition is in January.

2.4. Conference from German Ministry on 8 July

- Christoph has 10min to present our arguments. It will most probably not lead to any results. The conference started because of our initiative, but the programme doesn't seem very promising.
- Maybe we can use the chat. Or we can use Twitter.
- Maybe all panellists should be invited to the last round of discussions.
- Bram asks Carlos Correa if he would be willing to participate as a panellist (→ he agreed).
- We'll ask the German Ministry if we can introduce another panellist.
- Maybe we'll prepare a media releases to invite journalists.

- We'll have an email group which will coordinate the next steps.
- François: It might help to fine tune our political demands. That may help us to get our demands across via de Administrative Council. – Could be something to discuss at our next meeting.

3. Other

3.1. Update on membership applications (Biorespect, Umweltinstitut München)

- Biorespect has already been accepted as a member.
- We now have enough votes to accept Umweltinstitut München as a member.
- Christoph sent the draft patents report from Testbiotech.
- Next conference call end of July