NPOS Physical meeting in Munich, 29 June 2022 - Minutes

Participants

1. Martha Mertens / FOE Germany (BUND, BN)
2. Dagmar Urban / ARCHE NOAH
3. François Meienberg / ProSpecieRara
4. Verena Schmitt / Umweltinstitut München
5. Andreas Riekeberg / Dachverband Kulturpflanzen- und Nutztiervielfalt
6. Ruth Tippe / No patents on life
7. Christoph Then / No patents on seeds!
8. Johanna Eckhardt / No patents on seeds!

Minutes: Johanna

1. Report

1.1. discuss the findings of the report, what do they mean for different sectors (breeders, countries/ministries, etc.), how can we reach out to them?

1.2. new KWS patent granted

We could focus our activities to target companies, such as KWS. They are the biggest mainstream breeders in Germany. We could make a background report, a demonstration in front of KWS – together with AbL, possibly as well in front of Dutch breeders, such as Rijk Zwaan, Enza Zaden, Bejo Zaden, etc.

In Germany, a new umbrella organisation for organic breeders has been founded: https://www.boelw.de/news/boelw-gratuliert-zur-gruendung-des-dachverbandes-oekologische-pflanzenzuechtung-in-deutschland/

We have until 15 March 2023 in case we want to file an opposition against the KWS patent.
We shouldn't focus anymore on cases before the implementation of rule 28 (2).
We asked Ruth to look for similar patents in the research database.

Christoph met with German barley association. They were very well informed, they want to do a technological impact assessment and present it to politicians.

2. mid-term strategy

2.1. timeline for the summer

- address letters to the ministries of all countries, make a follow up on favourite countries
- Favourites: Germany, Ireland, Belgium, Norway
- In Germany we may not get a meeting with the ministry of Justice, might not be a good starting point. We will contact the ministry of Agriculture, too.
- LU might be difficult, because we don't have partner organisations
- WeMove started a campaign were people can send emails to the ministries of Italy, Spain, Poland, the Netherlands and France. (https://act.wemove.eu/campaigns/keinepatente-konferenz
- Green governments: AT BE FI DE IE LU

- Which ministries do the Greens have in Europe? – Johanna will look it up.
- continue to follow up on the draft of the resolution from EU parliament

2.2. events and timeline from autumn until the end of the year

Beginning of September
- next conference call
- decide if we want to do a campaign targeting KWS

October
- Publish short report on KWS?
- Organise another workshop for experts, focusing on KWS? (make a panel, make it clear that we want a statement from some experts, send them a few questions beforehand that they should answer)
- Patent webinar WeMove

13 October: Administrative Council

November
- until November talk to breeders, prepare an open letter

Nov. / Dec.: maybe already hand over petition nationally

13/14 December: Meeting Administrative Council: final hand over of petition

2.3. hand-over of petition

2.4. ARCHE NOAH: activity with breeders in Belgium?, ARCHE NOAH will have an office in Brussels again

2.5. Breeders
- Get in touch with breeders?
- ARCHE NOAH meets with Saatgut Austria (Austrian association of big and small breeders). They are against patents.
- Sativa supports our demands
- no support from Plantum
- have an open letter coming from breeders? If they would just explain the problem, it would make it easier for them to sign the letter – not propose concrete solutions, but ask governments / EU COM / EPO for a solution. National patent offices in CC. – But internally we should discuss possible solutions with them.
- ARCHE NOAH will draft a letter.
- involve small, critical breeders, that are directly affected, but as well big associations
- talk about concrete cases were breeders are affected
- contact breeders from Slovenia, Poland,..?
- ARCHE NOAH will contact Austrian breeders, Francois will contact Swiss breeders, NPOS will contact Plantum, Euroseeds, possibly German breeders
- it should be easier to find breeders who are against patents on gene variations (than on random mutation – many don't work with random mutation)
- ARCHE NOAH, participatory breeding project on tomatoes, they were interested to work on the resistance to the Jordan virus, very relevant, affected plants have to be destroyed. A lot was already patented, license would have cost 100.000 – 600.000€. They decided not to continue, because there were already so many patents.

2.6. Salvia

- We can apply again for funding for a 3 year-period starting with January 2023. This is good news. The application will be similar to the last one, focusing mainly on the funding of the patent research.
- We should present a first outlook until mid of July and hand in the application in September.

2.7. Prepare the meeting with the EPO

- give a brief summary of the report
- we shouldn't take too much time explaining our arguments, but rather let them talk
- ask them about the KWS patent
- ask them why there has never been a Conference of Ministers, how it is organised
- The Contracting states asked the EPO to give regular updates on the implementation of the new rule 28 (2). How is this monitored? Is there a report? Is the report public?
- Does the disclaimer achieve the goal that was intended? – We can then explain why we think it is not a good solution.
- The member states clearly asked the EPO to provide a solution so that conv. breeding is excluded from patentability. Do they think that they achieved this goal?

2.8. Other

- The trade union of the EPO published critical positions in the past, f.e. on working conditions (especially under former president Batistelli), poor quality of patent research, because they are not given enough time to analyse patents, too many patents don't support EU economy, etc. On their homepage you can mainly find a collection of press articles: https://suepo.org/
- We don't have a written decision on the Carlsberg hearing yet. We should then file a complaint – and possibly the Austrian breeders, too.

BUDGET 2023

- Christoph will present the planning and budget for 2023 until September. We have to adapt salaries to inflation. What milestones / activities do we expect in 2023? What resources (financial contribution, time/work of employees,..) are needed from organisations?
- ARCHE NOAH finalises it's planning for next year in October.
- Possibly have a budget for a media person for Germany that could work for a few hours for NPOS?

3. long-term strategy

- **for long term-strategy we will have to wait what the outcome of the mid-term strategy will be, but we can briefly discuss it**
  - We'll discuss the long-term strategy at the next Meeting of Members at the beginning of 2023. We'll assess how successful we are with our current demands. If we don't move forward, we may ask for a diplomatic conference.
  - Hearing on Severed broccoli 9.2.2023
  - Hearing on Syngenta pepper 16.2.2023

- Patents put food security in danger. This topic becomes even more relevant with current crisis. Regionality, small breeders become more important to be more independent from price fluctuations in agriculture.
- China becomes more dominant on the patent market (Chemchina/Syngenta)

4. Other

- Next conference call: beginning of September