NO PATENTS ON SEEDS!

2 December 2022 Conference call NPOS

Minutes

Participants

1. Erling Frederiksen / Danish Seed Savers
2. Martha Mertens / FOE Germany (BUND, BN)
3. Dagmar Urban / ARCHE NOAH
4. Axel Grunt / ARCHE NOAH
5. Georg Janßen / IG Nachbau
6. Andreas Riekeberg / Dachverband Kulturpflanzen- und Nutztiervielfalt
7. Anne-Charlotte Moy / No patents on seeds!
8. Tommy Schweiger / No patents on seeds!
9. Christoph Then / No patents on seeds!
10. Johanna Eckhardt / No patents on seeds!

Chair: Christoph
Minutes: Johanna

Agenda

1. Updates

1.1. from countries / member organisations

AT/Dagmar

- Austrian draft patent law that we got into public consultation received a lot of feedback, as well a lot of resistance from business
- Law has to be in the parliament in January so that it will come into effect on time before the Unitary Patent Court comes into force
- call with German breeders on 2 Dec., François and Katherine will talk about patents in the conference, they will present the letter for breeders

1.2. meeting with KWS, 25 November 2022

- François, Christoph, Johanna attended
- they told again that you can indeed breed, you are not restricted, there are some licenses they still have to fill in into PINTO, they want more transparency
- they have conventionally bred traits (do not say varieties)
- There are claims on products, on processes and on processes that lead to products. The patent application from KWS is on processes – they are rather weak. – But randomly mutated plants are patented.
- breeder's exemption (Züchterprivileg) is not valid anymore.

- what term is correct? breeder's exemption / privilege – Züchterprivileg / Züchtervorbehalt
- Andreas: https://www.repetico.de/card-67432320
- Dagmar: http://www.saatgut-austria.at/page.asp/-/78.htm - appartently different terms in AT (Züchterprivileg) and DE (Züchtervorbehalt)

- Dagmar: Do we have one example that we can communicate, where the screening leads to a product patent?
  - CT: I think no patent that has been granted.
- Dagmar: How much do the licenses cost? Do we know that? Would be interesting to know for breeders.
  - CT: If we would ask KWS now, they would be suspicious and not tell us the real price.
- Dagmar: Even organic breeders don't really know what the problem of licensing platforms is.
- Christoph: Industry says that COM says that industry has to solve the problem, they will push licence platforms.

1.3. Workshop EU parliament, 16 November

- About 70 participants: 20 from MEP offices (assistants, MEPs), Euroseeds, KWS, universities, breeders, NGOs, CPVO, EU COM, Austrian ministry
- Recording available here: https://www.no-patents-on-seeds.org/en/activities/EU-Parliament
- ALLEA contacted us afterwards, there will be a hearing. Christoph proposed some speakers / breeders to present their point of view.

1.4. Hand-over petition Ministry of Justice, 23 Nov

- There were about 10 people, nobody from the ministry showed up, they said that we should hand the petition over to the post unit.
- Radio interview with Christoph: https://www.deutschlandfunkkultur.de/keine-patente-auf-saatgut-100.html

1.5. Christoph

- Germany: We weren't able to get in touch with the Ministry. There is a working group, they discussed the Austrian law.
- Meeting with Belgium, talked about AT patent law, they discussed it in the Committee of Patent Law – thank you to ARCHE NOAH for their work.

2. Upcoming activities

2.1. 6 December KWS

- We will arrive with the truck the day before.
- We have a flyer that will be handed out to the attendees.
- We have people that will speaks inside at the meeting.
- There will be a video from WeMove
- We will have a photographer.
- We sent out an announcement to the press.

- A press release will be sent out once the activity has started.

2.2. 12 December hand over Switzerland

2.3. 13 December hand over EPO

- We'll have 39 packages of maize (each 1,5kg), with a A4 sheet of the text of the petition inside, outside a maize figure and a flag and "No patents on seeds!" in the language/s of each country.
- We'll have signs saying "250.000 maize kernels for 250.000 signatures"
- Unfortunately, assembly of FOE and Umweltinstitut at the same day, so difficult for people to join. Umweltinstitut will most likely send 3 volunteers to attend.
- Exact time still unclear, we have to wait for the answer of EPO.
- Most people will come from AbL – thank you!

3. Other

3.1. Meeting of members March 2023

- Please fill out the doodle until 7 December, 9h CET. https://dud-poll.inf.tu-dresden.de/ZspHhLMqgg/
- We'll meet at the beginning of March in Munich, 1 day meeting.

3.2. Forum patent conference, 8/9 December

- We have payed to participate (online) at the Forum patent conference, where the whole seed industry is present (KWS, Mr. Cock, CPVO, etc.). Very interesting programme. Christoph can share the link, but has to tell them the name of participants. In case you are interested, please inform Christoph.
- "The conference is going to take place on **8 and 9 December 2022** (8 December: 09:00-18:30 CET, 9 December: 09:00-15:15 CET). You will find further information with the updated agenda at www.ip-plant-innovation.com."
- Dagmar, Anne-Charlotte, François, Johanna,... will participate and try to split their attendance.

3.3. Conference Patents, EU IP Helpdesk

- 6 December / 10.30h-12.00h: The impact of protected new plant varieties in the European Union market.
- https://intellectual-property-helpdesk.ec.europa.eu/news-events/events/eu-webinar-cpvo-coop-impact-protected-new-plant-varieties-european-union-market-2022-12-06_en or on the HP of CPVO: https://cpvo.europa.eu/en/news-and-events/webinars/webinar-impact-protected-new-plant-varieties-european-union-market
- Our intern Michael will participate

3.4. Germany, demonstration Wir haben es satt, 21 January

- Christoph will ask if we can participate with our vegetable sculptures

3.5. Next conference call

- End of January

- please fill in the dudle until Monday, 12 December, 9h CET: https://dud-poll.inf.tu-dresden.de/c9nOd9KCug/

3.6. Upcoming dates

Date		Type	Comments
2022			
december	meeting / hand-over petition in Austria?	AT	
06.12.2022	KWS shareholder meeting, Einbeck	DE	
06.12.2022	Conference patents / EU IP Helpdesk	online	
8./9.12.2022	Conference IP - Forum	online	
12.12.2022	handover petition Switzerland	CH	
13./14.12.2022	Administrative Council (hybrid / Munich) - final hand over of petition	EPO	
mid-December	result consultation patent law AT?	AT	
end of year	coming into force of Unitary Patent? - press release?		
2023			
21.01.2023	Wir haben es satt-Demo, Germany	DE	
20.-29.1.2023	International Green week (Agricultural Ministries)	DE	https://www.gruenewoche.de/en/
february?	Workshop for politicians?		
09.02.2023	hearing on Severed broccoli	hearing	cancelled
16.02.2023	hearing on Syngenta pepper	hearing	
16.02.2023	Committee on Patent Law (hybrid / Munich)		
beginning of March (before 15 March)	Meeting of Members NPOS		
15.03.2023	deadline opposition KWS patent	opposition	
22.03.2023	Administrative Council (hybrid / Munich)		
28./29.06.2023	Administrative Council (hybrid / Munich)		
04.10.2022	Administrative Council EPC 50, venue to be confirmed		
05.10.2022	EPC 50 (Munich)		
24.10.2023	Administrative Council (hybrid / Munich)		
16.11.2023	Committee on Patent Law (hybrid / Munich)		
13./14.12.2023	Administrative Council (hybrid / Munich)		