

no patents on seeds



Media Release

Animals are not an invention of the feed industry!

European Patent Office wants to grant patent on salmon

20 July 2016 / The European Patent Office (EPO) wants to grant a patent on salmon that are fed with specific plants (EP1965658). The EPO has informed the Australian applicant that the patent is ready to be granted within the next few months. The patent claims the salmon and the fish oil. Food derived from these salmon is supposed to have a higher content of Omega 3 fatty acids, which are often described as being healthy. The idea behind the patent is not new: For example, it is known that cows grazing on grasslands have a higher concentration of these fatty acids in their milk.

“If animals become patented inventions because they are given a specific feed, then cows and pigs reared on grasslands could also be patented. And soon patents might be granted on eating and drinking. Or maybe on humans consuming milk or fish”, Ruth Tippe says for the initiative *No Patents on Life!*.

It is not the first time that the EPO has granted patents on animals derived from conventional breeding for food production. In 2008, a patent filed by Monsanto claimed pigs that had improved meat quality as an invention (EP1651777). Also in 2008, a patent was granted on conventional breeding of cows and pigs (EP1506316). And in the same year a patent was granted on the selection of dairy cows (EP1330552). More recently, a patent was granted on oysters (EP2184975).

Nearly all of these patents were revoked after opposition. The organisations that belong to the coalition *No Patents on Seeds!* are also taking action against the patent on salmon: They are calling for interested parties to send so-called “Third party observations” to the EPO urging them not to grant the patent. If the patent is granted, they are planning to file another opposition.

The organisations are calling on politicians to take action to stop patents on plants and animals: “The EPO is continuously extending its business model at the expense of civil society,” Christoph Then says for the international coalition of *No Patents on Seeds!*. “If politicians do not set clear limits such patents will continue to be granted in order to fuel the joint profits of patent lawyers, companies and EPO.”

Recently, several European governments have taken action against patents on plants and animals derived from conventional breeding. In addition, the EU Commission is currently preparing a clarification. The goal is to reinforce existing prohibitions in European patent law, which excludes patents on plant and animal varieties as well as on conventional breeding. The EPO, on the other hand, with its budget based on fees for the examination and granting of patents has sought to establish practices which render those prohibitions meaningless.

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Further Informations:

The patent just before granting:

<http://no-patents-on-seeds.org/en/information/patent-cases/feedstuffs-aquaculture-comprising-stearidonic-acid>

Backgrounder about patents on animals:

<http://no-patents-on-seeds.org/en/information/background/patents-pigs-cows-oysters-and-salmon>

Letter for download to be sent to the EPO:

<http://no-patents-on-seeds.org/en/recent-activities/letter-european-patent-office>