Press release | 03.05.2012

Patenting of animal breeding

Revocation of 'XY patent' an important step against the monopolisation of breeding

The European Patent Office in Munich today revoked a patent previously awarded to US firm Inguran and its affiliate XY LLC for a process of animal breeding, which allows the selection of the sex of offspring, as well as sperm cells. The so-called 'XY patent' was revoked on technical grounds but the Greens believe it should never have been granted, as European legislation prohibits the patenting of plant or animal breeding. Commenting on the decision and the general approach to the patenting of plant and animal breeding, Green MEP **Martin Häusling** said: *"Today's ruling is an important step in efforts to prevent the slide towards monopolisation in the breeding of animals and plants but it is not a definitive outcome. "The concentration of the gene-pool and its intellectual property in the hands of a small number of businesses is clearly not in the interest of farmers or the wider public and global food security. Strategic patents merely serve to strengthen market monopolies and hinder, rather than strengthen innovation. Breeders and farmers must retain unhindered access to genetic resources. "The growing number of conflicts arising from biopatents awarded by the EPO has underlined the serious deficiencies of the EU's biopatent directive, with patents going far beyond GMOs and extending to conventional breeding. The EP will next week take up the case and the Greens are joining with other political groups to call on the EPO to respect the terms of EU legislation, which prohibits the patenting of biological processes (1). In the long-term, the European Patent Office needs to be subject to legitimate democratic control and must be bound by the decisions of the European Court of Justice."*

(1) The European Parliament will debate and adopt a resolution on this subject in its plenary session next week, with the Greens having tabled a resolution.

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Martin Häusling

Member

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