Opposition against french patent on tomatoes with natural resistance

Breeders, gardeners, NGOs and environmental activists demand an end to patents on conventionally bred plants

27 May 2025 / Breeders, gardeners, development organisations, and environmental activists are holding a protest today outside the European Patent Office (EPO) in The Hague, Netherlands. They have filed a joint opposition against patent EP 3629711, which claims tomatoes with natural resistance to a virus as a 'technical invention'. The list of opponents includes more than 40 breeders and other organisations. The protesters are bringing sculptures over two metres tall to the demonstration — the sculptures symbolise additional patent applications on conventionally bred tomatoes.

"We are demanding a stop to the granting of patents on plants with natural resistance to a hazardous virus. These patents are a threat to traditional plant breeding – they not only violate existing European laws but also go against the interests of the general public," says Johanna Eckhardt from *No Patents on Seeds!*. She handed over a report on recent patent research to EPO representatives.

"As medium-sized breeders, we are deeply concerned about these patents and consider them to be unethical," says Frans Carree from the Dutch organic breeder DeBolster. "If the monopolisation of conventional seeds is not stopped, we and other companies, may no longer be able to afford to carry on with our traditional businesses. This would have major negative consequences for gardeners, farmers and consumers interested in having access to a broad range of food plants."

Currently, information is circulating that patent holders are demanding fees ranging from €50,000 up to €200,000 for access to the breeding material. In addition, breeders using this material may have to pay five percent of the turnover from their own varieties. These extremely high costs apply just for a license covering one resistance in one species. Nevertheless, an increasing number of similar patents are being granted in Europe, including on other species such as spinach, lettuce, broccoli, barley, and maize.

Patents on plant varieties and conventional breeding processes are prohibited in Europe. Only plants obtained through genetic engineering are exempt from this prohibition. However, based on a highly controversial interpretation of patent law, the EPO has also begun granting patents on conventionally bred seeds. These patents are now on the verge of disrupting innovation and diversity in European plant breeding.

"This development is also becoming a problem for countries in the Global South. These countries often use European legislation as guidance for their own patent systems. Consequently, access to plant material is facing an increasing number of obstacles, thus putting global food security at risk," warns Nout van der Vaart at Oxfam Novib.

According to No Patents on Seeds!, the European Union could resolve this issue quickly by providing a binding interpretation of the prohibitions in patent law. Currently, the EU Parliament is debating whether to ban patents on seeds obtained through new genomic techniques (NGTs). However, as long as patents continue to be granted on naturally occurring plant material or conventionally bred seeds, large companies will remain able to block or hinder all types of future plant breeding — whether using NGTs or not.

Contact

- Johanna Eckhardt, project coordination, No Patents on Seeds!,johanna.eckhardt@no-patents-on-seeds.org, + 43 680 2126 343
- Christoph Then, spokesperson No Patents on Seeds!, info@no-patents-on-seeds.org, +49 151 54638040
- Frans Carree, Head of Breeding department, De Bolster, fcarree@bolster.nl, +31 6 15244786
- Nout van der Vaart, Policy Lead Food and Land, Oxfam Novib, nout.vandervaart@oxfamnovib.nl
- Jules van Os, press officer Oxfam Novib, +31651573683

Further information

- Photos of today's event will be available as soon as possible under this link: https://www.no-patents-on-seeds.org/en/tomato-opposition
- More info about the tomato patents: https://www.no-patents-on-seeds.org/en/jordan__virus
- The opposition to the tomato patent: www.no-patents-on-seeds.org/sites/default/files/2025-05/Opposition__patent__Vilmorin__Tomato__0.pdf
- Report about tomato patents (2024): www.no-patents-on-seeds.org/en/report-tomato
- Latest research report by *No patents on seeds! (2025):* https://www.no-patents-on-seeds.org/en/report-patents

---

You can share our posts about this press release on Facebook and X or share the direct link to this press release: https://www.no-patents-on-seeds.org/en/tomato-opposition