



# ESA

## European Seed Association

### **The interface of PBRs and plant biotech patents: an outline of ESA's guiding principles and approach**



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*ESA General Assembly  
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# ESA Board

- Free access to all genetic material for further breeding
- Limitation of patentability
  - Raising the bar
  - BDP Proposal:  
original intent of Biotech Directive
- Interface



## Proposals regarding interface:

- BDP proposal
- Compulsory License / Breeders' Privilege
- Plantum position
- Patent pool



# Guidelines Board

- Once commercially available, the patented genetic material must be available for further breeding in line with the established principle
- Free availability in this context does not necessarily mean that commercialisation should be for free
- Industry-led approaches to the issue should be further investigated as this could allow for a more immediate solution than a legislative initiative



To be continued in the CIPR....

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Thank you

