



ESA NEWSLETTER

January 2010

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ESA Meetings (selected)

- **28.01.2010**
**Executive
Committee
Meeting**
- **28.01.2010**
**SVO
Conference Call**
- **03.02.2010**
**WGPH
Meeting**
- **04.02.2010**
**WGBR/CRLA
joint Meeting**
- **05.02.2010**
**STAT
Meeting**
- **09.02.2010**
**WGB
Meeting**
- **10.02.2010**
**SVO Workshop
Harmonisation
disease
terminology**

Dear Members,

A new Commission, new Cabinets and some important changes in our political environment mark the start of the new year 2010.

With the decision of Commission President Barroso to transfer the responsibility for GM related legislation from DG ENVI to DG SANCO, we certainly hope that this marks the beginning of a more practical and pro-active policy approach that will result in the setting of appropriate thresholds for adventitious presence of GMOs in seed of conventional varieties. Judging from our experience in the past and based on the statements of the responsible Commissioners during their parliamentary hearings, this hope should not be in vain. But still, it will surely require strong and continuous communication and lobbying as well as working together with our colleagues in the farming and grain trade organisations and I hope that the good relationship we have established over the past years will now pay off.

Next to the discussion on the future policy for GMOs, the ongoing work on the Better regulation initiative will keep us busy in the coming year. We are now moving from the first evaluation to the implementation of the Commission Action Plan and more detailed studies on some aspects of the future regulatory framework for seed and planting material, e.g. regarding DUS and VCU testing and certification and possibilities for differentiation of obligations in relation to the importance of the crop. ESA will do its best to assure that the principles of the legislation which are well established and trusted by breeders, seed producers and farmers all across Europe will not be hampered by the desire to please a few, albeit very vocal interest groups outside of the farming community.

Another very important element will of course be our work on the ESA Position on Intellectual Property (IP). On the next page, you will find an update for the respective conference we are organising in Brussels in April. There must be no misunderstanding: the issue of the most appropriate legal framework for the protection of IP for plants and seed and for the support of continuous innovation in breeding and agriculture is THE crucial debate for ESA in 2010. And we will only be successful if we are able to base our work on the proper understanding of your, our Members, interests, concerns and opinions. I therefore urge all of you to make sure that your voice will be heard at our conference! It provides the unique opportunity to give direct input to the further work of our Committee on Intellectual Property as well as the ESA Board. I certainly hope to welcome as many of you as possible in Brussels on April 22nd for a surely stimulating and challenging debate!

With best regards, yours

Garlich v. Essen, Secretary General

ESA Conference on Intellectual Property protection in Plants and Seed

Dear Members,

As you may have already been informed via our last newsletter or our website, the registration for the spring ESA Conference on 'IP protection in Plants and Seed' is already open for all ESA members.

The background to the conference is framed by two very important elements of plant IP protection: the Community plant variety rights system which is a critical instrument for the breeding community but has shown some weaknesses (e.g. in the area of fair royalty payments for farm saved seed use); and the growing importance of patents in the field of plant-related inventions. With the upcoming evaluation of the legal framework for Community plant variety rights and in view of the increasing role of patents for plant-related / biotechnological inventions, ESA feels that it is time for an overall discussion about the role and availability of IP protection tools in the seed sector.

Besides covering the relevant technical developments in plant breeding and the applicable legal frameworks for IP the conference will focus on presenting and discussing the potential scenarios of overall economic and social impacts and consequences one or the other IP system can have on the present and future development of the plant breeding industry. Therefore, the interface between the plant breeders' rights system and patents for biotechnological inventions will definitely be one core aspect of the debate.

Appropriate intellectual property protection is vital for supporting research and innovation in plant breeding since assuring a fair return of plant breeders' long-term investments provides an incentive for the continuous development of ever better varieties. This discussion is therefore crucial for the entire seed industry and for its future development. Via this conference ESA is willing to provide a platform for all Members to voice and share all important aspects and arguments regarding this key issue. It will be the recommendations and conclusions of the conference that will provide a precious input and will further drive the debate within the different ESA bodies and specifically our Committee for Intellectual Property and Breeders' Rights and the ESA Board which shall lead to the presentation of a final ESA Position to the General Assembly in fall 2010.

We therefore hope to welcome many Members to this event where your presence and contribution will constitute a highly appreciated and important element to the discussions. (SzCs)

For more information on the draft conference programme as well as on the speakers and for registration, please click on the following link:
<http://www.euroseeds.org/static/esa-2009-ip-conference>

**External meetings
(selected)**

- **15.01.2010**
Sustainability WG
Brussels (BE)
- **15.01.-24.01.2010**
Int. Green Week,
Berlin (D)
- **22.01.2010**
CPVO
Audit Advisory
Board,
Brussels (BE)
- **27.1.-29.01.2010**
SANCO Mutual
Recognition
Workshop,
Braunschweig (D)
- **01.02.2010**
ISF - IPC Meeting
Alexandria (USA)
- **15.02.2010**
GEVES – ETTS
Paris (F)
- **23.02.-24.02.2010**
Community Plant
Health Regime
Conference
Brussels (B)
- **03.03.-05.03.2010**
CIOFORA IP
Conference
Seville (ES)



2nd ESA Workshop on Harmonisation of Resistance Terminology

In January 2009, a first workshop on Harmonisation of Resistance Terminology was organised which was considered by the participants as very successful. During the year the different crop groups have continued their work. The SVOwic has decided in its meeting held on October 14 to organise a 2nd Workshop on this subject during which the progress in the different crop groups will be presented and several principle issues will be discussed. The Workshop will take place on:

Date: February 10, 2010

Time: 10.30 – 15.30

Venue: ESA Office in Brussels

The Workshop is open to employees of companies and associations being member of SVOwic. Those of you having an interest to participate in this event are kindly requested to contact the Secretariat as soon as possible. (BS)

CPVO Audit Advisory Board (AAB)

The CPVO AAB has held its first meeting in the ESA Office. The AAB is set up by the Administrative Council to address possible objections raised by Examination Offices or complaints in relation to the CPVO Quality Assurance Scheme. The AAB is chaired by Mr. Wubbo de Boer, President of the EU Trademark Office in Alicante, and has 4 members representing the CPVO Offices, Ciopora and ESA. AAB has discussed its responsibilities and rules of procedure. It should be noted that AAB members are bound to confidentiality and that AAB only reports to the CPVO Administrative Council (BS)

Visits to ESA members

On January 14, 2010 Szonja Csörgő visited Florimond Desprez in Cappelle en Pévèle, France. The one-day visit provided an extensive insight into the activities of the company as well as into many important national and international topics. Mr. François Desprez, managing director of Florimond Desprez, president of UFS, the French seed association, and former president of ESA presented the main features of the company which was followed by a tour in the different sites of Florimond Desprez including seed testing premises, laboratories and phytopathology facilities. In the afternoon a very interesting and informative discussion took place with Mr. François Desprez covering many ESA-related questions and issues concerning intellectual property debates in the seed industry. (SzCs)

Change of assigned responsibilities in the ESA Secretariat

As you have been informed, Mrs Szonja Csörgő joined ESA As Manager for Intellectual Property and Legal Affairs in October 2009. Reflecting her recruitment and the decisions of the Executive Committee, the responsibilities in the Secretariat for the individual ESA bodies are now assigned as follows:

Garlich v. Essen: Board, Executive Committee, Board WG STAT, CRLA, WG Plant Health and WG Breeding Techniques

Szonja Csorgo: CIPR, WG Biodiversity, WG Better Regulation

Bert Scholte: all ESA Section (SCP, SFG, SMA, SOF, SPO and SVO) and WG Beets

Further details will be communicated following the formal decision on the set up of Committees and Working Groups by the ESA Board at its March meeting.

Next ESA Newsletter to be published on 01.03.2010