

European Commission

Stéphane Séjourné
Executive Vice President of the European Commission
Prosperity and Industrial Strategy

Rue de la Loi / Wetstraat 200
1049 Brussels

- sent via e-mail -

Brussels, 8 April 2026

Subject: Patent framework for New Genomic Techniques and the need for a clear political signal on Directive 98/44/EC

Dear Executive Vice-President,
Dear Mr Séjourné,

Ahead of the upcoming plenary vote on New Genomic Techniques, we are writing to you regarding the continued uncertainty around patents, which is raising concerns among farmers and breeders.

NGTs have significant potential to contribute to more resilient agricultural systems, to strengthen innovation in plant breeding and to support farmers in addressing climate related challenges. For this potential to materialize, the European framework must not only be innovation-friendly, but also fair, workable and accessible to a broad range of actors.

In this context, the current patent framework does not provide sufficient clarity on the patentability of genetic traits that may also occur naturally or be achieved through conventional breeding. Concerns relate in particular to access to genetic resources, freedom to operate and possible market concentration in the seed sector. If left unaddressed, this risks undermining trust in the NGT framework as a whole. The patent question is therefore not a marginal issue, but directly linked to the functioning of the European breeding sector.

The European Parliament has already addressed this issue in its position by calling for an adjustment of Directive 98/44/EC to clarify the scope of patentability in the context of NGTs. In the subsequent political compromise, the focus has shifted to transparency measures, an expert group and a future assessment by the Commission. While these elements are valuable, they do not replace a clear political and legal solution.

Against this background, we would ask the Commission to provide a clear political signal ahead of the plenary vote that it is prepared to review and, where necessary, adapt Directive 98/44/EC in a timely manner in order to ensure that genetic traits which can also occur naturally or be obtained through conventional breeding are not subject to patent protection. Such a signal would contribute significantly to ensuring confidence in the overall NGT framework.

Thank you for your attention. We remain at your disposal for a constructive exchange on this matter.

With kind regards,

Norbert Lins, MEP

Monika Hohlmeier, MEP

Stefan Köhler, MEP

Hildegard Bentele, MEP

Jens Gieseke, MEP

Christine Schneider, MEP

Prof. Dr. Angelika Niebler, MEP

Sabine Verheyen, MEP

Oliver Schenk, MEP

Verena Mertens, MEP

Marion Walsmann, MEP

Stuttarter Briefings