Intellectual Property in Plant Breeding

Our position on plant breeders' rights, patents and access for further breeding

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Our position in brief
Plant breeders' rights are the foundation of intellectual property protection in plant breeding. Patents can complement this system by protecting specific technical innovations and traits, provided that these should not impede (further) breeding. Patented biological material should always remain freely accessible for breeding. In addition, any vegetable breeding company wishing to commercialize patented traits in good faith, should have access to these traits under fair, reasonable and transparent licensing conditions.

Why intellectual property matters

Plant breeding contributes to food security, healthy diets and more sustainable agriculture. Developing new vegetable varieties requires long-term research, specialist knowledge and continued investment. Intellectual property can support this innovation by protecting genuine inventions and encouraging innovators to disclose new knowledge. At the same time, progress in plant breeding depends on the ability of breeders to use existing varieties, genetic resources and technologies to develop the next generation of solutions.

For Enza Zaden, a well-balanced intellectual property framework must therefore do two things: reward genuine innovation and safeguard continued access for further breeding.

Two complementary pillars

1. Plant breeders' rights: the foundation

Plant breeders' rights protect a specific plant variety. The breeders' exemption allows other breeders to use that variety for further breeding and the development of new varieties. This open access to varieties is fundamental to genetic diversity, cumulative innovation and progress across the sector.

2. Patents: a conditional complement

Patents can protect specific technical innovations, technologies or traits used in plant breeding. They may encourage investment and require the invention to be disclosed. Patents add value only when their use is balanced: protection must not become a barrier to further breeding and innovation.

Conditions for a fair patent system

Enza Zaden supports patents in plant breeding only within a framework that meets the following conditions:

- Further breeding must never be blocked. Breeders need practical access to patented biological material to continue developing new varieties.
- Licensing conditions must be fair, reasonable and transparent, including a reasonable return for the innovator when patented material is commercialized.
- Access must be workable for companies of different sizes, supported by transparency and an independent route for resolving licensing disputes.
- Patent protection should reward genuine technical innovation while preserving the sector's ability to build on knowledge, genetic resources and earlier innovations.

How ILP Vegetable supports this balance

Enza Zaden is a member of ILP Vegetable, the International Licensing Platform Vegetable. ILP Vegetable provides participating vegetable breeding companies with access to patented biological material for breeding purposes under fair, reasonable and transparent conditions. A cornerstone of ILP Vegetable is free access to biological material for breeding. A reasonable royalty may become payable only when a company commercializes a variety containing a patented trait owned by another member. If the parties cannot agree on licensing terms, the platform provides an independent dispute-resolution mechanism.

Through ILP Vegetable, breeders can continue to build on patented traits and technologies, while innovators can receive a reasonable return when resulting products are commercialized. This collaborative licensing model helps patents support, rather than hinder, continued breeding and innovation.

Enza Zaden's position

Enza Zaden supports an intellectual property framework in which plant breeders' rights remain the foundation and patents serve as a carefully balanced complement. Protection should stimulate genuine innovation and knowledge disclosure. Access and collaboration should ensure that breeders can continue developing varieties that create value for growers, consumers and society.