Council of the European Union

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'I' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)
Subject:	Attendance of representatives from the European Patent Office at the Working Party on Genetic Resources and Innovation in Agriculture (Innovation in Agriculture) on 01/12/2023 *- Approval*

1. The Presidency would like to invite representatives from the European Patent Office (EPO) to attend the informal videoconference of the members of the Working Party on Genetic Resources and Innovation in Agriculture (Innovation in Agriculture) to give a presentation on and answer questions on biotechnology patents in plant breeding.

2. In previous meetings of that Working Party, in the context of the examination of the Commission proposal for a Regulation of the European Parliament and of the Council on plants obtained by certain new genomic techniques and their food and feed, and amending Regulation (EU) 2017/625 [1], delegations have raised a range of questions on this topic. The purpose of the attendance of the above third party is to address those questions from delegations, which require the technical expertise of EPO in the examination of European patent applications.

[1] ST 11592/23 INIT + ADD 1

3. The Presidency considers that this invitation is in the interest of the Council and complies with the framework applicable to the occasional presence of third parties at meetings of the Council or its preparatory bodies, as set out in the comments on the Council's Rules of Procedure.

4. In view of the above, the Permanent Representatives Committee is invited to approve the attendance of representatives of EPO at the informal videoconference of the members of the Working Party on Genetic Resources and Innovation in Agriculture (Innovation in Agriculture) on 1 December 2023.