

2.2.2024

A9-0014/230/rev1

**Amendment 230/rev1**  
**Christophe Clergeau**  
on behalf of the S&D Group

**Report**  
**Jessica Polfjärd**

**A9-0014/2024**

Plants obtained by certain new genomic techniques and their food and feed  
(COM(2023)0411 – C9-0238/2023 – 2023/0226(COD))

**Proposal for a regulation**

**Article 33 a (new)**

Directive 98/44/EC

Article 8

*Text proposed by the Commission*

*Amendment*

*Article 33a*

*Amendments to Directive 98/44/EC*

*In Article 8, the following paragraph is added:*

*‘3. By way of derogation from paragraphs 1 and 2, the protection conferred by a patent on a biological material possessing specific characteristics as a result of the invention shall not extend to biological material possessing the same characteristics that is obtained independently of the patented biological material and from essentially biological processes, or to biological material obtained from such material through propagation or multiplication.’*

Or. en