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Editorial

More than a year has passed since COVID-19 came into our lives, or to be blunt, took over our lives. We are affected by this unpredictable virus on a global scale, but the disruption is on a personal level; the loss of loved ones, or living with post-COVID conditions.

For many of us this year was a year of revelations. A year where we realized that the big great world could suddenly become so small. A year where we went from being able to travel to the other side of the globe, just because we wanted to, to a situation where we were confined to the limits of our own town. Changes of plans, cancelling of various forms of festivities and an uncertainty about what the future may bring the day after has dominated everyday life.

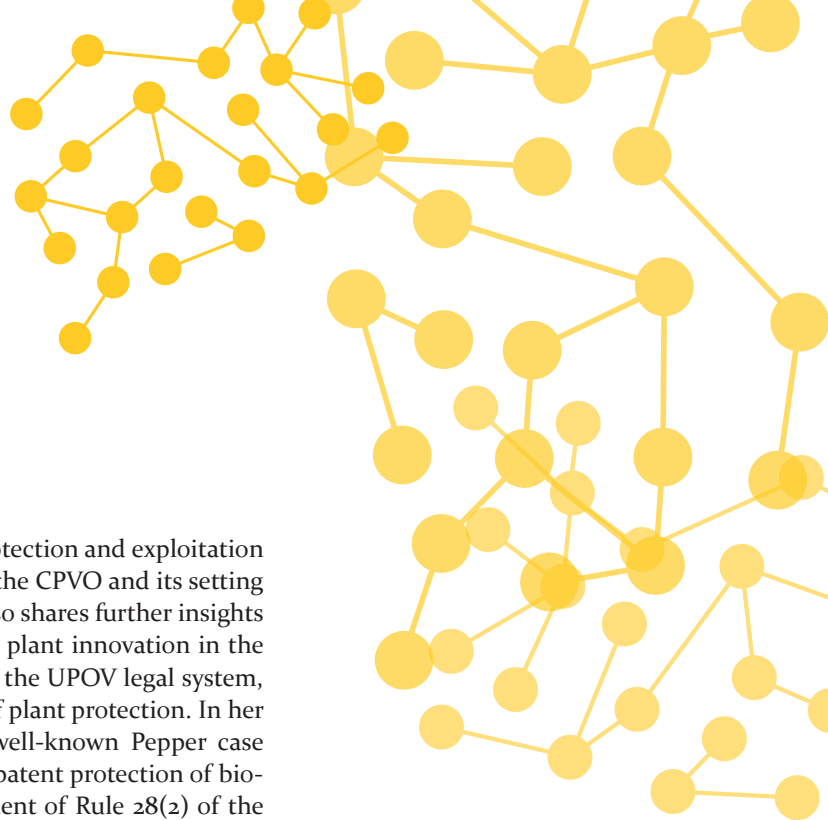
It has also meant working from home through Zoom or Teams, and experiencing a completely different working environment that in a peculiar way includes our colleagues' living rooms, pets and family members. At times, it has felt and still feels like living inside a big apocalyptic experiment.

Reflecting back to this year and what it brought, with the hope if not the certainty that we are heading towards normality makes us wonder what we keep from this experience. Apart from constantly washing our hands, of course!

It seems as we will keep that not all meetings need to be "irl", some of the travelling could be replaced by digital alternatives. But we will above all keep how important these "irl" meetings are, to exchange ideas and debate opinions, to create and brainstorm. How much we miss chatting in the corridors during breaks, the social events at conferences, the warm handshakes and the feeling that you are in a room full of people.

Networking and the need to be part of a context, in which you participate, give and take and as a team produce something new, has been decisive during this year. And although it required more and other efforts, since the natural meeting places, meetings, conferences and coffee breaks were lost, the will to work together, to find new forms of cooperation was obvious. This is also the story of this issue of Stockholm IP Law Review, dedicated to plant intellectual property protection. It is the story of our amazing student editors in chief, Alex Miura and Riana Harvey, who have actually never met "irl", who have worked closely with us, and with our great student editors, Pia Leonarda Riemenschneider, Anne Boender and Valentine Labaume, all situated in different parts of the world. And it is the story of the authors, who replied to our call for papers and contributed with their knowledge in topical articles. Some of these persons are old friends, others new acquaintances with which we are looking forward to a continued cooperation. You have all made this issue possible.

The contacts with the Community Plant Variety Office (CPVO) and its President Martin Ekvad, initially focusing on the contribution to Stockholm IP Law Review, has grown considerably to a formal co-operation agreement according to which students at the Master of Laws (LL.M) programme in European Intellectual Property Law at the Stockholm University Department of Law will be given the possibility to apply for internship at the CPVO, as well as the CPVO will be actively involved in the activities of the Master Programme. It has further led us to yet a new partner, CIOPORA (the International Association of Breeders of Asexually Reproduced Horticultural Plants). Even this co-operation has proven to be multilayered, through which CIOPORA will be involved in the activities of the Master Programme, and where students of the Programme will be able to follow the CIOPORA course modules for a reduced fee.



The articles of this issue concern different aspects of protection and exploitation of plant innovation. Martin Ekvad gives an overview of the CPVO and its setting in the legal system of EU plant variety protection. He also shares further insights into the work of the CPVO and personal reflections on plant innovation in the interview of this issue. Further, Edgar Krieger describes the UPOV legal system, the fundamental international convention in the field of plant protection. In her article, Pia Leonarda Riemenschneider analyzes the well-known Pepper case against the background of legal conflicts regarding the patent protection of biological breeding, methods, resulting from the amendment of Rule 28(2) of the European Patent Convention's Implementing Regulations. Roberto Manno discusses developments in CJEU case-law related to the increasingly important field of Plant Variety Rights, while Marco Baldassarra and Sabino Sernia analyze the impact of shrink-wrap licenses and exhaustion in the same field. Finally, Isabella Katz Migliori brings up the international perspective by providing for a discussion on plant-related IP rights in Brazil.

Finally, it seems only natural that an issue published under a pandemic would have a public health and pharma perspective. Iyad Al Khatib discusses points of collision between patent rights and the right to public health at times of pandemics, while Åsa Hellstadius and Håkan Borgenhäll discuss recent case-law from the The Swedish Patent and Market Court of Appeal concerning the possibility of destruction of patent protected products lawfully manufactured outside Sweden.

Next issue of the Stockholm IP Law Review will come in December 2021, in what we hope to be a post-pandemic time.

Åsa Hellstadius & Frantzeska Papadopoulou



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