

The invention is not excluded from patentability neither under Article 53(a) EPC alone nor in combination with Rule 28(1)(d) EPC. Neither feeding the salmon with the claimed feedstuff nor use of the salmon for human nutrition is considered to be contrary to "ordre public" or morality in the sense of Article 53(a) EPC, and the invention does not involve a modification of the genetic identity of the fish (Rule 28(1) (d) EPC).

The claims are furthermore not directed to a method of producing animals comprising a step of crossing the whole genomes of animals and are therefore not excluded from patentability under Article 53(b) EPC. As a direct consequence, the resulting claimed salmon is not exclusively obtained by means of an essentially biological process and therefore not excluded from patentability under Rule 28(2) EPC.