



Remember:
PVPA & Utility Pat-
ented Varieties are
protected!

Don't risk the future
of your farm or busi-
ness by purchasing
pirated seed or sell-
ing seed of a pro-
tected variety!



Additional Resources:

Georgia Integrated Cultivar
Release System

www.georgiacultivars.com

Georgia Seed Development

www.gsd.com

University of Georgia
Research Foundation

www.research.uga.edu/ugarf

UGA Institute of Plant
Breeding, Genetics & Genomics

www.plantbreeding.uga.edu

*Georgia Crop
Improvement Association*

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WHAT YOU NEED TO
KNOW ABOUT:

- UTILITY PATENTS
ON VARIETIES
- PLANT VARIETY
PROTECTION
ACT &
- FARMER-
SAVED
SOYBEAN SEED

**Certified Seed Doesn't Cost -
It Pays!**

www.certifiedseed.org

It's Your Responsibility to Know if a Plant Variety is Protected!

Most 'Newer' Crop Varieties are protected by the Plant Variety Protection Act (PVPA) and/or a Utility Patent.

Under the 1994 PVPA:

- A farmer may save enough seed of a protected variety to plant on his own farm holdings but may NOT sell seed without permission of the variety's owner.
- It is an infringement to condition, bag or store farmer-saved seed if the quantity exceeds what the farmer can legally save for planting purposes.

Under U.S. Utility Patent Law:

- A farmer may not save ANY seed for planting.
- A custom conditioner may NOT condition, treat, bag or store seed of a utility patent protected variety or a variety containing a utility patented gene.

U.S. courts have continued to enforce these laws and the protection they provide to plant breeders and seed companies. Fines and penalties have been handed down to growers and seed handlers who attempt to save seed for resale without the permission of the owner of the variety.

PVPA Penalties:

- Upon finding an infringement the court shall award damages adequate to compensate for the infringement but in no event LESS than a reasonable royalty for the use made of the variety by the infringer, together with interest and costs as fixed by the court.
- When the damages are not determined by the jury, the court shall determine them. In either event the court may increase the damages up to THREE TIMES THE AMOUNT DETERMINED.

U.S. Utility Patent Penalties:

- Are determined in court and cases can be tried before a jury.
- Judgments are usually in excess of the actual loss or damage.
- Such penalties are used as a deterrent, i.e. 'to make an example of someone'.

For more information on PVPA, contact their office at pvpomail@usda.gov; or visit www.ams.usda.gov/AMSV1.0/PVPO.



For specific questions regarding the remaining protection on Roundup Ready Soybean varieties, contact the appropriate company representative:

AgSouth Genetics

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Pioneer

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803-308-1003

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Syngenta

Northrup King

Wilson Faircloth

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Terral Seed

Phil Michener

662-822-8242

pmichener@terralseed.com

For more information on utility patents, contact the US Patent & Trademark Office at <http://www.uspto.gov/patents>.