

Why IPR?

Developing new varieties takes years of work. It is a long-term investment. Without a return on investment to breeders and researchers, there is no money to breed crops that get better returns for farmers. It's important to protect intellectual property rights (IPR) in crop technology — just like patents protect the design of your combine.

Here are a few types of intellectual property protection systems:

Plant Breeders' Rights

Plant Breeders' Rights (PBR) give the developers of plant varieties an opportunity to recover their investment in research. PBR enables the breeder to collect a royalty and to manage the sale of propagating material. PBR is one of the simplest ways to ensure the breeder sees the fruits of his or her labour. Royalties are typically 5-8% of the cost of seed — just cents on a bushel to support continual development.

Contracts

Contracts are written agreements between you, the farmer, and the seed company that set out the terms on which seed may be purchased. If the contract is not acceptable, you have every right to walk away. If agreed, you get the benefits of the product.

Technology Use Agreements

With a technology use agreement (TUA), a farmer and a company will agree to the terms of use of a particular product. It is really a form of contract.

Bag License

A bag license is similar to a "shrink wrap" license found on software that says it can't be copied. By signing for seed with a license, or opening a licensed bag of seed, you agree to respect the specific terms of use for the product as printed on the bag.

From respecting intellectual property, you get new varieties that:

- improve competitiveness
- provide value-added products
- meet industrial needs
- improve agronomic performance
- increase resistance to stress conditions

Patents

A patent is a right granted by the government to an individual for an invention. In exchange for sharing the details of that discovery, the creator is protected — for a specified period of time — from others copying the invention, enabling him or her to recoup some of the costs of development. In Canada, unicellular microorganisms and genes can be patented if they meet certain criteria.

Check-offs

A percentage of commodity sales are collected at time of sale. In the cases of some crops, this money goes back to breeding organizations to further more research. This is not intellectual property that returns directly to the breeder, but it does support innovation.

