

Plantum

Plant Variety Rights: views of the breeders

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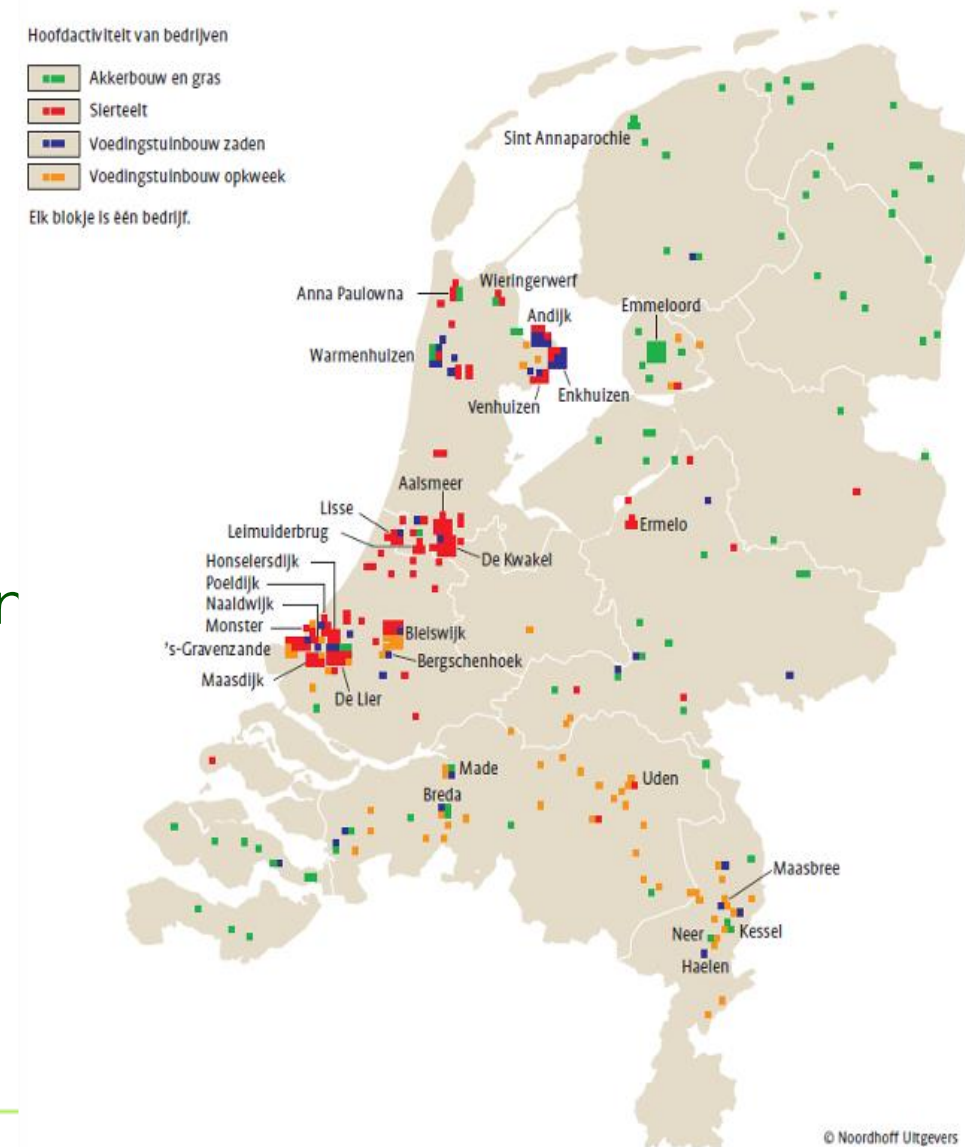
Plantum REPRESENTS

300 members – companies on seeds end planting materials: from grass seed to gerberas

- Field crops
- Ornamentals
- Vegetables and Fruits

The Netherlands is a major player globally in seeds and planting materials, based on:

- Some 200 years of seed entrepreneurship
- A strong public-private knowledge infrastructure
- Important public institutions: quality controls, variety lists, PVR



Plantum PLANT BREEDING

- Plant breeding is a powerful science to help farmers getting better crops, resilient towards different stresses.
- Public sector breeding is important but it cannot cater for the very different needs of farmers. A diversity of seed companies can do that much better.
- Breeding a new variety takes a lot of time, ingenuity and investment.
- A plant variety – when released to farmers, can easily be copied by other seed suppliers. Breeding has no business model.

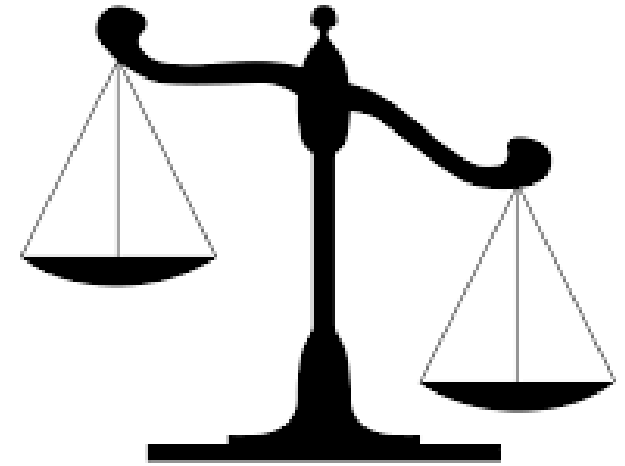


- Legal protection is needed to give breeders a business model
- Breeders and officials in Europe in the 1930-50s analysed existing IP systems: patent, trademarks, copyright.
- Conclusion: a specialised designed system is needed: UPOV's plant variety rights system. It is rooted in the agri-culture!
 - DUS-NN as requirements for protection
 - Important exemptions: private&non-commercial use, breeders' exemption, farmers' privilege.

UPOV

Plantum THE BREEDERS

- The breeders' exemption provides all with an open innovation system: the variety is protected for multiplication/commercialization – the variety is freely available for further cross breeding.
- The breeder is protected against undue competition in the seed market and can choose his own representative in a foreign market.
- Also public breeders can use the system to interest seed companies to multiply and distribute the seeds.
 - If all seed producers can multiply the same variety, none may do it
 - Careful institutional policies of NARS are needed



Plantum INTERNATIONAL HARMONISATION

- Plant breeding is very international; varieties bred for one location can also be very valuable elsewhere
- A breeder will not export his most important varieties to a country without protection
 - no legislation
 - no effective system to get your rights if someone illegally commercialises the variety

A country without effective PVP will loose because

- Insufficient breeding locally
- No access to the best varieties from abroad



Based on internationally harmonized PVP, large and small seed companies can invest on average 15% of their turnover in R&D (some much more)

- PVP is necessary for breeders to continue to invest
- PVP is good for farmers: successful breeders provide new varieties regularly

And thus:

- PVR is good for food security and other societal goals