

INTELLECTUAL PROPERTY PROTECTION

Intellectual property (IP) protection allows developers of wheat varieties and improved seeds to invest in the development of new wheat varieties and technologies for the benefit of growers and consumers.

Limited Use License

The genetics of many wheat varieties may be protected by contract.

- Many limited use agreements between farmer and breeder require that seed from the variety can only be used to produce one (1) commercial crop for grain or forage and can not be used or provided to any party for crop breeding, research or seed production. This may be stated as:
 - CSO – Certified Seed Use Only
 - SSUA – Single Season Use Agreement

Plant Variety Protection

The genetics of many wheat varieties may be protected by U.S. Plant Variety Protection (PVP).

- The protected variety may be used for certain plant breeding activities.
- Unauthorized reproduction of the protected variety is strictly prohibited.
- Infringing activities include, but are not limited to, selling, marketing, offering for sale, importing, exporting, producing and reproducing the protected variety.

Patents

Specific varieties, characteristics and improvements in wheat varieties may be protected by one or more U.S. patents.

- A U.S. patent holder can prevent others from making, using, offering for sale, and selling, or importing the claimed invention in the United States.



+ Est. US Wheat Seed Sector = **\$425 M**

+ US Wheat R&D Re-investment of **15% = \$64 M/year**

+ Estimated loss of R&D Re-investment = **\$456 M**

FEEL GOOD ABOUT BUYING NEW SEED

By buying seed, you are investing in the future of wheat by putting money back into wheat research, which leads to:

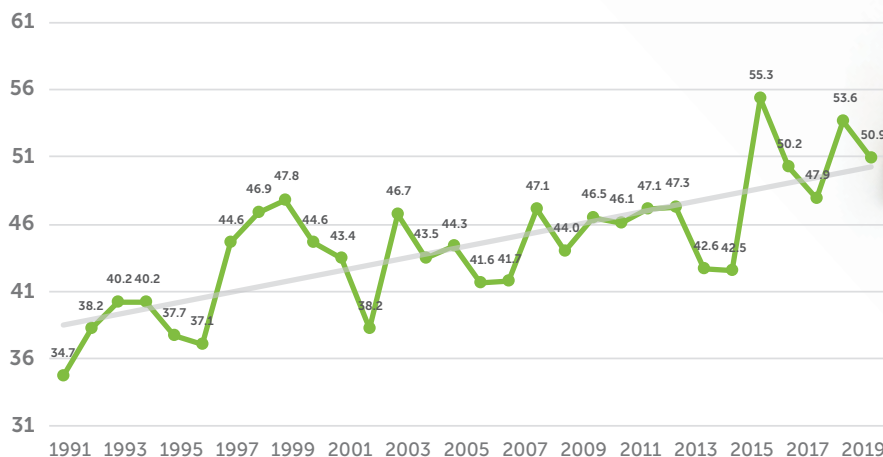
+ Increased Performance
Breeding contributes 70% to potential yield

+ Improved Purity
Buy Certified Seed Only (CSO) for confidence

+ Higher Farm Profitability
Every \$1 spent on new wheat seed = \$26.40 in harvest crop

WHEAT YIELD | UNITED STATES

BUSHEL PER ACRE



SOURCE: USDA, NATIONAL AGRICULTURAL STATISTICS SERVICE | 11/30/20

1-844-SEED-TIP
Respect Seed Innovation

HOW DO YOU KNOW IF YOUR SEED MAY BE PROTECTED?

- Talk to your seed dealer
- Check the bag, bag tag or bulk labeling
- Refer to your limited use/technology use agreement
- Consult seed company website
- Patent protection information may not always be provided

PVP Information

PVP Plant Variety Protection <small>UNAUTHORIZED PROPAGATION PROHIBITED UNAUTHORIZED EXPORT PROHIBITED</small>
<small>PVPA 1994- Unauthorized Sales of Saved Seed for Planting Purposes Prohibited PVP STATUS</small>
1 - Not Protected 2 - U.S. Variety Protection Applied For 3 - U.S. Protected Variety - All Rights Reserved
<small>IF PVP STATUS IS NOT PROTECTED, THE STATEMENT BELOW APPLIES.</small> Purchaser represents that he is obtaining the seed solely for the purpose of producing a grain, fiber or forage crop and that the seed, and any product from the seed, shall not be resold as seed or used for seed breeding purposes. The PVP logo is a registered certification mark of the American Seed Trade Association.

Those who infringe the rights of a PVP protected variety may be liable for damages up to three times the amount of the reasonable royalty of the PVP holder as well as additional state statutory damages.

Patent Information

These seeds are protected under one or more of the following U.S. Patent Nos. 1,234,567; RE12,34; 1,234,567; 1,234,567; and 1,234,567. These seeds may also be subject to other intellectual property rights including but not limited to rights under the Plant Variety Protection Act. The purchase or possession of these seeds does not convey a license under said patents to perform a method covered by these patents or to use these seeds in any way, even to produce an initial crop, nor does the purchase or possession of these seeds convey rights to any other intellectual property. You must have a valid license number to use these seeds in any way.

Those who save patented seed risk:

- Seizure/destruction of crops
- Loss of grower license for future purchase of patented seed products
- Liability for damages to the patent holder

CERTIFIED SEED

NOTICE TO BUYER: DISCLAIMERS AND LIMITATIONS OF DAMAGES.
 The seller, the Montana Seed Growers Association, the State of Montana and all its entities, in no way warrants, makes no warranties, contract of implied, or other, CONSUMER PROTECTION ACT, or other, and does not guarantee the SEEDS OF ANY VARIETY, OR CONTRACTS OF SALE, with respect to such seeds in any way and is not responsible for the fitness and use of the seeds.
 This disclaimer and limitation of liability may not be altered or amended except by an agreement in writing and only as to those specifically covering the terms of seed treatment.
 By acceptance of the seeds, the buyer acknowledges that the limitations and disclaimers herein described are a condition of sale, and that they constitute the entire agreement between the parties regarding the terms of sale.
 This disclaimer, with label properly affixed thereto, contains seed which was found to conform to the Certification Standards of the Montana Seed Growers Association, Bozeman, Montana. The vendor is responsible for an analysis label which meets Montana Seed Law requirements and agrees to comply with standards for certification.
 MEMBER OF ASSOCIATION OF OFFICIAL SEED CERTIFYING AGENCIES

Certified Seed Label Example



Call the **SEED TIP** hotline to anonymously report suspected seed IP violations.