

Patent Issues

For Genetically Modified Crops

Plant Breeder's Rights

- Plant Variety Protection
 - UPOV
 - Research Exemption
 - Farmer's Exemption
- Utility Patent Overlap
 - EU Exclusion
 - *JEM v. Pioneer Hi-Bred*
 - PVPA negation

Exhaustion

- Exclusive Rights
 - Make
 - Use
 - Sell
 - Offer
 - Import
- Restraints on Alienation
- Implied License

Exhaustion II

- Exhaustion of Seeds
 - First generation
 - Making
 - Using
 - “seed-wrap” licensing
- *Bowman v. Monsanto*
 - Grain elevator purchase
 - Privity
 - Property exclusion

Self-Replicating Inventions

- *Schmeiser* Scenario
 - Round-up Ready Canola
 - Cross-pollination
 - Errant seeds
- Strict Liability
 - Making
 - Using
 - Remedies

Thank You

Questions Welcome