

# PROTECTING GERMPLASM & VARIETY INTELLECTUAL PROPERTY AND COMMODITY RESEARCH FUNDING – THE PEANUT EXAMPLE

---

Jackie Burns

Dean for Research and Director  
Florida Agricultural Experiment Station  
University of Florida/IFAS  
April 7, 2015



# Creating new germplasm

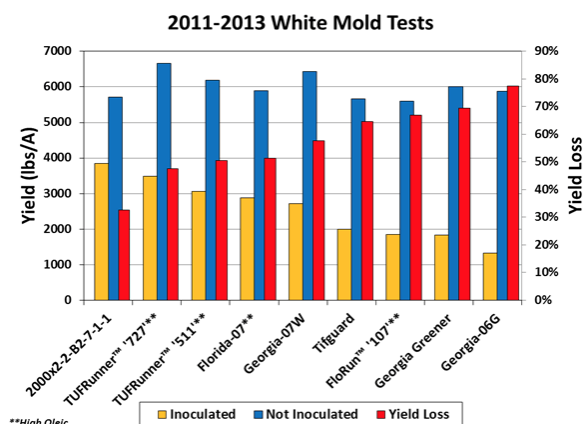
- Important function of the FAES with impact
- Process of cultivar release at UF starts with the breeder and ends with the cultivar release committee



# Evaluation and stakeholder input



- Decision by the breeder in cooperation with growers, shellers
- Open-transparent process

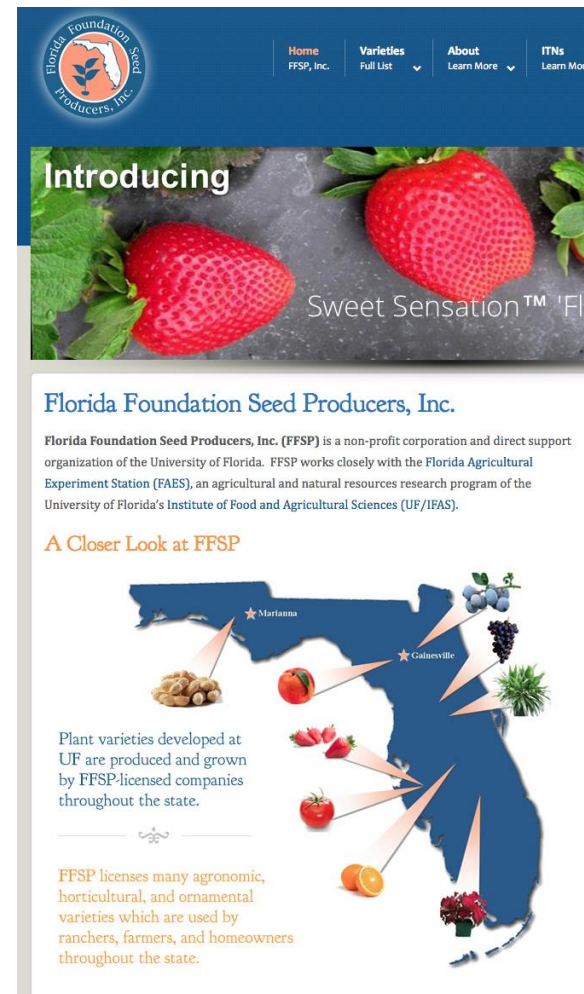


# Licensing released cultivars

- Providing released cultivars to growers and producers depends on licensing agreements
- In return, royalties are re-invested in the breeding program
- Licensing agreements contain terms to prevent unauthorized production and distribution

# Florida Foundation Seed Producers

- Non-profit corporation, DSO of UF
- FFSP works closely with UF/IFAS FAES
- Makes UF/IFAS releases available to growers and producers through licenses



Florida Foundation Seed Producers, Inc.

Home  
FFSP, Inc.

Varieties  
Full List

About  
Learn More

ITNs  
Learn More

Introducing

Sweet Sensation™ 'Flo

Florida Foundation Seed Producers, Inc.

Florida Foundation Seed Producers, Inc. (FFSP) is a non-profit corporation and direct support organization of the University of Florida. FFSP works closely with the Florida Agricultural Experiment Station (FAES), an agricultural and natural resources research program of the University of Florida's Institute of Food and Agricultural Sciences (UF/IFAS).

A Closer Look at FFSP

Plant varieties developed at UF are produced and grown by FFSP-licensed companies throughout the state.

FFSP licenses many agronomic, horticultural, and ornamental varieties which are used by ranchers, farmers, and homeowners throughout the state.

# Domestic and international licensing

## Principles of licensing:

- Good for the state and its people
- Good for UF/IFAS
- Good for the breeder and program
- Good for world food security



# Commodity support and research

- Research drives discovery of new traits and leads to the development of new cultivars
- Commodity \$ and stakeholder support are fundamental to our success
- Changes in production, domestic and global markets, puts pressure on growers to create new market opportunities
- Peanut producers, prompted by the NPB, felt threatened by our international licensing activities

# New research agreement with NPB

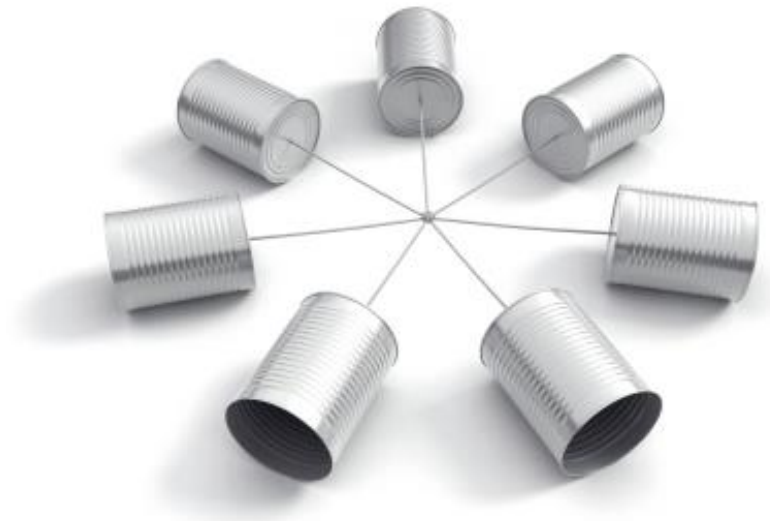
- Directed reinvestment of royalties at a prescribed rate
- Prohibited international licensing of “technologies”





# SAAESD leadership role

- Organization and communication
- Establishing a plan of engagement
- Articulating negotiable and non-negotiable points
- Connections with the NPB and state peanut associations



# Communication is key

The image shows two website screenshots. The top one is the National Peanut Board website, featuring a banner titled "The Journey of a Peanut Butter Jar" with a circular diagram illustrating the process from farm to table. Below the banner is a "Naturally Good" section with text about 7,500 farm families. The bottom screenshot is the Florida Peanut Producers Association website, showing a search bar, navigation menu, and a large image of a tractor in a peanut field. A "PEANUT PRICES" section at the bottom left shows "Runners: \$424.86 / ton".

Educational meetings

Written communication  
and phone conversations

Temporary agreement in  
the spirit of compromise

Two meetings with the  
NPB

Arrival at draft language

## . . . . more on communication

- Know the audience
- Familiarity with subject - communication setback?
- Importance of integrating the land grant missions
- Proactive vs. reactive actions
- Strength of programs and faculty

# From the peanut breeder



# . . . . and from the FAES and FFSP

- Variety of communication tools
- Mechanism to effectively reach commodity groups differs
- Case by case basis

MARCH 2015

## PRODUCING AND LICENSING NEW PLANT VARIETIES

DEVELOPED BY UF/IFAS BREEDERS

For more than a century, University of Florida Institute of Food and Agricultural Sciences (UF/IFAS) plant breeders have released new plant varieties with superior traits – improved disease resistance, greater yields, better flavor. These varieties have had tremendous economic benefit to the state and its agricultural producers. The interests of Florida growers are a primary concern for UF/IFAS throughout the development and licensing process.

### Producing New Varieties

New plant varieties are developed to meet growers' needs and thrive under Florida's unique conditions – growing season, soils, temperatures, production practices, pests and diseases. A new variety is released when research shows that it has new and improved traits tested over multiple sites. The process may take 10-20 years and cost millions of dollars.

### Licensing

UF/IFAS provides new plant varieties to growers through licensing agreements. In return, growers pay UF/IFAS royalties that are re-invested in the breeding program. The licensing agreements contain terms to prevent unauthorized production and distribution of the licensed plant varieties.

### Invitation to Negotiate

UF/IFAS plant varieties are licensed on an exclusive or non-exclusive basis. Exclusive licenses begin with a public announcement called an Invitation to Negotiate (ITN). Companies responding to the ITN must demonstrate a production, commercialization, protection and marketing plan for the plant variety. A non-exclusive license is a license granted to multiple companies and does not require an ITN.

### UF/IFAS Breeding Programs Are International

The viability of UF/IFAS breeding programs depends on the infusion of new traits such as disease resistance and drought tolerance via the international exchange of germplasm. A critical UF/IFAS goal is food security and to help feed the world as its population approaches 9 billion by 2050. U.S. agriculture is increasingly global – importing, exporting and producing crops abroad.

### Licensing Internationally

Global agricultural companies are increasingly requesting international licenses for UF/IFAS plant varieties. UF/IFAS will grant an international license when the new variety it is a need, and a sound strategy for protecting the variety from unauthorized distribution is demonstrated. Once an international license is granted by UF/IFAS, a variety may take up to 5 years before it is produced commercially in that country. If varieties are not protected and licensed, they fall into the public domain in foreign countries.

### CONTACTS

<b>Jackie Burns</b> Dean for Research and Director Florida Agricultural Experiment Station 1022 McCarty Hall D P.O. Box 18700 Gainesville, FL 32611-0200 352-392-1784 • jburn@ufl.edu	<b>John Beuttenmiller</b> Executive Director Florida Foundation Seed Producers, Inc. 3013 Highway 71 Marianna, FL 32446 850-594-4721 • beut@ffsp.net
---	---

FOR MORE INFORMATION, SEE:  
<http://research.ifas.ufl.edu/cultivar-release-guidelines.shtml>

**UF/IFAS**  
UNIVERSITY OF FLORIDA



# THANK YOU

Mary Duryea – UF/IFAS Associate Dean for Research  
Barry Tillman – UF/IFAS Professor of Agronomy  
John Beutenmuller – Executive Director of FFSP

Eric Young – Executive Director of SAEESD  
SAAES Directors from states with peanut interests

National Peanut Board  
State Peanut Associations  
FFSP Board of Directors