



Canada's Seed Partner

## MEDIA RELEASE

### PBR moves from Education to Enforcement

**Ottawa, ON – January 23, 2018** –SeCan has reached settlement with a number of western producers who were selling and/or advertising for sale varieties protected by PBR.

“Our goal is to continue to educate” says Todd Hyra, Business Manager, Western Canada for SeCan. “Part of education is the willingness to take the step to enforce the rights on behalf of the breeder”.

Below are the most recent infringers listed by town, province and variety.

Cory Dawe	Dinsmore	SK	AC® Strongfield Durum
Richard Erle Bredahl	Shaunuvon	SK	AC® Strongfield Durum
Dylan Szakacs	Melfort	SK	AC® Vesper VB CWRS
Chad Swan	Plenty	SK	CDC Copeland Malt Barley
Ian Topham	Eastend	SK	CDC Cowboy Feed Barley
G5 Farms Ltd.	Oak River	MB	CDC Copeland Malt Barley
Clayton Miller	Young	SK	CDC Copeland Malt Barley

“PBR has been in place for 25 years and ‘I did not know’ is no longer a suitable excuse,” says Lorne Hadley from CPTA. “It’s refreshing to see some willing to step forward and admit a mistake – these end very differently than cases where the infringer is reluctant to come clean. We never pursue an infringer without having evidence in hand.”

Awareness is the important first step and SeCan talks about the importance of PBR whenever possible. To stay on side Hadley points out a few things to keep in mind:

- 1) Most new varieties have some form of protection – don’t assume a variety is not protected.
- 2) If a variety is protected under PBR, **it is illegal to sell common seed, even if you don’t use the variety name.**
- 3) Under PBR, it is OK to keep seed on your farm - as long as the farm-saved rights are not pre-empted by another agreement or contract.
- 4) Under the new PBR '91 rules, **the buyer, the processor, and the seller are responsible for the infringement.**
- 5) Visit [PBRfacts.ca](http://PBRfacts.ca) for more information.

The goal of Plant Breeders' Rights is to encourage investment in plant breeding in Canada. There is a misconception that PBR only benefits large companies - the fact is large companies often have other tools to protect their intellectual property (including patents and contracts). PBR is critically important for public breeders, (including universities) and smaller private breeders who may not have the resources or traits necessary to utilize other forms of protection.

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*SeCan is a consortium of over 600 independent Canadian seed businesses engaged in seed production, processing and marketing. As "Canada's Seed Partner", SeCan actively seeks partnerships that promote success in Canadian agriculture. SeCan is the largest supplier of certified seed to Canadian farmers, with more than 480 varieties in 27 crop types developed by public and private sector breeding programs. Collectively, SeCan members are major supporters of seed variety research and development, returning more than \$100 million in royalties and research funding since inception in 1976.*

*The Canadian Plant Technology Agency promotes an environment within Canada where a robust and globally competitive framework of intellectual property protection is valued and respected. A competitive intellectual property structure will encourage continued research investment and sustainable innovation, benefiting Canadian farmers, consumers, and the plant science industry.*

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