

The IRRI logo is displayed in green, bold, sans-serif capital letters. It is positioned on a vertical yellow banner that features a background pattern of white rice grains.

IRRI

# USE OF PLANT VARIETY PROTECTION: EXPERIENCE OF THE INTERNATIONAL RICE RESEARCH INSTITUTE

*Impact Of Intellectual Property Rights On  
Research For Development*

*Dr Elsie Quaite-Randall  
Head, Innovations Management Unit  
The International Rice Research Institute  
Los Baños, Philippines*

The logo for 'Rice Science for a Better World' is located in the bottom left corner. It features the text 'Rice Science for a Better World' in a green, serif font, with a small graphic of a rice stalk and a globe integrated into the design.

Rice  
Science  
for a Better  
World

# Overview

1. IRRI and its Mission
2. IPRs and IRRI's Mission
3. Breeding Material at IRRI
4. Conclusions and Next Steps





# About IRRI

- The largest non-profit agricultural rice research center in Asia.
- A member of the CGIAR consortium
- A world leader in rice breeding and science.
- Established in 1960.
- Around 1,300 staff.



# IRRI's mission

To *reduce poverty and hunger, improve the health of rice farmers and consumers, and ensure environmental sustainability* through *collaborative* research, *partnerships*, and strengthening of *national agricultural research and extension systems*.



# Question

Is the formal IP protection of technologies and/or PVP registration of IRRI developed rice lines compatible with IRRI's mission ?





# Relevant agreements & policies

1. Trade related aspects of Intellectual Property Rights (The TRIPs Agreement, 1995)
2. The International Treaty for Plant Genetic Resources for Food And Agriculture (The Treaty, 2006)
3. The CGIAR Intellectual Assets Principles (the IA Principles, 2012)
4. IRRI Intellectual Property Policy (the IP Policy, 2010)



# Commonalities

Benefit to society

Benefit sharing if access restricted

Academic and emergency use

Facilitated access to materials

Ease and harmonization of international  
IP protection

Limited exclusivity possible



# IP protection @ IRRI

Key Drivers: 1) Impact, 2) Availability and 3) Stewardship of IRRI's technologies

1. Need for private sector partner to distribute/create the technology
2. Need to defensively protect to ensure continued access to the technology
3. Uncontrolled release would have a negative impact





# PVP protection @ IRRI

Key: Impact, availability and stewardship of IRRI's technologies

1. Need for private sector partner to distribute/create the technology
2. Need to defensively protect to ensure continued technology access
3. Uncontrolled release would have a negative impact



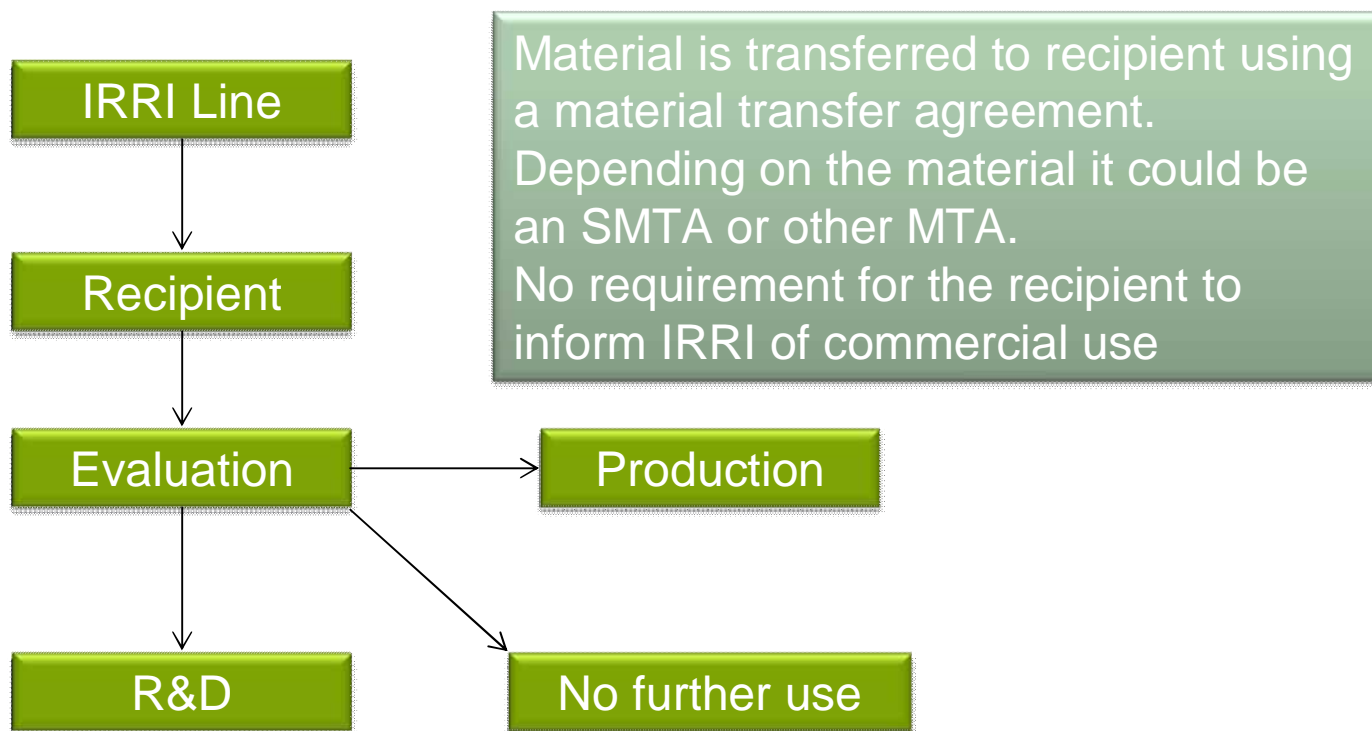
# Breeding material at IRRI: Traditional approach

- Elite rice lines are available to all
  - No IPRs claimed by IRRI
- Provide seed to requestors *via* MTA
  - No IPRs claimed by requestor
- No limitations on use

**IRRI not informed re commercialization**

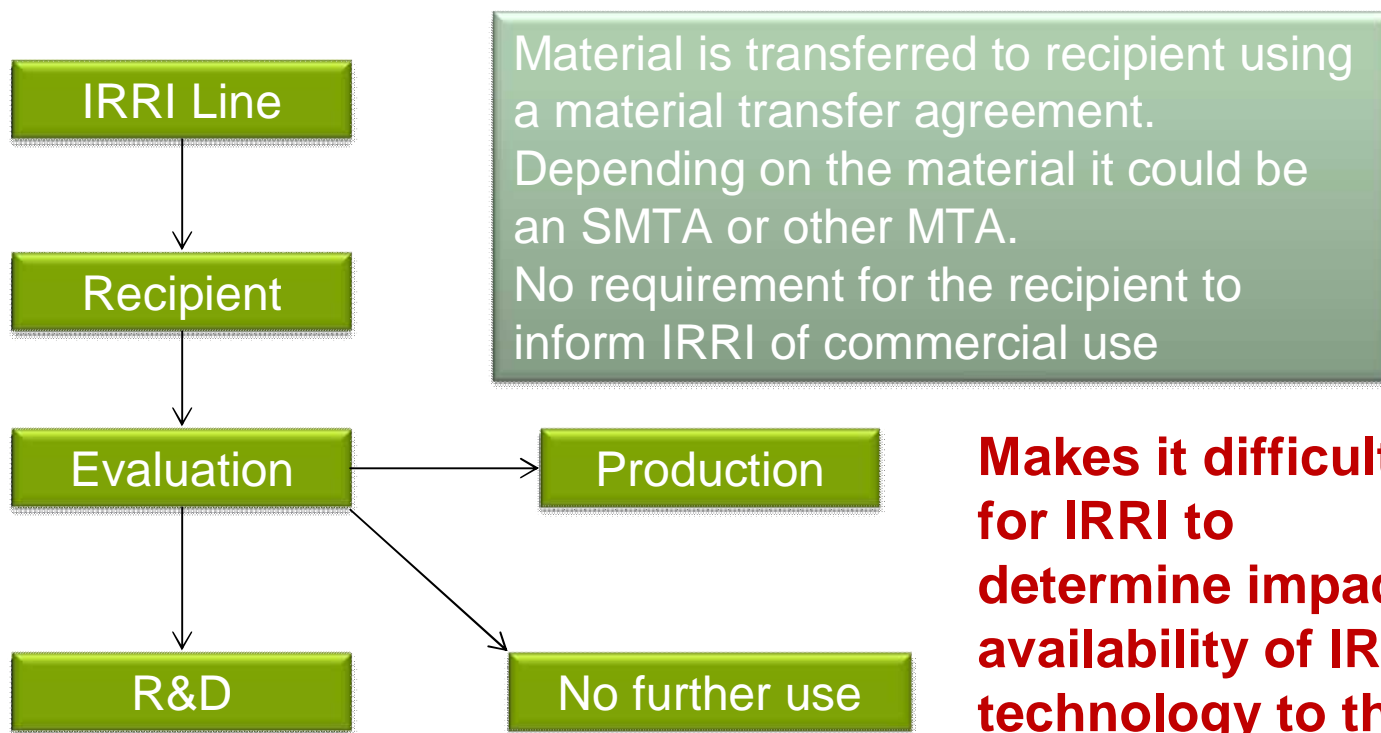


# Breeding material at IRRI: Transfer of IRRI lines





# Breeding material at IRRI: Transfer of IRRI lines



**Makes it difficult for IRRI to determine impact, availability of IRRI technology to the farmer**



# Breeding material at IRRI: A changing perspective

1. Measure the full impact of IRRI's research
  - Difficult to follow our elite lines
2. Provide SMEs with a license to a variety
  - Increases availability to farmers
3. Encourage private sector partners to co-develop complex technologies
  - Best possible technology to farmers

**Some partners have asked if IP or PVP protection is possible**



# Breeding material at IRRI: A changing perspective

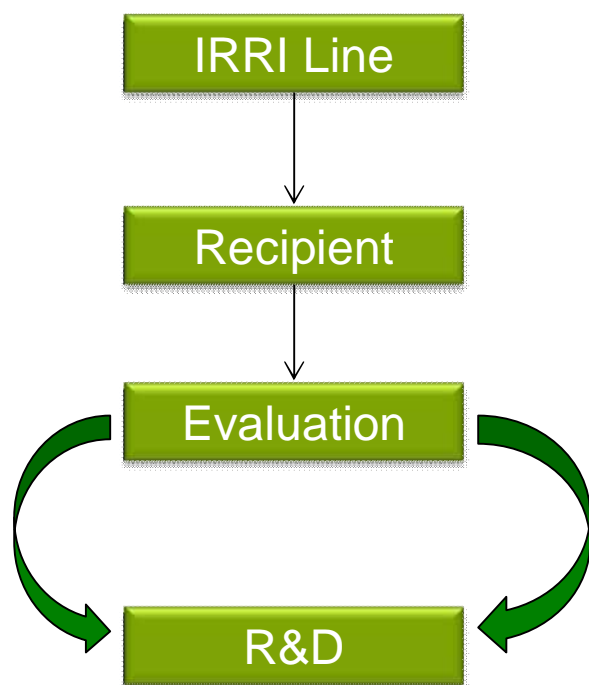
1. Use for breeding and research
2. Use for seed production
  - Commercialize through formal seed system
  - Save, exchange or sell through informal seed system
    - Grow as a crop
    - Release as national variety

## IRRI informed re use and/or commercialization





# Breeding material at IRRI: Breeding and research



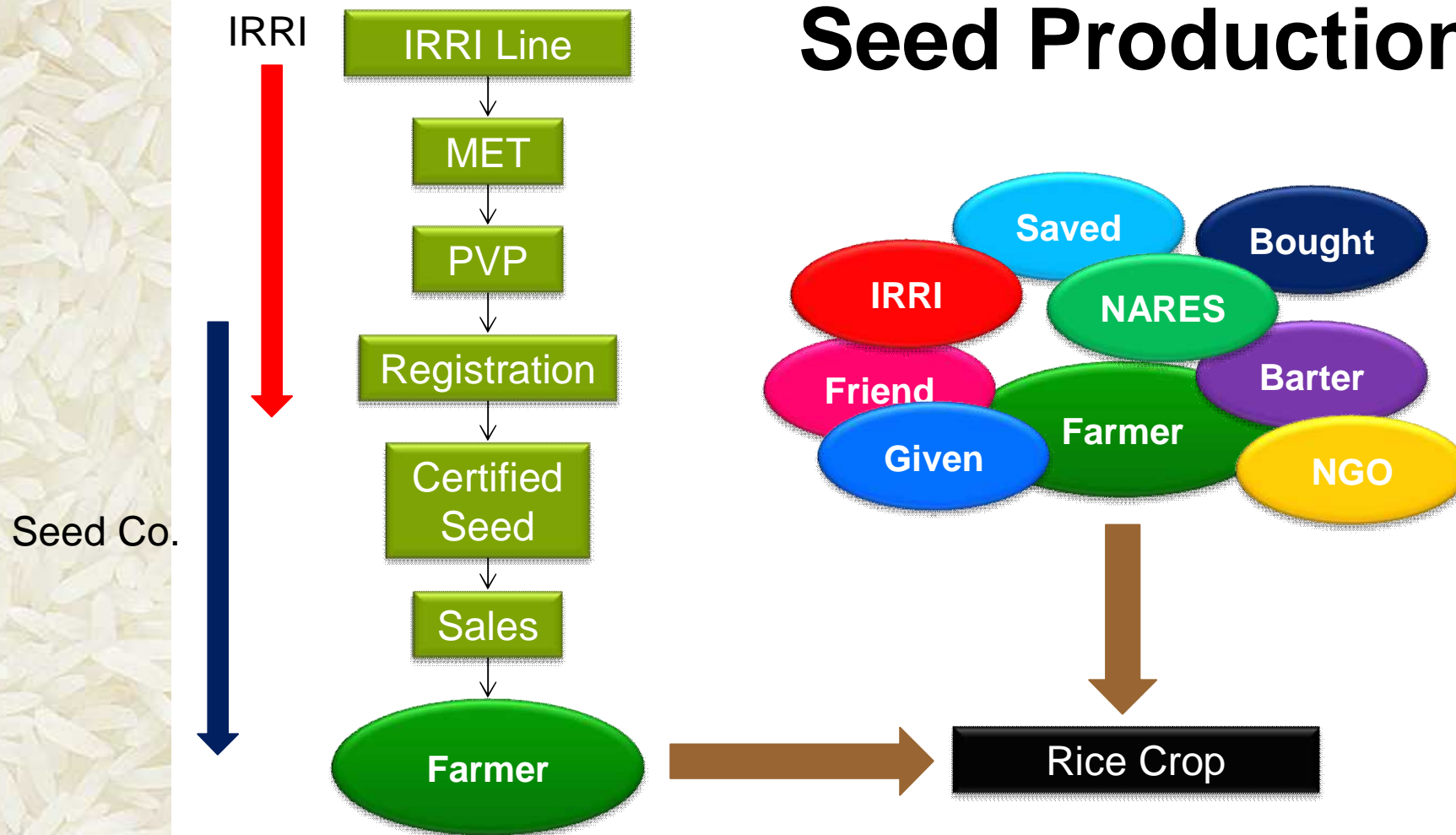
Material is transferred to recipient using a material transfer agreement. Depending on the material it could be an SMTA or other MTA.

Recipient must inform IRRI of intent to commercialize IRRI Line and request license for same.  
Request that recipient informs IRRI if they breed a new variety from IRRI Line



IRRI

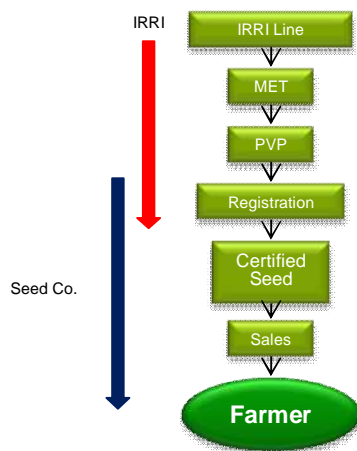
# Breeding material at IRRI: Seed Production



Rice  
Science  
for a Better  
World



# Breeding material at IRRI: Seed Production

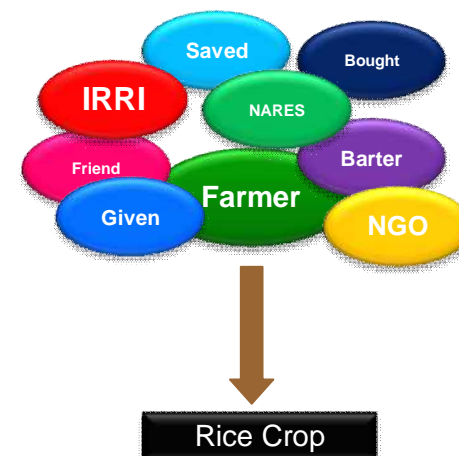


## Formal Seed System

- Work with private sector partners to finalize the IRRI line
- Use private sector distribution channels to reach farmers
- Apply for PVP protection if appropriate

## Informal Seed System

- Authorize public sector partners to use IRRI materials for seed production with reporting requirement
- Authorize farmers to directly use seed if desired
- Apply for PVP protection if appropriate





# PVP: The Treaty requirements are met!

**A registered variety can be commercialized  
as a product**

- Through a negotiated license

**Breeders and research exemption:**

- Variety is available for breeding and research purposes from IRRI or through seed purchase

No requirement to pay into the fund



# PVP: Public-Private requirements are met!

## Breeders rights:

- Ownership of the variety
- Ability to commercially license (limited exclusive/non-exclusive) variety
- Can request a fair consideration

## Breeders and research exemption:

- Variety is available for breeding and research purposes



# Commonalities

Benefit to society

Benefit sharing

Academic and emergency use

Facilitated access to materials

Ease and harmonization of international  
IP protection

Limited exclusivity possible





# Commonalities

Benefit to society



Benefit sharing



Academic and emergency use



Facilitated access to materials



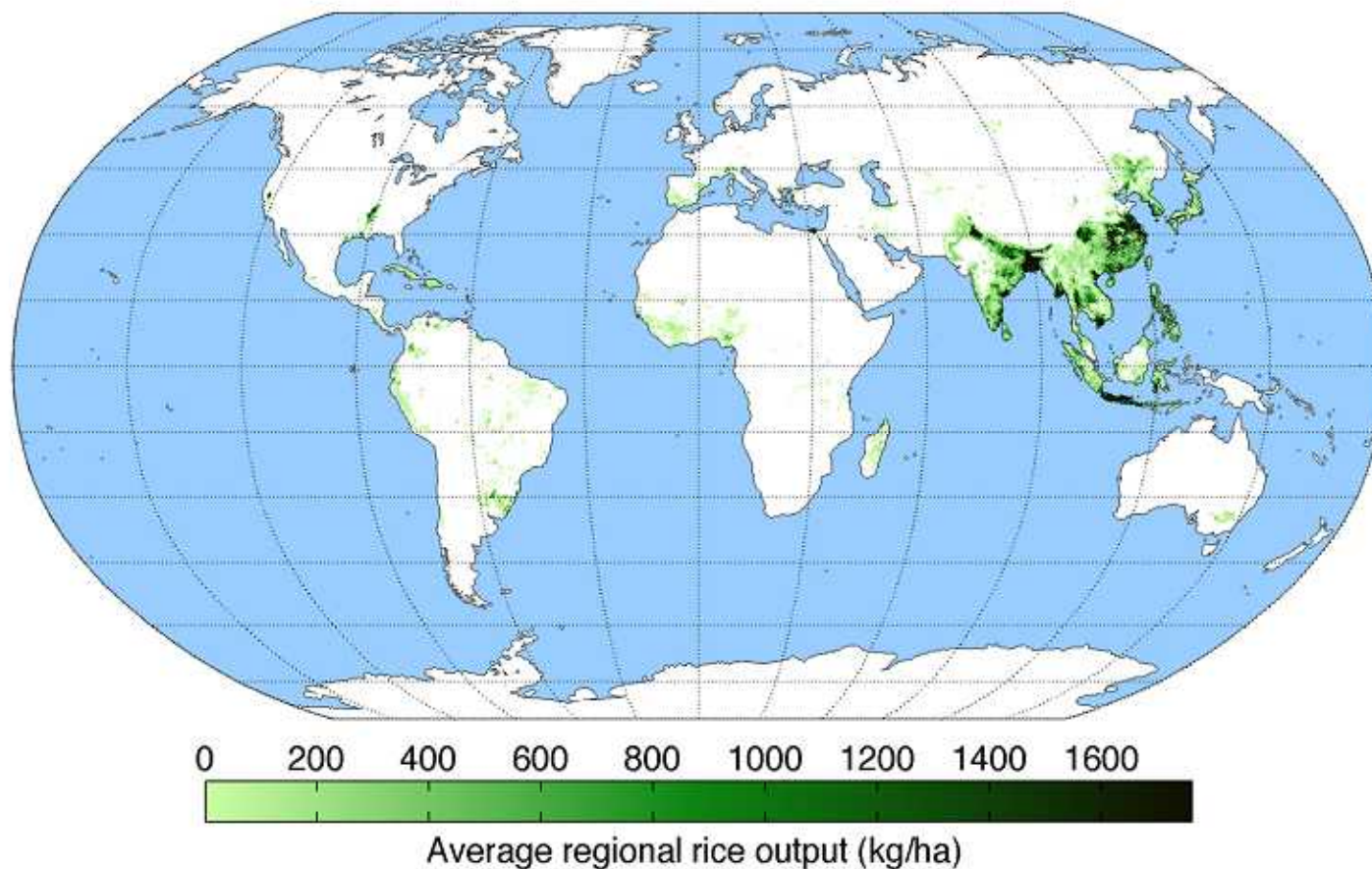
Ease and harmonization of international  
IP protection



Limited exclusivity possible

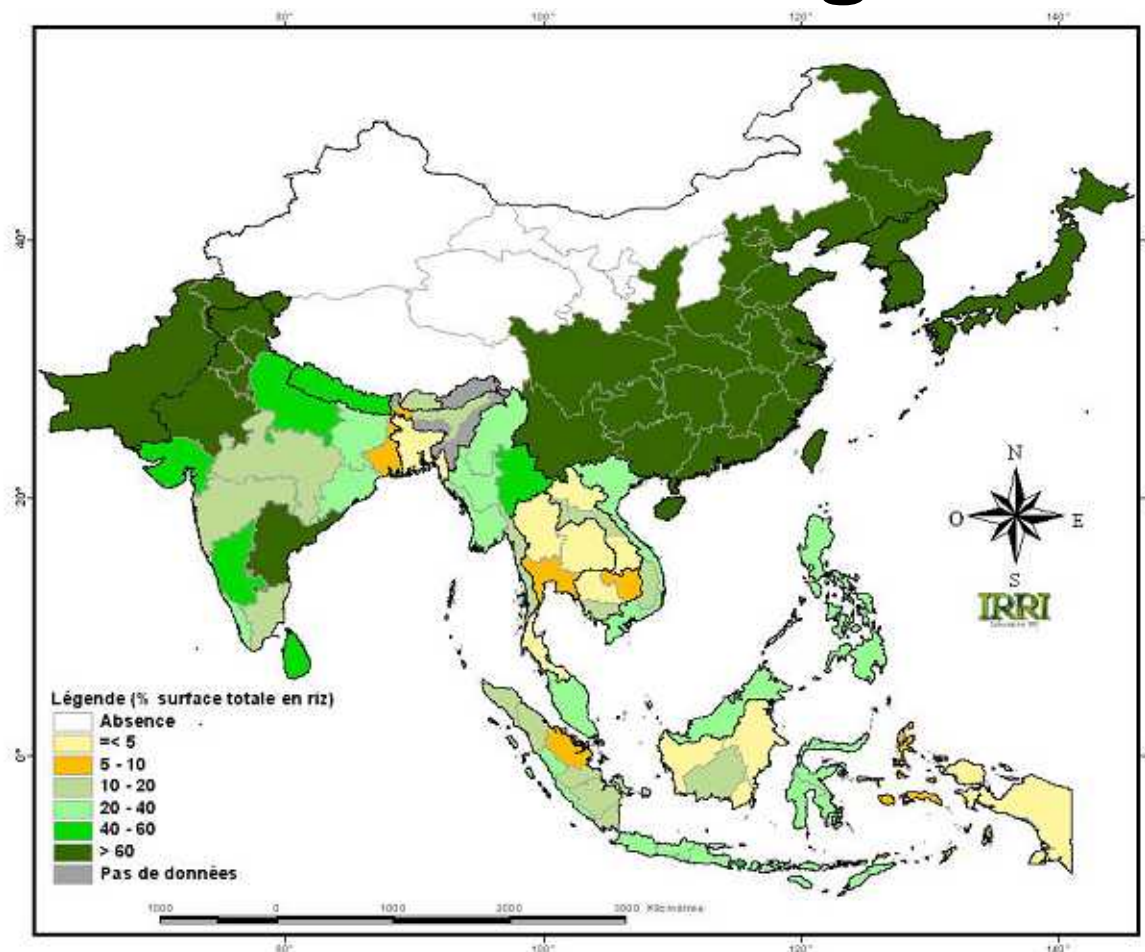


# IRRI and PVP registrations





# IRRI and PVP registrations





# IRRI and PVP registrations

PVP registration is in line with IRRI  
mission and policies

## UPOV

Japan

Vietnam

China

Singapore

## Non-UPOV

Philippines

India

Thailand

Indonesia

*et al*

Evaluation stage: How best to deal with this?



# Conclusions

PVP protection is in line with the major treaties, conventions and mandates that IRRI must abide by and may be necessary to work with the private sector

Private sector partners who keep IRRI better informed of outcomes will allow a more accurate determination of impact

Private sector partners with existing distribution channels for seed will ensure better access to farmers

Need to develop an international strategy to deal with UPOV and National PVP systems





**Thank you!**  
**Questions**

