

Intellectual Property

Best Practices and Developing an Intellectual Property Protection Strategy

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Best Practices

IP Strategy

Education
and Training

Confidential
Information

Notebooks

Invention
Disclosures

Record
Retention

Publication
Review
Process

Agreements

Ethics and
Compliance

Best Practices

Material
Acquisition and
Storage

Treaties and
Laws

Bag and Other
Labeling

Trademarks and
Logos

Monitoring and
Detection of
Third Party
Material

Post Patent
Process

Potential Third
Party Issues

Freedom to
Operate Analysis

Enforcement

Developing an Intellectual Property Strategy

Develop Protection Strategy

- Why Protect
- How to Protect
- What to Protect

Develop Process

- Identification of inventions
- Invention Disclosure
- Review of inventions and drafting
- Where to Protect
- Enforcement

Why Protect?

Asset

Freedom to
Operate

License

Deterrent
effect

Create value

Option to
pursue
action

How to Protect?

Patent

Plant Variety
Protection
(PVP)

Bag Tag

Agreement

Trademark

Copyright

What to Protect with a Patent?

Native Traits

Methods

Molecular
Technologies

Breeding
Technologies

Genetics

Other
Technologies

A Little Background – Monsanto Vegetable Seeds



MORE THAN
2,000 SEED VARIETIES
SOLD IN 160+ COUNTRIES

22 DIFFERENT CROP FAMILIES INCLUDING

- △ BROCCOLI
- △ CARROT
- △ CAULIFLOWER
- △ CUCUMBER
- △ LETTUCE
- △ MELON
- △ ONION
- △ PEPPER
- △ SPINACH
- △ SWEET CORN
- △ TOMATO
- △ WATERMELON & MORE!

MORE THAN
98% OF R&D INVESTMENT

FOR **BREEDING** BETTER SEEDS TO IMPROVE VEGETABLE PRODUCTIVITY, QUALITY AND CONSUMER APPEAL, INCLUDING TASTE AND FLAVOR

2 BIOTECH VEGETABLE CROPS
SQUASH AND SWEET CORN



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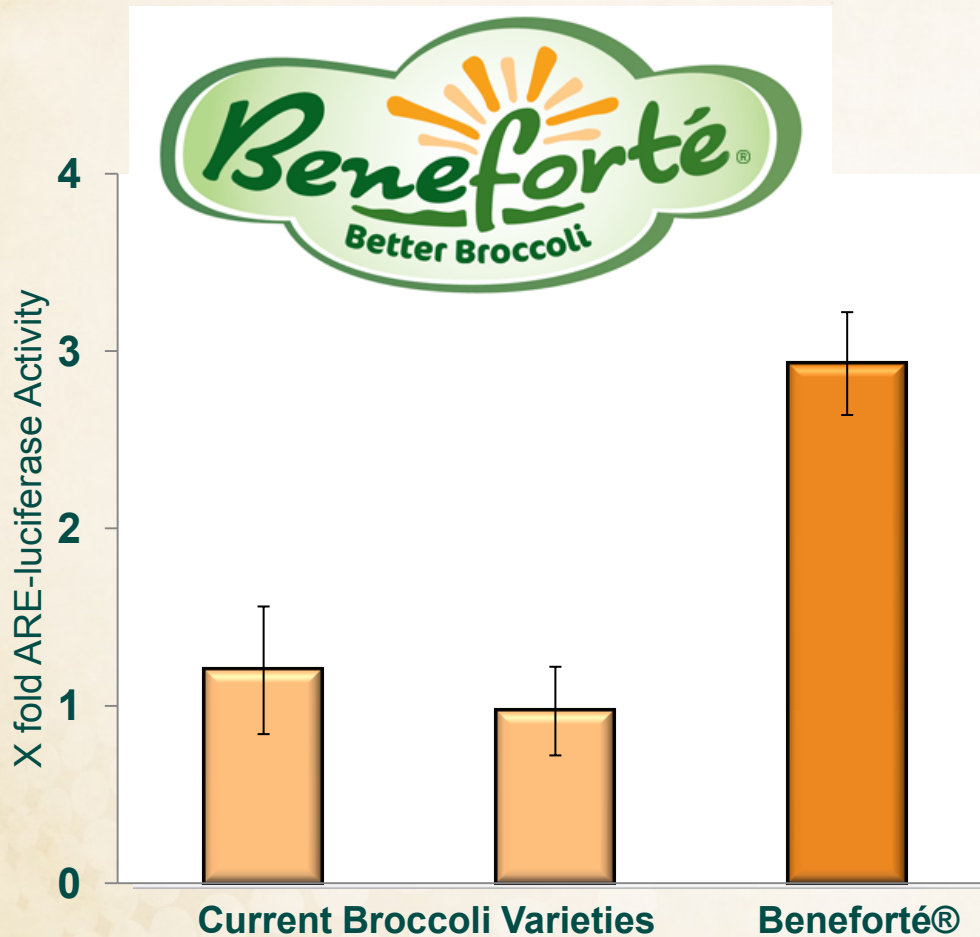


Frescada® Lettuce



- **A sweet tasting lettuce, very low in bitterness and crunchier compared to romaine**
- **Greener color and more flavor compared to iceberg**
- **Has more vitamin C and folate compared to iceberg**

Beneforté® Broccoli



*2009 Monsanto trials

- **Beneforté®** broccoli fresh florets naturally contains 2-3x the phytonutrient glucoraphanin than other broccoli varieties
- **Glucoraphanin** boosts your body's antioxidant enzyme levels.
- **Antioxidant enzymes** help maintain the antioxidant activity of vitamins A, C, and E

What to Protect?

Selected Granted Claims

Iceberg/Romaine Lettuce

U.S. 8,729,343

- A lettuce seed capable of producing a lettuce plant, wherein said lettuce plant comprises at least two morphological characteristics selected from the group consisting of an elliptical stature, a spatulate leaf shape, and a semi open head formation; and wherein said lettuce plant has a first outer leaf of a head having a length to width ratio between about 1.2 and about 2.7, and a color which ranges from about RHS 146A to about RHS 146B.

Downy Mildew Resistant Cucumber

U.S. 8,859,859

- A method of producing a cucumber plant having resistance to Downy Mildew comprising the steps of:
- crossing a cucumber plant of accession PI197088 with a second cucumber plant having at least one desired traits; and
- selecting at least a first progeny cucumber plant resulting from the crossing that comprises resistance to Downy Mildew and the desired trait.

Beneforté® Broccoli

U.S. 6,340,784

- A broccoli plant having elevated levels of 3-methylsulfinylpropyl glucosinolates, or 4-methylsulfinylbutyl glucosinolates, or both, elevated above that initially found in *Brassica oleracea* breeding lines, wherein the broccoli plant is a hybrid plant produced by crossing a broccoli breeding line with a wild *Brassica* species selected from the group consisting of *B. drepanensis* and *B. villosa*.

Process for Patent Protection

Identification of
Invention

Invention
Disclosure
Submission and
Review

Data Review and
Development

Claiming
Strategy

Application
Drafting Process
and Timeline

Seed Deposits

Timing of Filing

Review Prior to
Anniversary Date

Foreign Filing
Decisions

Where to Protect?

Scope of
Protection in
Country

Cost Over Life
of Patent

Type of
Claims and
Invention

Commercial
Value

Research and
Development
Locations

Strength of
Patent System

Enforcement
Options and
System

Compulsory
Licensing

Patent Term
Extensions

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THANK YOU !



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