Center proposes solution for ag biotech licensing disputes

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While UC earns sig-
nificant royalties from
plant patents, such as
strawberry cultivars,
intellectual property
issues prevent the
University from re-
leasing new cultivars
that use modern
methods of genetic
modification. At a re-
cent workshop at UC
Berkeley, researchers
proposed a global
clearinghouse for in-
tellectual property re-
lated to agricultural
biotec hnology.

ith concerns growing over the “Balkan-ization” of agricultural biotechnology, a summit at UC Berkeley was convened Feb. 16 to explore new mechanisms for facilitating freer exchanges of intellectual property.
The workshop sought to address a troubling dilemma: Potentially useful discoveries in agri-cultural biotechnology are being made in uni-versity and commercial laboratories around the world, but many never make it to market be-cause of the legal quagmire that results when the inventors try to secure all the necessary in-tellectual property rights.
“Any commercialization of research and development at a university that uses tech-nologies owned by others will have to deal with a lot of legal hassle and uncertainty,” says Gregory
Graff, a UC Ber-
keley Ph.D. can-
didate in Agri-
culture and
Resource
Economics.
More than

100 people from
industry, aca-
demia, govern-
ment and other
organizations at-
tended the
daylong work-
shop and round-
table discussion,
which was orga-
nized by UC Berkeley’s Center for Sustainable Resource Development (CSRD) and the UC Of-fice of Technology Transfer. The workshop was funded by the UC Division of Agriculture and Natural Resources, Giannini Foundation and Farm Foundation.
“As agricultural research in genetics, breeding, agronomy, pest control, agro-ecology and related systems becomes more and more intertwined and complex, new agri-cultural research inevitably depends more and more on access to knowledge and biologi-cal materials that have already been claimed as proprietary,” Graff and CSRD director

David Zilberman wrote in a paper prepared for the workshop.
UC currently holds 125 agricultural biotech-nology patents, the most of any US. university. However, while UC has been on the cutting edge of innovation in agricultural biotechnol-ogy, these techniques are not widely applied on the state’s farms, Graff says. ”Growers are not getting the best genetics, because the technolo-gies are tied up in court, on the laboratory shelf