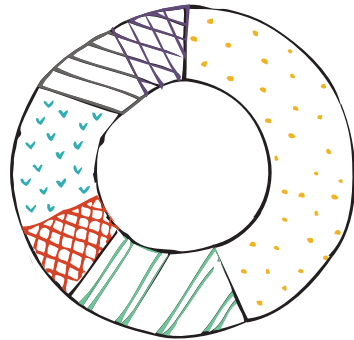


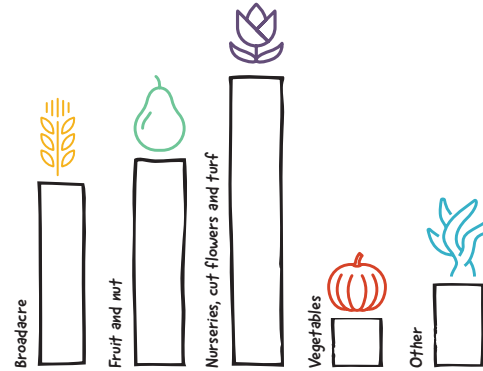
Plant Breeder's Rights (PBR) Reform - Research Insights

WHO WE SPOKE TO

70 research interviews



- Plant breeders
- Members of supply chain of a plant variety
- Generators of PBR-related IP
- Intermediaries, supporters, advisers
- Representatives of broader industry
- Academics, media, other commentators



30 other stakeholder conversations

- Peak industry
- Private sector
- Research/ Gene banks
- Government
- Academia
- Legal

WHAT WE HEARD



"PBR is the fundamental foundation of plant breeding. And if we don't have it, it doesn't happen."
(plant breeder)

- > Indigenous Knowledge and its protection in plant breeding and the PBR system
- > Role and needs of Qualified Persons as a mandatory element of the PBR process

- > Overlaps and conflicts between PBR and other registered IP rights (e.g. trade marks and patents) and use of other mechanisms (commercial agreements, end point royalties)

Key themes

- > 'Non-visible' characteristics in testing for distinctness in PBR examination

- > Complexity and cost of enforcement, and how to potentially reduce the occurrence of infringement and non-compliance

- > Issues within the PBR legislation, where people are seeking clarity or modernisation
- > IT system and correspondence issues in the PBR application process

- > Collection and use of PBR data including what is required from applicants during the PBR application process and what information is publicly available through search and information systems

- > Gaps in knowledge and awareness, particularly in industry supply chains, and problems because of a lack of understanding or available information about PBR
- > Information about PBR not being available or meeting industry needs

- > Practicalities of growing trials and the broader examination process, and how it aligns with commercial realities and the purpose of PBR

"There has to be a major paradigm shift in how we manage the determination of a new variety."
(QP)

"PBR is a good system but the enforcement for me is the weak link."
(QP)

The enforcement at that minor breach level is really challenging."
(plant breeder)

"Pace up the change! We've been making requests to do this for a long time... it's important... this is about future-proofing."
(agriculture company)

"The application process for PBR for a small business, it's pretty onerous."
(plant breeder)

"I haven't found an industry source about PBR..I don't know, I'm struggling."
(plant breeder)

"The system doesn't fit modern breeding... the convention was set up when a time was different."
(plant scientist)

WHAT'S NEXT

- Further research and discussions focusing on:
- > The role and experiences of Qualified Persons and opportunities to better align the examination process with industry needs
 - > Opportunities to modernise or clarify aspects of the PBR legislation
 - > A targeted approach to public education and awareness, - helping connect people and businesses with the right information
 - > New economic data to better understand PBR's impact on investment in and commercialisation of new varieties.