

## PVR AND SICASOV

# A win-win pairing

Sicasov collects and redistributes royalties for breeders of protected plant varieties for most plant species produced under license in France. In exchange for using farm-saved seed, farmers pay breeders through the MVC, a system set up through interprofessional agreements.

The French plant variety right system has been in force for nearly sixty years and is in fine form, thank you very much. Its operating principle is to protect varieties by granting title holders a number of rights. One of its strong points is that it makes genetic material accessible to other breeders to develop new varieties. This exemption for research is the main difference between the PVR and the patent model. Eric Devron is Managing Direc-

tor of Sicasov, a French company specialising in the management of licenses granted for the propagation of protected varieties. In his view, this open system "has contributed to preserving diversity among operators and genetic resources". To date, the PVR system has been adopted by 76 countries or groups of countries who recognize the Convention of the International Union for the Protection of New Varieties of Plants (UPOV) adopted in 1961. It was last revised

in 1991. Marc Lécivain, director of external operations of Sicasov, tells us that "this system is widely used by European countries and outside of Europe as well". In France, farmers were granted the right to use farm-saved wheat seed in 2001 under Council Regulation (EC) 2100/94. This right is contingent upon payment of variety rights to breeders via a mandatory-voluntary contribution (MVC) system. This fee is collected from all farmers and then those who have purchased certified seeds are reimbursed through a credit system. In 2013, this principle was extended to other small grain cereals. In 2014, an interprofessional agreement was also signed for potatoes. Some countries have developed other ways to collect the fees levied on farm-saved seed. According to a 2012 International Seed Federation (ISF) study, in Sweden, Finland and Denmark, it is the breeders who contact farmers directly to collect their

fee. In the United Kingdom, the British Society of Plant Breeders (BSPB) is authorized to collect royalties. For farm-saved seed, it supports a 'Fair Play' programme that encourages farmers to voluntarily declare when they use their own seed.

### One-stop shop

In many ways, Sicasov is the French counterpart of the BSPB. It is a cooperative-type structure, created in 1948, with the overarching mission of managing the intellectual property rights of breeders. "We distribute licenses to seed-growing organisations and then collect the fees which are funneled back to

the plant breeders. We thus relieve the creators of plant varieties of this administrative burden" says Eric Devron. There are other systems as well. In Australia, for example, fees are not typically calculated on seed sold but rather on the volume of crops harvested.

Beyond PVRs, Sicasov can manage any form of intellectual property rights such as technology transfer, patents and trademarks. "In the case of strawberries or potatoes, some varieties are still produced well beyond the term of protection granted by PVR. Some breeders are considering using trademarks to extend protection on the

use of these varieties and to continue funding their research" explains Marc Lécivain. Both private and public players turn to Sicasov to protect their intellectual property. "We operate both in France and abroad. But we work mainly in Europe" points out the general manager of the cooperative enterprise. Part of the activity is carried out in Italy where Sicasov has recently invested at the request of local breeders as they lack an equivalent body in their country.

Over and above these different operational matters, Sicasov performs other tasks such as providing users with useful information gained

from its regulatory and legal monitoring activities. "We help breeders market their seeds in other countries" says Eric Devron.

The organisation also defends the rights of plant breeders. "A specific Department was created in Sicasov to coordinate and develop initiatives to fight counterfeit seeds" says Marc Lécivain. Based on the French model, the Spanish company Geslive has developed over the past 20-30 years. Its activities are very similar to those of Sicasov, the difference being that it is officially a subsidiary of the National Association of Plant Breeders (ANOVE).

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## Get more value from your innovations !



Sicasov, created by breeders for breeders, provides the following services :

- Licence grants and royalty collection
- Protection and defence of rights holders
- Ensuring compliance with contracts and monitoring of licensees
- Legal intelligence and advice to its users

Meet us at ISF Congress in Nice at the French Seed Sector booth.

Email us to make an appointment and visit our reserved trade table.

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To protect the spirit of plant breeding