Promoting Inclusive & Sustainable Innovations in Plant Varieties: Is UPOV a Good Fit for Developing Countries?

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Presentation Structure

• IP in Plant Varieties?
• Statistics – the Current Situation in India
• Agrobiodiversity: A Farmer’s Dilemma?
• The Story of HMT
• Conclusion & Recommendations?
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Background: Theories Justifying IP Protection

Public Goods

- Non-Rivalrous
- Non-Excludable
Background: Theories Justifying IP Protection
Create incentives for innovation

Grant Exclusive Rights

Eliminate Free Rider Problem

Create incentives for innovation

Intellectual Property Protection Regimes

Background: Theories Justifying IP Protection
Background: What about IP for Plant Varieties?

Can IP protection regimes in the agricultural seeds sector follow the same logic?

Seeds = Self-Replicating Technologies

Others breeders can also free ride

Farmers can free-ride on efforts of breeders
“The sixties were the most eventful times for Indian agriculture.... This was the period, during which the private sector significantly stepped into the seed business. In 1991... (after the adoption of) the New Policy on Seed Development.... more than 24 companies initiated research and development activities....” V.R. Gadwal (2003)*

No Problem!

F1 hybrids permit plant breeders ("the formal sector") to appropriate the value inherent in their new varieties, even in the absence of IP protection regimes.
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<th>Transgenic Hybrid</th>
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Agrobiodiversity: The Farmers’ Dilemma

- Save seeds (decrease costs) or buy improved seeds (increase productivity)?
The Current Situation

“In the context of plant genetic resources... property rights that are located at the retail end of the...plant breeding industries may not... generate... incentives to supply adequate amounts of plant genetic resources....” Swanson and Göschl (2000)*

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Case Study: The Story of HMT Rice

Dadaji Ramji Khobragade
Case Study: Rural Innovator

Prakash Singh Raghuvaranshi
Introduction: The Story of HMT Rice

Farmers’ Varieties Protected under the Indian Plant Variety Protection Act
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Is UPOV a Good Fit for Developing Countries?

Conclusions?
Recommendations?
Thank you for your attention!