



MEDIA RELEASE

FP Genetics and SeCan Reach Joint Plant Breeders' Rights Settlement

Regina, SK – February 23, 2017 – FP Genetics and SeCan announced today the settlement of a joint Plant Breeders' Rights (PBR) case between FP Genetics/SeCan and Dustin Hawkins near Kincaid, Saskatchewan. The settlement relates to unauthorized advertisements and sales of PBR protected varieties AC[®] Transcend and AC[®] Strongfield durum.

While full details of the settlement are not available, the parties have agreed to a cash settlement that includes compensation for royalties, legal and investigative costs, as well as a declaration there will be no additional unauthorized sales.

“Seed sellers need to be aware of the rules – if a variety is protected by PBR, it is protected whether you call it common seed or you call it by the variety name,” stated Rod Merryweather, CEO of FP Genetics. “Infringers need to be aware - it is not just a matter of paying royalties owing when you get caught. Settlement normally includes royalties, investigative and legal costs, and other damages, which can result in very substantial payments,” added Merryweather.

Lorne Hadley with the Canadian Plant Technology Agency says, “The majority of any cereal varieties released in the last 15 years are all protected by PBR – this includes durum wheat. There have been some recent changes to the Act, but PBR has been in place for 25 years with considerable investment in education, and an increasing number of publicized enforcement actions. After 25 years everyone should know the rules.”

“This case is an example of how the industry needs to work together to continue to educate and enforce Plant Breeders' Rights. FP Genetics and SeCan worked closely with the CPTA to bring this case to a successful conclusion,” says Todd Hyra, SeCan Business Manager, Western Canada. “This is never pleasant, but it is necessary to continue to allow us to attract investment to Canada,” added Hyra.

For more information regarding Plant Breeders' Rights visit: PBRfacts.ca

FP Genetics is dedicated to providing superior seed genetics to western Canadian farmers through 157 local seedsmen who own the company. Recognized as a leader in the cereal seed business, FP Genetics licenses leading genetics from breeding companies around the globe, producing and distributing pedigreed seed to commercial farmers who want the most profitable seed varieties.

SeCan is a consortium of over 700 independent Canadian seed businesses engaged in seed production, processing and marketing. As “Canada’s Seed Partner”, SeCan actively seeks partnerships that promote success in Canadian agriculture. SeCan is the largest supplier of certified seed to Canadian farmers, with more than 480 varieties in 27 crop types developed by public and private sector breeding programs.

Collectively, SeCan members are major supporters of seed variety research and development, returning more than \$100 million in royalties and research funding since inception in 1976.

- 30 -

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