

PBR from the Perspective of an Organisation Tasked with Economic Growth





Department of Primary Industries and Fisheries

...is a lead agency for applied research, development and extension in tropical and subtropical horticulture tasked with creating accelerated economic growth in Queensland



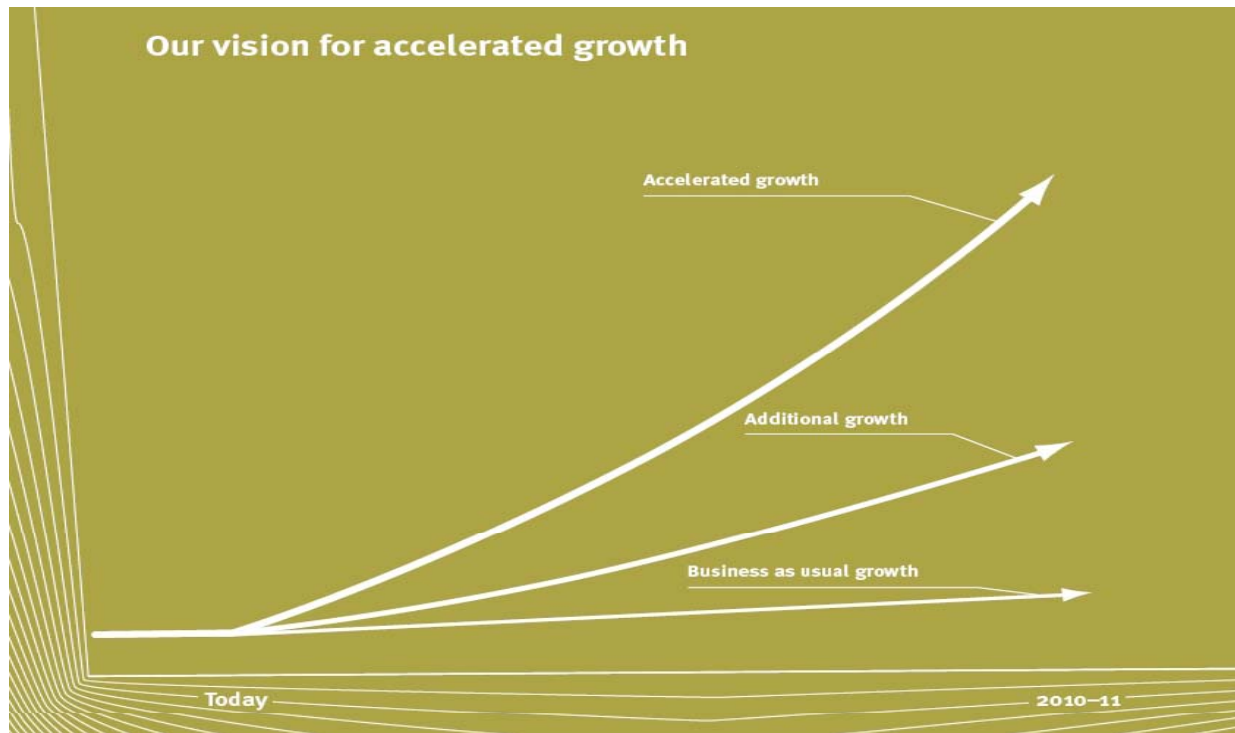
Profitable primary industries for Queensland



Queensland Government
Department of **Primary Industries and Fisheries**



Department of Primary Industries and Fisheries



Profitable primary industries for Queensland



Queensland Government
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Queensland's horticulture industry

- Second largest primary industry
- Est. total gross value: A\$2.6 billion (2001–02)
- Provides:
 - 1/3 of Australia's produce
 - 13% of Australia's fruit exports
 - 17% of Australia's vegetable exports





Queensland's horticulture industry

The breeding of new varieties and the on-going research to support their commercialisation and use is a cornerstone business case for achieving this outcome.

...IP protection using PBR has become a major tool for IP management.





PBR supporting Qld's horticulture industry

- PBR is a registered right
- “Commercial” rights for 20/25 years
 - Name, synonym, legal remedies
- Part 1 and Part 2 allow a staged approach
- Centralised Testing Centre reduce fees
 - *DPI&F Maroochy – pineapple*
 - *DPI&F Mareeba – mango*
 - *DPI&F Redlands – turf*





PBR supporting Qld's horticulture industry

- DPI&F currently have 29 horticultural Australian PBR certificates or applications.
- The PBR forms the basis of many of our license agreements by providing the legal right to the IP which is then licensed to the licensor.





PBR supporting Qld's horticulture industry

Calypso™ Mango case study

- Based upon B74 and A67 PBR, and “Calypso” trademark
 - B74 – Cert# 1983, A67 – Cert# 2990, “Calypso” TM# 913523
- Exclusive access to this suite of IP underpins the commercial value of the license to OneHarvest.

<http://www.calypsomango.com.au/>





PBR supporting Qld's horticulture industry

Calypso™ Mango case study

- Third-line forcing used in commercialisation model.
 - ACCC notification# N90848
- On-going R&D program supported by OneHarvest provides conduit for DPI&F science to add value to IP.

<http://www.calypsomango.com.au/>





PBR supporting Qld's horticulture industry

Calypso™ Mango case study

- Early PBR of B74 has caused issues with US Plant Patent just recently accepted – USPP# PP17,770 (29th May 2007).
- Case study fully described in HAL Final Report AH05007.

<http://www.calypsomango.com.au/>





PBR supporting Qld's horticulture industry

Strawberry case study

- Better Berries research program has a strong breeding component.
- Qld industry grew from \$8M in 1991 to over \$120M in 2005.
- New varieties used as a focus around which other industry improvement activities occur.

<http://www2.dpi.qld.gov.au/horticulture/15668.html>





PBR supporting Qld's horticulture industry

Strawberry case study

- PBR protection allows DPI&F to protect and license out its' new varieties as well as become a licensee of o'seas material based upon our ability to achieve Australian PBR protection.

<http://www2.dpi.qld.gov.au/horticulture/15668.html>





PBR supporting Qld's horticulture industry

Strawberry case study

- Festival – PBR Cert# 2545
 - Owned by Florida Foundation Seed Producers
 - PBR'd & managed by DPI&F
- Rubygem – PBR Cert# 2810
 - Owned by DPI&F & HAL
 - PBR'd & managed by DPI&F

<http://www2.dpi.qld.gov.au/horticulture/15668.html>





PBR supporting Qld's horticulture industry

Conclusions

- DPI&F haven't PBR'd vegetable hybrids or forestry hardwood clones
- USPP timing issues
- Still learning
 - First sale
 - Essentially derived





PBR supporting Qld's horticulture industry

Conclusions

- PBR and other IP protection has allowed DPI&F to justify a strong and growing investment in technologies that lead to new plant varieties that can be used to the economic benefit of Queensland.





PBR supporting Qld's horticulture industry

