

Hayes, D. J., S. H. Lence, and A. S. Goggi. 2009. Impact of intellectual property rights in the seed sector on crop yield growth and societal welfare: a case. **AgBioForum 12(2):155-171.**

Abstract

A case study approach is used to track research funding decisions made by the private seed sector. The three cases chosen provide a range of intellectual property protection (IPP) environments, crops and companies, namely, (1) wheat in the U.S. and the EU, (2) rootworm-resistant corn, and (3) hybrid tomatoes. The analysis suggests that IPP for U.S. wheat is weak because growers are allowed to save seed and because breeders are responsible for the costs, both transactional and reputational, associated with enforcing those IPP rights that do exist. IPP in processed tomatoes is higher than in wheat because all processing tomatoes are now hybrids. However, the possibility that protected tomato varieties could be asexually reproduced weakens IPP and the incentive for the private sector to fund the basic research that might lead to high-value varieties. IPP in the U.S. corn market is strong, and as a result, the private sector dominates in all aspects of the research process.

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