

The last patent on the original Roundup Ready® soybean trait has expired and below are some answers to common questions that U.S. farmers ask about the use of that trait, patents, and saved seed.

Is original Roundup Ready® soybean seed covered by other intellectual property rights?

While Monsanto's patents on the original Roundup Ready® soybean trait have expired, most soybean seeds containing that trait are still covered by other intellectual property rights in the United States, including patents on specific soybean varieties and Plant Variety Protection certificates that plant breeders obtain when they develop a new variety.

Are the Roundup Ready 2 Yield® soybean trait and Roundup Ready 2 Xtend® soybean traits covered by different patents?

Yes. The Roundup Ready 2 Yield® soybean trait and Roundup Ready 2 Xtend® soybean traits are covered by different patents than the original Roundup Ready® soybean trait.

Is Monsanto going to stop patenting varieties?

No. We will continue to patent the varieties that we commercialize, as do many other seed providers. Patents encourage advancements and investments in innovation. Our investments in advanced breeding and trait technologies allow us to accelerate the rate of innovation in soybean, which translates into additional value for farmers.

Can a farmer legally save and plant original Roundup Ready® soybean seed from their own harvest?

U.S. farmers can legally plant saved seed from certain varieties of soybean containing the Roundup Ready® soybean trait. However, if your Roundup Ready® soybean variety is protected by other intellectual property rights, you may not be able to save and plant the seed from that variety without a license giving you that added right. It is critical to check with your seed supplier regarding the policy for saving seed of a specific variety.

What seed is eligible to be saved and planted by a farmer for his own use?

We have licensed independent seed companies to sell varieties of glyphosate-tolerant seed that are based on the trait technology in original Roundup Ready® soybeans developed by Monsanto, and we are enabling those seed companies to provide farmers who purchase those varieties with special licenses to save and plant harvested seed of those varieties. These rights only apply to specific Monsanto-developed varieties, and other breeders set their own policies about whether to license farmers to plant saved seed of the varieties they developed.

If a variety is still covered by a variety patent or Plant Variety Protection certificate, you may not be able to save and plant the seed from that variety without a license giving you that added right. That's why it is critical to check with your seed supplier regarding the policy for saving seed varieties with the original Roundup Ready® soybean trait that were developed by other companies.

Can a farmer take harvested Roundup Ready® soybean seed and transfer it to a neighbor to plant?

If you wish to transfer Roundup Ready® soybean seed that you saved from a prior harvest to another farmer for planting, you should check with your dealer to ensure there are no restrictions, including licenses, patents, breeder rights, and/or Plant Variety Protection certificates, that would prevent a legal transfer.

Can a farmer save and replant Roundup Ready 2 Yield® soybeans or Roundup Ready 2 Xtend® soybeans?

No. The traits in Roundup Ready 2 Yield® soybeans and Roundup Ready 2 Xtend® soybeans are protected under different patents that are still in force.

Can Monsanto tell the difference between original Roundup Ready® soybeans, Roundup Ready 2 Yield® soybeans, and Roundup Ready 2 Xtend® soybeans?

Yes. Monsanto can distinguish the Roundup Ready® soybean trait from the Roundup Ready 2 Yield® soybean trait and Roundup Ready 2 Xtend® soybean traits.

Will Monsanto pursue anyone found illegally saving Roundup Ready 2 Yield® or Roundup Ready 2 Xtend® soybean seed?

Yes. If we find a farmer who is illegally saving seed, we make every effort to resolve the matter in a timely and cooperative manner. Developing new seed traits and varieties requires significant investments. Laws protect new technological inventions, including seed innovations, to encourage these investments.

While it is important to us to protect our investment, it is also important to the entire agricultural community that we continue to reinvest in new and better seed technologies. Farmers who buy and plant seeds containing traits that are covered by patents agree to a single planting of those seeds for the purpose of producing commodity grain. This is an industry standard and the vast majority of our customers abide by this agreement.

Where can I buy Monsanto-developed varieties that I can save and plant?

Our license agreements with our seed partners prohibit us from sharing company-specific product plans. We recommend that you check with a seed company representative serving your region. Some seed companies are offering savable varieties they have licensed from Monsanto, but they are independent businesses and will choose how they want to make that seed available to their customers.

Are universities developing varieties with the original Roundup Ready® soybean trait?

Universities in the United States are free to use the original Roundup Ready® soybean trait technology as they choose. Monsanto has been working with breeders at public institutions for years, so they already have varieties containing the Roundup Ready® soybean trait that they may commercialize.

Can a farmer purchase any soybean seed that contains the original Roundup Ready® soybean trait?

Ultimately, it is up to each seed company to determine if it will offer Roundup Ready® soybean seed. Monsanto seed brands do not have any Roundup Ready® soybeans in their lineups. We've focused our attention on breeding the best soybean varieties with the Roundup Ready 2 Xtend® traits, which offer greater yield opportunity for farmers.

What steps has Monsanto taken to educate dealers and farmers about the original Roundup Ready® soybean trait going off patent?

Monsanto has created numerous educational touchpoints with farmers, our field staff and dealer network. We have developed this website to aid farmers in planning and decision-making. The site answers many questions about patents and saving seed as well as offers an interactive decision tree and saved seed calculator.

Additionally, Monsanto has signed the Generic Event Marketing and Access Agreement (GEMAA). The GEMAA provides a framework for a consistent industry approach when trait patents expire. The agreement helps ensure that global regulatory authorizations are maintained for biotech traits after patent expiration. The benefit to farmers: assurance that they can use seed with a generic trait event and can export grain from that seed. For more information on the GEMAA, visit www.agaccord.org.

Will Monsanto take any steps to maintain global regulatory approvals for the original Roundup Ready® soybean trait?

Yes. Even though the trait patents have expired, varieties of soybean that contain the Roundup Ready® soybean trait will continue to be regulated by governments around the world, and we want to help maintain access to global markets for those U.S. farmers who legally grow varieties containing the Roundup Ready® soybean trait.

Can other companies commercialize stacked products containing the original Roundup Ready® soybean trait?

Yes. Several companies have broad rights to stack with the original Roundup Ready® soybean trait in soybeans and have developed or are developing soybeans with stacked traits.

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Monsanto products are commercialized in accordance with ETS Product Launch Stewardship Guidance, and in compliance with Monsanto's Policy for Commercialization of Biotechnology-Derived Plant Products in Commodity Crops. Roundup Ready® soybeans, Roundup Ready 2 Yield® soybeans, and Roundup Ready 2 Xtend® soybeans have been approved for import into key export markets with functioning regulatory systems. Any crop or material produced from these products can only be exported to, or used, processed or sold in countries where all necessary regulatory approvals have been granted. It is a violation of national and international law to move material containing biotech traits across boundaries into nations where import is not permitted. Growers should talk to their grain handler or product purchaser to confirm their buying position for this product. Excellence Through Stewardship® is a registered trademark of Excellence Through Stewardship.

ALWAYS READ AND FOLLOW PESTICIDE LABEL DIRECTIONS. Roundup Ready® soybeans and Roundup Ready 2 Yield® soybeans contain genes that confer tolerance to glyphosate, the active ingredient in Roundup® brand agricultural herbicides. Roundup® brand agricultural herbicides will kill crops that are not tolerant to glyphosate. Roundup Ready 2 Xtend® soybeans contain genes that confer tolerance to glyphosate and dicamba, the active ingredient in XtendiMax® herbicide with VaporGrip® Technology. Dicamba will kill crops that are not tolerant to dicamba. XtendiMax® herbicide with VaporGrip® Technology is part of the Roundup Ready® Xtend Crop System and is a restricted use pesticide. Roundup Ready®, Roundup Ready 2 Yield®, Roundup Ready 2 Xtend®, Roundup®, VaporGrip® and XtendiMax® are registered trademarks of Bayer Group. ©2018 Bayer Group, All Rights Reserved