



Canada's Seed Partner

## **MEDIA RELEASE - Illegal Seed Sales Stopped**

**Ottawa, Ontario – December 11, 2008** – J. Wallace Hamm has agreed to pay damages and costs resulting from the sale of common seed grown from a wheat variety protected by Plant Breeders' Rights. As owner of those rights, SeCan was damaged when the defendant promoted and sold common wheat seed in Saskatchewan. The defendant has also agreed to a permanent court injunction that prohibits him from committing any future breaches of SeCan's Plant Breeders' Rights. The permanent court injunction extends not only to Mr. Hamm, but also any partnership, joint venture or corporation in respect to which Mr. Hamm is a partner, member, officer, director and/or controlling shareholder.

The settlement is a result of negotiations to resolve a civil lawsuit filed by SeCan against J. Wallace Hamm, who admitted to selling common seed grown from the protected variety - AC Elsa wheat - without authorization.

SeCan's General Manager Jeff Reid explained the importance of this case. "Both farmers and end-use customers rely on the quality characteristics of top milling wheat varieties such as AC Elsa. We stress that the use of certified seed is the best assurance of a varietally pure and traceable product. SeCan takes great pride in promoting varieties which perform to the expectations of both wheat millers and western Canadian farmers."

"Varieties like AC Elsa wheat are developed to enhance the competitiveness of Canadian agriculture within a global context," states Bruce Thompson, Seed Production and Intellectual Property Manager, SeCan. "It is regrettable that seed developers must take extreme steps like civil action suits to protect the reputation of their varieties."

Seed sellers and farmers are advised that SeCan will continue to seek out and stop the sale of common seed grown from varieties protected by Plant Breeders' Rights. This case shows that plant breeding organizations and distributors will take the necessary steps to protect their innovations – in turn assuring the generation of funds to help drive new product development.

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As "Canada's Seed Partner", SeCan actively seeks partnerships that promote profitability in Canadian agriculture. SeCan is the largest supplier of certified seed to Canadian farmers with more than 800 members from coast to coast engaged in seed production, processing and marketing. Since its inception in 1976, SeCan has been a major supporter of plant breeding in Canada, returning more than \$54 million in royalties and research funding. SeCan represents more than 415 crop varieties developed by public and private sector breeding programs.

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