

HB 1416 -- Patent Infringement on Genetically Engineered  
Plants and Seeds

Sponsor: Shoemyer (9)

This bill requires genetically modified plant and seed patent holders, who are investigating possible patent infringement, to notify the farmer and the Department of Agriculture of the suspected infringement and receive permission to enter the farmer's land prior to obtaining crop samples. Both the farmer and the patent holder are subject to certain restrictions on the sampling of the crops suspected of being produced in violation of the patent holder's rights. The department is to monitor the collection of samples and obtain a parallel sampling for verification purposes.

The parties may agree to mediation by an independent agricultural mediation service. In the event the mediation is not satisfactory, either party may file a claim in the appropriate federal district court for relief.