



## Monsanto v. US Farmers 2010 Update

In 2005, the Center for Food Safety released *Monsanto vs. U.S. Farmers*,<sup>1</sup> a groundbreaking report which documents the Monsanto Company's unprecedented use of patents and restrictive licensing agreements to investigate and sue farmers for suspected seed-saving. Monsanto and its hired investigators continue to harass, intimidate and prosecute U.S. farmers, primarily in cases involving alleged saving and replanting of the company's Roundup Ready soybeans. Below, we provide an update on the numbers and status of recorded lawsuits filed by Monsanto against U.S. farmers.<sup>2</sup> We also provide estimates based on Monsanto Company documents that encompass the much more common outcome of cases brought by Monsanto against farmers – confidential, out-of-court statements that go unrecorded in public court records.

### Number of Lawsuits Filed Against U.S. Farmers:

- As of January 13, 2010, Monsanto had filed 136 lawsuits against farmers for alleged violations of its Technology Agreement and/or its patents on genetically engineered seeds.<sup>3</sup>
- These cases have involved 400 farmers and 53 small farm businesses.

### Status of Lawsuits:

- 70 lawsuits ended in recorded damages awarded to Monsanto.
- 26 lawsuits ended in unrecorded damages awarded to Monsanto (confidential settlements).
- 13 lawsuits were dismissed, with no indication of whether damages were awarded to Monsanto.
- 9 lawsuits were ongoing as of January 13, 2010.

### Lawsuits Filed by State:

- Monsanto has sued farmers and small farm businesses in *at least* 27 different states.

### Recorded Judgment (as of January 13, 2010):

- Sums awarded to Monsanto in 70 recorded judgments against farmers totaled \$23,345,820.99.

<sup>1</sup> Monsanto vs. US Farmers, available at:

<http://www.centerforfoodsafety.org/pubs/CFSMOnsantovsFarmerReport1.13.05.pdf>

<sup>2</sup> Unless otherwise noted, these statistics were compiled by Center for Food Safety from public court records accessed using the PACER database, available at <http://pacer.uscourts.gov>. Figures are current as of January 13, 2010.

<sup>3</sup> We excluded three cases against seed companies—*Monsanto vs. American Seed Inc.*, *Monsanto vs. Hill Seed Company*, *Monsanto vs. E.I. DuPont De Nemours and Company*—that do not involve alleged seed-saving by farmers.



- The largest judgment was \$3,052,800.00.
- The smallest judgment was \$5,595.00.
- The average judgment was \$171,660.45.

**Lawsuits on the Rise:**

- Monsanto filed 7 lawsuits in 2005, 9 in 2006, 14 in 2007, 10 in 2008, and 10 in 2009.

**Out-of-Court Settlements:**

These recorded judgments fail to convey a true picture of the scope of Monsanto's aggressive actions against U.S. farmers. This is because the majority of cases brought by Monsanto end in confidential, out-of-court settlements. Press reports and Monsanto's own statements suggest that the company investigates roughly 500 farmers each year.<sup>4</sup> In one case, *Monsanto vs. McFarling*, District Court Judge Catherine D. Perry stated “[t]he vast majority of cases filed by Monsanto against farmers have been settled before any extensive litigation took place.”<sup>5</sup>

Center for Food Safety has compiled information formerly available on Monsanto's website to arrive at estimates of the total sums paid to Monsanto by farmers in what the company calls “seed piracy matters.” Appendix I summarizes these estimates for 19 states. Appendix II reproduces the ten “Seed Piracy Updates” upon which our compilation is based.

- As of June 2006, Monsanto had instituted an estimated 2,391 to 4,531 “seed piracy matters” against farmers in 19 states.
- Farmers have paid Monsanto an estimated \$85,653,601 to \$160,594,230 in settlements of these seed piracy matters.
- The number of seed piracy matters reported by Monsanto is 20 to 40 times the number of lawsuits we have found in public court records.
- The estimated total of settlements paid to Monsanto by farmers (\$85.7 to \$160.6 million) exceeds by four to eight times the total of recorded judgments (\$21.6 million).

---

<sup>4</sup> *Monsanto vs. U.S. Farmers*, *supra* n. 1 at 23-24.

<sup>5</sup> *Monsanto Co. vs. McFarling*, 2005 WL 1490051, \*5 (E.D. Mo. 2005).

## Appendix I

### Monsanto's vs. U.S. Farmers

Estimates of Number of “Seed Piracy Matters” by Region/State and Sums Paid by Farmers to Monsanto

Region or State	No. of Counties	Min. No. Cases	Max. No. Cases	Seed Piracy Update	Average Settlement	Maximum Settlement	Minimum Collected	Maximum Collected
North & South Carolina	58	289	505	June 2006	\$72,229	\$919,068	\$20,874,181	\$36,475,645
Missouri and Kansas	114	422	785	June 2006	\$28,442	\$195,636	\$12,002,524	\$22,326,970
Illinois	81	307	564	June 2006	\$34,476	\$200,000	\$10,584,132	\$19,444,464
Minnesota, North & South Dakota	100	291	574	June 2006	\$32,317	\$136,333	\$9,404,247	\$18,549,958
Michigan and Ohio	89	312	584	May 2006	\$28,111	\$96,400	\$8,770,632	\$16,416,824
Indiana	74	223	434	June 2006	\$33,934	\$225,000	\$7,567,282	\$14,727,356
Kentucky	23	68	131	June 2006	\$83,867	\$230,000	\$5,702,956	\$10,986,577
Iowa	90	276	532	June 2006	\$20,536	\$175,000	\$5,667,936	\$10,925,152
VA, MD, DE, NJ, PA	39	80	175	June 2006	\$37,671	\$52,073	\$3,013,680	\$6,592,425
Nebraska	43	123	247	June 2006	\$16,797	\$48,139	\$2,066,031	\$4,148,859
<b>TOTALS</b>	<b>711</b>	<b>2391</b>	<b>4531</b>				<b>\$85,653,601</b>	<b>\$160,594,230</b>

Ten documents entitled “Seed Piracy: [State/Region] Local Update” were downloaded in the summer of 2006 from [www.monsantoperformance.com](http://www.monsantoperformance.com) for the given states/regions (see Appendix II). All documents dated 06/06 except Michigan-Ohio (05/06). As of October 24, 2007, documents no longer posted. Methodology: On each state/regional Seed Piracy Update, Monsanto provides a map of “seed piracy matters” by county. The map is color-coded by county for 1-3, 4-7, 8-13, 14-23 or 24-36 seed piracy matters. Adding together the lower-bound figures for each county provides the minimum number of cases, while adding together the upper-bound figures for each county provides the maximum number of cases, for the given state or region. Multiplication of the minimum and maximum seed piracy matters by the “average settlement” for the state/region gives the minimum and maximum settlement amounts for the given state/region. Summation of these figures for all ten “Seed Piracy” updates gives the estimated minimum number of settlements (2,391), the maximum number of settlements (4,531), and the range of settlement amounts for the 19 states covered by the ten documents. All cases involved Roundup Ready soybeans.

## Appendix II

### Monsanto's "Seed Piracy" Updates<sup>6</sup>

**Seed Piracy**

Missouri/Kansas Local Update

Updates & Summaries

**Serious About Seed Stewardship**

**Stewardship**

Monsanto is committed to enhancing your productivity and profitability by bringing new seed technologies to market. As such, Monsanto patents seed and seed traits to protect its intellectual property. When growers purchase patented seed, they agree to respect the property rights held by the seed and trait providers.

Unfortunately, Monsanto has had to pursue several seed piracy matters (SPM) in Missouri and Kansas during the last several years.

**Seed Piracy Matters by County**

Resolution Type	Grand Total
Average Settlement in MO/KS	\$29,442
Maximum Settlement in MO/KS	\$195,636
Average U.S. Settlement	\$90,882
Average U.S. Settlement \$/Unit	~\$100

**IT'S NOT WORTH THE RISK!**

- Loss of Technology License—Loss of Access to All Traits
- Financial Exposure up to \$500/acre
- Litigation Costs
- Crop Destruct

Monsanto returns all pretrial cash settlements back to rural America through the Commitment to Agriculture Scholarship Program and related youth initiatives. Over the past seven years alone the scholarship program has awarded nearly \$900,000 to 650 farm youth pursuing an education and career in agriculture. For more information, visit [www.monsanto.com](http://www.monsanto.com).

**Seed Piracy**

North Carolina/South Carolina Local Update

Updates & Summaries

**Serious About Seed Stewardship**

Monsanto is committed to enhancing your productivity and profitability by bringing new seed technologies to market. As such, Monsanto patents seed and seed traits to protect its intellectual property. When growers purchase patented seed, they agree to respect the property rights held by the seed and trait providers.

Unfortunately, Monsanto has had to pursue several seed piracy matters (SPM) in North Carolina and South Carolina during the last several years.

**North Carolina and South Carolina Infringements**

The items below represent growers involved in seed piracy matters in North Carolina and South Carolina. All of these cases involved saving Roundup Ready® Soybeans.

Resolution Type	Grand Total
Average Settlement in NC/SC	\$72,229
Maximum Settlement in NC/SC	\$919,068
Average U.S. Settlement	\$90,882
Average U.S. Settlement \$/Unit	~\$100

**IT'S NOT WORTH THE RISK!**

- Loss of Technology License—Loss of Access to All Traits
- Financial Exposure up to \$500/acre
- Litigation Costs
- Crop Destruct

Monsanto returns all pretrial cash settlements back to rural America through the Commitment to Agriculture Scholarship Program and related youth initiatives. Over the past seven years alone the scholarship program has awarded nearly \$900,000 to 650 farm youth pursuing an education and career in agriculture. For more information, visit [www.monsanto.com](http://www.monsanto.com).

ALWAYS READ AND FOLLOW PESTICIDE LABEL DIRECTIONS. Roundup Ready® is a registered trademark of Monsanto Company. Roundup Ready® technology is protected under one or more of the following U.S. Patents Nos.: 5,940,855; 5,987,442; 5,987,405; 5,930,196; 5,635,435; 5,777,394; 5,726,325; 5,904,425. MONS-1606.

<sup>6</sup> Documents downloaded from [www.monsantoperformance.com](http://www.monsantoperformance.com) in the summer of 2006. As of October 24, 2007, no longer posted.

# Seed Piracy



## Illinois Local Update

### Serious About Seed Stewardship

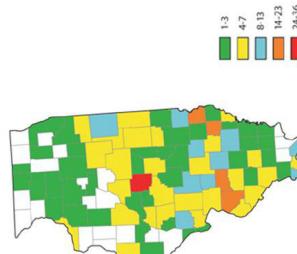
Monsanto is committed to enhancing your productivity and profitability by bringing new seed technologies to market. As such, Monsanto patents seed and seed traits to protect its intellectual property. When growers purchase patented seed, they agree to respect the property rights held by the seed and trait providers.

Unfortunately, **Monsanto has had to pursue several seed piracy matters (SPM) in Illinois** during the last several years.

#### Illinois Infringements

The items below represent growers involved in seed piracy matters in Illinois. All of these cases involved saving Roundup Ready® Soybeans.

#### Seed Piracy Matters by County



#### IT'S NOT WORTH THE RISK!

- Loss of Technology License—Loss of Access to All Traits
- Financial Exposure up to \$500/acre
- Litigation Costs
- Crop Destruct

Monsanto returns all pretrial cash settlements back to rural America through the Commitment to Agriculture Scholarship Program and related youth initiatives. Over the past seven years alone the scholarship program has awarded nearly \$900,000 to 650 farm youth pursuing an education and career in agriculture. For more information, visit [www.monsanto.com](http://www.monsanto.com).

Monsanto receives hundreds of calls and letters each year about potential seed piracy cases nationwide. Anyone with concerns or questions about seed piracy can anonymously call **1-800-768-6387**.

ALWAYS READ AND FOLLOW PESTICIDE LABEL DIRECTIONS. Roundup Ready® is a registered trademark of Monsanto Company. Roundup® is a registered trademark of Monsanto Company. Roundup Ready® and YieldGard® are registered trademarks of Monsanto Company. Other products may be trademarks or registered trademarks of their respective companies. © 2010 Monsanto Company. THESE SEEDS ARE PROTECTED UNDER ONE OR MORE OF THE FOLLOWING UNITED STATES PATENTS: Nos. 5,190,642; 5,262,905; 5,230,198; 5,633,435; 5,717,084; 5,728,925; 5,804,426; 5,866,036; 5,884,642; 5,922,095; 5,930,198; 5,933,435; 5,938,186; 5,938,187; 5,938,188; 5,938,189; 5,938,190; 5,938,191; 5,938,192; 5,938,193; 5,938,194; 5,938,195; 5,938,196; 5,938,197; 5,938,198; 5,938,199; 5,938,200; 5,938,201; 5,938,202; 5,938,203; 5,938,204; 5,938,205; 5,938,206; 5,938,207; 5,938,208; 5,938,209; 5,938,210; 5,938,211; 5,938,212; 5,938,213; 5,938,214; 5,938,215; 5,938,216; 5,938,217; 5,938,218; 5,938,219; 5,938,220; 5,938,221; 5,938,222; 5,938,223; 5,938,224; 5,938,225; 5,938,226; 5,938,227; 5,938,228; 5,938,229; 5,938,230; 5,938,231; 5,938,232; 5,938,233; 5,938,234; 5,938,235; 5,938,236; 5,938,237; 5,938,238; 5,938,239; 5,938,240; 5,938,241; 5,938,242; 5,938,243; 5,938,244; 5,938,245; 5,938,246; 5,938,247; 5,938,248; 5,938,249; 5,938,250; 5,938,251; 5,938,252; 5,938,253; 5,938,254; 5,938,255; 5,938,256; 5,938,257; 5,938,258; 5,938,259; 5,938,260; 5,938,261; 5,938,262; 5,938,263; 5,938,264; 5,938,265; 5,938,266; 5,938,267; 5,938,268; 5,938,269; 5,938,270; 5,938,271; 5,938,272; 5,938,273; 5,938,274; 5,938,275; 5,938,276; 5,938,277; 5,938,278; 5,938,279; 5,938,280; 5,938,281; 5,938,282; 5,938,283; 5,938,284; 5,938,285; 5,938,286; 5,938,287; 5,938,288; 5,938,289; 5,938,290; 5,938,291; 5,938,292; 5,938,293; 5,938,294; 5,938,295; 5,938,296; 5,938,297; 5,938,298; 5,938,299; 5,938,300; 5,938,301; 5,938,302; 5,938,303; 5,938,304; 5,938,305; 5,938,306; 5,938,307; 5,938,308; 5,938,309; 5,938,310; 5,938,311; 5,938,312; 5,938,313; 5,938,314; 5,938,315; 5,938,316; 5,938,317; 5,938,318; 5,938,319; 5,938,320; 5,938,321; 5,938,322; 5,938,323; 5,938,324; 5,938,325; 5,938,326; 5,938,327; 5,938,328; 5,938,329; 5,938,330; 5,938,331; 5,938,332; 5,938,333; 5,938,334; 5,938,335; 5,938,336; 5,938,337; 5,938,338; 5,938,339; 5,938,340; 5,938,341; 5,938,342; 5,938,343; 5,938,344; 5,938,345; 5,938,346; 5,938,347; 5,938,348; 5,938,349; 5,938,350; 5,938,351; 5,938,352; 5,938,353; 5,938,354; 5,938,355; 5,938,356; 5,938,357; 5,938,358; 5,938,359; 5,938,360; 5,938,361; 5,938,362; 5,938,363; 5,938,364; 5,938,365; 5,938,366; 5,938,367; 5,938,368; 5,938,369; 5,938,370; 5,938,371; 5,938,372; 5,938,373; 5,938,374; 5,938,375; 5,938,376; 5,938,377; 5,938,378; 5,938,379; 5,938,380; 5,938,381; 5,938,382; 5,938,383; 5,938,384; 5,938,385; 5,938,386; 5,938,387; 5,938,388; 5,938,389; 5,938,390; 5,938,391; 5,938,392; 5,938,393; 5,938,394; 5,938,395; 5,938,396; 5,938,397; 5,938,398; 5,938,399; 5,938,400; 5,938,401; 5,938,402; 5,938,403; 5,938,404; 5,938,405; 5,938,406; 5,938,407; 5,938,408; 5,938,409; 5,938,410; 5,938,411; 5,938,412; 5,938,413; 5,938,414; 5,938,415; 5,938,416; 5,938,417; 5,938,418; 5,938,419; 5,938,420; 5,938,421; 5,938,422; 5,938,423; 5,938,424; 5,938,425; 5,938,426; 5,938,427; 5,938,428; 5,938,429; 5,938,430; 5,938,431; 5,938,432; 5,938,433; 5,938,434; 5,938,435; 5,938,436; 5,938,437; 5,938,438; 5,938,439; 5,938,440; 5,938,441; 5,938,442; 5,938,443; 5,938,444; 5,938,445; 5,938,446; 5,938,447; 5,938,448; 5,938,449; 5,938,450; 5,938,451; 5,938,452; 5,938,453; 5,938,454; 5,938,455; 5,938,456; 5,938,457; 5,938,458; 5,938,459; 5,938,460; 5,938,461; 5,938,462; 5,938,463; 5,938,464; 5,938,465; 5,938,466; 5,938,467; 5,938,468; 5,938,469; 5,938,470; 5,938,471; 5,938,472; 5,938,473; 5,938,474; 5,938,475; 5,938,476; 5,938,477; 5,938,478; 5,938,479; 5,938,480; 5,938,481; 5,938,482; 5,938,483; 5,938,484; 5,938,485; 5,938,486; 5,938,487; 5,938,488; 5,938,489; 5,938,490; 5,938,491; 5,938,492; 5,938,493; 5,938,494; 5,938,495; 5,938,496; 5,938,497; 5,938,498; 5,938,499; 5,938,500; 5,938,501; 5,938,502; 5,938,503; 5,938,504; 5,938,505; 5,938,506; 5,938,507; 5,938,508; 5,938,509; 5,938,510; 5,938,511; 5,938,512; 5,938,513; 5,938,514; 5,938,515; 5,938,516; 5,938,517; 5,938,518; 5,938,519; 5,938,520; 5,938,521; 5,938,522; 5,938,523; 5,938,524; 5,938,525; 5,938,526; 5,938,527; 5,938,528; 5,938,529; 5,938,530; 5,938,531; 5,938,532; 5,938,533; 5,938,534; 5,938,535; 5,938,536; 5,938,537; 5,938,538; 5,938,539; 5,938,540; 5,938,541; 5,938,542; 5,938,543; 5,938,544; 5,938,545; 5,938,546; 5,938,547; 5,938,548; 5,938,549; 5,938,550; 5,938,551; 5,938,552; 5,938,553; 5,938,554; 5,938,555; 5,938,556; 5,938,557; 5,938,558; 5,938,559; 5,938,560; 5,938,561; 5,938,562; 5,938,563; 5,938,564; 5,938,565; 5,938,566; 5,938,567; 5,938,568; 5,938,569; 5,938,570; 5,938,571; 5,938,572; 5,938,573; 5,938,574; 5,938,575; 5,938,576; 5,938,577; 5,938,578; 5,938,579; 5,938,580; 5,938,581; 5,938,582; 5,938,583; 5,938,584; 5,938,585; 5,938,586; 5,938,587; 5,938,588; 5,938,589; 5,938,590; 5,938,591; 5,938,592; 5,938,593; 5,938,594; 5,938,595; 5,938,596; 5,938,597; 5,938,598; 5,938,599; 5,938,600; 5,938,601; 5,938,602; 5,938,603; 5,938,604; 5,938,605; 5,938,606; 5,938,607; 5,938,608; 5,938,609; 5,938,610; 5,938,611; 5,938,612; 5,938,613; 5,938,614; 5,938,615; 5,938,616; 5,938,617; 5,938,618; 5,938,619; 5,938,620; 5,938,621; 5,938,622; 5,938,623; 5,938,624; 5,938,625; 5,938,626; 5,938,627; 5,938,628; 5,938,629; 5,938,630; 5,938,631; 5,938,632; 5,938,633; 5,938,634; 5,938,635; 5,938,636; 5,938,637; 5,938,638; 5,938,639; 5,938,640; 5,938,641; 5,938,642; 5,938,643; 5,938,644; 5,938,645; 5,938,646; 5,938,647; 5,938,648; 5,938,649; 5,938,650; 5,938,651; 5,938,652; 5,938,653; 5,938,654; 5,938,655; 5,938,656; 5,938,657; 5,938,658; 5,938,659; 5,938,660; 5,938,661; 5,938,662; 5,938,663; 5,938,664; 5,938,665; 5,938,666; 5,938,667; 5,938,668; 5,938,669; 5,938,670; 5,938,671; 5,938,672; 5,938,673; 5,938,674; 5,938,675; 5,938,676; 5,938,677; 5,938,678; 5,938,679; 5,938,680; 5,938,681; 5,938,682; 5,938,683; 5,938,684; 5,938,685; 5,938,686; 5,938,687; 5,938,688; 5,938,689; 5,938,690; 5,938,691; 5,938,692; 5,938,693; 5,938,694; 5,938,695; 5,938,696; 5,938,697; 5,938,698; 5,938,699; 5,938,700; 5,938,701; 5,938,702; 5,938,703; 5,938,704; 5,938,705; 5,938,706; 5,938,707; 5,938,708; 5,938,709; 5,938,710; 5,938,711; 5,938,712; 5,938,713; 5,938,714; 5,938,715; 5,938,716; 5,938,717; 5,938,718; 5,938,719; 5,938,720; 5,938,721; 5,938,722; 5,938,723; 5,938,724; 5,938,725; 5,938,726; 5,938,727; 5,938,728; 5,938,729; 5,938,730; 5,938,731; 5,938,732; 5,938,733; 5,938,734; 5,938,735; 5,938,736; 5,938,737; 5,938,738; 5,938,739; 5,938,740; 5,938,741; 5,938,742; 5,938,743; 5,938,744; 5,938,745; 5,938,746; 5,938,747; 5,938,748; 5,938,749; 5,938,750; 5,938,751; 5,938,752; 5,938,753; 5,938,754; 5,938,755; 5,938,756; 5,938,757; 5,938,758; 5,938,759; 5,938,760; 5,938,761; 5,938,762; 5,938,763; 5,938,764; 5,938,765; 5,938,766; 5,938,767; 5,938,768; 5,938,769; 5,938,770; 5,938,771; 5,938,772; 5,938,773; 5,938,774; 5,938,775; 5,938,776; 5,938,777; 5,938,778; 5,938,779; 5,938,780; 5,938,781; 5,938,782; 5,938,783; 5,938,784; 5,938,785; 5,938,786; 5,938,787; 5,938,788; 5,938,789; 5,938,790; 5,938,791; 5,938,792; 5,938,793; 5,938,794; 5,938,795; 5,938,796; 5,938,797; 5,938,798; 5,938,799; 5,938,800; 5,938,801; 5,938,802; 5,938,803; 5,938,804; 5,938,805; 5,938,806; 5,938,807; 5,938,808; 5,938,809; 5,938,810; 5,938,811; 5,938,812; 5,938,813; 5,938,814; 5,938,815; 5,938,816; 5,938,817; 5,938,818; 5,938,819; 5,938,820; 5,938,821; 5,938,822; 5,938,823; 5,938,824; 5,938,825; 5,938,826; 5,938,827; 5,938,828; 5,938,829; 5,938,830; 5,938,831; 5,938,832; 5,938,833; 5,938,834; 5,938,835; 5,938,836; 5,938,837; 5,938,838; 5,938,839; 5,938,840; 5,938,841; 5,938,842; 5,938,843; 5,938,844; 5,938,845; 5,938,846; 5,938,847; 5,938,848; 5,938,849; 5,938,850; 5,938,851; 5,938,852; 5,938,853; 5,938,854; 5,938,855; 5,938,856; 5,938,857; 5,938,858; 5,938,859; 5,938,860; 5,938,861; 5,938,862; 5,938,863; 5,938,864; 5,938,865; 5,938,866; 5,938,867; 5,938,868; 5,938,869; 5,938,870; 5,938,871; 5,938,872; 5,938,873; 5,938,874; 5,938,875; 5,938,876; 5,938,877; 5,938,878; 5,938,879; 5,938,880; 5,938,881; 5,938,882; 5,938,883; 5,938,884; 5,938,885; 5,938,886; 5,938,887; 5,938,888; 5,938,889; 5,938,890; 5,938,891; 5,938,892; 5,938,893; 5,938,894; 5,938,895; 5,938,896; 5,938,897; 5,938,898; 5,938,899; 5,938,900; 5,938,901; 5,938,902; 5,938,903; 5,938,904; 5,938,905; 5,938,906; 5,938,907; 5,938,908; 5,938,909; 5,938,910; 5,938,911; 5,938,912; 5,938,913; 5,938,914; 5,938,915; 5,938,916; 5,938,917; 5,938,918; 5,938,919; 5,938,920; 5,938,921; 5,938,922; 5,938,923; 5,938,924; 5,938,925; 5,938,926; 5,938,927; 5,938,928; 5,938,929; 5,938,930; 5,938,931; 5,938,932; 5,938,933; 5,938,934; 5,938,935; 5,938,936; 5,938,937; 5,938,938; 5,938,939; 5,938,940; 5,938,941; 5,938,942; 5,938,943; 5,938,944; 5,938,945; 5,938,946; 5,938,947; 5,938,948; 5,938,949; 5,938,950; 5,938,951; 5,938,952; 5,938,953; 5,938,954; 5,938,955; 5,938,956; 5,938,957; 5,938,958; 5,938,959; 5,938,960; 5,938,961; 5,938,962; 5,938,963; 5,938,964; 5,938,965; 5,938,966; 5,938,967; 5,938,968; 5,938,969; 5,938,970; 5,938,971; 5,938,972; 5,938,973; 5,938,974; 5,938,975; 5,938,976; 5,938,977; 5,938,978; 5,938,979; 5,938,980; 5,938,981; 5,938,982; 5,938,983; 5,938,984; 5,938,985; 5,938,986; 5,938,987; 5,938,988; 5,938,989; 5,938,990; 5,938,991; 5,938,992; 5,938,993; 5,938,994; 5,938,995; 5,938,996; 5,938,997; 5,938,998; 5,938,999; 5,938,1000; 5,938,1001; 5,938,1002; 5,938,1003; 5,938,1004; 5,938,1005; 5,938,1006; 5,938,1007; 5,938,1008; 5,938,1009; 5,938,1010; 5,938,1011; 5,938,1012; 5,938,1013; 5,938,1014; 5,938,1015; 5,938,1016; 5,938,1017; 5,938,1018; 5,938,1019; 5,938,1020; 5,938,1021; 5,938,1022; 5,938,1023; 5,938,1024; 5,938,1025; 5,938,1026; 5,938,1027; 5,938,1028; 5,938,1029; 5,938,1030; 5,938,1031; 5,938,1032; 5,938,1033; 5,938,1034; 5,938,1035; 5,938,1036; 5,938,1037; 5,938,1038; 5,938,1039; 5,938,1040; 5,938,1041; 5,938,1042; 5,938,1043; 5,938,1044; 5,938,1045; 5,938,1046; 5,938,1047; 5,938,1048; 5,938,1049; 5,938,1050; 5,938,1051; 5,938,1052; 5,938,1053; 5,938,1054; 5,938,1055; 5,938,1056; 5,938,1057; 5,938,1058; 5,938,1059; 5,938,1060; 5,938,1061; 5,938,1062; 5,938,1063; 5,938,1064; 5,938,1065; 5,938,1066; 5,938,1067; 5,938,1068; 5,938,1069; 5,938,1070; 5,938,1071; 5,938,1072; 5,938,1073; 5,938,1074; 5,938,1075; 5,938,1076; 5,938,1077; 5,938,1078; 5,938,1079; 5,938,1080; 5,938,1081; 5,938,1082; 5,938,1083; 5,938,1084; 5,938,1085; 5,938,1086; 5,938,1087; 5,938,1088; 5,938,1089; 5,938,1090; 5,938,1091; 5,938,1092; 5,938,1093; 5,938,1094; 5,938,1095; 5,938,1096; 5,938,1097; 5,938,1098; 5,938,1099; 5,938,1100; 5,938,1101; 5,938,1102; 5,938,1103; 5,938,1104; 5,938



# Seed Piracy

Kentucky Local Update

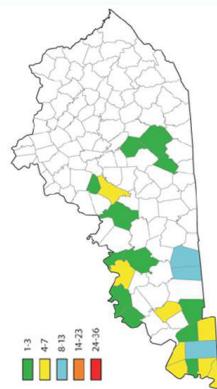
Serious About Seed Stewardship

Monsanto is committed to enhancing your productivity and profitability by bringing new seed technologies to market. As such, Monsanto patents seed and seed traits to protect its intellectual property. When growers purchase patented seed, they agree to respect the property rights held by the seed and trait providers.

Unfortunately, Monsanto has had to pursue several seed piracy matters ([SPM](#)) in Kentucky during the last several years.

Kentucky Infringements

The items below represent growers caught infringing Monsanto's patents in Kentucky. All of these cases involved saving Roundup Ready® Soybeans.



Monsanto receives hundreds of calls and letters each year about potential seed piracy cases nationwide. Anyone with concerns or questions about seed piracy can anonymously call 1-800-768-6887.

**Resolution Type** Grand Total

- Loss of Technology License—Loss of Access to All Traits
  - Financial Exposure up to \$500/acre Litigation Costs

Monsanto Returns all pretrial cash settlements back to rural America through the Commitment to Agriculture Scholarship Program and related youth initiatives. Over the past seven years alone the scholarship program has awarded nearly \$900,000 to 650 farm youth pursuing an education and career in agriculture. For more information, visit [www.monsanto.com](http://www.monsanto.com)

## Seed Piracy

Iowa Local Update

三

Serious About Seed Stewardship

market. As such, Monsanto enforces grower piracy and profits by bringing new seed technology to market. When growers purchase patented seed, they agree to respect the property rights held by the seed and trait providers.

Unfortunately, Monsanto has had to pursue several piracy matters in IQWA over the last couple of years. In addition, Monsanto filed litigation on two seed dealers, One Quality Seeds and Scott McAllister Company and a second suit against S.B.D., Inc. (dba Scott's Quality Seeds and Scott McAllister).

Mark Hill was ordered to pay \$979,276 for breach of contract plus attorney fees in addition to any damages, to be determined for patent infringement and trademark infringement. S.B.D., Inc. settled for \$1 million on 9/9/04. Both Hill and S.B.D. have been enjoined from making, using, selling,

or distributing or offering to sell or transfer any Roundup Ready soybean, Roundup Ready corn or YieldGard® corn seed.

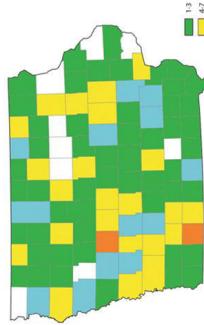
Resolution Type Grand Total

Average Settlement in Kentucky	\$83,867
Maximum Settlement in Kentucky	\$230,000
Average U.S. Settlement	\$90,882
Average U.S. Settlement \$/Unit	~\$100

Kentucky Infringements

Average Settlement in Kentucky	\$83,867
Maximum Settlement in Kentucky	\$230,000
Average U.S. Settlement	\$90,882

### Seed Piracy Matters by County



Monsanto receives hundreds of calls and letters each year about potential seed piracy cases nationwide. Anyone with concerns or questions about seed piracy can anonymously call 1-800-768-6387.

**IT'S NOT WORTH THE RISK!**

- Loss of Technology License—Loss of Access to All Traits
  - Financial Exposure up to \$500/acre
  - Litigation Costs
  - Crop Destruction

...and receive a full scholarship to pursue an education at a college or university in North America through the Commitment to Agriculture Scholarship Program and related youth initiatives. Over the past seven years alone, the scholarship program has awarded nearly \$900,000 to 650 farm youth pursuing an education and career in agriculture. For more information, visit [www.monsantocom](http://www.monsantocom).

**ALWAYS READ AND FOLLOW PESTICIDE LABEL DIRECTIONS.** Roundup Ready® is a registered trademark of Monsanto Technology LLC. ©2005 Monsanto Company. Roundup Ready technology is protected under one or more of the following U.S. Patents and Patent Applications: U.S. Pat. Nos. 5,188,642, 5,262,805, 5,301,915, 5,633,435, 5,717,084; 5,728,925, 5,804,425. I.A.-06/06

# Seed Piracy

## Virginia/Pennsylvania/New Jersey/Maryland/Delaware Local Update

Updates & Summaries

### Serious About Seed Stewardship

Monsanto is committed to enhancing your productivity and profitability by bringing new seed technologies to market. As such, Monsanto patents seed and seed traits to protect its intellectual property. When growers purchase patented seed, they agree to respect the property rights held by the seed and trait providers.

Unfortunately, **Monsanto has had to pursue several seed piracy matters (SPM) in Virginia, Maryland/Delaware, New Jersey, Maryland, Delaware during the last several years.**

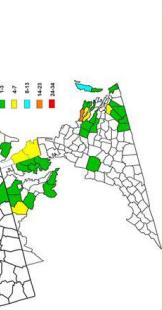
Resolution Type	Grand Total
Average Settlement in VA/PA/NJ/MD/DE	\$37,671
Maximum Settlement in VA/PA/NJ/MD/DE	\$52,073
Average U.S. Settlement	\$90,882
Average U.S. Settlement \$/Unit	~\$100

**Virginia, Pennsylvania, New Jersey, Maryland, Delaware Infringements**  
The items below represent growers involved in seed piracy matters in Virginia/Pennsylvania/New Jersey/Maryland/Delaware. All of these cases involved saving Roundup Ready® Soybeans.

### Seed Piracy Matters by County

#### IT'S NOT WORTH THE RISK!

- Loss of Technology License—Loss of Access to All Traits
- Financial Exposure up to \$500/acre
- Litigation Costs
- Crop Destruct



Monsanto returns all pretrial settlements back to rural America through the Commitment to Agriculture Scholarship Program and related youth initiatives. Over the past seven years alone the scholarship program has awarded nearly \$900,000 to 650 farm youth pursuing an education and career in agriculture. For more information, visit [www.monsanto.com](http://www.monsanto.com).

Monsanto receives hundreds of calls and letters each year about potential seed piracy cases nationwide. Anyone with concerns or questions about seed piracy can anonymously call **1-800-768-6387**.

**ALWAYS READ AND FOLLOW PESTICIDE LABEL DIRECTIONS.** Roundup Ready® is a registered trademark of Monsanto Technology LLC. ©2005 Monsanto Company. Roundup® Ready technology is protected under one or more of the following U.S. Patent Nos.: 4,940,056, 5,168,142, 5,325,065, 5,501,981, 5,633,435, 5,717,084, 5,729,325, 5,804,425, 5,882,392, 5,929,295, 5,931,965, 5,933,435, 5,934,425, 5,935,095, 5,936,095, 5,937,095, 5,938,095, 5,939,095, 5,939,425, 5,940,095, 5,941,095, 5,942,095, 5,943,095, 5,944,095, 5,945,095, 5,946,095, 5,947,095, 5,948,095, 5,949,095, 5,950,095, 5,951,095, 5,952,095, 5,953,095, 5,954,095, 5,955,095, 5,956,095, 5,957,095, 5,958,095, 5,959,095, 5,960,095, 5,961,095, 5,962,095, 5,963,095, 5,964,095, 5,965,095, 5,966,095, 5,967,095, 5,968,095, 5,969,095, 5,970,095, 5,971,095, 5,972,095, 5,973,095, 5,974,095, 5,975,095, 5,976,095, 5,977,095, 5,978,095, 5,979,095, 5,980,095, 5,981,095, 5,982,095, 5,983,095, 5,984,095, 5,985,095, 5,986,095, 5,987,095, 5,988,095, 5,989,095, 5,990,095, 5,991,095, 5,992,095, 5,993,095, 5,994,095, 5,995,095, 5,996,095, 5,997,095, 5,998,095, 5,999,095, 5,999,425, 5,999,426, 5,999,427, 5,999,428, 5,999,429, 5,999,430, 5,999,431, 5,999,432, 5,999,433, 5,999,434, 5,999,435, 5,999,436, 5,999,437, 5,999,438, 5,999,439, 5,999,440, 5,999,441, 5,999,442, 5,999,443, 5,999,444, 5,999,445, 5,999,446, 5,999,447, 5,999,448, 5,999,449, 5,999,450, 5,999,451, 5,999,452, 5,999,453, 5,999,454, 5,999,455, 5,999,456, 5,999,457, 5,999,458, 5,999,459, 5,999,460, 5,999,461, 5,999,462, 5,999,463, 5,999,464, 5,999,465, 5,999,466, 5,999,467, 5,999,468, 5,999,469, 5,999,470, 5,999,471, 5,999,472, 5,999,473, 5,999,474, 5,999,475, 5,999,476, 5,999,477, 5,999,478, 5,999,479, 5,999,480, 5,999,481, 5,999,482, 5,999,483, 5,999,484, 5,999,485, 5,999,486, 5,999,487, 5,999,488, 5,999,489, 5,999,490, 5,999,491, 5,999,492, 5,999,493, 5,999,494, 5,999,495, 5,999,496, 5,999,497, 5,999,498, 5,999,499, 5,999,500, 5,999,501, 5,999,502, 5,999,503, 5,999,504, 5,999,505, 5,999,506, 5,999,507, 5,999,508, 5,999,509, 5,999,510, 5,999,511, 5,999,512, 5,999,513, 5,999,514, 5,999,515, 5,999,516, 5,999,517, 5,999,518, 5,999,519, 5,999,520, 5,999,521, 5,999,522, 5,999,523, 5,999,524, 5,999,525, 5,999,526, 5,999,527, 5,999,528, 5,999,529, 5,999,530, 5,999,531, 5,999,532, 5,999,533, 5,999,534, 5,999,535, 5,999,536, 5,999,537, 5,999,538, 5,999,539, 5,999,540, 5,999,541, 5,999,542, 5,999,543, 5,999,544, 5,999,545, 5,999,546, 5,999,547, 5,999,548, 5,999,549, 5,999,550, 5,999,551, 5,999,552, 5,999,553, 5,999,554, 5,999,555, 5,999,556, 5,999,557, 5,999,558, 5,999,559, 5,999,560, 5,999,561, 5,999,562, 5,999,563, 5,999,564, 5,999,565, 5,999,566, 5,999,567, 5,999,568, 5,999,569, 5,999,570, 5,999,571, 5,999,572, 5,999,573, 5,999,574, 5,999,575, 5,999,576, 5,999,577, 5,999,578, 5,999,579, 5,999,580, 5,999,581, 5,999,582, 5,999,583, 5,999,584, 5,999,585, 5,999,586, 5,999,587, 5,999,588, 5,999,589, 5,999,590, 5,999,591, 5,999,592, 5,999,593, 5,999,594, 5,999,595, 5,999,596, 5,999,597, 5,999,598, 5,999,599, 5,999,600, 5,999,601, 5,999,602, 5,999,603, 5,999,604, 5,999,605, 5,999,606, 5,999,607, 5,999,608, 5,999,609, 5,999,610, 5,999,611, 5,999,612, 5,999,613, 5,999,614, 5,999,615, 5,999,616, 5,999,617, 5,999,618, 5,999,619, 5,999,620, 5,999,621, 5,999,622, 5,999,623, 5,999,624, 5,999,625, 5,999,626, 5,999,627, 5,999,628, 5,999,629, 5,999,630, 5,999,631, 5,999,632, 5,999,633, 5,999,634, 5,999,635, 5,999,636, 5,999,637, 5,999,638, 5,999,639, 5,999,640, 5,999,641, 5,999,642, 5,999,643, 5,999,644, 5,999,645, 5,999,646, 5,999,647, 5,999,648, 5,999,649, 5,999,650, 5,999,651, 5,999,652, 5,999,653, 5,999,654, 5,999,655, 5,999,656, 5,999,657, 5,999,658, 5,999,659, 5,999,660, 5,999,661, 5,999,662, 5,999,663, 5,999,664, 5,999,665, 5,999,666, 5,999,667, 5,999,668, 5,999,669, 5,999,670, 5,999,671, 5,999,672, 5,999,673, 5,999,674, 5,999,675, 5,999,676, 5,999,677, 5,999,678, 5,999,679, 5,999,680, 5,999,681, 5,999,682, 5,999,683, 5,999,684, 5,999,685, 5,999,686, 5,999,687, 5,999,688, 5,999,689, 5,999,690, 5,999,691, 5,999,692, 5,999,693, 5,999,694, 5,999,695, 5,999,696, 5,999,697, 5,999,698, 5,999,699, 5,999,700, 5,999,701, 5,999,702, 5,999,703, 5,999,704, 5,999,705, 5,999,706, 5,999,707, 5,999,708, 5,999,709, 5,999,710, 5,999,711, 5,999,712, 5,999,713, 5,999,714, 5,999,715, 5,999,716, 5,999,717, 5,999,718, 5,999,719, 5,999,720, 5,999,721, 5,999,722, 5,999,723, 5,999,724, 5,999,725, 5,999,726, 5,999,727, 5,999,728, 5,999,729, 5,999,730, 5,999,731, 5,999,732, 5,999,733, 5,999,734, 5,999,735, 5,999,736, 5,999,737, 5,999,738, 5,999,739, 5,999,740, 5,999,741, 5,999,742, 5,999,743, 5,999,744, 5,999,745, 5,999,746, 5,999,747, 5,999,748, 5,999,749, 5,999,750, 5,999,751, 5,999,752, 5,999,753, 5,999,754, 5,999,755, 5,999,756, 5,999,757, 5,999,758, 5,999,759, 5,999,760, 5,999,761, 5,999,762, 5,999,763, 5,999,764, 5,999,765, 5,999,766, 5,999,767, 5,999,768, 5,999,769, 5,999,770, 5,999,771, 5,999,772, 5,999,773, 5,999,774, 5,999,775, 5,999,776, 5,999,777, 5,999,778, 5,999,779, 5,999,780, 5,999,781, 5,999,782, 5,999,783, 5,999,784, 5,999,785, 5,999,786, 5,999,787, 5,999,788, 5,999,789, 5,999,790, 5,999,791, 5,999,792, 5,999,793, 5,999,794, 5,999,795, 5,999,796, 5,999,797, 5,999,798, 5,999,799, 5,999,800, 5,999,801, 5,999,802, 5,999,803, 5,999,804, 5,999,805, 5,999,806, 5,999,807, 5,999,808, 5,999,809, 5,999,810, 5,999,811, 5,999,812, 5,999,813, 5,999,814, 5,999,815, 5,999,816, 5,999,817, 5,999,818, 5,999,819, 5,999,820, 5,999,821, 5,999,822, 5,999,823, 5,999,824, 5,999,825, 5,999,826, 5,999,827, 5,999,828, 5,999,829, 5,999,830, 5,999,831, 5,999,832, 5,999,833, 5,999,834, 5,999,835, 5,999,836, 5,999,837, 5,999,838, 5,999,839, 5,999,840, 5,999,841, 5,999,842, 5,999,843, 5,999,844, 5,999,845, 5,999,846, 5,999,847, 5,999,848, 5,999,849, 5,999,850, 5,999,851, 5,999,852, 5,999,853, 5,999,854, 5,999,855, 5,999,856, 5,999,857, 5,999,858, 5,999,859, 5,999,860, 5,999,861, 5,999,862, 5,999,863, 5,999,864, 5,999,865, 5,999,866, 5,999,867, 5,999,868, 5,999,869, 5,999,870, 5,999,871, 5,999,872, 5,999,873, 5,999,874, 5,999,875, 5,999,876, 5,999,877, 5,999,878, 5,999,879, 5,999,880, 5,999,881, 5,999,882, 5,999,883, 5,999,884, 5,999,885, 5,999,886, 5,999,887, 5,999,888, 5,999,889, 5,999,890, 5,999,891, 5,999,892, 5,999,893, 5,999,894, 5,999,895, 5,999,896, 5,999,897, 5,999,898, 5,999,899, 5,999,900, 5,999,901, 5,999,902, 5,999,903, 5,999,904, 5,999,905, 5,999,906, 5,999,907, 5,999,908, 5,999,909, 5,999,910, 5,999,911, 5,999,912, 5,999,913, 5,999,914, 5,999,915, 5,999,916, 5,999,917, 5,999,918, 5,999,919, 5,999,920, 5,999,921, 5,999,922, 5,999,923, 5,999,924, 5,999,925, 5,999,926, 5,999,927, 5,999,928, 5,999,929, 5,999,930, 5,999,931, 5,999,932, 5,999,933, 5,999,934, 5,999,935, 5,999,936, 5,999,937, 5,999,938, 5,999,939, 5,999,940, 5,999,941, 5,999,942, 5,999,943, 5,999,944, 5,999,945, 5,999,946, 5,999,947, 5,999,948, 5,999,949, 5,999,950, 5,999,951, 5,999,952, 5,999,953, 5,999,954, 5,999,955, 5,999,956, 5,999,957, 5,999,958, 5,999,959, 5,999,960, 5,999,961, 5,999,962, 5,999,963, 5,999,964, 5,999,965, 5,999,966, 5,999,967, 5,999,968, 5,999,969, 5,999,970, 5,999,971, 5,999,972, 5,999,973, 5,999,974, 5,999,975, 5,999,976, 5,999,977, 5,999,978, 5,999,979, 5,999,980, 5,999,981, 5,999,982, 5,999,983, 5,999,984, 5,999,985, 5,999,986, 5,999,987, 5,999,988, 5,999,989, 5,999,990, 5,999,991, 5,999,992, 5,999,993, 5,999,994, 5,999,995, 5,999,996, 5,999,997, 5,999,998, 5,999,999, 5,999,1000, 5,999,1001, 5,999,1002, 5,999,1003, 5,999,1004, 5,999,1005, 5,999,1006, 5,999,1007, 5,999,1008, 5,999,1009, 5,999,1010, 5,999,1011, 5,999,1012, 5,999,1013, 5,999,1014, 5,999,1015, 5,999,1016, 5,999,1017, 5,999,1018, 5,999,1019, 5,999,1020, 5,999,1021, 5,999,1022, 5,999,1023, 5,999,1024, 5,999,1025, 5,999,1026, 5,999,1027, 5,999,1028, 5,999,1029, 5,999,1030, 5,999,1031, 5,999,1032, 5,999,1033, 5,999,1034, 5,999,1035, 5,999,1036, 5,999,1037, 5,999,1038, 5,999,1039, 5,999,1040, 5,999,1041, 5,999,1042, 5,999,1043, 5,999,1044, 5,999,1045, 5,999,1046, 5,999,1047, 5,999,1048, 5,999,1049, 5,999,1050, 5,999,1051, 5,999,1052, 5,999,1053, 5,999,1054, 5,999,1055, 5,999,1056, 5,999,1057, 5,999,1058, 5,999,1059, 5,999,1060, 5,999,1061, 5,999,1062, 5,999,1063, 5,999,1064, 5,999,1065, 5,999,1066, 5,999,1067, 5,999,1068, 5,999,1069, 5,999,1070, 5,999,1071, 5,999,1072, 5,999,1073, 5,999,1074, 5,999,1075, 5,999,1076, 5,999,1077, 5,999,1078, 5,999,1079, 5,999,1080, 5,999,1081, 5,999,1082, 5,999,1083, 5,999,1084, 5,999,1085, 5,999,1086, 5,999,1087, 5,999,1088, 5,999,1089, 5,999,1090, 5,999,1091, 5,999,1092, 5,999,1093, 5,999,1094, 5,999,1095, 5,999,1096, 5,999,1097, 5,999,1098, 5,999,1099, 5,999,1100, 5,999,1101, 5,999,1102, 5,999,1103, 5,999,1104, 5,999,1105, 5,999,1106, 5,999,1107, 5,999,1108, 5,999,1109, 5,999,1110, 5,999,1111, 5,999,1112, 5,999,1113, 5,999,1114, 5,999,1115, 5,999,1116, 5,999,1117, 5,999,1118, 5,999,1119, 5,999,1120, 5,999,1121, 5,999,1122, 5,999,1123, 5,999,1124, 5,999,1125, 5,999,1126, 5,999,1127, 5,999,1128, 5,999,1129, 5,999,1130, 5,999,1131, 5,999,1132, 5,999,1133, 5,999,1134, 5,999,1135, 5,999,1136, 5,999,1137, 5,999,1138, 5,999,1139, 5,999,1140, 5,999,1141, 5,999,1142, 5,999,1143, 5,999,1144, 5,999,1145, 5,999,1146, 5,999,1147, 5,999,1148, 5,999,1149, 5,999,1150, 5,999,1151, 5,999,1152, 5,999,1153, 5,999,1154, 5,999,1155, 5,999,1156, 5,999,1157, 5,999,1158, 5,999,1159, 5,999,1160, 5,999,1161, 5,999,1162, 5,999,1163, 5,999,1164, 5,999,1165, 5,999,1166, 5,999,1167, 5,999,1168, 5,999,1169, 5,999,1170, 5,999,1171, 5,999,1172, 5,999,1173, 5,999,1174, 5,999,1175, 5,999,1176, 5,999,1177, 5,999,1178, 5,999,1179, 5,999,1180, 5,999,1181, 5,999,1182, 5,999,1183, 5,999,1184, 5,999,1185, 5,999,1186, 5,999,1187, 5,999,1188, 5,999,1189, 5,999,1190, 5,999,1191, 5,999,1192, 5,999,1193, 5,999,1194, 5,999,1195, 5,999,1196, 5,999,1197, 5,999,1198, 5,999,1199, 5,999,1200, 5,999,1201, 5,999,1202, 5,999,1203, 5,999,1204, 5,999,1205, 5,999,1206, 5,999,1207, 5,999,1208, 5,999,1209, 5,999,1210, 5,999,1211, 5,999,1212, 5,999,1213, 5,999,1214, 5,999,1215, 5,999,1216, 5,999,1217, 5,999,1218, 5,999,1219, 5,999,1220, 5,999,1221, 5,999,1222, 5,999,1223, 5,999,1224, 5,999,1225, 5,999,1226, 5,999,1227, 5,999,1228, 5,999,1229, 5,999,1230, 5,999,1231, 5,999,1232, 5,999,1233, 5,999,1234, 5,999,1235, 5,999,1236, 5,999,1237, 5,999,1238, 5,99