



Food and Agriculture  
Organization of the  
United Nations



**The International Treaty**  
ON PLANT GENETIC RESOURCES  
FOR FOOD AND AGRICULTURE

**Views, Experiences and Best Practices as an example of possible options for  
the national implementation of Article 9 of the International Treaty**

*Note by the Secretary*

*At its [second meeting](#) of the Ad hoc Technical Expert Group on Farmers' Rights (AHTEG), the Expert Group agreed on a revised version of the [template](#) for collecting information on examples of national measures, best practices and lessons learned from the realization of Farmers' Rights*

*This document presents the updated information on best practices and measures of implementing Article 9 of the International Treaty submitted by the United States of America on 30 July 2019.*

*The submission is presented in the form and language in which it was received.*

## Template for submission of

### Measures, Best Practices and Lessons Learned from the Realization of Farmers' Rights as set out in Article 9 of the International Treaty

#### Office of Technology Transfer

##### Basic information

- Title of measure/practice **Office of Technology Transfer**
- Date of submission **July 30, 2019**
- Name(s) of country/countries in which the measure/practice is taking place **United States**
- Responsible institution/organization (name, address, website (if applicable), e-mail address, telephone number(s) and contact person) **U.S. Department of Agriculture**
- Type of institution/organization (categories) **Government**
- Collaborating/supporting institutions/organizations/actors, if applicable (name, address, website (if applicable), e-mail address, telephone number(s))

##### Description of the examples

###### Mandatory information:<sup>1</sup>

- Short summary to be put in the inventory (max. 200 words) including:
  - Implementing entity and partners
  - Start year
  - Objective(s)
  - Summary of core components
  - Key outcomes
  - Lessons learned (if applicable)

The USDA Office of Technology Transfer (OTT) is responsible for facilitating the adoption of USDA research discoveries, which ultimately benefit farmers with new varieties that are disease, pest, and stress tolerant and produce higher yields. This provides broad public benefits, including public release of information, tools, and solutions (e.g., germplasm, plants and other materials), adoption and enhancement of research outcomes by partners through collaborative research, formal cooperative research and development agreements, direct Federal, state, or local technical assistance, or through licensing of biological materials or protected intellectual property directly to not-for-profit entities and for-profit private sector firms.

- Brief history (including starting year), as appropriate  
See description of context/history below.

- Core components of the measure/practice (max 200 words)

To facilitate technology transfer, OTT is organized into three sections. The Partnership and Administration Section conducts day-to-day operations, coordinates technology transfer policy development, interacts with Office of National Programs on agreement policy and review. This section is also responsible for coordinating, managing, and reviewing agreements, and marketing of ARS patented inventions. The Patent Section of OTT provides strategic guidance to scientists regarding patent protection for their research results. The section is also responsible for receiving invention reports;

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<sup>1</sup> This mandatory information is required in order for the measure/practice to be included in the Inventory.

convening three national patent committees (Mechanical and Measurement, Life Sciences, and Chemistry), and a Plant Protection Committee; preparing and prosecuting patent applications; and reviewing patent legal work performed by a cooperator and an ARS contract law firm. The Licensing Section of OTT manages invention licensing from all the intramural scientists in every USDA agency, including the review of license applications, negotiation of licenses, and monitoring of license agreements to assure compliance. This section also collects and disburses license revenues, manages international patent filings, and provides expert advice on all matters related to USDA invention licensing.

- Description of the context and the history of the measure/practice is taking place (political, legal and economic framework conditions for the measure/practice) (max 200 words)

The 1980 Steven-Wylder Act established an Office of Research and Technology Applications (ORTA) in each Federal laboratory to coordinate and promote technology transfer. The USDA has one ORTA (the Office of Technology Transfer, OTT) for the entire Department that has the delegated authority to administer the invention licensing program for all intramural research.

Because the USDA Agricultural Research Service (ARS) mission is to transfer technologies for broad public use by the most effective mechanism, ARS pursues patents and licensing principally only when there is a need to incentivize commercialization and to facilitate technology transfer.

- To which provision(s) of Article 9 of the International Treaty does this measure relate  
Art. 9.2b

**Other information, if applicable**

- Please indicate which category of the Inventory is most relevant for the proposed measure, and which other categories are also relevant (if any):

No.	Category	Most relevant <sup>2</sup>	Also relevant <sup>3</sup>
1	Recognition of local and indigenous communities', farmers' contributions to conservation and sustainable use of PGRFA, such as awards and recognition of custodian/guardian farmers		
2	Financial contributions to support farmers conservation and sustainable use of PGRFA such as contributions to benefit-sharing funds		
3	Approaches to encourage income-generating activities to support farmers' conservation and sustainable use of PGRFA		
4	Catalogues, registries and other forms of documentation of PGRFA and protection of traditional knowledge		
5	In-situ/on-farm conservation and management of PGRFA, such as social and cultural measures, community biodiversity management and conservation sites		

<sup>2</sup> Please select only one category that is most relevant, under which the measure will be listed.

<sup>3</sup> Please select one or several categories that may also be relevant (if applicable).

6	Facilitation of farmers' access to a diversity of PGRFA through community seed banks <sup>4</sup> , seed networks and other measures improving farmers' choices of a wider diversity of PGRFA.	X	
7	Participatory approaches to research on PGRFA, including characterization and evaluation, participatory plant breeding and variety selection		
8	Farmers' participation in decision-making at local, national and sub-regional, regional and international levels		
9	Training, capacity development and public awareness creation		
10	Legal measures for the implementation of Farmers' Rights, such as legislative measures related to PGRFA.		
11	Other measures / practices		

- In case you selected 'other measures', would you like to suggest a description of this measure, e.g. as a possible new category? \_\_\_\_\_
- Objective(s)
- Target group(s) and numbers of involved and affected farmers<sup>5</sup>
- Location(s) and geographical outreach
- Resources used for implementation of the measure/practice
- How has the measure/practice affected the conservation and sustainable use of plant genetic resources for food and agriculture?
- Please describe the achievements of the measure/ practice so far (including quantification) (max 200 words)
- Other national level instruments that are linked to the measure/practice
- Are you aware of any other international agreements or programs that are relevant for this measure/practice?
- Other issues you wish to address, that have not yet been covered, to describe the measure/practice

### Lessons learned

- Describe lessons learned which may be relevant for others who wish to do the same or similar measures/practices (max 250 words).
- What challenges encountered along the way (if applicable) (max 200 words)
- What would you consider conditions for success, if others should seek to carry out such a measure or organize such an activity? (max 100 words)

### Further information

Link(s) to further information about the measure/practice

<https://www.ars.usda.gov/office-of-technology-transfer/>

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<sup>4</sup> Including seed houses.

<sup>5</sup> Any classification, e.g. of the types of farmer addressed, may be country-specific.