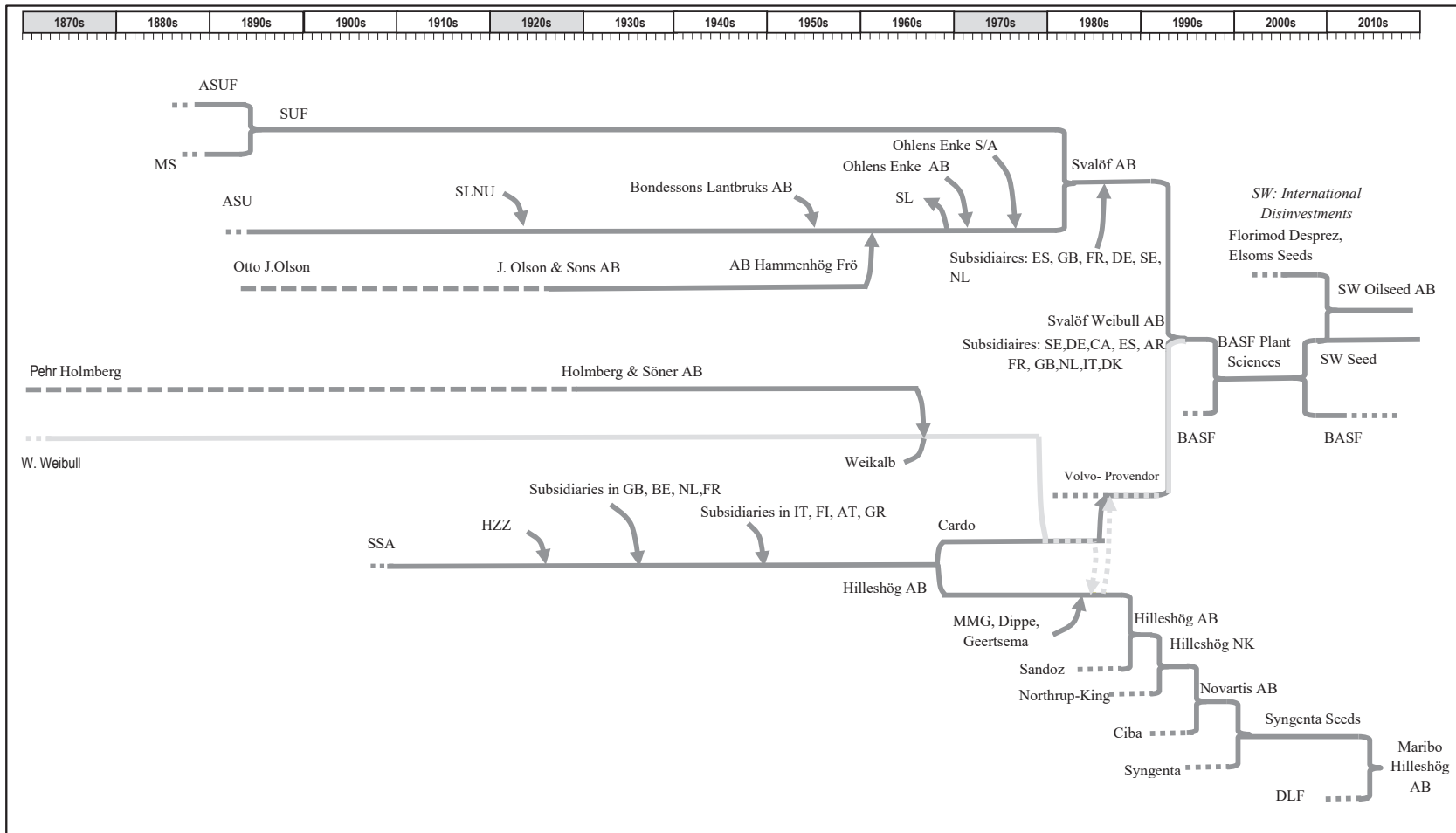


Supplemental Table

	Plant Breeders Rights (UPOV 1991)	Utility Patents (USA)	EPC patents (Europe)
Subject of protection	Plant varieties	Any biologically based invention if obtained through human intervention (ex. seeds or plants bred traditionally or genetically engineered).	Plant varieties or essentially biological processes for the production of plants are not patentable. However, biological material isolated from its natural environment or produced by means of technical processes may be the subject of invention even if it previously occurred in nature. (ex. plant characterized by a particular gene, transgenic plants, if not restricted to specific plants, plant cells).
Eligibility criteria	New Distinct Uniform Stable Suitable denomination	Novelty Non-obviousness or inventive step Usefulness Enablement Claim clarity Written description and best mode	Novelty Non-obviousness or inventive step Industrial applicability Enablement Claim clarity Written description
Duration of protection	20 years (25 years for trees and vines)	20 years	20 years
Scope of protection	Multiplication, conditioning for the purpose of propagation, offering for sale, selling or other marketing, exporting, importing, stocking requires breeder's authorization. The protection also applies to varieties which are essentially derived from the protected variety.	A utility patent grants the owner the right to exclude others from producing, using, selling or offering for sale or importing the protected invention (in the case of patents in processes, the protection extends to products directly obtained by means of this process). The protection also applies to varieties which are essentially derived from the protected variety.	A utility patent grants the owner the right to exclude others from producing, using, selling or offering for sale or importing the protected invention (in the case of patents in processes, the protection extends to products directly obtained by means of this process). The protection also applies to varieties which are essentially derived from the protected variety.
Exceptions	Acts conducted privately and for non-commercial purposes. Acts conducted for experimental purposes. Acts conducted for the purpose of breeding other varieties. "Farmer's privilege" optional exception.	Experimental use exception	Private use for non-commercial purposes. Farmer's exception (farmers may use the product of their harvest for probation or multiplication by themselves or on their own farms). Research exception – including research with the purpose of developing a new variety. However, it requires licensing (compulsory cross licensing) from the patent holder.



Supplemental Figure. Map of the major M&A in the Swedish seed industry

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