

MICHIGAN/OHIO/WISCONSIN AREA UPDATE



UPDATES & SUMMARIES

Monsanto enforces seed and trait patents to ensure a level playing field for all farmers. The vast majority of farmers abide by their signed stewardship agreement and expect their neighbors to do so as well. Those saving seed and trying to gain an unfair advantage must not be ignored.

Monsanto invests more than \$2.6 million each day in research and development in order to bring new tools to farmers. Preserving soybean trait value benefits everyone, and is what drives long-term agricultural success.

MONSANTO COMPANY VERSUS WILLIAM L. STRICKLAND

On February 9, 2009, the U.S. District Court of South Carolina, Florence Division, issued its final order in the case of *Monsanto v. Strickland*. Mr. Strickland is a Horry County, South Carolina farmer that had previously

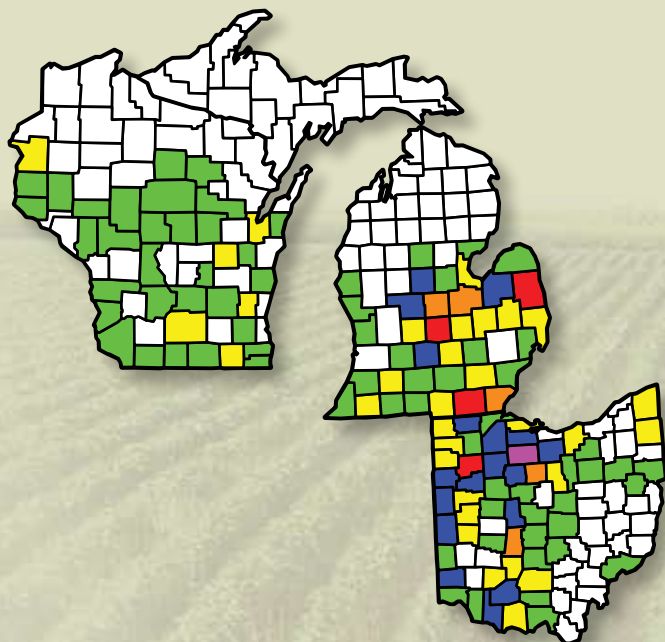
been found to have planted saved soybean seed containing Monsanto's patented Roundup Ready® crop trait. Specifically, Mr. Strickland was found to have planted soybeans with seed that infringed Monsanto's Roundup Ready patent rights during the 2005 crop year.

The Court held that Mr. Strickland's infringement of Monsanto's patents was willful, intentional, and with full knowledge of the use limitations associated with Roundup Ready soybean seed. After issuing a permanent injunction which prohibits Mr. Strickland's future use of Monsanto's patented traits, the Court awarded Monsanto enhanced damages, prejudgment interest, and a portion of its attorney fees and costs to be paid by Mr. Strickland.

A reasonable royalty was awarded for the infringement of Monsanto's patent rights at a rate of **\$120.48 per unit** of saved Roundup Ready soybean seed planted by Mr. Strickland in the 2005 crop year. Federal Courts continue to recognize and apply the law to uphold a patent holder's efforts to curtail patent infringing activity.

INFRINGEMENTS

The map below represents the number of farmers with compliance matters by county in Michigan, Ohio and Wisconsin.



SETTLEMENT TYPE	GRAND TOTAL
Average Settlement in MI, OH, WS	\$31,747
Maximum Settlement in MI, OH, WS	\$210,000
Average U.S. Settlement	\$74,085
Average U.S. Settlement \$/Unit	\$101



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

NEW RENEWAL OPTION FOR MONSANTO TECHNOLOGY/STEWARDSHIP AGREEMENT

Farmers now have a simple, fast and secure solution for renewing their Monsanto Technology/Stewardship Agreements (MTSA) for 2010. The eMTSA is an innovative service that helps get the right data to the right person. In as few as 15 minutes with a telephone call and Internet access, farmers can provide "electronic signatures" to complete the licensing process. Doing so will allow farmers to continue to enjoy the benefits of Monsanto technology use.

The MTSA is a valuable tool because it keeps farmers current on customer offerings, regulatory and stewardship updates and seed patent issues. A signed MTSA allows farmers access to all technologies and other offerings such as:



- More than 200 brand offerings via an authorized distribution network
- Roundup Rewards[®], the Biotech Environment Initiative, financing and other Agri Services
- Clarity on stewardship, regulatory and contractual obligations
- Protection of both party's rights and responsibilities via transparency

Remember, the MTSA opens the door to increased savings from reduced pesticide use, higher yields and a better environmental signature. U.S. farmers in 2006 incrementally gained more than \$2.6 billion in value from biotech crop use as found by the National Center for Food and Agricultural Policy¹. Many of these biotech acres were planted with seed containing Monsanto technologies.

¹Quantification of the Impacts on US Agriculture of Biotechnology-Derived Crops Planted in 2006. National Center for Food and Agricultural Policy, February 2007



Monsanto returns all pretrial cash settlements back to rural America through the Commitment to Agriculture Scholarship Program and related youth initiatives. Monsanto invests almost **\$3 million** each year in a variety of youth-oriented agricultural projects. Since 1999, Monsanto has awarded scholarships to more than 1,000 farm youth pursuing an education and career in agriculture. For more information, visit www.monsanto.com.

To learn more about Monsanto's approach to seed patent infringement, please visit our website at: www.monsanto.com/seedpatentprotection

Monsanto Company is a member of Excellence Through StewardshipSM (ETS). This product has been commercialized in compliance with the ETS Product Launch Stewardship Guidance and the Monsanto Product Launch Stewardship policy, after meeting applicable regulatory requirements in key export markets with functioning regulatory systems. Any crop or material produced from this product can only be exported to, or used, processed or sold in countries where all necessary regulatory approvals have been granted. It is a violation of national and international law to move material containing biotech traits across boundaries into nations where import is not permitted. Growers should talk to their grain handler or product purchaser to confirm their buying position for this product. Excellence Through StewardshipSM is a service mark of Biotechnology Industry Organization. Roundup Rewards[®] applies only to Roundup[®] branded and other agricultural herbicides specified by Monsanto. Program details referenced in this publication are subject to change and should be verified by checking with your local Monsanto dealer or representative.

ALWAYS READ AND FOLLOW PESTICIDE LABEL DIRECTIONS. Roundup Ready[®] crops contain genes that confer tolerance to glyphosate, the active ingredient in Roundup[®] brand agricultural herbicides. Roundup[®] brand agricultural herbicides will kill crops that are not tolerant to glyphosate. Roundup[®], Roundup Ready[®], Roundup Ready 2 Yield[®], Roundup Rewards[®], Monsanto and Vine Design[®] are registered trademarks of Monsanto Technology LLC. ©2009 Monsanto Company. Seeds containing the Roundup Ready[®] trait and the Roundup Ready 2 Yield[®] trait are protected under numerous United States patents, including Patent No. RE39,247. It is unlawful to save Roundup Ready[®] Soybeans or Roundup Ready 2 Yield[®] Soybeans for planting or transfer to others for use as a planting seed. ©2009 Monsanto Company

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