

### Success Story Template

<b>Calendar Year</b> <i>(year activity is completed; if not completed, enter latest active year)</i>
2014
<b>Cooperator</b>
American Seed Trade Association
<b>Non-cooperator organization</b> <i>(if you are not a cooperator, but you use FAS programs like EMP, TASC, or GSM)</i>
<b>Organization type: private or public</b> <i>(public means government)</i>
Private
<b>FAS program(s) used/funding sources</b> <i>(e.g. MAP, MAP/GBI, EMP, etc)</i>
FMD, Cochran
<b>Commodity</b> <i>(if applicable, include if product is fresh, dried, concentrate, etc, like Fresh Sweet Cherries)</i>
Planting Seeds
<b>Country/region</b> <i>(to which you are exporting)</i>
China
<b>HQ State</b> <i>(state where headquarters of cooperator or non-cooperator organization is located)</i>
Virginia
<b>Producing/exporting state(s)</b> <i>(attempt to determine exporting state; can enter "multi" if number of states is greater than 5)</i>
California, Indiana, Iowa, Missouri, Illinois, Texas
<b>Export dollars/projected sales</b> <b>(provide the dollar value/projected sales in the current program year and comparable data from previous program year)</b>
<b>Congressional district(s)</b> <i>(Example: CA-04;TX-11. Attempt to determine congressional districts of producing/exporting areas; enter n/a if unknown; can enter "multi" if number of districts is greater than 5.)</i>
Multi
<b>Story type</b> <i>(focus of story: trade show, small company, cooperator, FAS/post, program)</i>
Program
<b>For branded, company name, if applicable</b>

In 2014, the Cochran Fellowship program approved a delegation of five senior-level, Chinese government officials to visit the U.S., to learn more about U.S. intellectual property protection and technology transfer. These are individuals at the Chinese Ministry of Agriculture that ASTA has worked with in the past. ASTA was responsible for the agenda and the logistics for the delegation's two week visit to the U.S. The Ministry of Agriculture provided a list of eleven questions that they wanted answered during the trip and ASTA worked with member companies, universities, and USDA offices to bring together a team of experts that could answer the questions needed. The answers to these questions will likely be reflected in the Chinese Seed Law that is currently being reviewed and revised.

**How did FAS help achieve success?** FMD funding covered some of the travel costs associated this delegations visit to the US. Relationship building is imperative in China and without FMD funding ASTA would not have been able to have a consistent in-country presence, where ASTA met the Cochran fellows and developed a relationship. FAS personnel in Beijing accompanied the delegation. Zhang Lei (FAS, Beijing) has worked closely with the delegates in China during her tenure with FAS. This close relationship was critical in getting the delegation approved for travel by the Chinese government.

**Specifically, how did U.S. agriculture benefit?** The Chinese Seed Law is currently under review. The Seed Management Bureau is looking at increasing intellectual property protection and enforcement. By meeting with the U.S. industry and learning how intellectual property is protected in the U.S. as well as why enforcement of intellectual property is critical to additional research and development spending, ASTA hopes that it will encourage China to adopt regulations that protect and enforce intellectual property. This will enable U.S. companies to feel protected when entering into joint ventures with Chinese companies. Once the joint ventures are operational, U.S. companies will have more access to the Chinese market.

**Highlight the USDA or FAS program that was used:** ASTA used about \$3,000 of FMD funds. Industry organizations and ASTA provided more than a 400% match to the FMD funds. This activity was evaluated internally by ASTA's China working group and ASTA's International Executive Committee.

**Market Access:** Chinese seed law changes that increase intellectual property rights and enforcement of those rights are critical for U.S. companies to expand into the Chinese markets. These changes could include adopting UPOV 1991, which would provide significantly more intellectual property rights protection for seed companies. The regulations associated with this new law could also include more protection for contracts and trade secrets. Understanding how the U.S. industry uses trade secrets and contracts was a top priority for the Chinese officials. Neither of these tools is heavily relied upon in China but is the crux of the U.S. seed industry, as it allows companies to invest heavily in research and development in the U.S. Also, the delegates learned that foreign companies can have wholly own subsidiaries in the U.S. and the government encourages this foreign investment. The hope is that U.S. companies will be given additional rights in China.

**Budget impact and return on investment:** Having ASTA's input solicited by the Chinese government officials that are revising the Chinese seed law is invaluable opportunity for the U.S. seed industry. The Chinese are basing their new seed law on advice and input from ASTA and the U.S. seed industry.

**Timeframe:** In April 2014, the U.S. embassy asked for ASTA support in applying for a Cochran Fellowship program. The trip was complete on August 2, 2014.

August 7, 2014

Mr. Roger Mireles  
Acting Deputy Administrator  
Foreign Agriculture Service  
U.S. Department of Agriculture

Dear Mr. Roger Mireles,

Sponsored by USDA Cochran Program, intellectual property delegation from Ministry of Agriculture of China smoothly completed the study and training on U.S. seed intellectual property during July 21-August 2.

During the visit, the delegation met and discussed with experts from U.S. Plant Variety Protection Office (PVPO), U.S. Patent and Trade Office (USPTO), and American Seed Trade Association (ASTA) on U.S. Seed IPR protection system. The delegation paid site visit to seed companies such as DuPont, Monsanto, Dow, Beck's, RiceTech and H.M. Clause, and discussed with over 10 seed companies with different size and Cooley LLP on seed IPR protection and licensing. The delegation discussed with principals from technology transfer office of USDA ARS, Iowa State University, Purdue University and U.C. Davis on public institutes technology results transferring. The delegation also discussed with experts from U.S. Germplasm Bank, Corn Germplasm Bank and Tomato Genetic Resource Center on germplasm protection and utilization.

Through two weeks' study and training, the delegation comprehensively understood the structure and operation model of U.S. seed IPR protection system, and exchanged opinions on issues with common concerns. We believe that the training provided extensive information and exchange, which would be very helpful in improving China's seed industry IPR protection and promoting China-U.S. collaboration in seed industry.

We sincerely appreciate USDA's sponsor and ASTA's considerate and elaborate efforts for this training. We hope that the two countries could further enhance collaboration and exchange in seed area.

Best Regards,

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