The advent of utility patents on plants, animals, and other living materials is the most important change in the intellectual property landscape, as it pertains to plants, since the passage of the Plant Variety Protection Act (PVPA) of 1970. Many plant scientists are apprehensive about this change. This apprehension is based on uncertainty over the impact of patents on research and information exchange, and on technology development and transfer from universities and federal laboratories into products and services useful in maintaining a competitive agriculture of greatest benefit to society.

Such concern is not new. The passage of PVPA evoked similar discussion and apprehension among breeders and geneticists during the early 1970s. On balance, however, the impact of the act is perceived to have been positive. It may also be important to remember that the utility patent law has stood the test of time. There is little or no evidence that it has impeded research and technology development in those areas where it has been commonly used for many years. Most evidence is to the contrary. Technology transfer and adoption have been enhanced. The same may well turn out to be true for utility plant patents.

Regardless of the final verdict, concern over proprietary rights has already changed the nature of interactions between universities and private business. Unrestricted corporate support of university research has diminished. Increasingly, support has taken the form of contracts in which specific deliverables, including access to intellectual property, are expected by the company sponsor. The nature of these relationships is the subject of this paper.

JOINT UNIVERSITY-INDUSTRY RELATIONSHIPS

Several forces have been acting on both industry and the university to set in motion some of the changes reflected in emerging patent policy. Beginning in the late 1970s, U.S. industry, including agriculture, came under