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Sun World takes firm stance on IP infringements



Table grape grower in Australia's Sunraysia region breaches plant breeders' rights

Sun World International has reached a settlement with an Australian table grape producer and associated entities following a breach of its intellectual property and contractual rights.

The infringements were discovered during an audit of the grower's property near Mildura, which uncovered plantings of Sun World's proprietary varieties beyond those allowed under its licence with the grower.

"The settlement follows admissions by the grower of having propagated Sun World's proprietary varieties without authorisation and in breach of its growing licence with Sun World

as well as infringing Sun World's registered plant breeders' rights," Sun World International said in a release.

The settlement terms include the removal of unauthorised vines and payments to Sun World totalling in excess of A\$325,000 (US\$220,000). In addition to these payments, the grower and associated entities, have committed to further undertakings acknowledging Sun World's interests.

"Whilst pleased with our ability to draw this matter to a successful close without court action, it is unsatisfactory to have a grower acting outside of our licence terms and acting in breach of our plant breeders' rights,"

said Sun World's Australian licensing manager, Adam Knoll. "Our action should also demonstrate to the industry that Sun World is avidly both monitoring the market and enforcing its rights."

Garth Swinburn, Sun World International's vice president of licencing, added: "to have to take any enforcement action is disappointing. However, such steps are necessary to protect not only our own business but also to protect other stakeholders' investments both within Australia, as in this instance, and globally."