

## Farmers' fear of Monsanto no basis for lawsuit

Last month a coalition of farmers, seed sellers, and agricultural organizations (i.e., hereafter “farmers”), recently received an unfavorable but hardly shocking decision from the United States Court of Appeals for the Federal Circuit. See *Organic Seed Growers v. Monsanto*.

These farmers were concerned that if they do indeed become contaminated by transgenic seed Monsanto may come knocking and assert claims of infringement despite the fact that they have done nothing to infringe the Monsanto patents.

Such a generalized fear, without any preparations to engage in potentially infringing activity, has never been enough to support declaratory judgment jurisdiction. Thus, unrealistic hatred and irrational fear of a patent holder, as it turns out, is insufficient to support declaratory judgment jurisdiction.

Read the full story here: [Irrational Fear of Monsanto Does Not Support DJ](#)

### Additional Resources:

- “Organic Seed Growers v. Monsanto,” United States Court of Appeals for the Federal Circuit
- “[Monsanto Wins Lawsuit Filed By U.S. Organic Farmers Worried About Seed Contamination](#),” Reuters
- “[Trial Lawyers Seize GMO \(Genetically Modified Opportunity\)](#),” Center for Consumer Freedom