

Monsanto wins arbitration ruling against Indian seed company in dispute over GMO cotton patent

German drugmaker Bayer AG's Monsanto unit has won proceedings against Indian seed maker Nuziveedu Seeds Ltd (NSL) in a royalty dispute, lawyers familiar with the matter said.

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Mahyco Monsanto Biotech (India) (MMB), a joint venture between Missouri-based Monsanto and India's Maharashtra Hybrid Seeds Co (Mahyco), "has received a favorable award from the arbitration panel in the proceedings against NSL and Prabhat," a Bayer spokesman said in an e-mailed statement when asked about the ruling.

He declined to say how much NSL and one of its affiliates, Prabhat Agri Biotech Ltd, had been told to pay MMB. By Monsanto's calculations, NSL and its two affiliates owed about \$22.82 million to MMB.

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MMB sells genetically modified (GM) cotton seeds under licence to nearly 40 Indian seed companies, which in turn sell the products to retailers....NSL and its affiliates decided to stop paying royalties, or trait fees, to MMB in 2015, arguing that Indian law did not provide Monsanto with patent protection on its GM cotton seeds, and if there were to be payments they should be set by the Indian government.

Monsanto had insisted it has patent protection in India and it therefore could collect royalties through bilateral contracts with the Indian seed companies.

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