



WELCOME

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# UNDERSTANDING THE BLUEBERRY INDUSTRY

Registration, Protection and  
Marketing of Varieties





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*Nothing in this presentation, whether oral or in writing, is intended as legal counseling*



# Our Story

**The global leader in blueberry genetics and plant production.**

- Rooted in history and heritage.
- Relentless focus on plant quality.
- Unique varieties that meet producer and customer needs.





# Building on a track record of excellence

Fall Creek® Farm and Nursery



## 45+ yrs

Founded In 1978 in the U.S.

## 40+

varieties



Family-owned,  
two generations of  
leadership

## 800+

Permanent employees

## 9+

Nurseries  
(Peru, Chile, Mexico, Spain,  
South Africa, Netherlands, USA (3))

## 3+

Research Development Centers  
(United States, Spain, Mexico)



AMERICAS

EMEA

CHINA



United States

Mexico



Peru



Chile



Spain

Coming Soon!  
Morocco



the Netherlands

South Africa



China

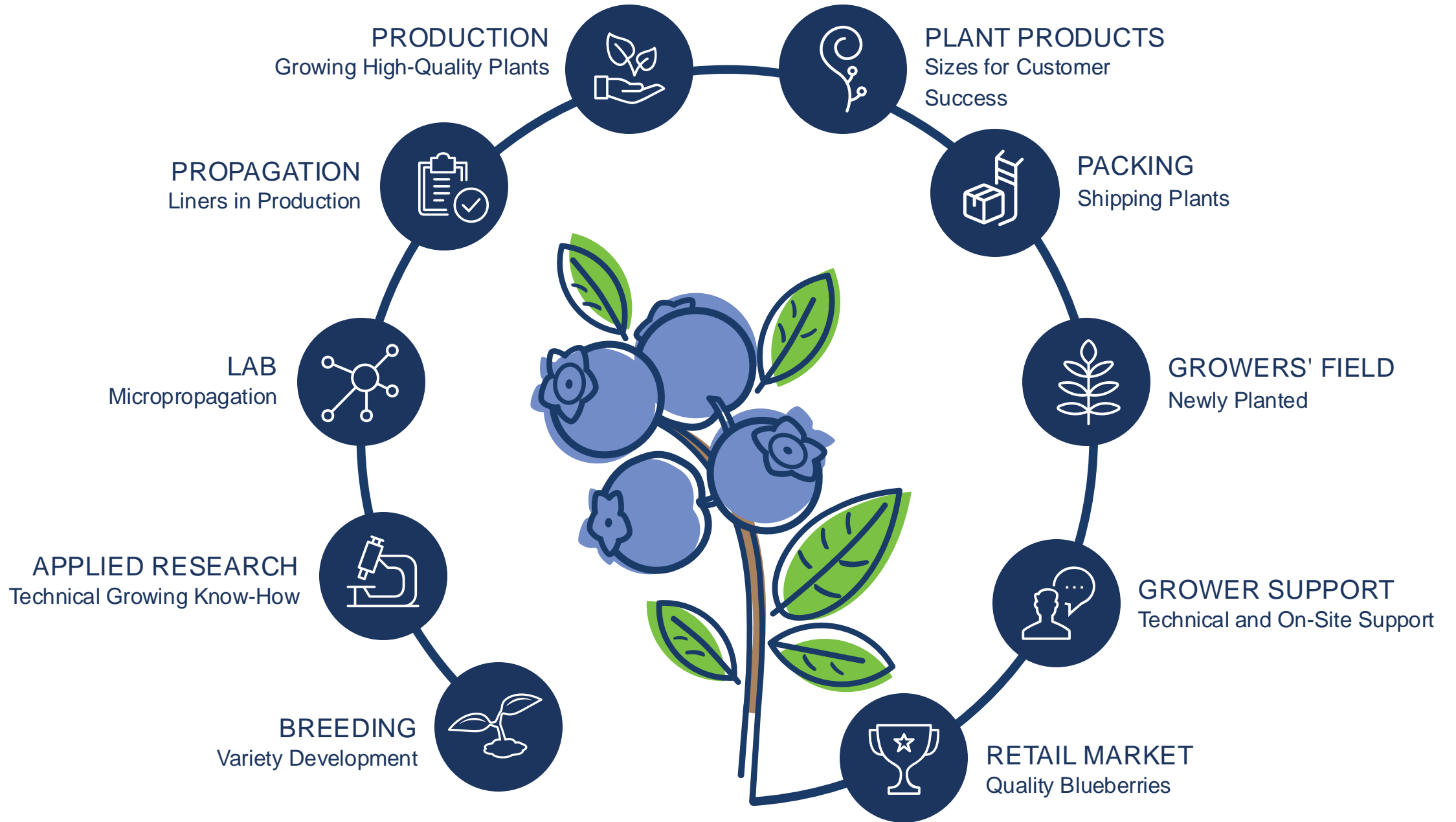


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- PLANT VARIETY CYCLELIFE
- FROM BREEDING TO MARKET
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- FALL CREEK REAL EXAMPLES
- DELAY IN MARKETING VARIETIES
- CLUB VARIETIES
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# FROM BREEDING TO MARKET

Objective Setting  
Germplasm Collection and Selection  
Crossing and Hybridization  
Selection

Evaluation and Testing  
Advancement and release

Legal Protection  
Marketing of varieties

**BREEDING  
PHASE**

**APPLIED  
RESEARCH**

**COMMERCIAL  
PHASE**



Year N

Year N + 10

# Process of Registration & Protecting the Varieties.- PBRs/Plant Patent

- **Purpose:** Ensure legal protection and exclusive rights for breeders.
- **Steps:**
  1. **Research and Development:** Breeders develop new blueberry varieties through crossbreeding and selection.
  2. **Field Trials:** New varieties undergo rigorous testing in different environments to evaluate performance.
  3. **Application Submission:** Breeders submit an application to the relevant authorities (e.g., USDA, UPOV) including a detailed description of the variety.
  4. **DUS Testing:** Distinctness, Uniformity, and Stability testing to confirm the variety is unique, stable, and homogeneous.
  5. **Publication and Objections:** The application is published, allowing for objections from third parties.
- **Approval and Certification:** If the variety passes all tests and there are no valid objections, it receives a certificate of protection



# Certification of Varieties

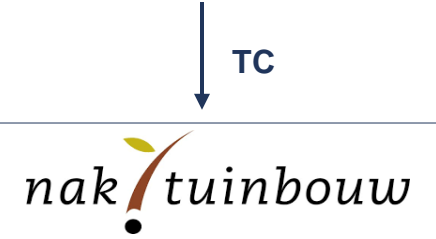
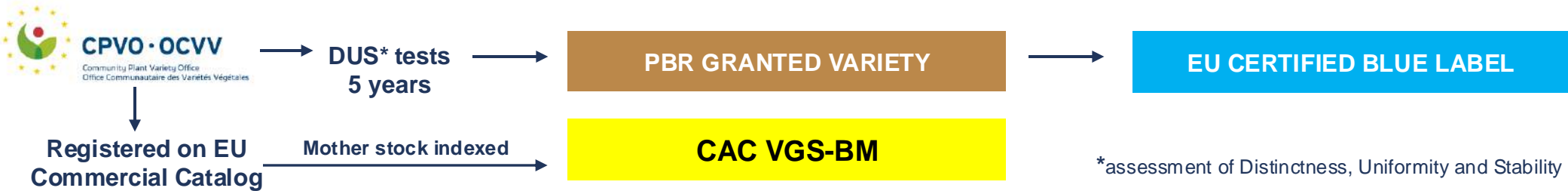
In the context of the European Union (EU), the certification of plant varieties refers to a formal process that ensures plant varieties meet specific legal and technical standards related to quality, distinctiveness, uniformity, and stability (DUS), as well as performance and health.

For seed or other propagating material to be certified, it must be produced under strict conditions and inspected to ensure it meets minimum quality standards, including health (free from pests and diseases), viability, and purity.

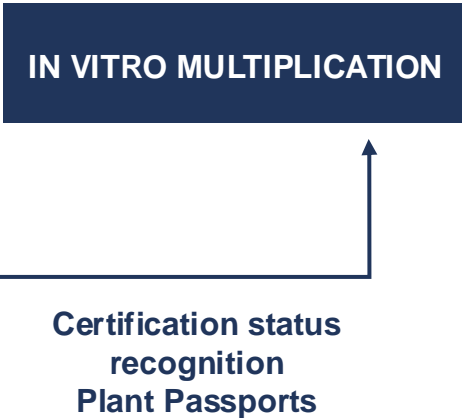




# PROCESS FOR VACCINIUM PLANTS CERTIFICATION IN EU



Testing  
Certification program  
(18 months)  
Generation of Indexed mother plants





# LABEL TYPES

INCLUDES/LABEL	CAC STANDARD	CAC VGS	ES CERT. FOR MO	EU CERTIFIED
Registered nursery Phytosanitary Passport	X	X	X	X
Commercial Catalog Registered Variety	X	X	X	X
Officially indexed mother stock		X	X	X
MO List C Registered			X	X
EU PBR's Granted				X





# Fall Creek® Real Examples

- 'FCM14-057' (Collection)



- Sekoya Pop® 'FCM14-052'



# What Can Delay a Registration of a Variety?

1. Incomplete or Incorrect Application
2. Failure to Meet DUS Testing Criteria
3. Backlogs in Examination
4. Objections or Oppositions
5. Legal or Regulatory Changes
6. Environmental or Field Trial Conditions
7. Intellectual Property or Patent Conflicts
8. Technical Issues or Data Discrepancies



# Suitability of a Variety for Specific Growers/Marketers and Creation of Club Varieties

## Factors for Suitability:

- **Climate Adaptability:** Ability to thrive in specific climatic conditions.
- **Yield and Quality:** High yield and superior fruit quality are critical for commercial success.
- **Disease Resistance:** Varieties resistant to common diseases reduce losses and costs.
- **Harvest Timing:** Synchronizing harvest periods to meet market demand.





# Fall Creek® licensing programs

## Club Varieties:

- **Definition:** Exclusive varieties managed by a specific group or company.
- **Purpose:** Ensure consistent quality, manage supply, and create a premium brand

## Fall Creek Programs

- **Collection**
- **Sekoya**



# Licensing Club Varieties

Licensing **club varieties** is a unique business model in the agricultural sector, particularly in fruit cultivation, where exclusive plant varieties are developed, trademarked, and sold through a controlled system.

Club varieties like **Sekoya®** and **Collection** are managed through strict licensing agreements that control who can grow, market, and sell the fruit.

## Features of a licensing program

- Development and Ownership of the Variety
- Establishment of a Licensing System
- Controlled Cultivation and Quality Standards
- Supply Chain Control
- Marketing and Branding
- **Benefit Sharing and Royalties**
- Consumer Benefits





## DEFINITION OF FALL CREEK® COLLECTION

The Fall Creek® Collection is a value-added blueberry genetics platform that includes tech transfer and horticultural support for professionalized commercial blueberry growers around the globe.

### **Our goals for this program are simple:**

- Give growers a competitive advantage with a pipeline of special new genetics at all chill levels.
- Create a flexible program that gives growers the choice to stay independent in growing and marketing these varieties, or to partner with other fruit marketers.
- Help growers succeed with these varieties by offering a higher level of horticultural support and technical expertise through our advanced Applied Research and Grower Support teams.





## DEFINITION OF SEKOYA®

SEKOYA® is an **actively managed B2B supply and fruit sourcing platform** to retail, built around a series of carefully selected varieties, services, quality assurance, and supply chain coordination to create and serve a new mass-premium blueberry category.

A **small group of independent SEKOYA® Members** build our semi-exclusive network of highly professional, diverse grower-marketers that produce volumes within their grower networks and sell fruit directly to all major markets.

The **goal is to grow the category** through firmness, extended shelf-life, and customer satisfaction, while reducing food waste.



# Conclusions

- From breeding to market a specific plant variety, companies allocate a vast number of resources and involves a large financial investment.
- Registration and protecting varieties present challenges and considerations to take into the account prior launching a variety into a specific market.
- Certification process is complex within the EU
- Forms of marketing varieties evolved to licensing varieties through different programs, as Fall Creek does with Collection and Sekoya.



QUESTIONS ?

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Merci beaucoup

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# Building A World With Better Blueberries™

