



COMMONWEALTH OF KENTUCKY
OFFICE OF THE ATTORNEY GENERAL

JACK CONWAY
ATTORNEY GENERAL

January 12, 2010

CAPITOL BUILDING, SUITE 118
700 CAPITAL AVENUE
FRANKFORT, KENTUCKY 40601
(502) 696-5300
FAX: (502) 564-2894

Legal Policy Section
Antitrust Division
U.S. Department of Justice
450 Fifth Street, Northwest
Suite 11700
Washington, DC 20001

To Whom It May Concern:

I write this letter to serve as submitted comments for the Antitrust Division of the U.S. Department of Justice and the United States Department of Agriculture's joint public workshop series scheduled to begin March 12, 2010, in Iowa. Representing a Commonwealth with a rich agricultural history, I appreciate the challenges that emerging innovations present in the regulatory arena.

The seed industry today is more dynamic and innovative than ever before. Fast-paced innovation and new technologies have given farmers access to higher quality and higher performance seed varieties than possible in the years past. Overwhelmingly, farmers in Kentucky and across the nation are turning to biotech seed varieties because of the advantages they offer such as improved productivity and food quality and conservation of natural resources such as water and energy.

One of the major issues the world faces is sustainability. In the agriculture industry, the focus is to develop crops that will meet the needs of the world's ever growing population in a manner that is not destructive to the environment. Agricultural innovation is a key component to addressing the global challenges of population growth, food security and hunger. United Nations experts predict that by 2050 the world population will be 9.3 billion and that food production must be doubled to feed the increased population. To meet this goal continued innovation and technological advances in the seed and traits industry is vital.

Today there are more seed traits available on the market than ever before because of the work of innovative companies. However, these companies can produce these types of results only if they know their intellectual property rights are assured. Strong intellectual property and patent protection contributes to economic growth in the form of new business, more jobs created and increased tax revenues. It is intellectual property protection that

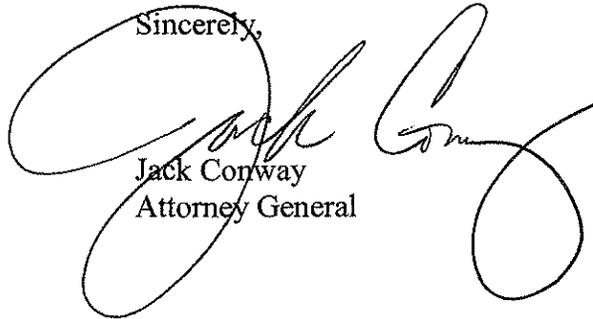


U.S. Department of Justice
Page Two
January 12, 2010

encourages innovation by allowing inventors to capture the value of their creations, but also allows them to share innovations widely with other economic players while still preserving their value.

As we face the global challenges ahead, farmers will continue to rely on innovative technological advances in order to meet the world's increased food production needs. Therefore, it is crucial that the United States facilitate a competitive and robust agricultural industry that perpetuates innovation and provides for adequate intellectual property protection. With these assurances, I anticipate these innovative agricultural companies will continue to produce much needed advancements in the industry in the future. Thank you for the opportunity to provide you with my comments on this very important issue to Kentucky and the American agricultural industry.

Sincerely,

A handwritten signature in black ink, appearing to read "Jack Conway", written in a cursive style. The signature is positioned above the printed name and title.

Jack Conway
Attorney General