



Bayer's Commitment: Farmers and Patents

Our farmer customers are always treated with a high level of integrity, respect and transparency, especially during investigations of potential seed patent infringement. This document describes our commitment to farmers when reviewing, evaluating and investigating these matters.

1. We shall conduct investigations with standards that adhere to our pledge of transparency and ethical behavior, that are reviewed by a professional third party.
2. We will properly introduce ourselves, prominently display identification and clearly state the purpose of our contact.
3. We always seek permission prior to entering farmers' cropland and always abide by all federal, state and local laws concerning individual property rights, inspections and sampling activities.
4. We will treat all inquiries and information as confidentially as possible.
5. We understand the importance of planting and harvesting and always seek to minimize interfering with farmers' normal activities. We strive for all conversations and meetings with a farmer to be held at a mutually agreeable time and location.
6. We strive to resolve all seed patent infringement inquiries on a timely basis. If it is determined that no infringement occurred, the inquiry is immediately considered to be resolved. In cases of confirmed seed patent infringement, farmers will be afforded every opportunity to seek resolution through settlement.
7. We always conduct good faith settlement negotiations. Farmers may retain counsel for representation at any time.
8. We will always retain a third party to conduct field sampling. Farmers may ask a third-party representative to accompany and observe the sample collection process. Farmers may also retain an independent laboratory of their choice to verify the seed sampling findings.
9. We will participate in mediated settlement discussions through a third-party representative or an agricultural mediator at the farmer's request, after field sampling is completed.
10. It has never been, nor will it be Bayer policy to exercise its patent rights where trace amounts of our patented seed or traits are present in farmer's fields as a result of inadvertent means.