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**International Crops Research Institute for the Semi-Arid Tropics**

Patancheru, Andhra Pradesh 502 324, India

December 20, 1991

Dr. R. A. E. Mueller  
Professor  
Dept. of Agricultural Economics  
Universitat Kiel  
Olshausenstr. 40-60  
2300 Kiel, Germany

Dear Rolf :

Thanks for your message of 20th November. I trust you received my E-Mail of December 19th.

We apologise for not having thought to send you a copy of the GRAIN paper, but we were so disturbed by its distortions that further dissemination was the last thing on our minds.

Thanks for your comments on the CGIAR draft IPR statement. Your points are well taken. We have to be cautious about using the "defensive patenting" argument; given the high cost of patenting, it seems doubtful that a Center could afford to patent an innovation unless some means of recovering the cost was close at hand.

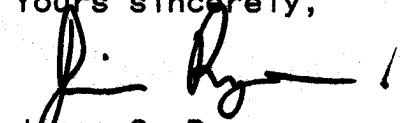
Also, it is important to recognize that there are many other forms of intellectual property management besides patenting, which still confer a degree of protection. Materials transfer agreements are an example. The donors at ICW 91 were all quite sensitive to talk of patenting, even those who favor it, especially in the run up to UNCED in June 1992. The concern is that the NGO's will exploit the emotion surrounding the issue to make the CGIAR the whipping boy, thus distracting everyone from the basic issues. There is a clear process set in train now to present to the mid-term CGIAR meeting in May, 1992 a draft IPR policy statement for the approval of donors which will suitably consider the deliberations at UNCED.

Jan, Steve and I have discussed the publication of the workshop proceedings, and have decided against going forward. It was a close call, but it seems doubtful now that it would make a worthwhile contribution to the discussions. Some of the suggestions that were discussed but not adopted could even distract the debate at this point.

We know that a great deal of work went into preparing the papers, but it seems best to simply archive them.

With kind regards and season's greetings,

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. Ryan', with a long horizontal stroke extending to the right.

James G. Ryan  
Director General

cc : Dr. J. M. J. de Wet  
Mr. Steve D. Goode