Montana State University (MSU) seeks a partner to exclusively license and commercialize MT2049, a hard red spring wheat developed from the cross ‘Lanning’/MT 1415. MT2049 has yield advantages in rainfed environments. Across all environments, MT2049 is placed in the top yielding group at 64.3 bu/ac, with similar yield to Vida which is the most widely grown spring wheat variety in Montana. Additionally, MT2049 exhibited a 0.4% increase in grain protein content compared to Vida.

* A summary of MT2049 is available online at: <https://tto.montana.edu/links/techops/MT2049.html>
* Detailed agronomic information on MT2049 at: <https://plantsciences.montana.edu/foundationseed/varietyrelease/Cook%20MT2049VarietyReleaseMemorandum.pdf>

### Opportunity:

US plant variety protection (PVP) rights available for license and commercialization in all states. International plant breeder’s rights available for commercialization outside the United States. MSU will submit PVP and AOSCA (variety registration) applications in 2024.

### Licensing Proposal Process:

In order to be considered for a license to the MT2049 variety, please submit the following information in a Term Sheet (template attached in Appendix A) to nida.shaikh@montana.edu or daniel.juliano@montana.edu by 11:59pm on Saturday June 1, 2024:

* A brief description of your company, including its production and distribution capabilities, and previous experience with cereal crops.
* The territory or territories in which you plan to commercialize MT2049. For the purposes of this application, a territory consists of a single country, and should include at least the United States.

For each requested territory, please include:

* + A description of your distribution capabilities in each geography, such as number of retail/wholesale locations controlled by your company and/or your distribution partnerships.
	+ Previous experience selling small grain crops in the requested territory OR your plan to develop small grain seed sales in the territory.
	+ Your plan to develop the market for MT2049 in the requested territory.
	+ Minimum estimated seed sale volumes in pounds for each territory for crop years 2025-2029.
* MSU expects this to be an exclusive license (i.e. to only a single licensee). Exclusive licensing terms typically include reimbursement of PVP and AOSCA fees incurred by MSU (approximately $5500 total). Exclusive licensing terms would also allow the exclusive licensee to choose the variety name, subject to MSU’s approval.
* Any intent to sublicense rights in requested territories. If sublicensing rights are requested, please substantiate the request in the description of distribution capabilities and market development plan request above.
* An offer of terms for a license should include an upfront license execution payment, a sales royalty rate ($/bu of seed sold, based on 60 lbs/bushel), and other terms appropriate to your plan to commercialize MT2049.

### Proposal Submission Deadline:

11:59 pm on Saturday, June 1, 2024

### Proposal Evaluation:

Qualified proposals may be subject to further negotiation. MSU anticipates granting one or more licenses in March 2024, with the licensee(s) buying ~13bu clean untreated Breeder Seed from MSU at a rate of $42/bu.

### For questions or additional information contact:

#### Nida Shaikh, Ph.D., CLP-A, cRTTP | (406) 994-7724 | nida.shaikh@montana.edu

#### Daniel Juliano, Ph.D. | (406) 994-7483 | daniel.juliano@montana.edu

### Term Sheet template starts on next page.

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| --- | --- |
|  | MT 2049 Hard Red Spring Wheat |

**Appendix A Term Sheet**

|  |  |
| --- | --- |
| **Term** | **Offer** |
| **Licensed Territory or Territories** |  |
| **Level of exclusivity (Exclusive, Partially-exclusive, Non-exclusive)** | **Exclusive license** |
| **MSU Retained Right** | Education and research use |
| **Plant Variety Protection, Variety Registration** | * MSU to apply for United States Plant Variety Protection certificate, with Title V (i.e. seed may only be sold as a class of Certified Seed)
* MSU to submit variety registration application to AOSCA
 |
| **Performance Milestones** |  Examples: What is the anticipated date of first commercial sale? If there are multiple territories, would they have staggered dates of first sale? If going into Canada, when would Plant Breeder’s Rights be secured? Timeline for bringing on additional distribution partners and/or sublicensees? |
| **License Issue Fee** | $\_\_.\_\_ due within 10 days of effective date of agreement |
|  | **Year Amount** |
|  | 2025 |
| **License Maintenance Fee (minimum annual royalty)** | 2026 |
|  | 2027 |
|  | 2028 |
|  | 2029 and annually Thereafter until termination |
| **Royalties** | $\_\_.\_\_/bu of net sales |
| **Sublicense Royalties (for exclusive or partially exclusive licenses)** | * $\_\_.\_\_/bu of net sales (sublicense royalty rate is typically same royalty rate as licensed sales)
* \_\_\_% of non-seed sale sublicensing considerations (e.g. 25%)
 |
| **Foundation Seed** | * MSU to provide LICENSEE with ~13 bushels of clean untreated Breeder Seed @ $42/bu.
* MSU will keep a small stock of Breeder Seed, which may be increased (under contract) if it is requested by licensee by December 31 of the previous year. That is, the requested Breeder Seed will be available for licensee approximately 9 months later.
* In future years (beyond 2024), MSU prefers to have the first right of refusal to grow Foundation Seed, to ensure optimum genetic integrity in the variety.
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