



WHAT THEY DO

Norfolk-based Potato Innovations Ltd is one of the UK's leading seed potato businesses. The company specialises in developing new potato varieties - working with breeders to select and trial varieties for a number of market sectors. It then partners with growers to bring the new products to market.

BACKGROUND

Potato Innovations Ltd turned to Roythornes for legal support in summer 2012 as it prepared to launch a new variety of salad potato called Jazzy. The potato had undergone successful trials and Potato Innovations was seeking to establish a joint venture with six growers to cultivate, market and sell the new potato to supermarkets. Establishing a successful joint venture requires all parties to agree formally their rights and obligations - and professional legal advice from a specialist legal firm like Roythornes is essential to ensuring the process is carried out smoothly and to the satisfaction of all parties.

Having invested heavily in the development of the new potato variety, it was critical that Potato Innovations Ltd acted carefully to protect its brand when taking the product to market.

SOLUTION

Roythornes' company and commercial specialist Deborah Brown worked closely with Potato Innovations Ltd to understand their needs and develop a tailored solution which met the company's business objectives.

Deborah, a skilled joint venture expert, drafted a joint venture collaboration agreement between Potato Innovations Ltd and six growers. She then worked to ensure all parties were happy with the terms of the agreement.

The collaboration agreement sub-licenses a chosen group of growers to exclusively grow and sell the potato to UK supermarkets. It sets out details such as pricing structure, what costs will be met by each party, and agreed delivery objectives. Crucially, the agreement clarifies all licensing issues under plant variety rights, protecting Potato Innovation's control over who can grow and sell the product.

RESULTS

As a result of the joint venture collaboration agreement drafted and negotiated by Roythornes a joint venture has now been established to grow, sell and market the Jazzy potato variety to UK consumers. The Co-operative supermarket is the first retailer to stock the new variety.

The collaboration agreement helps to reduce the risk of future disputes between the parties involved in the joint venture. And it's also enabled Potato Innovations Ltd to ensure brand stability - by getting growers to agree to certain conditions governing how the potato is grown and sold, and by limiting by law who can cultivate and sell it.

In conclusion the agreement has been critical to allowing Potato Innovations Ltd to successfully exploit the market potential of this new variety of potato.

For further details please contact us:

Spalding	01775 842500
Peterborough	01733 558585
Newmarket	01638 561320
Nottingham	0115 9484555

www.roythornes.co.uk