



MEDIA RELEASE

11 March 2025

T&G welcomes significant success in protecting its IP rights under China's new Seed Law

T&G Global welcomes the recent Supreme People's Court of the People's Republic of China judgement upholding an earlier landmark ruling regarding the protection of its Scilate apple plant variety rights.

This verdict upholds the earlier ruling by the Lanzhou Intermediate Court of Gansu Province in November 2023, which found the defendant had infringed T&G's intellectual property rights by unlawfully cultivating and selling Scilate variety plant material and apples harvested from the illegally planted materials. The Court awarded T&G RMB 3.3 million, recognising and accepting the application to award punitive damages, and requires the infringer to cut out the illegal material.

T&G Global Chief Executive, Gareth Edgecombe, says this is an important decision in the protection of intellectual property rights in China and will benefit plant breeders, growers, consumers, customers and the horticultural sector.

"This significant ruling by the Supreme People's Court shows China's strong commitment under its newly strengthened Seed Law to safeguard plant variety rights and put a stop to illegitimate production and infringement. It has laid a solid foundation for our future enforcement actions," says Mr Edgecombe.

"In China Joy Wing Mau is licensed to commercially grow and sell Scilate apples domestically, which are sold as our premium ENVY® apple brand. With this judgement, Chinese consumers can now have confidence that they are purchasing legitimate, locally-grown ENVY® apples. At the same time, it will help develop and grow the country's horticulture sector through the licensing of high value varieties, supported by modern growing systems.

"It takes years of investment in research and development to develop new plant varieties, combined with extensive sales and marketing activities, and this ruling by China's highest Court gives confidence to horticultural businesses like ours to invest in China knowing that their intellectual property will be well protected.

"China is an important and growing market for T&G and our premium brands, and we are committed to introducing new plant varieties which benefit Chinese growers, consumers and customers, and helping advance the country's agriculture sector.

"We, together with our variety management subsidiary, Venturefruit Global, have a significant pipeline of new apple, pear and berry varieties which we want to license and grow in China, and following this successful ruling, we look forward to progressing our growth plans," says Mr Edgecombe.

T&G's Venturefruit subsidiary leads all plant protection activities on behalf of the Group. It vigorously protects T&G's premium varieties with plant variety rights, plant breeding rights, plant patents, trademarks and copyright. Venturefruit will continue to strongly defend T&G's intellectual property rights against unauthorised plantings, propagation, counterfeiting and trademark infringements, and as part of this, continue to proactively seek cooperation with the relevant authorities in China to combat infringement activities and safeguard the commercial interests of itself and its licensees.

This judgement from the Supreme People's Court will serve as a strong deterrent to such infringements in the future. It is a final decision and will be enforced against the infringer.

It requires the infringer to stop all infringement of T&G's intellectual property rights, by cutting out the illegally propagated plant material. It also noted that a claim for infringement does extend to the Scilate fruit as harvested materials, a position that aligns with the recently strengthened Seed Law in the People's Republic of China.

With the appeal dismissed, T&G will now be entitled to file a new lawsuit and seek further compensation for the infringement of rights since the initial 2023 ruling.

ENDS

About T&G Global

T&G's Global's story began over 125 years ago as Turners and Growers, and today the business helps grow healthier futures for people around the world. T&G is located in 13 countries and its team of 1,800 people both grow and partner with over 700 growers to market, sell and distribute nutritious fresh produce to customers and consumers in over 50 countries. It does this guided by kaitiakitanga - treating the land, people, produce, resources, and community with the greatest of respect and care, as guardians of their future.

About Venturefruit

Venturefruit is a T&G Global company, offering independent variety management services to plant breeders and owners, growers and sales and marketing companies. With over a century of knowledge to build on, Venturefruit was launched in 2021 and is determined to be a world leader in the variety management space, constantly seeking opportunities to commercialise exciting new plant varieties with the highest potential to succeed. Its expertise and success in cultivar development and commercialisation services has been honed over the last 25 years' and is demonstrated through strong consumer orientated brands, including JAZZ™, ENVY®, PACIFIC ROSE™ and PACIFIC QUEEN™ apples.

About ENVY®

ENVY® is a registered trademark owned by Venturefruit. It was developed in Aotearoa New Zealand and registered in 2009. Scilate apples, which are sold under the premium ENVY® brand, are grown under license in selected prime apple growing regions across the globe, including Aotearoa New Zealand, North America, South Africa, Australia, People's Republic of China and Europe. ENVY™ apples have become an international success story and are sold and distributed in over 50 countries.