The United States Supreme Court ruled unanimously that Monsanto Corp., the leading innovator and marketer of GM agricultural products, could enforce its contractual patent protections for its Roundup Ready soybeans.

Roundup is glyphosate, Monsanto's herbicide in use since the early 1970s. Crops with the Roundup-Ready gene are resistant to its effects, while the weeds affecting those crops are killed by it. Farmers who want to use those GM crops must agree in writing, i.e. contractually to not re-use the seeds, but must re-purchase the GM seeds annually.

What SCOTUS said is, Yes, Mr. Bowman (the plaintiff): you must abide by your signed agreement. When the case was accepted for review by the Court in February, the farmer said, Monsanto should not be able, just because they've got millions and millions of dollars to spend on legal fees, to try to terrify farmers into making them obey their agreements by massive force and threats. (italics are mine). In other words, the plaintiffs case can be summarized thusly: just because Monsanto can afford expert legal counsel, the little farmer should be able to liberate the company's intellectual property and violate their agreement.

The real question is, why is this such a big deal? Talk about a no-brainer! It's too bad that we don't have loser pays court and legal costs in our country as they do in England, because the farmer and his legal advisers should bear some penalty for bringing this wholly frivolous litigation.

But it is a big deal, because GM soybeans have been a staple U.S. crop, the first large-scale GM crop in the world, harvested in quantities starting in 1996. Subsequent crops whose yields have been enhanced thanks to Roundup Ready technology include alfalfa, corn, cotton, sugar beets and canola. However unlikely, a decision in support of the farmer would have halted the research and development of GM crop innovation. In fact, the whole concept of patent protection of intellectual property including pharmaceuticals, software, you name it would have been threatened by such a decision.

So while we issue three hearty cheers for the Supremes, let us not be complacent about how close we may have come to stalling progress in many areas, thanks to Mr. Bowman and his occupy Monsanto pseudo-legal claims.