



# Greenhouse

Intellectual Property Systems  
(GRIPS, LLC)

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## Annual Newsletter 2018

We are off to a pretty cold start of the new year. Many places in the country are going through bitter chills and the plants aren't very happy. What's more, the groundhog says we are in for a late spring start.

The good news is that could mean a longer break for many of you before you jump into the fun but hectic spring business.

It also means that maybe you have the chance to catch up on paperwork and those bigger projects which are often pushed aside.

### Pre-Spring Sale Ends Monday, March 19, 2018

For those of you who are ready to tackle a project like a trademark application or a plant patent or a plant breeder's rights application, now is the time! For the first 2 people who sign up with GRIPS services, you will receive a 15% discount off your first invoice and the opportunity to continue to enjoy 10% off all future invoices. I've never offered a promotional discount like this. The offer is limited to 2 people or organizations because I do not want to take on too much work at once as I want to provide the best customer service possible.

### In This Issue

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- ❖ Book: Poof! Plant Profits in Peril: A Patent and Trademark Storybook, updated is now in eBook as well as hardcover
- ❖ Open Source Seed Share and Other Emerging Trends
- ❖ Best Photo Spotlight: Frostweed Beauty – "Blossoms" in Cold



Allison eliminates the headaches, confusion, and pressures associated with the managing of:

- Trademark portfolios
- Deadline management
- Plant Breeder's Rights (PBRs)
- Plant Patents
- Government Correspondences
- Strategy & Planning



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## ❖ Save Money On Taxes – Through Plant Breeding Research

Did you know that the IRS in the U.S. offers a Tax Credit for research and development? That means the years of materials you invest in each wonderful plant may save you more money on your taxes – other than simply taking a straight business expense deduction.

There are still questions to be answered due to the drastic tax changes at the end of 2017 and sorting out the calculations and qualifications can be a bit confusing, so please work with your accounting professional.

Here are some resources to help you learn more. I am not affiliated with any third party writers listed below and cannot confirm their information is accurate. This is just a launch to help learn more about Research and Experimentation Tax Credits.

- ❖ <https://www.irs.gov/businesses/small-businesses-self-employed/research-and-development-manufacturing-tax-tips>
- ❖ <http://taxcreditsgroup.com/3-rd-tax-credit-predictions-2018/>
- ❖ <https://www.cpajournal.com/2017/10/30/u-s-research-development-tax-credit/>

## ❖ Plant Breeder Spotlight: Albino Redwoods Become “Floral Decorations”

The best part of my job is my clients. It is such an honor to work with so many creative, kind, and patient people. Tom Stapleton in California is no exception. As you will see, Tom is particularly creative. He is one of the few people who has figured out how to successfully propagate conifers, and his specialty and passion are albino conifers. I hope you enjoy his story.

**Tom knew he could license his plant patents for traditional uses – to sell trees, or he could take a different approach...**



**Conifer Plant Breeder and Inventor, Thomas Stapleton of California turns beautiful & rare plants into exquisite products**





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## ❖ Continued Plant Breeder Spotlight: Albino Redwoods Become “Floral Decorations”

### Tom tells his story:

Chimera Redwoods™ is a small business under development that specializes in research & propagation of rare chimeric albino redwoods.

Led by [Arborist Tom Stapleton](#), the organization aims to produce plants for commercial purposes and scientific research. The trees they specialize in are genetically unique Coast Redwoods (*Sequoia semperviren*) that produce green and chlorophyll deficient white foliage within the same plant. Chimeric redwoods are closely related to wild albino redwoods which are entirely white in appearance. The albinism is caused by genetic mutation causing a lack of chlorophyll development within the plant leaving the foliage appearing bright white in appearance.



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**Tom knew he could license his plant patents for traditional uses – to sell trees, or he could take a different approach...**



**Conifer Plant Breeder and Inventor,  
Thomas Stapleton of California turns  
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## ❖ Continued Plant Breeder Spotlight: Albino Redwoods Become “Floral Decorations”

### Continued....Tom tells his story:

Since their discovery in the mid 1860's, albino redwoods have attracted the fascination of scientists and horticulturalists alike. Early attempts to harvest foliage for use as Christmas wreaths was met with limited success due to the scarcity of available material.

Propagation efforts during the 20th century yielded little success until a breakthrough was made in 1976 where male albino pollen was discovered and cross-pollinated with a normal green redwood. The results generated the first hybridized chimeric albino redwood crosses producing trees that exhibited both normal green and white mutated sectors.

Following this breakthrough, propagation attempts to successfully clone these trees was met with challenges. It wasn't until 2013 when Chimera Redwoods™ was formed and successful cloning methods of these trees had been established.



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Follow Tom's Progress and Research at  
[www.chimeraredwoods.com](http://www.chimeraredwoods.com)



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## ❖ Continued ... Plant Breeder Spotlight: Albino Conifers Become “Floral Decorations

### Continued....Tom tells his story:

Developed by inventors Tom Stapleton and Dale Holderman, three chimeric albino redwoods generated from cross pollination experiments are currently undergoing testing for future entry into the floral industry.

‘Mosaic Delight’ (USPP26573), ‘Early Snow’ (patent approved), and ‘Grand Mosaic’ (patent pending) are three albino chimeras resulting from this development.

Albino and variegated branches from these individuals are currently being harvested and recorded for longevity testing in floral arrangements. Early results have been promising with wholesale floral business showing interest. If successful, this will be the first time that albino redwood foliage will be available and marketed to the public. Plant patent coordinator Allison Fredrick with GRIPS LLC has been instrumental in assisting [Chimera Redwoods](#) in securing patents for these trees. With one patent currently approved and two more in the pipeline, in Chimera Redwoods hopes to start test marketing albino foliage in the near future.

Aside from business activities, Chimera Redwoods is active in current albino redwood research. [Tom Stapleton](#) and other botanists are actively searching for definitive answers on why these mutations exist in the wild. What are the implications that albino redwoods have on the overall health of the redwoods forests. Early research has shown that these trees have been found in areas of increased human activity giving researchers insight that pollution may be a contributing factor. One of Chimera Redwoods goals is to promote public awareness regarding albino redwoods and how to protect their fragile environments. The organization regularly puts on informative talks and presentations during the summer months. More information can be seen on their website here at: [chimeraredwoods.com](http://chimeraredwoods.com)



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❖ **Book: Poof! Plant Profits in Peril: A Patent and Trademark Storybook, updated is now in eBook as well as hardcover**

**Updated Version of Plant Patenting and Trademark Book - Now Available in eBook and in Hardcover**

The last thing most people want to do is read a book about patents and trademarks unless they suffer from insomnia and are seeking a sure cure to lull them back to sleep. Trust me, I don't even want to read these kinds of books and you know that is pretty much what I do all the time unless I am playing with sea turtles.

That is why I wrote a different kind of book. I tried to make this a very useful manual filled with stories based on the successes and failures I've personally witnessed in my career. This book is more about strategy and building a winning and "affordable" patent and trademark program than about specific laws in different countries.

You can be an individual inventor or an established research corporation or university...the principles shared in this book can save you a lot of money and aggravation. I've shared this book with attorneys and plant breeder's rights agents around the world, and this is what they have said....

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"It has indeed been a pleasure to go through the exiting storyboards. Now, if "skilled" professionals could just speak the language Allison is speaking, the conception of PBR/Plant Patent and Trade Mark Issues would be much simpler."

– Jorgen Selchau, Plant Breeder's Rights Agent, Selchau Consult, Denmark

POOF!  
Plant Profits in Peril



A Patent & Trademark Storybook  
for Horticulturists

*Allison Frederick*

The Updated Version of  
Poof! Plant Profits in Peril are available in  
[hardcover](#) and [eBook](#) at [Amazon](#) and  
other fine book sellers



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❖ **Continued...Book: Poof! Plant Profits in Peril: A Patent and Trademark Storybook, updated is now in eBook as well as hardcover**

## Testimonials

It is full of hands-on practical information for people who want to protect their plant(s) and for companies who have many patented plants and trademarks to manage. It is a good tool to read before a company enters the world of IP (intellectual property: patents, trademarks, and plant breeder's rights). Although typical for the U.S. system of patenting, much of the text is basic stuff about IP and helpful for European and Canadian growers/managers as well. The text is clear and easy to understand, even for non-native speakers such as myself.

– Ronald Houtman, Plant Breeder's Rights Agent at Ronald Houtman  
Sortimentsadvies in The Netherlands

## Read this before you patent your plant!

Even in the complex world of Intellectual Property, plant IP is a specialized niche. Accurate information is hard to come by and even the best books tend to be weighty and academic, so they are not the most accessible to non-IP professionals and as the law moves on and they can date fast. This book is none of those things. You can't use it as a textbook but what you do get is pithy and humorous and the lessons it seeks to communicate will be relevant for as long as we have an IP system in anything approaching its current form....

...Horticulture business owners could usefully read this to find out or remind themselves how easy it is for problems to arise and how hard they can be to solve, and IP professionals in the area could do a lot worse than to recommend it to clients. IP Professionals - do not be concerned: about five pages in, your clients will already have realized just how much they still need your help!

– Andrew Bentham, European Patent Attorney, J A Kemp, London

## POOF! Plant Profits in Peril



A Patent & Trademark Storybook  
for Horticulturists

Allison Frederick

**Purchase eBook for \$8.99 USD at [Amazon](https://www.amazon.com) or [Smashwords](https://www.smashwords.com)**

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## ❖ Open Source Seed Share and Other Emerging Trends

### German Group Releases an Open Source Seed Sharing Platform

It may seem counter-intuitive that I would share information about something other than the “exclusive use” world of patents, plant breeder’s rights or trademarks, but the objectives of my business is to help you find the best resources to meet your breeding and commercialization goals. Europeans are historically opposed to the patenting of plants, or so we are told. However, large European vegetable companies certainly have prolific patent and trademark portfolios which questions the truth of this statement. Perhaps it is better to say that among plant breeder’s there are those who like the benefits of patents and trademarks and there are those who are adamantly opposed to such laws and systems.

The German organization, [Open Source Seeds](#) at the time of this writing, include [tomato and wheat varieties available by open source](#). The goal of this organization is to “fight market concentration in the seed sector” and to “help preserve the diversity of seed” (Open Source Seeds, 2018). These goals lead me to the next trend...

### Seed Identification Database Launched in Canada

In 2014 I was honored to be included in a panel discussion on plant nomenclature hosted by the [American Public Gardens Association](#). As I prepared for the talk, I researched the deep conflicts between nomenclature purists and breeders and companies who use trademarks. Sometimes unintentionally, plant breeders will change the type of plant they use in association with their trademark. Or, they may associate more than one plant with one trademark without identifying it as part of an “umbrella trademark” or series. This drives plant nomenclature people crazy. They are the grammarians of the horticulture industry. Such breaches are generally of “innocent” nature among the breeders but in some cases, trade name and trademark confusion is intentional. This is commonly seen among the highly competitive crops in the seed industry.

I’ve received several inquiries from seed distributors who are trying to figure out how to a separate particular seed from trademarks so they can offer a more diverse line of seeds to their customers as many crop seeds are offered under multiple trademarks. The [Canadian Seed Trade Association](#) recently released a robust [list of registered seed](#) which is more visual than the Canadian government search site. This is an improvement for research but visually, it is not connected with affiliated trademarks. Therefore, unfortunately, it still falls short of identifying the different trademarks associated with the registered seed, so we still have a long way to go towards seed diversity transparency.





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## ❖ Best Photo Spotlight: Frostweed Beauty “Blossoms” in Cold

Cold weather and unexpected changes in the weather can wreak havoc on plants and lead to the heart-breaking demise of our cherished plants. While some of my clients strive to find those plants able to withstand frost, hail, and whatever else Mother Nature throws at them, one of my friends made it possible to see how Mother Nature on Her own deals with these challenges.

On one freezing afternoon in Austin, Texas, adventurer and photographer Katie decided that it was better to walk home and check out the river banks in case she could have the rare opportunity to witness a frostweed frosted. Her below photos reveal she was well rewarded for taking this chilly walk.

### Frostweed (*Verbesina virginica* L.)

The Aster family offers a dramatic response to the rare freezing temperatures it endures. Under these conditions, the stems expel internal water which freezes immediately in what people often characterize as ribbons. [Other plants also display this extraordinary response.](#)



## Who is GRIPS – and Who is Allison?

*"I met Allison through a professional contact who had sought her for name trademark help. We hit it off immediately, and the process moved quickly to the application."*

*Without her help I wouldn't have known what to do, and might well not have even tried. She is competent and easy to work with, and makes seemingly complex issues both understandable and feasible."*

- Dr. Allan R. Taylor, Professor Emeritus  
University of Colorado, Boulder

*"I started working with Allison when she was with a Fortune 500 company... and Allison helped many people in that organization get a handle on what they needed to do."*

- John Harris, JD Patent Attorney  
Atlanta, Georgia

*"While we had spoken with intellectual property attorneys about our business, it wasn't until we talked with Allison that we began to understand and consider the advantages of proper planning and positioning of intellectual property to our bottom line, i.e. the business side of intellectual property vs. just the legal side."*

- Peter & Suzanne Rielle, Business Owners  
Midland, Michigan

### About Allison

As an innovation manager professional since 2000, Allison Frederick has successfully managed clients' domestic and international trademark, patent, and plant breeder rights applications and portfolios, including those of a few Fortune 500 companies.

In January 2018, she and her business, GRIPS, LLC celebrated 6 years as an independent professional specifically focusing on horticulture and sustainable-focused innovation and technology.

She has relationships with talented attorneys throughout the U.S. and attorneys and plant breeder's rights agents in many countries world-wide who, together, help Allison's clients develop a comprehensive intellectual property strategy. Allison represents 25 wonderful clients in 10 states in the U.S. and within 6 countries.

In her free time, Allison enjoys taking care of recuperating and endangered sea turtles, walking the beach, and being outside. Allison also looks forward to graduating with her master's degree from Harvard University in May 2018 in the field of environmental management and sustainable, clean technology development.



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# Do You Always Need to Use an Attorney?

Don't pay more (a lot more) for the exact same service.

## How are we the same as a law firm?

<u>Law Firms</u>	<u>GRIPS</u>
Expertise	Expertise
High Protection	High Protection
Access to Attorneys	Access to Attorneys

## How are we different from a law firm?

<u>Law Firms</u>	<u>GRIPS</u>
Uses full services all the time	Uses attorneys ONLY for legal work
High overhead (and therefore higher fees)	Low overhead (and therefore lower fees)
Incentives to NOT educate clients (i.e. keep costs high & dependence)	Incentives to educate clients (i.e. keep costs low & empowerment)
Vague, confusing invoicing full of legal-ese Intended to obscure fees	Clear invoicing in plain-speak
n/a	Predictable cost quotes <i>that are truly fixed</i>
Heavily push IP because they only have one product to "sell"	Use IP as one of several tools when it makes good business sense
n/a	IP-associated branding & marketing expertise
n/a	IP-budgeting and planning services