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UPOV

INTERNATIONALER VERBAND
ZUM SCHUTZ VON
PFLANZENZÜCHTUNGEN

UNION INTERNATIONALE
POUR LA PROTECTION
DES OBTENTIONS VÉGÉTALES

INTERNATIONAL UNION
FOR THE PROTECTION OF
NEW PLANT VARIETIES

COUNCIL

Fourth Session

Geneva, October 28 and 29, 1970

The Council,

by virtue of the provisions of sub-
paragraph h) of Article 21 of the
International Convention for
the Protection of New Varieties
of Plants,
recommends to the member States of
the Union that they apply the follow-
ing provisional guidelines for varie-
ty denominations when implementing
Article 13 of the Convention.

PROVISIONAL GUIDELINES FOR VARIETY DENOMINATIONS

Article 1

1. A variety shall be designated by only one denomination.
2. If a variety has already been submitted for registration or registered in a member State of the Union, only the denomination under which the variety has been registered in that State can be accepted in the other member States unless the authority which has to decide on the new application considers the denomination unsuitable for linguistic or other reasons.

Article 2

The denomination must make it possible to identify the variety.

Article 3

The denomination must consist of a word or words. It should preferably consist of one word but may not contain more than three words. The words must be neither unreasonably long nor difficult to pronounce.

Article 4

1. The denomination may not consist exclusively of:
 - (a) figures;
 - (b) letters;
 - (c) spelt out figures or
 - (d) any combination of these.
2. The addition of figures or letters, or of a combination of these to a word or words, so as to form a denomination shall only be permitted under the following conditions:
 - (a) the number of figures shall not exceed 4 and that of letters 3;
 - (b) up to 4 figures or up to 3 letters shall be deemed to be a word for the purposes of Article 3;
 - (c) the addition of figures or letters must, in the opinion of the national authority, be the established international custom for the species concerned; an addition which is liable to be used within the framework of a code system for variety denominations is not allowed.
3. A denomination may not be formed by substituting figures or letters for other figures or letters of a denomination already in use, nor by adding figures or letters to such denomination.

Article 5

The denomination must in particular not

1. be liable to deceive or cause confusion as to the origin, derivation, characteristics or value of the variety or identity of the breeder;
2. refer solely to attributes which are common to other varieties of the species concerned;
3. be liable to give offense;
4. be unsuitable for linguistic reasons.

Article 6

The denomination may not consist of the botanical or common name of a species; neither may it include the botanical or common name of a species where this is likely to deceive or to cause confusion.

Article 7

The denomination must not be the same as that of any other variety belonging to a species of the same class as prescribed in the appendix, nor so nearly resemble it as to be likely to deceive or to cause confusion.

Article 8

The denomination must not suggest that the variety concerned is derived from or related to another variety when this is not the case.

Article 9

The denomination must not include words such as "variety," "cultivar," "form," "hybrid" and "cross" or translations of such words.

Article 10

A new variety may not be given a denomination which has been applied previously to a variety belonging to a species of the same class as prescribed in the appendix if, according to the national authorities, the old variety is still in cultivation or its denomination still of particular importance.

Article 11

These guidelines do not affect the relationship of the variety denomination to the trademark.

/End of document UPOV/C/IV/16
Annex follows/

- *Agrostis* spec.
 - Agrostis* canina L. var. arida Schlecht.
 - Agrostis* canina L. var. canina
 - Agrostis* gigantea Roth.
 - Agrostis* stolonifera L.
 - Agrostis* tenuis Sibth.
 - Alopecurus* pratensis L.
 - Arrhenatherum* elatius L.P. Beauv. ex S et K.B. Presl.
 - Bromus* catharticus Vahl
 - Bromus* inermis Leyss
 - Cynosurus* cristatus L.
 - Dactylis* glomerata L.
 - Festuca* arundinacea Schreb
 - Festuca* ovina L.
 - Festuca* ovina L. var. duriuscula (L.) Koch
 - Festuca* pratensis Huds.
 - Festuca* rubra L.
 - Festuca* spec.
 - Lolium* spec.
 - Lolium* multiflorum Lam.
 - Lolium* perenne L.
 - Lolium* multiflorum Lam. x. perenne
 - Lolium* multiflorum Lam. ssp. gaudini (Parl.) Schinz et Kell
 - Phalaris* arundinacea L.
 - Phleum* pratense L. (var. nedusum Richter included)
 - Poa* annua L.
 - Poa* nemoralis L.
 - Poa* pratensis L.
 - Poa* spec.
 - Poa* trivialis L.
 - Trisetum* flavescens L.P. Beauv.
- *Allium* escalonicum L.
 - Allium* cepa L.
- *Apium* graveolens L.
 - var. rapaceum
 - Apium* graveolens L.
 - var. dulce (Mill.) D.C.
- *Avena* nuda Hoejer
 - Avena* sativa L.
 - Hordeum* vulgare L. convar. distichon (L.) Alef
 - Hordeum* vulgare L. convar. vulgare
 - Secale* cereale L.
 - Triticum* aestivum L.
 - Triticum* durum L.
 - Triticum* spelta L.
- *Beta* vulgaris L.
 - (ssp. vulgaris var. alba D.C.)
 - Beta* vulgaris L. (Doell.) ssp. vulgaris var. altissima)

- *Beta vulgaris* L. var. *cicla* L.
Beta vulgaris ssp. *vulgaris* var. *conditiva* Alef
Beta vulgaris L. var. *rubra* L.
Beta vulgaris L. ssp. *vulgaris* var. *vulgaris*
- *Brassica campestris* L. var. *rapa* (L.) Hartm.
Brassica napus L. var. *biennis* Rchb.
Brassica napus L. var. *napobrassica* (L.) Rchb.
Brassica napus L. var. *napus*
Brassica oleracea L. var. *gongylodes* L.
Brassica oleracea L. convar *acephala* (DC) Alef
var. *Sabellica* L. (Schulz)
Brassica oleracea L. convar *acephala* (DC) Alef
var. *virides* L. + var. *medullosa* Thell.
Brassica oleracea L. var. *alba* DC.
Brassica oleracea L. var. *botrytis* L.
Brassica oleracea L. var. *sabauda* (L.) Schulz
Brassica oleracea L. var. *cymosa* Duch
Brassica oleracea L. var. *laciniata* (L.) Schulz
Brassica oleracea L. var. *bullata* D.C. subvar. *gemnifera* (DC) Schulz
Brassica oleracea L. var. *rubra* DC.
Brassica rapa L. var. *silvestris* (Cam.) Briggs
- *Brassica juncea* (L.) Czern. et Coss. ssp. *juncea*
Brassica nigra (L.) W.D.J. Koch
Sinapis alba L.
- *Chamaecyparis* Spach
Juniperus
Thuja L.
- *Cucumis sativus* L. (cornichon)
Cucumis sativus L. (concombre)
- *Lactuca sativa* L. var. *capitala* L.
Lactuca sativa L. var. *acephala* Alef
Valerianella locusta (L.) Betteke
- *Lathyrus cicera* L.
Lathyrus sativus L.
Lathyrus tingitanus L.
- *Lupinus albus* L.
Lupinus angustifolius L.
Lupinus luteus L.
Medicago falcata L.
Medicago sativa L.
Medicago lupulina L.
Medicago varia Martyn
Ornithopus sativus Brot.
Onobrychis viciifolia Scop.
Spergula arvensis L.
Trifolium pratense L.
Trifolium repens L.
Trifolium alexandrinum
Trifolium hybridum L.
Trifolium incarnatum L.

- Vicia articulata Horneman
Vicia pannonica Crantz
Vicia sativa L.
Vicia sepium L.
Vicia villosa Roth
- Nicotiana rustica L.
Nicotiana tabacum L.
 - Panicum miliaceum L.
Setaria italica L.P. Beauv.
 - Phaseolus coccineus L.
Phaseolus vulgaris L.
Phaseolus vulgaris L. var. nanus (L) Aschers
Phaseolus vulgaris L. var. vulgaris
Vicia faba L. var. major Harz.
Vicia faba L. var. minor (Peterm.)
 - Raphanus sativus L. var. niger Pers.
Raphanus sativus L. var. oleiferus (M.M.) Stok
(Raphanus sativus var. oeliformis Pers.)
Raphanus sativus L. var. radícula Pers.
 - Ribes L.
Ribes nigrum L.
Ribes uva-crispa L.
 - Rubus L. subg. Rubus, sectie Morifori
Rubus L. subg. Idaeobatus
 - Sorghum saccharatum Moench.
Sorghum technicum Koern.
 - Allium porrum L.
 - Alstroemeria L.
 - Anthriscus cerefolium (L.) Hoffm.
 - Asparagus officinalis L.
 - Cannabis sativa L.
 - Capsicum annuum L.
 - Carum carvi L.
 - Chrysanthemum morifolium Ram. and hybriden met C koreanum Hort.
 - Cichorium endivia L.
 - Cichoriumintybus L.
 - Cucumis melo L.

- *Cucurbita maxima* Duch.
- *Cucurbita pepo* L.
- *Dahlia* Cav.
- *Daucus carota* L. var. *sativus* (Hoffm.) Hayek
- *Delphinium* L.
- *Dianthus caryophyllus* L.
- *Euphorbia fulgens* Karw.
- *Euphorbia pulcherrima* Willd. ex Klotsch
- *Fagopyrum esculentum* Moench
- *Fragaria ananassa* Duch.
- *Fraxinus excelsior* L.
- *Freesia* Klatt
- *Gladiolus* L.
- *Glycine soja* Sieb. et Zucc.
- *Helianthus annuus* L.
- *Helianthus tuberosus* L.
- *Helleborus*
- *Hippeastrum* (Amaryllis)
- *Humulus lupulus* L.
- *Hyacinthus orientalis* L.
- *Iris*
- *Lens culinaris* Medik.
- *Lepidum sativum* L.
- *Lycopersicon esculentum* Mill. (syn. *Solanum Lycopersicon* L.)
- *Malus* Mill.
- *Matthiola* R.Br.
- *Narcissus* L.
- *Orchideaceae*
- *Papaver somniferum* L.

- Pelargonium L. 'Hév.
- Petroselinum Hill.
- Phalaris canariensis L.
- Pisum sativum L.
- Populus L.
- Prunus avium L. Prunus cerasus L.
- Prunus domestica L. and Prunus salicina Lindl.
- Pyrus communis L.
- Rheum rhabarbarum L.
- Rhododendron L.
- Robinia pseudo acacia L.
- Rosa L.
- Salix L.
- Scorzonera hispanica L.
- Solanum tuberosum L.
- Solanum Lycopersicum L./Lycopersicon esculentum Mill.
- Spinacia oleracea L.
- Streptocarpus x hybridus Voss.
- Syringa L.
- Tulipa L.
- Ulmus L.
- Vitis spec.
- Zea mays L.

/End of Annex and document/