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UPOV

UPOV/C/V/32
Original: English
Date: October 15, 1971

INTERNATIONALER VERBAND
ZUM SCHUTZ VON
PFLANZENZÜCHTUNGEN

UNION INTERNATIONALE
POUR LA PROTECTION
DES OBTENTIONS VÉGÉTALES

INTERNATIONAL UNION
FOR THE PROTECTION OF
NEW PLANT VARIETIES

COUNCIL

Fifth Session

Geneva, October 13-15, 1971

HARMONIZATION OF NATIONAL LISTS OF SPECIES
ELIGIBLE FOR PROTECTION IN MEMBER STATES

Resolution adopted by the Council

The Council, at its fifth meeting held on October 13 to 15, 1971,

Noting with satisfaction

- (i) that all member States have already included in their national protection systems a considerable number of those genera and species which are listed in the Annex to the Convention (hereinafter referred to as "obligatory species"), and
- (ii) that all member States have introduced protection for a considerable number of important genera and species not mentioned in the said Annex (hereinafter referred to as "non-obligatory species");

Noting that with regard to the non-obligatory species member States have afforded protection for the same genera and species only as an exceptional measure;

Considering that it is desirable to obtain the highest possible degree of uniformity of the national lists of genera and species eligible for protection in member States, among other reasons because of the principle of specific reciprocity set forth in Article 4(4) of the Convention and adopted by a majority of member States, according to which a foreign breeder, being a national of another member State cannot obtain protection with regard to a new variety of a non-obligatory species unless the species to which the variety belongs is included in the protection system of that other member State;

Considering that under Article 4(2) the member States have agreed to take all measures necessary for the progressive application of the Convention to the largest possible number of botanical genera and species;

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Considering Article 30(2) of the Convention, according to which the preliminary examination prescribed in Article 7 of the Convention may be carried out by the examination centers of other member States, and that agreements to that effect may enable member States to protect genera and species for which they themselves have no examination facilities;

Invites member States to study the possibility of including in their national protection systems those non-obligatory species which are important and commonly grown in their respective areas, and which at present are eligible for protection in at least three other member States;

Decides to request the Delegations to future Council meetings to report annually on the progress achieved with regard to the invitation contained in this Resolution.

Note: A list of genera and species protected in at least three member States is attached to this Resolution and forms an integral part thereof. Genera and species protected in at least four or in three member States are marked "o" or "x" respectively in the columns corresponding to the member States which do not offer protection for the genus or species in question and consequently are invited to consider the question. The following letters are used to denote the member States: D = Germany (Fed. Rep.); DK = Denmark; F = France; NL = Netherlands; S = Sweden; UK = United Kingdom.

/End of document;
Annex follows/

List of species which member States are
 invited to consider for inclusion in their protection system

Liste der Arten, die den Verbands-
 staaten zur Erwägung für eine Auf-
 nahme in ihr Schutzsystem empfohlen
 werden

Liste des espèces que les Etats membres
 sont invités à considérer pour les in-
 clure dans leur système de protection

	D	DK	F	NL	S	UK
<u>Agricultural crops/landwirtschaftliche Arten/plantes agricoles</u>						
Agrostis			o			o
Dactylis			o			o
Festuca			o			o
Phleum			o			o
Poa			o			o
Lupinus		x	x			x
Medicago lupulina			x	x		x
Trifolium repens			x	x		x
Vicia faba			o			o
Vicia sativa		x	x			x
Beta vulgaris			x	x		x
Brassica + Sinapis		x	x			x
Linum		o				o
Papaver		x	x			x
Secale cereale			o			o
<u>Vegetables/Gemüsearten/plantes potagères</u>						
Allium		x	x			x
Apium		x	x			x
Asparagus		x	x			x
Beta		x	x			x
Brassica oleracea + B. napus		x	x			x
Cucumis sativus		x	x			x
Daucus		x	x			x
Lycopersicon		o				o
Petroselinum		x	x			x
Raphanus		x	x			x
Spinacia		x	x			x

Fruit and berry crops/Obst- und Beeren-
 arten/fruits et baies

Prunus avium + P. cerasus

Prunus domestica + P. salicina

Pyrus communis

Ribes sativum (rubrum)

Ribes nigrum

Ribes uva crispa

Rubus

Ornamentals/Zierpflanzen/
 plantes ornementales

Euphorbia fulgens + E. pulcherrima

Freesia

Trees (not included in other groups/
Bäume (die nicht in anderen Gruppen
 enthalten sind)/arbres (ne figurant
 pas sous d'autres rubriques)

Populus

D	DK	F	NL	S	UK
o					
o					
o					
	x	x			x
	o	o			
	x	x			x
		o	o		
x		x		x	
x		x		x	
	x	x		x	

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