International Union for the Protection of New Varieties of Plants

Technical Working Party for Ornamental Plants and Forest Trees TWO/50/8

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CASE STUDY ON MINIMUM DISTANCES BETWEEN VEGETATIVELY REPRODUCED ORNAMENTAL **AND FRUIT VARIETIES**

Document prepared by an expert from the Netherlands

Disclaimer: this document does not represent UPOV policies or guidance

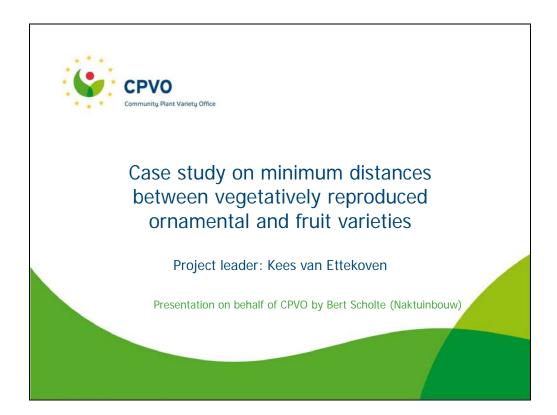
The Annex to this document contains a copy of a presentation on "Case study on minimum distances between vegetatively reproduced ornamental and fruit varieties", prepared by an expert from the Netherlands, to be made at the fiftieth session of the Technical Working Party for Ornamental Plants and Forest Trees (TWO).

[Annex follows]

ANNEX

CASE STUDY ON MINIMUM DISTANCES BETWEEN VEGETATIVELY REPRODUCED ORNAMENTAL AND FRUIT VARIETIES

Presentation by an expert from the Netherlands



Foreword

Objective of the project

Statement from CIOPORA

the 'distance' between varieties is becoming too small and thus the Plant Breeders' Right is becoming weaker. The threshold for the distance between varieties should be raised. It is more urgent for some species compared to others.

Foreword

Objective of the project

- Distinction
 - > only on important characteristics and
 - less states of expression in certain characteristics
- Uniformity and Description
 - > full set of current characteristics



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Foreword

Objective of the project

- Material tested: 50 last CPVO protected varieties re-examined
 - apple
 - rose and
 - pelargonium



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Foreword

- 'Mock protocols' designed and implemented
 - > selection of reference varieties
 - re-assessment of distinctness between the candidate and the varieties grown in the (original) trial
 - > re-assessment of distinctness between the candidate and the closest varieties identified in the (original) trial



Conclusions

- Effect 'mock' Technical Protocols
 - > Not the effect on D as expected by CIOPORA.
 - > Some varieties visually obviously D no longer D on paper
 - > more difficult to exclude varieties of common knowledge
- Consequence:
 - more varieties in the trials
 - > Test more expensive.



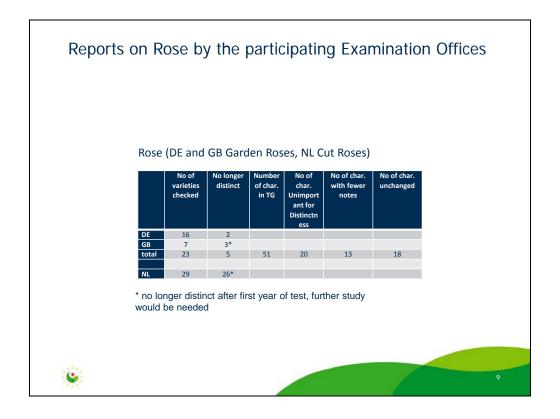
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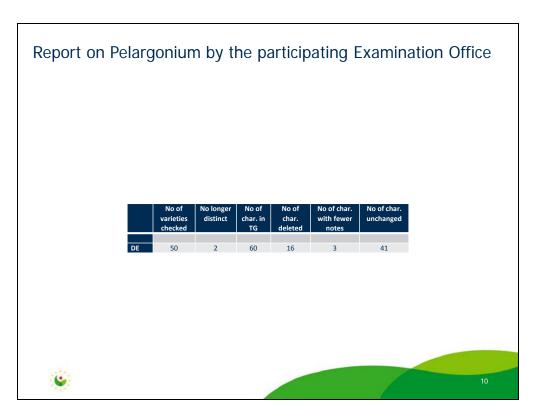
Reports by the participating Examination Offices on apple

	No of varieties checked	No longer distinct	No of char. in TG	No of char. deleted	No of char. with less notes	No of char. unchanged
DE	22	3				
CZ	8	0				
FR	26	3				
total	56	6	56	25	7	24



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Possible follow-up

- 1. Results case study to be presented
 - > TWO and
 - > TWF
- 2. Further discussion on the basis of living plants
 - > to improve mutual understanding.
 - ➤ CIOPORA to supply actual cases of varieties they consider not clearly distinct in order to clarify their position.
- 3. CIOPORA is invited to ensure stronger involvement by breeders in the discussions on the revision and drafting of Test Protocols and Guidelines.
- 4. Legal clarity needed
- characteristics used for U (and S) can differ from those used for D



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Thank you for your attention



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