



## Norwegian implementation on the Novelty provisions



Foto Linda Kristin Skogeng

## Novelty

UPOV -78 article 6(1)(b)

### **Norwegian Act relating to the Plant Breeder's Right section 2:**

*The Plant Breeder's right may only be granted in respect of varieties which have not been sold or offered for sale with the consent of the variety owner,*

- *in this Realm before the date of application, or*
- *abroad more than six years before the date of application in the case of vines, trees and their rootstock or more than four years before the date of application in the case of other plants.*

### **Norwegian Act relating to the Plant Breeder's Right section 4:**

*The application must disclose such prior exploitation of the variety as may be an obstacle to the granting of the Plant Breeder's Right ... or state that the variety has not been so exploited.*



## Novelty

### Regulation concerning the Plant Breeder's Right section 4 h):

*... The application shall contain:*

*h) Information on the previous exploitation of the variety which according to ... Section 2 of the Act relating to Plant Breeder's Right may hinder the granting of breeder's rights.*

Example: The Canadian variety

