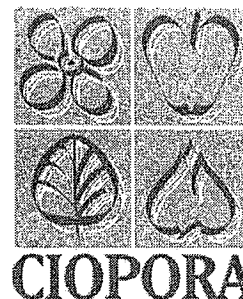


**Communauté Internationale des Obtenteurs de Plantes
Ornementales et fruitières de Reproduction Asexuée**



**INTERNATIONAL UNION FOR THE PROTECTION OF
NEW VARIETIES OF PLANTS (UPOV)
Consultative Committee and COUNCIL**

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Hamburg, 30 September 2009

**CIOPORA comment on the Law on the Protection of Breeders' Rights of the
Sultanate of Oman**

Dear members of the Consultative Committee and the Council,

CIOPORA appreciates it that the Sultanate of Oman has submitted a PBR law to UPOV that in its core is in compliance with the UPOV 1991 Act.

However, CIOPORA would like to point out that according to Article 15 (3) of the PBR law only fruit tree varieties are excluded from the farmers' exemption, but no other fruit varieties.

It is well known that the application of the farmers' exemption to vegetatively reproduced ornamental and fruit varieties makes the protection worthless for such varieties and therefore does not safeguard the legitimate interest of the breeders of such varieties. Therefore, CIOPORA opposes against the application of the farmers' exemption to vegetatively reproduced fruit varieties in the PBR law of the Sultanate of Oman. The word "tree" should be deleted in Article 15 (3) of this law.

CIOPORA kindly asks the Consultative Committee and the Council to take note of its comment and to notify the government of the Sultanate of Oman accordingly.

Respectfully yours,

CIOPORA

Dr. Edgar Krieger
Secretary General