



CAJ/42/5

ORIGINAL: English

DATE: October 2, 2000

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
GENEVA

ADMINISTRATIVE AND LEGAL COMMITTEE

Forty-Second Session
Geneva, October 23 and 24, 2000

**THE LIST OF GENERA AND SPECIES OF TREES AND VINES FOR THE PURPOSES
OF THE PROVISIONS ON NOVELTY AND THE DURATION OF PROTECTION**

Document prepared by the Office of the Union

1. During its forty-first session, the Administrative and Legal Committee (hereinafter referred to as “the Committee”), held in Geneva on April 6, 2000, discussed the notion of trees and vines for the purposes of the provisions on novelty and the duration of protection. Noting the difficulties in establishing a systematic remedy, the Committee decided to limit its work to the development of a list of species and genera treated among member States as “trees and vines” and requested member States to provide further information to the Office of the Union.
2. Following the request from the Office of the Union, Argentina, Bulgaria, Germany, Hungary, the Netherlands, New Zealand, Paraguay, the Russian Federation, Sweden and Ukraine provided comments on Annexes I and II of document CAJ/41/4 (Circular U 3008).
3. The Annexes of this document are revised versions of Annexes I and II of document CAJ/41/4, based on comments received by October 9, 2000, and on the review of the list of genera and species in document C/33/6. The contents of Annexes I and II are as follows:
 - (a) Annex I: Minimum list of tree species and genera which follow the strict interpretation of “trees” and should be treated as “trees” among all member States. This list excludes species which could contain shrubs and woody non-tree plants. However, it should be noted that genera which consist mainly of tree species, but might contain a few shrub

species, remain in the list with the special indication (*) for further consideration. The discrimination of trees and shrubs is based on descriptions in the “Dictionary of Gardening of the Royal Horticultural Society” or, for species on which information is unavailable in the dictionary, on “Zander, Handwörterbuch der Pflanzennamen (1984).”

(b) Annex II: List of genera and species which should be considered as vines, where the notion of vines is applied in a broad manner.

4. For clarity and ease of understanding, changes from Circular U 3008 (Annexes I and II of document CAJ/41/4) are highlighted with underlining and strikethrough.

5. *The Committee is invited to take note of the Annexes.*

[Annex I follows]

ANNEXE I/ANNEX I/ANLAGE I/ANEXO I

LISTE DES GENRES ET ESPÈCES PAR RAPPORT À LA NOTION D'ARBRE/

LIST OF GENERA AND SPECIES FOR THE NOTION OF TREE/

VERZEICHNIS VON GATTUNGEN UND ARTEN MIT
VORGESCHLAGENER KLASSIFIZIERUNG ALS BAUM/LISTA DE GÉNEROS Y DE ESPECIES EN RELACIÓN CON LA NOCIÓN
DE ÁRBOL

<u>Latin</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>	<u>Español</u>	<u>Note / Anmerkung / Nota</u>
<i>Abies</i> Mill.	Fir	Sapin	Tanne	Abeto	
<i>Acacia melanoxylon</i> R. Br.	Australian Blackwood	Mimosa à bois noir, Acacia à bois noir, Bois noir d'Australie	Schwarzholzakazie, Ebenholzakazie		
<i>Acacia teminalis</i> (Salisb.) J. F. Maëbr					4
<i>Acer platanatum</i> Thunb. ex Murr	Japanese Maple			-	1
<i>Acer negundo</i> L.	Box Elder	Négondo	Eschenahorn	-	
<i>Acer platanoides</i> L.	Norway Maple	Érable plane	Spitzahorn	-	
<i>Acer pseudoplatanus</i> L.	Sycamore, Plane Tree	Érable sycamore, Sycamore, Érable de montagne	Bergahorn		
<i>Acer rubrum</i> L.	Red Maple				
<i>Acmena smithii</i> [Eugenia smithii]					
<i>Aesculus hippocastanum</i> L.	Horse Chestnut	Marronnier	Gemeine Roßkastanie	Castaño de Indias	
<i>Agonis flexuosa</i> (Willd.) Lindl					3
<i>Albizzia julibrissin</i> Durazz.	Pink Siris, Persian Acacia, Silk Tree	Arbre de soie, Arbre du sommeil, Acacia de Constantinople,	Schlafbaum, Persische Albizie, Schirmakazie, Albizie		1
<i>Allocauarina littoralis</i>					4
<i>Alnus jorullensis</i> H. B. K.					3
<i>Angophora costata</i>					4
<i>Averrhoa carambola</i> L.	Carambola	Carambole	Karambola	Carambolo	
<i>Bacchousia citriodora</i>					1
<i>Betula pendula</i> Roth	Common Silver Birch, Weeping Birch, European White Birch, Silver Birch	Bouleau commun, Bouleau blanc, Bouleau verruqueux, Bouleau pleureur, Bouleau odorant, Boulard, Arbre de la sagesse, Bois à balai	Hängebirke, Sandbirke, Weißbirke, Warzenbirke, Gemeine Birke		
<i>Callistemon salignus</i> (Sm.) DC.					1
<i>Castanea crenata</i> x <i>C. sativa</i>	Japanese Chestnut	Châtaignier d'Amérique	Amerikanische Kastanie		1
<i>Castanea mollissima</i> Bl.	Chinese Chestnut	Châtaignier de Chine	Chinesische Kastanie		
<i>Castanea vulgaris</i> Lam [Castanea sativa Mill]	Spanish chestnut, Sweet Chestnut Tree	Châtaignier commun, Castagné	Edelkastanie, Eßkastanie, Echte Kastanie		
<i>Ceratopetalum</i>					
<i>Carya illinoensis</i> (Wangenh.) K. Koch	Pecan Nut	Pacancier	Pekan, Pekannuß	Pecán, Nogal pacanero	
<i>Chamaecyparis</i> Spach	Chamaecyparis	Chamaecyparis	Scheinzypresse	Chamaecyparis	

CAJ/42/5
Annexe I/Annex I/Anlage I/Anexo I
page 2/Seite 2/página 2

<u>Latin</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>	<u>Español</u>	<u>Note / Anmerkung / Nota</u>
<i>Chamaerops L.</i>	Fan Palm	Palmier nain	Zwergpalme		1
<i>Citrus L.*</i>	Citrus	Agrumes	Zitrus	Cítricos	2
<i>Cordyline australis (G. Forst.) Hook. f.</i>	Cabbage Tree	Condylion	Cordyline		
<i>Corymbia maculata (Hook.) K. D. Hill et L. A. S. Johnson</i>					4
<i>Corynocarpus J.R. et G. Forst.</i>	Karaka Nut	Corynocarpe	Karakabaum	Corynocarpus	
<i>Cunninghamia lanceolata (Lamb.) Hook.</i>	Chinese Fir	Sapin de Chine	Spießtanne	Abeto de China	
<i>Cupressocyparis Dallim.</i>	Leyland Cypress	Cyprés de Leyland	Leylandzypresse	-	1
<i>Cupressus L.</i>	Cypress	Cyprés	Zypresse	Ciprés	
<i>Cyathea cooperi (F. v. Muell.) Domin</i>	Tree Fern	Fougère en arbre	Becherfarn	-	Fern
<i>Cydonia oblonga Mill.</i>	Quince	Cognassier	Quitte	Membrillero	
<i>Diospyros kaki L.</i>	Japanese Persimmon, Kaki	Plaqueminier, Kaki	Kakipflaume	Caqui	
<i>Elaeagnus L.</i>	[Elaeagnaceae]	Éléagnacées	Ölweidengewächse	Eleagnáceas	2
<i>Eriobotrya japonica Lindl.</i>	Loquat, Japanese Medlar	Bibacier, Néflier du Japon, Faux néflier	Japanische Mispel, Loquate		
<i>Eucalyptus albens.</i>	Eucalyptus	Eucalyptus	Eukalyptus	Eucalipto	3
<i>Eucalyptus camaldulensis Dehnh.</i>	Longbeak Eucalyptus, River Red Gum	Eucalyptus rouge, Gommier de rivière	Rotgummibaum		3
<i>Eucalyptus gunnii Hook. f.</i>	Cider Gum	Eucalyptus commun, Gommier cidre	Gunns Eukalyptus		
<i>Eucalyptus largiflorens F. v. Muell.</i>					4
<i>Eucalyptus melliodora A. Cunn. ex Schauert</i>					4
<i>Eucalyptus robusta Sm.</i>		Eucalyptus robuste			
<i>Eucalyptus rubida H. Deane et Maiden</i>					4
<i>Eucalyptus sideroxylon A. Cunn. ex Woolls</i>					
<i>Eucalyptus tereticornis Sm.</i>					3
<i>Eucryphia lucida (Labill.) Baill.</i>					
<i>Fagus L.</i>	Beech	Hêtre	Buche		
<i>Ficus benjamina L.</i>	Ficus benjamina	Ficus benjamina	Birkenfeige	-	
<i>Ficus carica L.</i>	Fig	Figuier	Echte Feige	Higuera	1
<i>Ficus elastica Roxb.</i>	Rubber Plant	Ficus, Caoutchouc	Gummibaum	Higuera cauchera, Caucho común	not tree
<i>Ficus lyrata Warb.</i>					shrub species
<i>Ficus microcarpa L.</i>					4
<i>Ficus rubignosa Desf.</i>					
<i>Ficus stricta Miq.</i>					3
<i>Fraxinus excelsior L.</i>	Common Ash, European Ash	Frêne commun, Frêne élevé, Grand frêne	Gemeine Esche, Geißbaum, Steinsesche		
<i>Fraxinus pennsylvanica Marsh.</i>	Red Ash	Frêne rouge	Rotesche	Fresno rojo	
<i>Ginkgo L.</i>	Ginkgoaceae	Ginkgoacées	Ginkgogewächse	Gingcoáceas	

CAJ/42/5
Annexe I/Annex I/Anlage I/Anexo I
page 3/Seite 3/página 3

<u>Latin</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>	<u>Español</u>	<u>Note / Anmerkung / Nota</u>
Gleditsia L.	Honey Locust	Févier	Gleditschie		
Grevillea robusta A. Cunn. ex R. Br.	Grevillea	Grevillea	Grevillea	Grevillea	
Hymenosporum flavum					1
Hex aquifolium L.	Holly	Houx	Ilex, Stechpalme	Acebo, Agrifolio	shrub species
Juglans L.	Walnut	Noyer	Walnuß	Nogal	
Juniperus x media van Melle	Juniper	Genévrier	Wacholder	Junípero	4
Juniperus scopulorum Sarg.	Rocky Mountains Juniper	Genévrier des rochers, Genévrier des montagnes du Colorado	Felsengebirge-Wacholder		
Lagerstroemia indica L.	Crape Myrtle	Lagerstroemia	Lagerstroemia	Lagestroemia	
Larix Mill.	Larch	Mélèze	Lärche	Alerce, Lárice	
Laucaena leucocephala (Lam.) de Wit					4
Laurus L.	Laurel	Laurier	Lorbeerbaum		
Litchi chinensis Sonn. [Litchi Sonn.]	Litchi	Litchi	Litschi	Lichi	
Liquidambar L.	Sweet Gum	Liquidambar, Ambrier	Amberbaum		
Lophostemon confertus					4
Macadamia integrifolia	Macadamia, Queensland Nut	Macadamia	Macadamia	Macadamia	
Macadamia integrifolia x tetraphylla	Macadamia, Queensland Nut	Macadamia	Macadamia	Macadamia	
Macadamia tetraphylla	Macadamia, Queensland Nut	Macadamia	Macadamia	Macadamia	
Malus domestica Borkh [M. communis L.; M. sylvestris Mill.]	Apple	Pommier	Apfel	Manzano	
Mangifera indica L.	Mango	Manguier	Mango	Mango	
Melaleuca linariifolia Sm.					
Melia L.	Persian Lilac, Bead Tree	Margousier	Zedrachbaum	Paraiso	
Metrosideros excelsa Soland. ex Gaertn.	New Zealand Christmas Tree	Arbre de Noël de Nouvelle-Zélande			1
Metrosideros umbellata Cav.					1, 3
Microcitrus australasica (F. v. Muell.) Swingle					3
Nothofagus Bl.	Southern Beech, False Beech	Nothofagus, Hêtre austral	Scheinbuche		
Olea europaea L. [Olea L.]	Olive	Olivier	Ölbaum, Olive	Olivo	
Paulownia Sieb. et Zucc.	Royal Paulownia	Paulownia	Paulownia	Paulonia	
Persea americana Mill. [Persea gratissima]	Avocado	Avocatier	Avocado	Aguacate	
Picea A. Dietr.	Spruce	Épicéa	Fichte	Abeto, Picea	
Pinus L.*	Pine	Pin	Kiefer, Föhre		2
Pistacia vera L.	Common Pistache, Real Mastic Tree, Pistachio	Pistachier commun, Pistachier vrai	Echte Pistazie, Mastixbaum		

CAJ/42/5
Annexe I/Annex I/Anlage I/Anexo I
page 4/Seite 4/página 4

<u>Latin</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>	<u>Español</u>	<u>Note / Anmerkung / Nota</u>
Pittosporum tenuifolium Soland. ex Gaertn	New Zealand Pittosporum	Pittospore de Nouvelle-Zélande	Schmalblättriger Klebsame		
Populus L.	Poplar	Peuplier	Pappel	Álamo, Chopo	
Prunus amygdalus Bartsch	Almond	Amandier	Mandel	Almendro	
Prunus armeniaca L.	Apricot	Abricotier	Aprikose	Albaricoquero	1
Prunus avium (L.) L. [Cerasus avium (L.) Moench]	Sweet Cherry	Cerisier (cerises douces: guignes, bigarreaux)	Süßkirsche	Cerezo dulce	
Prunus cerasifera Ehrh.	Cherry Plum, Myrobalan Plum	Prunier myrobalan, Prunier cerise	Kirschpflaume, Türkische Kirsche		
Prunus cerasus L. [Cerasus vulgaris (L.) Mill.]	Morello, Sour Cherry	Cerisier (cerises acides: griottes, amarelles)	Sauerkirsche	Cerezo ácido, Guindo	
Prunus domestica L.	Plum	Prunier	Pflaume	Ciruelo, Cirolero	
Prunus domestica x ameniaca					
Prunus insititia L.					
Prunus mahaleb L.	St. Lucie Cherry, Mahaleb Cherry, Rockcherry	Cerisier de Sainte-Lucie, Bois de Sainte-Lucie, Amarel, Cerisier odorant, Cerisier mahaleb	Felsenkirsche, Steinweichsel, Weichselrohr, Weichselkirsche		
Prunus mume Sieb. et Zucc.	Japanese Apricot	Abricotier du Japon	Mumebaum		
Prunus persica (L.) Batsch	Peach	Pêcher	Pfirsich	Durazno, Melocotonero	1
Prunus salicina Lindl.	Plum, Japanese Plum	Prunier du Japon, Prunier japonais	Japanische Pflaume	Ciruelo japonés	
Prunus salicina x persica					
Prunus subhirtella Miq.	Spring Cherry, Rose Bud Cherry	Cerisier Higan, Cerisier hérissé	Bergkirsche, Higan-Kirsche		
Prunus yedoensis Matsum.	Yoshino Cherry	Cerisier de Yedo	Tokio-Kirsche		
Pseudotsuga Carr.	Douglas Fir	Sapin de Douglas	Douglasie	Abeto de Douglas	
Psidium guajava L.	Guava	Goyavier	Guayave	Guayabo	1
Pteridaceae	Pteridaceae	Ptéridacées	Saumfarngewächse	Pteridáceas	4
Pteridophyta	Pteridophyta	Ptéridophytes	Farnpflanzen	Pteridofita	Fern
Punicaceae	Punicaceae	Punicacées	Granatbaumgewächse	Punicáceas	2
Pyracantha M.J. Roem.*	Firethorn	Pyracantha, Buisson ardent	Feuerdorn	Arbusto ardiente, Espino de fuego	2
Pyrus L.*	Pear	Poirier	Birne	Peral	2
Quercus L.*	Oak	Chêne	Eiche	Roble, Encina	2
Radermachera sinica (Hance) Hemsl.	Radermachera	Radermachera	Radermachera	Radermachera	1
Robinia pseudoacacia L.	False Acacia	Robinier faux-acacia	Robinie, Scheinakazie	Falsa acacia	
Salix L.*	Willow, Osier	Saule, Osier	Weide		2
Santalum acuminatum					4
Sapium sebiferum (L.) Roxb.	Soap Tree, Chinese Tallow Tree	Glutier, Arbre à suif, Arbre à savon	Seifenbaum, Chinesischer Talgbaum		
Schefflera arboricola Hayata	Schefflera	Schefflera	Schefflera	Schefflera	

<u>Latin</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>	<u>Español</u>	<u>Note / Anmerkung / Nota</u>
<i>Sorbus aria</i> L.	Whitebeam	Alisier blanc, Allouchier	Mehlbeere	Mostajo	
<i>Syzygium australe</i>	Syzygium, Water- wood Tree	Syzygium	Syzygium	Syzygium	4
<i>Syzygium luehmannii</i>					4
<i>Syzygium oleosum</i>					4
<i>Syzygium paniculatum</i> Banks ex Gaertn.					1, 3
<i>Thuja</i> L.	Thuya	Thuya	Lebensbaum	Tuya	
<i>Tilia</i> L.	Lime	Tilleul	Linde	Tilo	
<i>Toona</i> (Endl.) M. J. Roem.	Toon	Cédrèle	Surenbaum		
<i>Ulmus</i> L.	Elm	Orme	Ulme	Olmo	
<i>Weinmannia racemosa</i> L.					4
<i>Xanthostemon chrysanthus</i>					4
<i>Zelkova serrata</i> (Thunb.) Mak.	Japanese Zelkova, Keaki	Zelkova du Japon	Japanische Zelkove		

Note / Anmerkung / Nota

- 1: L'espèce peut inclure des arbustes / The species might include shrubs / Die Art könnte Büsche beinhalten / La especie puede incluir arbustos.
- 2: Le genre inclut des espèces d'arbuste / The genus includes shrub species / Die Gattung beinhaltet Buscharten / El género incluye especies de arbusto.
- 3: La distinction entre arbres et arbustes se base sur le *Zander* / The discrimination of trees and shrubs is based on the *Zander* / Die Unterscheidung von Bäumen und Büschen basiert auf dem *Zander* / La discriminación de árboles y arbustos se basa en el *Zander*.
- 4: Aucune information sur l'espèce ou le genre n'est disponible / Information on the species or genus is unavailable / Informationen über Art und Gattung sind nicht verfügbar / No se dispone de información sobre la especie ni el género.

[L'annexe II suit/
Annex II follows/
Anlage II folgt/
Sigue el Anexo II]

ANNEXE II/ANNEX II/ANLAGE II/ANEXO II

LISTE DES GENRES ET ESPÈCES ASSIMILABLES À LA VIGNE
(QUI SONT DES *VINES* ASSIMILABLES À LA VIGNE)/

LIST OF GENERA AND SPECIES ASSIMILABLE TO VINE
(WHICH ARE *VINES* ASSIMILABLE TO VINE)/

VERZEICHNIS VON GATTUNGEN UND ARTEN, DIE MIT
REBE VERGLEICHBAR SIND
(DIE MIT REBE VERGLEICHBARE *VINES* SIND)/

LISTA DE GÉNEROS Y ESPECIES ASIMILABLES A LA VID
(QUE SON *VINES* ASIMILABLES A LA VID)

<u>Latine</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>	<u>Español</u>
<u>Actinidia chinensis</u>	Kiwifruit	Actinidia, Groseille de Chine	Kiwifrucht	Kiwi
Actinidia Lindle	Actinidia	Actinidia	Strahlengriffel	Actinidia
Bougainvillea Comm.	Bougainvillea	Bougainvillier	Bougainvillea	
Campsis Lour.	Trumpet creeper	Campsis	Trompetenblume, Jasmintrumpete, Klettertrumpete	
<u>Clematis L.</u>	Clematis	Clématite	Waldrebe	Clemátide
<u>Hardenbergia Benth.</u>	Australian Lilac, Sarsaparilla	Hardenbergia	Hardenbergia	Hardenbergia
Hedera L.	Ivy	Lierre	Efeu	Hiedra
<u>Humulus lupulus L.</u>	Hop	Houblon	Hopfen	Lúpulo
<u>Mandevilla Lindl.</u>	Mandevilla	Mandevilla	Mandevilla	Mandevilla
<u>Pandorea (Endl.) Spach.</u>	Pandorea	Pandorea	Pandorea	Pandorea
<u>Rubus maerocarpus Benth</u>				
<u>Wisteria Nutt.</u>	Wisteria, Wistaria	Glycine	Glyzine, Wistarie	
Vitis [vinefera] L.	Grapevine	Vigne	Rebe	Vid

[Fin du document/
End of Document/
Ende des Dokuments/
Fin del documento]