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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
GENEVA

ADMINISTRATIVE AND LEGAL COMMITTEE

Thirty-Ninth Session
Geneva, March 25, 1999

THE NOTION OF TREES AND VINES FOR THE PURPOSES OF THE PROVISIONS ON
NOVELTY AND THE DURATION OF PROTECTION

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VIEWS FROM ARGENTINA

Document prepared by the Office of the Union

The following short replies have been communicated by the Delegation from Argentina :

(a) With regard to trees :

- (i) The UPOV Convention should not be implemented on the basis of the ordinary meaning given to the word "tree."
- (ii) A more extensive meaning that includes large shrubs is preferred.
- (iii) A criterion of height (e.g. four meters or more) is not agreed to.
- (iv) Decisions should be taken at species level.

- (a) With respect to vines :
- (i) The interpretation of “vine” extending to herbaceous plants is erroneous.
 - (ii) Plants similar in appearance to the grapevine, e.g. wisteria and kiwi, should be treated as trees.
 - (iii) The more slender woody climbers should be treated as trees.

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