



CAJ-AG/13/8/8

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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

ADMINISTRATIVE AND LEGAL COMMITTEE ADVISORY GROUP**Eighth Session
Geneva, October 25, 2013****MATTERS ARISING AFTER THE GRANT OF A BREEDER'S RIGHT ON:
PROVISIONAL PROTECTION, FILING OF APPLICATIONS AND
ENFORCEMENT OF BREEDERS' RIGHTS***Document prepared by the Office of the Union**Disclaimer: this document does not represent UPOV policies or guidance*

1. The Administrative and Legal Committee Advisory Group (CAJ-AG), at its seventh session, held in Geneva, on October 29 and 30, 2012, agreed that the Office of the Union should seek clarification on the issues that the:

(a) European Union and the Russian Federation intended to be covered in relation to possible further guidance on provisional protection;

(b) Russian Federation intended to be covered in relation to possible further guidance on filing of applications and enforcement of breeders' rights.

(see document CAJ-AG/12/7/7 "Report", paragraphs 91 and 92)

2. By letter of September 3, 2013, from Dr. Y. Rogovskiy, Deputy Chairman State Commission of the Russian Federation for Selection Achievements Test and Protection, the Russian Federation informed the Office of the Union that, for the time being, it did not propose the development of further explanatory notes for matters arising after the grant of a breeder's right in relation to provisional protection, filing of applications, nor enforcement of breeders' rights. No matters have been raised by the European Union concerning further guidance on provisional protection.

3. On the above basis, it is proposed not to continue discussions on for matters arising after the grant of a breeder's right in relation to provisional protection, filing of applications, nor enforcement of breeders' rights.

4. The CAJ-AG is invited to agree not to continue discussions on for matters arising after the grant of a breeder's right in relation to provisional protection, filing of applications, nor enforcement of breeders' rights.

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