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UPOV

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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

ADMINISTRATIVE AND LEGAL COMMITTEE

Nineteenth Session

Geneva, March 31 and April 1, 1987

UPOV RECOMMENDATIONS ON VARIETY DENOMINATIONS

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OUTCOME OF THE COMMITTEE'S DELIBERATIONS

Document prepared by the Office of the Union

1. At its meeting held in the morning of April 1, 1987, the Administrative and Legal Committee adopted the following new text for Recommendations 1 and 2:

"Recommendation 1

"Designations that do not show clearly enough their status of variety denomination are not suitable as generic designations and thus also as variety denominations. This may be the case in particular with designations that are identical or may be confused with other indications, in particular those that are commonly used in trade.

"Recommendation 2

"(1) Designations that the average user cannot recognize or reproduce in speech or writing are not suitable as generic designations and thus also as variety denominations.

"(2) In the case of varieties that are exclusively marketed within a limited circle of knowledgeable persons, as in the case of parent varieties for the production of hybrids, the average user should be taken to mean the average knowledgeable person in that circle."

2. It further adopted Recommendations 3 to 7 as appearing in Annex I of document CAJ/XIX/3.

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