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German

DATE: October 23, 1978

**INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS**

GENEVA

**DIPLOMATIC CONFERENCE  
ON THE REVISION OF THE INTERNATIONAL CONVENTION  
FOR THE PROTECTION OF NEW VARIETIES OF PLANTS****Geneva, October 9 to 23, 1978**

RECOMMENDATION ON ARTICLE 5

adopted by the Conference, meeting in Plenary,  
on October 23, 1978

[see other side]

The Diplomatic Conference on the Revision of the International Convention for the Protection of New Varieties of Plants, held in 1978,

Having regard to Article 5(1) and (4) of the International Convention for the Protection of New Varieties of Plants of December 2, 1961, as revised at Geneva on November 10, 1972, and on October 23, 1978,

Conscious of the fact that the scope of the protection laid down in Article 5(1) may create special problems with regard to certain genera and species,

Considering it of great importance that breeders be enabled effectively to safeguard their interests,

Recognizing at the same time that an equitable balance must be struck between the interests of breeders and those of users of new varieties,

Recommends that, where, in respect of any genus or species, the granting of more extensive rights than those provided for in Article 5(1) is desirable to safeguard the legitimate interests of the breeders, the Contracting States of the said Convention take adequate measures, pursuant to Article 5(4).