



TGP/5: Section 4/2 Draft 4

ORIGINAL: English

DATE: November 19, 2007

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
GENEVA

DRAFT

Associated Document
to the
General Introduction to the Examination
of Distinctness, Uniformity and Stability and the
Development of Harmonized Descriptions of New Varieties of Plants (document TG/1/3)

DOCUMENT TGP/5

“EXPERIENCE AND COOPERATION IN DUS TESTING”

Section 4: UPOV Model Form for the

Designation of the Sample of the Variety

~~adopted by the Administrative and Legal Committee on April 25, 1979~~
~~(document C/XIII/8, paragraph 4)~~
~~reproduced from C/XIII/8, Annex II~~

Document prepared by the Office of the Union

to be considered by the
Enlarged Editorial Committee at its meeting
to be held in Geneva, Switzerland, on January 8, 2008

Note for Draft version

Strikethrough indicates deletion from the currently adopted text, proposed by the Administrative and Legal Committee (CAJ) on the basis of all comments made by the Technical Committee (TC), Technical Working Parties (TWPs) and CAJ in 2007
Underlining indicates insertion to the currently adopted version, proposed by the CAJ on the basis of all comments made by the TC, TWPs and CAJ in 2007

C/XIII/8

ANNEX II

UPOV MODEL FORM FOR THE DESIGNATION OF THE SAMPLE OF THE VARIETY

1. Model Accompanying Letter¹

According to our information, the examination for distinctness, homogeneity uniformity and stability of the variety mentioned in the attached form

- has already been performed
- is being performed
- is to be performed

on the basis of an earlier application filed in [other State member of the Union]

It is our intention to decide on the application for protection [/ and inclusion in the national list [.....] (to be completed by the Authority as appropriate)²] on the basis of the said examination for distinctness, homogeneity uniformity and stability and of the identity sample submitted for that purpose, and we would appreciate your assistance in returning the attached form duly signed

by [date]

Failure to return the attached form by that date will mean that the variety will be the subject of a separate examination, for which the normal examination fee will be charged.

¹ To be sent to the person to whom all correspondence is to be sent (mentioned in item 2 of the UPOV Model form for the Application for Plant Breeder' Rights (document TGP/5 Section 2)).

² If appropriate, to insert the relevant term to cover an official register, for example, of varieties admitted to trade (e.g. National List, Official Catalogue etc.).

2. Form³

Application for protection

inclusion in the national list [.....] (to be completed by the Authority as appropriate)⁴

Application Number:

Filing Date:

Denomination/Breeder's Reference:

Species:

DESIGNATION OF IDENTITY SAMPLE

I/We have taken note that the decision on the above-mentioned application will be based on the examination for the distinctness, homogeneity uniformity and stability performed by the authority of [State member of the Union] on the basis of the application No. of [date]

for protection

inclusion in the national list [.....] (to be completed by the Authority as appropriate)⁴

filed in [State member of the Union]

I/We designate the sample already submitted in connection with that application as the sample to be submitted in connection with the above-mentioned application.

.....

[Place]

[Date]

.....

[Signature]

Name and Address of Signatories:

[End of Section 4]

³ To be filled in by the competent authority and to be signed by the applicant or by the person authorized by the applicant.

⁴ If appropriate, to insert the relevant term to cover an official register, for example, of varieties admitted to trade (e.g. National List, Official Catalogue etc.).