



TGP/5: Section 5/2 Draft 2

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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 5:

UPOV Request for Examination Results and

UPOV Answer to the Request for Examination Results

~~as adopted by the Technical Committee on October 6, 1989~~  
~~reproduced from TC/XXV/12, Annex, pages 6 and 7~~

*Document prepared by the Office of the Union*

*to be considered by the*  
*Technical Working Party for Agricultural Crops at its thirty-sixth session,*  
*to be held in Budapest, Hungary, from May 28 to June 1, 2007*

*Technical Working Party for Vegetables at its forty-first session,*  
*to be held in Nairobi, Kenya, from June 11 to 15, 2007*

*Technical Working Party for Ornamental Plants and Forest Trees at its fortieth session,*  
*to be held in Kunming, China, from July 2 to 6, 2007*

*Technical Working Party for Fruit Crops at its thirty-eighth session,*  
*to be held in Jeju, Republic of Korea, from July 9 to 13, 2007*

*Technical Working Party on Automation and Computer Programs at its twenty-fifth session,*  
*to be held in Sibiu, Romania, from September 3 to 6, 2007*

*Administrative and Legal Committee at its fifty-sixth session,*  
*to be held in Geneva on October 22 and 23, 2007*

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UPOV REQUEST FOR EXAMINATION RESULTS

1. Requesting authority .....
  2. Reference number of requesting authority .....
  3. Breeder's reference .....
  4. Date of application in requesting State member of the Union .....
  5. Applicant (Breeder)<sup>1</sup> (name and address) .....  
.....  
.....
- 
6. Botanical name of taxon .....
  7. Common name of taxon .....
  - [new] UPOV code .....
  8. Variety denomination .....
  9. Original<sup>2</sup> Breeder (name and address) (if different from applicant).....  
.....  
.....
10. We would be grateful to receive the report  
on the examination of the above-mentioned  
variety. It will be needed for an application:  
(a) for protection [ ]  
[(b) for registration in the list of varieties [...]] (to be completed by the Authority as appropriate)<sup>3</sup>[ ]
11. A copy of the technical questionnaire  
filled in completed by the breeder is attached [ ]
12. According to our information, prior application(s)  
for the same variety has (have) been made in .....
- [new] Please send the official invoice to .....
13. Date .....
  14. Signature .....

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<sup>1</sup> The “applicant” should be the “breeder” according to the definition of “breeder” in Article 1(iv) of the 1991 Act of the UPOV Convention which is:

“– the person who bred, or discovered and developed, a variety,  
– the person who is the employer of the aforementioned person or who has commissioned the latter’s work, where the laws of the relevant Contracting Party so provide, or  
– the successor in title of the first or second aforementioned person, as the case may be”.

<sup>2</sup> In this document, the term “original breeder” should be understood as the person who bred, or discovered and developed, the variety. The term “person” in Article 1(iv) of the 1991 Act of the UPOV Convention should be understood as embracing both physical and legal persons (e.g. companies).

<sup>3</sup> If appropriate, to insert paragraph (b) with the relevant term to cover an official register, for example, of varieties admitted to trade (e.g. National List, Official Catalogue etc.)

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UPOV ANSWER TO THE REQUEST FOR EXAMINATION RESULTS

1. Reference number of requesting authority .....
  2. Reference number of reporting authority .....
  3. Testing authority .....
- 
4. The examination of the variety mentioned on the back of this form
    - (a) has already been completed [ ]
    - (b) has been in progress since/for [ ] .....  
(date/approximate time)
    - (c) will be undertaken as from (approximate [ ] .....  
date) on the basis of an application  
or a request already submitted
    - (d) will be undertaken as from (approximate [ ] .....  
date) on the basis of your request
  5. The examination report:
    - (a) is enclosed. An official invoice will [ ]  
be submitted to you in due course
    - (b) is enclosed. [ ]  
An official invoice will be sent to .....
    - (c) will be forwarded by (approximate date) [ ] .....
  6. The costs are expected to amount to .....
  7. Special requirements .....
  8. Remarks .....
  9. Date .....
  10. Signature .....

[End of Section 5]