



TWF/37/5

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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
GENEVA

TECHNICAL WORKING PARTY FOR FRUIT CROPS

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VARIETY DENOMINATIONS

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1. Document UPOV/INF/12 Rev. sets out the “UPOV Recommendations on Variety Denominations”. However, at its forty-fourth session in October 2001, the Administrative and Legal Committee (CAJ) established the Working Group on Variety Denominations (WG-VD) to review those recommendations. At its forty-first session, held in Geneva from April 4 to 6, 2005, the Technical Committee (TC) considered document TC/41/8, which explained the considerations taking place in the WG-VD with regard to the revision of Recommendation 9 of document UPOV/INF/12 Rev., which establishes classes for taxonomic units which are considered to be closely related and/or liable to mislead or to cause confusion concerning the identity of the variety. The document specified aspects where the advice of the TC and its Technical Working Parties (TWPs) was requested.
2. At its forty-first session, the TC agreed the matters which should be considered by the TWPs at their sessions in 2005 and agreed that the comments of the respective TWPs should be reported to the CAJ.
3. At its fifty-third session, held in Geneva on April 6, 2006, the CAJ considered the Annex to document CAJ/53/2, entitled “Draft Explanatory Notes on Variety Denominations under the UPOV Convention”, which incorporated the comments made by the TWPs. An updated version of the Draft Explanatory Notes, incorporating the changes agreed by the CAJ at its fifty-third session, will be annexed to the draft report of that CAJ session in order to facilitate the finalization of a text to be submitted for adoption by the Council at its fortieth session on October 19, 2006.

4. At its fifty-second session, the CAJ agreed that, once the Draft Explanatory Notes are approved by the CAJ and adopted by the Council of UPOV, the “UPOV Recommendations on Variety Denominations” will be superseded by those Explanatory Notes. After the adoption of the Explanatory Notes, the “UPOV Model Form for the Application for a Variety Denomination” will be amended accordingly (UPOV publication 644(E), Important Texts and Documents, Section 11).

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