

**Technical Working Party for Ornamental Plants and Forest Trees****TWO/53/6****Fifty-Third Session****Roelofarendsveen, Netherlands, June 7 to 11, 2021****Original:** English**Date:** April 27, 2021


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**PROVIDING INFORMATION ON SIMILAR VARIETIES IN THE UPOV MODEL VARIETY DESCRIPTION***Document prepared by an expert from the European Union**Disclaimer: this document does not represent UPOV policies or guidance*

The annex to this document contains a copy of a presentation “Providing information on similar varieties in the UPOV model variety description”, to be made by an expert from the European Union, at the fifty-third session of the Technical Working Party for Ornamental Plants and Forest Trees (TWO).

[Annex follows]

PROVIDING INFORMATION ON SIMILAR VARIETIES IN THE UPOV MODEL VARIETY DESCRIPTION  
Presentation from an expert from the European Union



**Providing information on similar varieties in the UPOV model variety description**

1

**Background:**

- Document TWP/4/1 Development of TGP and information (INF) documents as presented in the UPOV-TWO meeting in 2020:
  - Document TGP/5 in relation to UPOV Report on Technical Examination

Information on similar varieties

2

## Ad Number 16 (Annex: UPOV Variety Description) (TGP/5: Section 6/3, page 7)

*"Only those characteristics that show sufficient differences to establish distinctness should be given. Information on differences between two varieties should always contain the states of expression with their notes for both varieties; if possible, in columns if more varieties are mentioned."*

The document is silent as to whether the list of characteristics in which a clear difference to the similar variety was observed shall be deemed exhaustive.



## Different understanding observed:

- a) All characteristics in which a clear difference within a variety pair was observed are listed
  - the two varieties compared are not clearly distinct in the remaining characteristics of the protocol.
  
- b) Merely one or a few example characteristics in which the two varieties are clearly distinct are listed
  - it remains open as to whether a clear difference in other characteristics was observed.



## Conclusion:

As it has been observed that examiners are not even aware of the ambiguity it is deemed helpful if the document TGP/5 could:

1. draw the reader's attention to the different approaches and
2. to provide clarification as to whether both approaches are acceptable.



Information on similar varieties

5



**CPVO**

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Thank you!

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6