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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

COMMITTEE OF EXPERTS ON
INTERNATIONAL COOPERATION IN EXAMINATION

Eighth Session

Geneva, November 16, 1977

UPOV MODEL FORM FOR THE REQUEST OF EXAMINATION RESULTS

Document prepared by the Office of the Union

1. Pursuant to the decision taken by the Committee of Experts on International Cooperation in Examination at its seventh session (see document ICE/VII/4, paragraph 19), the Office of the Union has invited the delegations to the said Committee to present their comments on the draft UPOV Model Form for the Request of Examination Results appearing in Annex II of the cited document.

2. The Office of the Union has so far received the following comments.

(i) The Delegation of Belgium proposed that the words "In accordance with the bilateral agreement with your authority" appearing on the first page of the form be deleted for the following reasons: in the case where a bilateral agreement has been concluded between two authorities, that agreement is well known to the two parties and it does not seem necessary to refer to it; pursuant to paragraph 1(a) of the Resolution on Fee Questions adopted by the Council on October 12, 1973 (document C/VII/23), a prior bilateral agreement does not appear to be necessary for the requiring and transmitting of the results of an examination already completed by another member State. Should it not be possible to modify the sentence as indicated above, the text should be completed by the addition of a remark to that effect.

(ii) The Delegation of the Federal Republic of Germany made the following proposals:

(a) On page 2, the words opposite the third box ("will be undertaken as from ...") give no indication as to whether the variety is examined on the basis of that or another already existing application or request. This information is important for the requesting State, however, since, according to the Resolution on Fee Questions, it may only charge a full examination fee if the examination is made at its request. In addition, the information makes it clear which authority will have to arrange for the propagating material necessary for the examination to be sent.

(b) For the sake of rationalization, payment of the cost of transmitting an examination report should be requested in the answer to the requesting authority. It would also be of advantage for timely calculation of costs if any such costs were mentioned at the time of announcing the later dispatch of the examination report.

(iii) The Delegation of the Netherlands made the following proposals:

(a) Space could be reserved for "signature" at the bottom of both the front and the back of the form.

(b) (Same as proposal (a) of the Delegation of the Federal Republic of Germany.)

(iv) The Delegation of Switzerland proposed that in the German version the words "des Züchters" be deleted in the expression "Anmeldebezeichnung des Züchters."

3. The draft UPOV Model Form for the Request of Examination Results amended as suggested by the above-mentioned Delegations appears in the Annex to this document.

[Annex follows]

UPOV Model Form for the Request of Examination Results

Subject: International Cooperation in the Testing of Varieties

Species: common name :

Latin name :

Breeder's reference :

Proposed denomination :

Applicant :

Breeder (if different from applicant) :

Filing date (requesting country) :

Application number (requesting country) :

We would be grateful to receive the report on the examination of the above-mentioned variety.

Information in our possession:

Prior applications	Filing (State-date)	Application number	Stage	Denomination or breeder's reference
Plant breeders' rights				
Official variety list				

An application for protection

for registration in the list of varieties

has been made in our country for this variety.

The description submitted at the time of the application is included.

Please fill in the reverse side of this form and return two copies. The third copy is intended for your files.

To the requesting authority

Subject: Information on the variety mentioned on the front of this form

The examination of the variety

- has already been completed
- has been in progress since/for (date/approximate time)
- will be undertaken as from (approximate date)
on the basis of an application or a request already submitted
- will be undertaken as from (approximate date)
on the basis of your request

The examination report

- is enclosed. Please make a remittance of
- will be forwarded on/in (approximate date).
The costs are expected to amount to

Special requirements

Remarks

[End of document]