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## INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

COMMITTEE OF EXPERTS ON  
INTERNATIONAL COOPERATION IN EXAMINATIONEighth Session  
Geneva, November 16, 1977

## HARMONIZATION OF PLANT BREEDERS' RIGHTS GAZETTES

Memorandum prepared by the Office of the Union

## INTRODUCTION AND BACKGROUND

1. At its sixth session, the Committee of Experts on International Cooperation in Examination (hereinafter referred to as "the Committee") asked the Office of the Union to study the possibilities of harmonizing the Plant Breeders' Rights Gazettes (hereinafter referred to as "the Gazettes") of the member States and to prepare for submission to the Committee a document containing, if possible, recommendations for consideration at its next session (see document ICE/VI/4, paragraph 21).
2. The question of the layout and the contents of national Gazettes was discussed within UPOV at a meeting of a Group of Experts on the Exchange of Plant Variety Denominations held in Geneva on February 1, 1971 (see document UPOV/VD/V-VI/2), and, on the basis of the discussions of the Group of Experts, in the fifth session of the Council, held in Geneva on October 14 and 15, 1971. The outcome of these discussions is reflected in Annex I to the Provisional Rules of Procedure for the Exchange of Variety Denominations (document UPOV/C/V/33). That Annex--in which the Gazettes are referred to as "Bulletins"--is worded as follows:

"LAYOUT OF BULLETINS"1. Information

"Each Bulletin shall contain the necessary information regarding the following subjects, in so far as applicable in the country concerned:

- (a) proposed denominations;
- (b) changes in proposed denominations;
- (c) refusals and withdrawals of proposed denominations, as far as previously published;
- (d) approved denominations;
- (e) registered denominations;
- (f) proposals for the change of approved or registered denominations;
- (g) approved changes of registered denominations.

"2. Table of contents

"The chapters in the Bulletins shall be summarized in a table of contents indicating clearly, by means of a special UPOV reference, the chapters relevant to the examination of variety denominations.

"3. Order within each chapter and indication of species

"All varieties of the same species shall be kept together in each chapter. The species shall be indicated by their Latin (botanical) names, which may be put in brackets after the common names.

"If the chapters also contain denominations for varieties not submitted for the protection of plant breeders' rights, this should be specially indicated for each such variety.

"4. Reference to other Bulletins

"Each Bulletin shall, at least from time to time, contain a reference to the Bulletins of the other UPOV States, recommending breeders and other interested people to study them."

3. While it seems that the former discussions within UPOV aimed mainly at promoting the exchange of information between the offices of the different member States, the purpose of the present document is to request the Committee to study how the use of Gazettes can be facilitated not only for those offices but also for the reader or user of a Gazette which has been issued in a State other than his own. At present, any such reader will encounter two main difficulties: (i) a Gazette issued in a State other than his own is usually published in a language unknown to him, and (ii) the presentation of the data published in Gazettes differs from State to State. Not only do these difficulties make it hard for an interested person to find and to understand the information he is looking for in a Gazette of a State other than his own, but there is also a great danger of misunderstanding. These difficulties are expected to become more serious with the increase in the number of member States and in the amount of marketing of seed across frontiers.

MEANS FOR FACILITATING THE USE OF GAZETTES

4. A number of measures are conceivable to overcome the difficulties referred to above. Only those have been taken into consideration that are not in conflict with the purpose of each Gazette, which is to serve, in the first place, as a means of information within the State itself. Out of these measures, the Office of the Union is of the opinion that the following deserve discussion.

(a) Translation. The most obvious way to facilitate the use of national Gazettes by foreigners would be to have the most important information accompanied by a translation into a commonly used language. This would be a particularly good solution where the language in which the Gazette is published is not widely used. Translating whole chapters would, however, be too costly and it would make Gazettes too voluminous and involve risks for the issuing office such as liability for incorrect translation. A realistic solution, however, might be to add to titles of chapters, headings of tables and columns of tables translations into one or more other languages of the terms used. Since such translations would occupy only a few lines, there would be no fear of taking up too much space. Furthermore, the expressions to be translated would be technical terms easy to translate and more or less identical in each issue of the Gazette so that cost and effort as well as the risk of false interpretation would remain within tolerable limits. Of the present member States, Sweden has adopted this solution in its national Gazette.

(b) Glossaries. A similar solution would be to group translations of the most important expressions in a kind of glossary. This would have the advantage that translations could be made in a number of languages without detracting from the legibility of tables or other items of information in the original language for the majority of the readers of the Gazette. Denmark has chosen this solution.

(c) Guides to national Gazettes. A further development of this idea would be to issue occasionally, and separately from the issues of the Gazettes in the original language, a guide to a national Gazette for foreign readers. Such guides could be issued in a number of languages. They could even be adjusted to the special difficulties which, according to experience, readers of certain other linguistic groups usually encounter.

(d) Harmonization of Gazettes. More far-reaching assistance, however, would be rendered to foreign readers by harmonizing the structure of all Gazettes published in UPOV member States so that comparable chapters are found at the same place in the different Gazettes and tables are arranged in the same manner. To permit even greater comparability, the member States could agree to use a common system for earmarking each item of information with the same reference number. A combination of these measures--which would not exclude the application of any of the measures mentioned in the preceding sub-paragraphs of this document--would help readers who have to use a Gazette issued in a language unknown to them to spot the desired information quickly.

5. UPOV Model Gazette. In order to allow the Committee to judge whether such harmonization and common indexing could be achieved, the Office of UPOV has elaborated, as a preliminary basis for discussion, a draft UPOV Model Gazette (hereinafter referred to as "the Model Gazette"). The Model Gazette has been established along the lines indicated below.

(a) It is based on a comparison of the issues of the national Gazettes published since January 1, 1975, by the authorities of the following member States: Denmark, France, Germany (Federal Republic), Netherlands, Sweden and the United Kingdom. In Belgium, Italy and Switzerland, the protection of new plant varieties is of very recent date and so far sufficient numbers of Gazettes have not been issued to permit comparison. The Gazette of South Africa was not yet available to the Office of the Union.

(b) In its main part, the Model Gazette contains Model Tables for practically all information published at present by all member States and one Table--as an example--for such information as is published by the authorities of only one or a few of the member States. In each Table, mock entries have been made in order to demonstrate how the Table could be used.

(c) The Tables have been so arranged that member States may add additional columns, if necessary, at the right-hand side of each Table.

(d) The columns of the Tables are marked by an Arabic numeral, thus following the practice of the Gazette of the Federal Republic of Germany. This would facilitate the comparison of Tables in different Gazettes.

(e) Each Table has been given a number: those relating to information which is at present published by all member States have been given a Roman numeral; those relating to information published in only one or a few of the member States have been given a country code to which an Arabic numeral has been added. This system is considered an additional help in identifying information which can also be found in other Gazettes and information which is published in only one Gazette. If not accepted by the Committee, this system could be replaced by any other indexing system.

(f) The Tables are preceded by a Table of Contents which is to serve as a model for the Tables of Contents of the different Gazettes. It is believed that it would be helpful if the same sequence were used in each national Gazette for the information published.

6. The experts might wish to discuss whether a Summary Table of proposed varieties arranged according to classes ought to be added to the Model Gazette. Such Table is published in the French Gazette.

7. Guide for the entry of information in a national Gazette. The Office of the Union thinks it premature to propose for the present session guidelines concerning the entry of data in a national Gazette such as the writing of names and addresses or the use of abbreviations. This could be a future measure for further harmonization of the Gazettes.

8. The attached Model Gazette has been restricted to information concerning plant variety protection. No provision is made for the entry of information relating to the national list or effected for any other purpose than the protection of plant breeders' rights. There would seem to be no objection, however, to expanding the system as long as its purpose of ensuring the same sequence of chapters and tables and the same indexing of tables and columns of tables is left intact.

9. The Annex to this document contains the draft of the UPOV Model Gazette prepared by the Office of the Union as a basis for discussion. The text of the Model Gazette is published on the right-hand (odd number) pages and Explanatory Notes appear on the left-hand (even number) pages opposite the text.

[Annex follows]

Explanatory Notes on the Model Tables of Contents

1. The Table of Contents of the Model Gazette lists all information concerning plant variety protection which is published in the national Gazette of at least one member State. It does not, however, contain any heading for new variety denominations submitted in replacement of formerly proposed other denominations, information which is published in the Gazettes of France, the Netherlands, Sweden and the United Kingdom. The main reason for this omission is that the information given under this heading would appear in other items of the Table of Contents.

2. Each item in the Table of Contents has been given a special code number. It is believed that it is helpful for the safe retrieval of information if the same items are earmarked in each national Gazette with the same code number. This result, however, would be obtained only if any deviation from the system of indexing in each Gazette of a member State were specially indicated--for instance, by a footnote.

3. In the present draft of the Model Gazette, the following code system has been applied both in the Table of Contents and in the various Tables:

(i) Items which are published, or are expected to be published, in all national Gazettes of member States are preceded by Roman numerals.

(ii) Items published in the Gazette of one member State only are preceded by a country code (the country code for car registration, with the exception of the United Kingdom, which is indicated by the letters "UK"), to which an Arabic numeral is added. Such indexing avoids permanent blanks in the national Gazettes of the majority of member States. Provision will have to be made, however, for the case where information is published by a few, but not all or practically all, of the member States. In such a case, the country code of each of these countries would be published in its Gazette before the title of the Table and the country code of the other countries publishing this information could be added in brackets.

## MODEL TABLE OF CONTENTS

<u>UPOV Code</u>		<u>Page</u>
I	Applications for Protection	
NL-1	Applications for the Entry in the Netherlands Register of Varieties Pursuant to Article 18(2) of the Law	
II	Termination of the Procedure for the Grant of Protection	
	1. Withdrawal of Applications for Protection	
	2. Rejection of Applications for Protection	
UK-1	Applications for a Protective Direction	
UK-2	Grant of Protective Directions	
UK-3	Withdrawal of Protective Directions	
III	Applications for a Variety Denomination	
F-1	Summary Table of the Proposed Variety Denominations	
NL-2) UK-4)	Approval of Proposed Variety Denominations	
IV	Changes in the Person of the Applicant or the Agent	
UK-5	Proposed Grant of Protection	
V	Grant of Protection	
NL-3	Entry in the Netherlands Register of Varieties Pursuant to Article 18(1)(b) of the Law	
NL-4	Entry in the Netherlands Register of Varieties Pursuant to Article 18(2) of the Law	
VI	Changes in the Person of the Holder or the Agent	
VII	Applications for a New Denomination for a Protected Variety	
VIII	Approved New Denominations for Protected Varieties	
D-1	Grant of Exclusive Licenses	
D-2	Public Offer of Licenses ( <u>Jedermannserlaubnis</u> )	
UK-6	Applications for a Compulsory License	
UK-7	Termination of the Procedure for the Grant of a Compulsory License	
	1. Withdrawal of Applications for the Grant of a Compulsory License	
	2. Rejection of Applications for the Grant of a Compulsory License	
UK-8	Grant of Compulsory Licenses	
UK-9	Proposed Surrender of Protection	
IX	Termination of Protection	
	1. Surrender of Protection	
	2. Forfeiture of Protection	
	3. Annulment of Protection	
	4. Expiration of Period of Protection	
NL-5	Forfeiture of Registration Pursuant to Article 18(2) of the Law	
X	Official Notices	

Explanatory Notes on Table IGeneral Remarks

1. All member States publish the information given in their Gazettes in the form of tables. In drafting Table I and the subsequent Tables, the Office of the Union was guided by the following principles:

(i) each Table keeps as close as possible in view of the differences in the national Gazettes to the corresponding tables in such Gazettes;

(ii) each Table provides for all data the publication of which--to the Office's knowledge--is mandatory in at least one member State;

(iii) certain Tables contain some other data which is considered helpful to the user.

2. Each column of Table I and the subsequent Tables is marked by an Arabic numeral, thus following the example of the Gazette of the Federal Republic of Germany. This is believed to be helpful in understanding tables in a foreign language and in comparing tables.

3. It is understood that any member State would be permitted to add further columns which would be marked with higher Arabic numerals. It might, however, be desirable to adopt procedures to prevent the same Arabic numerals from appearing in different Gazettes for different information.

Special Remarks

4. All member States publish in their Gazettes tables on applications for protection and indicate the following information:

INFORMATION GIVEN IN NATIONAL TABLES CONCERNING APPLICATIONS FOR PROTECTION							
Data	Denmark	France	Germany (Fed. Rep. of)	Netherlands	Sweden	United Kingdom	Model Table
Species	x	x	x	x	x	x	x
Application Number	x	x	x	x	x	x	x
Date	x	x	x	x	x		x
Applicant	x	x	x	x	x	x	x
Breeder (Owner)	x	x	x		x		x
Agent			x		x		x
Breeder's Reference/ Proposed Denomination	x	x	x	x	x	x	x
Priority: State	x			x	x		x
Date	x			x	x		x
Application Number					x		x
Short Description		x					x

5. Table I provides for the indication of information published in any member State. Indications concerning the priority should--as in the Gazettes of Denmark and the Netherlands--be made in a special line as shown in Table I. This procedure makes it unnecessary to add one or more additional columns as done at present in the Swedish Gazette.

MODEL TABLE CONCERNING APPLICATIONS FOR PROTECTION

TABLE I. APPLICATIONS FOR PROTECTION

Application Number Date	a: Applicant b: Breeder (if different from a) c: Agent	<u>Proposed Denomination/ Breeder's Reference</u>	Short Description
1	2	3	4*
<u>Wheat</u> (Triticum aestivum L. emend. Fiori et Paol.)			
E 250 30-8-1977	a: John Smith 11 London Street, Cambridge CB3 0LF  b: a and J. Müller Rathausstrasse 1, D-3000 Hannover 72  c: Jim Proxy, Postbus 5 NL-Wageningen	T 33	Winter wheat
E 251 30-8-1977	See Application E 250	<u>Dabo</u>	Spring wheat
E 252 30-8-1977	a: See Application E 250 c: See Application E 250	T 34	Half alternative wheat
E 253 31-8-1977	a: Charles Breeder King's Street, Ashford, Kent	<u>Klim</u>	Winter wheat

Priority of Application No. 01281 filed in France on 24.12.1976

\* Unless all member States agree to include in future a short description in their Gazettes, this column would appear only in the French Gazette.

Explanatory Notes on Table II

1. All member States publish in their Gazettes the withdrawal and rejection of applications in either of the two following forms:

(i) one table being either subdivided into two parts of which one is for cases of rejection and the other for cases of withdrawal of the application (Denmark) or not being so subdivided (Federal Republic of Germany and Sweden); or

(ii) two tables, one being for cases of rejection and the other for cases of withdrawal of the application, the second following immediately the first (Netherlands) or being separated from it by other tables (France and United Kingdom).

2. The following information is published in the respective tables of the Gazettes of member States:

INFORMATION GIVEN IN NATIONAL TABLES CONCERNING THE TERMINATION OF THE PROCEDURE FOR THE GRANT OF PROTECTION							
Data	Denmark	France	Germany (Fed. Rep. of)	Netherlands	Sweden	United Kingdom	Model Table
Species	x	x	x	x	x	x	x
Application Number	x	x	x	x	x	x	x
Applicant	x	x	x	x	x	x	x
Breeder (Owner)	x	x					x
Breeder's Reference/ Proposed Denomination	x	x	x	x	x	x	x
Date of Withdrawal/Rejection		x	x	x			x
Ground of Rejection						x	x

3. Table II is subdivided--like the corresponding table in the Danish Gazette --into the subdivisions "Withdrawals" and "Rejections." It provides for the indication of all information published by at least one member State.

4. The breeder is indicated in this and other Tables since it helps to establish a cross reference in cases where, as is often done, the right in the variety is transferred to other persons for obtaining plant variety protection in foreign countries and therefore the names of the applicants differ in different countries.

MODEL TABLE CONCERNING THE TERMINATION OF THE  
PROCEDURE FOR THE GRANT OF PROTECTION

TABLE II. TERMINATION OF THE PROCEDURE FOR THE GRANT OF PROTECTION

Application Number	a: Applicant b: Breeder (if different from a)	<u>Proposed Denomination/ Breeder's Reference</u>	Date of Withdrawal/ Rejection
1	2	3	4

1. Withdrawals

Wheat (Triticum aestivum L. emend. Fiori et Paol.)

E 250	a: John Smith 11 London Street, Cambridge CB3 OLF  b: a and J. Müller Rathausstrasse 1 D-3000 Hannover 72	T 33	15-9-1977
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E 251	See Application E 250	<u>Dabo</u>	15-9-1977
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2. Rejections<sup>1</sup>

Wheat (Triticum aestivum L. emend. Fiori et Paol.)

E 252	a: See Application E 250	T 34	19-9-1977
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on the ground that it does not conform with the novelty prescriptions<sup>2</sup>

E 253	a: Charles Breeder King's Street, Ashford, Kent	<u>Klim</u>	19-9-1977
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on the ground that it cannot be distinguished from 'Crane'<sup>2</sup>

<sup>1</sup> In the Federal Republic of Germany, the title could be "Rejections or Termination Pursuant to Article 32(4) of the Plant Varieties Protection Law," if necessary.

<sup>2</sup> If the present practice is maintained, this indication would appear only in the Gazette of the United Kingdom.

Explanatory Notes on Table III

1. All member States publish tables indicating proposed denominations. France, the Netherlands, Sweden and the United Kingdom publish in addition separate tables on proposed denominations which are to replace certain previously proposed denominations.

2. The following information is published in the Gazette of member States in the table on proposed denominations:

INFORMATION GIVEN IN NATIONAL TABLES CONCERNING PROPOSED DENOMINATIONS							
Data	Denmark	France	Germany (Fed. Rep. of)	Netherlands	Sweden	United Kingdom	Model Table
Species	x	x	x	x	x	x	x
Application Number	x	x	x	x	x	x	x
Date					x		
Applicant	x	x	x	x	x	x	x
Breeder (owner)	x	x					x
Agent			x				x
Breeder's Reference/ Previous Denomination	x		x	x	x		x
Proposed Denomination	x	x	x	x	x	x	x
Date of Proposal				x			

3. Table III provides for the indication of all information which is published by at least one member State with the exception of the dates of proposals of variety denominations, which are indicated only in the Netherlands, and the dates of applications for protection, which are indicated only in Sweden.

4. Table III takes into account the practice of France, the Netherlands, Sweden and the United Kingdom by publishing any previously proposed denomination in the third column and by stating whether the previously proposed denomination was already approved, rejected and/or withdrawn.

MODEL TABLE CONCERNING APPLICATIONS FOR A VARIETY DENOMINATION

TABLE III. APPLICATIONS FOR A VARIETY DENOMINATION

Application Number	a: Applicant b: Breeder (if different from a) c: Agent	<u>Previous Proposed Denomination</u> (if different from 4)/ Breeder's Reference	Proposed Denomination
1	2	3	4
<u>Wheat</u> (Triticum aestivum L. emend. Fiori et Paol.)			
E 250	a: John Smith 11 London Street, Cambridge CB3 OLF  b: a and J. Müller Rathausstrasse 1 D-3000 Hannover 72  c: Jim Proxy Postbus 5, NL-Wageningen	T 33	Tatu
E 251	See Application E 250	<u>Dabo*</u>	Daboce
E 252	a: See Application E 250  c: See Application E 250	T 34	Kali
E 253	a: Charles Breeder King's Street, Ashford, Kent		Klim

\* Reference would be made to one of the three following footnotes (or to footnotes 1 and 3):

- "1 Already approved"
- "2 Rejected"
- "3 Withdrawn"

Explanatory Notes on Table NL-2 (UK-4)

1. Only the Netherlands and the United Kingdom publish information on approved denominations. It is to be noted that these denominations are approved before the title of protection is issued in respect of the varieties for which they have been proposed. The other member States have no tables of that kind and publish the denominations at the same time as they announce the grant of the title of protection. The following information is published by the above-mentioned States:

- (i) Netherlands: species; application number; breeder's reference (previous denomination in the case where a modified one is approved); applicant; denomination and date of approval thereof.
- (ii) United Kingdom: species; application number; applicant; denomination (and previous denomination in the case where a modified denomination is approved).

2. It is not proposed that all member States publish tables on the approved variety denominations. It is only suggested that those States which publish such tables adapt them to a model table, a draft of which is proposed for consideration overleaf.

3. The proposed Table NL-2 provides for the indication of all information published by at least one member State (in fact, by the Netherlands) and for the indication of the breeder, for the reasons stated in paragraph 3 of the Explanatory Notes on Table II. As in the case of Table III, the information on approved denominations which have been proposed in replacement of another previously proposed denomination would also appear in the Table under consideration.

4. It is to be noted that the title of the Table has been presented in the version to be published in the Dutch Gazette. In the Gazette of the United Kingdom, the title would read: "UK-4-APPROVAL OF PROPOSED VARIETY DENOMINATIONS (NL-2)."

## MODEL TABLE CONCERNING THE APPROVAL OF PROPOSED VARIETY DENOMINATIONS

TABLE NL-2. APPROVAL OF PROPOSED VARIETY DENOMINATIONS (UK-4)

Application Number	a: Applicant b: Breeder (if different from a)	<u>Previous Proposed Denomination</u> (if different from 4/ Breeder's Reference)	Approved Denomination/ Date of Approval
1	2	3	4
<u>Wheat</u> (Triticum aestivum L. emend. Fiori et Paol.)			
E 250	a: John Smith 11 London Street, Cambridge CB3 0LF  b: a and J. Müller Rathausstrasse 1, D-3000 Hannover 72	T 33	Tabu
E 251	See Application E 250	<u>Dabo</u>	Daboce 7-9-1977
E 252	a: See Application E 250	T 34	Kali 7-9-1977
E 253	a: Charles Breeder King's Street, Ashford, Kent		Klim 7-9-1977

Explanatory Notes on Table IV

1. Table IV concerns the publication of a change in the person of the applicant, for instance where the application is transferred to another person, or a change in the person of the agent, for instance where the applicant designates another agent. Such an event is so rare that it was not possible for the Office of the Union to determine which States announced such changes in their Gazettes.
2. Table V which is proposed for the Committee's consideration is very similar to the table published by the Federal Republic of Germany.

MODEL TABLE CONCERNING CHANGES IN THE PERSON  
OF THE APPLICANT OR THE AGENT

TABLE IV. CHANGES IN THE PERSON OF THE APPLICANT OR THE AGENT

Application Number/ Proposed Denomination/ Breeder's Ref.	Previous a: Applicant c: Agent	New a: Applicant c: Agent	Date of Change
1	2	3	4
<u>Wheat</u> ( <i>Triticum aestivum</i> L. emend. Fiori et Paol.)			
E 250 T 33	a: John Smith 11 London Street, Cambridge CB3 0LF  c: Jim Proxy Postbus 5, NL-Wageningen	a: J. Müller Rathausstrasse 1 D-3000 Hannover 72  c: None	11-9-1977
E 251 <u>Dabo</u>	a-c: See Application E 250	a-c: See Application E 250	11-9-1977
E 252 T 34	a: See Application E 250 c: See Application E 250	c: Jan Kweker Postbus 13, NL-Amsterdam	11-9-1977
E 253	a: Charles Breeder King's Street Ashford, Kent  c: None	c: Jim Proxy Postbus 5, NL-Wageningen	13-9-1977

Explanatory Notes on Table V

1. All member States publish tables on the grant of protection in which the following information is indicated:

INFORMATION GIVEN IN NATIONAL TABLES CONCERNING THE GRANT OF PROTECTION							
Data	Denmark	France	Germany (Fed. Rep. of)	Netherlands	Sweden	United Kingdom	Model Table
Species	x	x	x	x	x	x	x
Date of Publication of Application					x		
Application Number	x	x	} x	x	x	x	x
Grant Number	x	x		x	x	x	x
Date of Grant	x	x	x	x	x	x	x
Holder (Applicant)	x	x	x	x	x	x	x
Breeder (Owner)	x						x
Agent			x				x
Denomination	x	x	x	x	x	x	x
Breeder's Reference					x		
Duration of Protection		x					

2. Table V provides for the indication of information which is published by all member States and, in addition, information on the breeder (for the reasons stated in paragraph 3 of the Explanatory Notes on Table II) and on the agent (since, in several States, the agent continues to act as the representative of the holder after the grant).

3. Table V does not provide for the indication of the date of publication of the application for the breeder's reference (both indicated in Sweden) or the duration of protection (indicated in France). It is recommended that those States, should they wish to continue to provide for this kind of information but not to succeed in convincing all member States of its necessity, add further columns in Table V. The same is proposed should the Federal Republic of Germany also wish to indicate in this Table the entry of a variety in the national list. In such a case, the States concerned could agree on the numbers to be used for the additional columns to avoid confusion.

## MODEL TABLE CONCERNING THE GRANT OF PROTECTION

TABLE V. GRANT OF PROTECTION

Application Number	a: Holder b: Breeder (if different from a) c: Agent	Denomination	Grant Number and Date
1	2	3	4
<u>Wheat</u> (Triticum aestivum L. emend. Fiori et Paol.)			
E 250	a: John Smith 11 London Street, Cambridge CBe OLF  b: a and J. Müller Rathausstrasse 1, D-3000 Hannover 72  c: Jim Proxy Postbus 5, NL-Wageningen	Tatu	100 15-9-1977
E 251	See Application E 250	Daboce	101 15-9-1977
E 252	a: See Application E 250  c: See Application E 250	Kali	102 15-9-1977
E 253	a: Charles Breeder King's Street Ashford, Kent	Klim	103 15-9-1977

Explanatory Notes on Table VI

The explanations on Table V apply also to the case where there is a change in the person of the holder or of the agent.

## MODEL TABLE CONCERNING CHANGES IN THE PERSON OF THE HOLDER OR THE AGENT

TABLE VI. CHANGES IN THE PERSON OF THE HOLDER OR THE AGENT

Grant Number Denomination	Previous a: Holder c: Agent	New a: Holder b: Agent	Date of Change
1	2	3	4
<u>Wheat</u> (Triticum aestivum L. emend. Fiori et Paol.)			
100 Tatu	a: John Smith 11 London Street, Cambridge CB3 0LF	a: J. Müller Rathausstrasse 1 D-3000 Hannover 72	24-10-1977
101	a: See Grant 100	a: See Grant 100	24-10-1977
102 Kali	a: See Grant 100  c: Jim Proxy Postbus 5, NL-Wageningen	c: Jan Kweker Postbus 13 NL-Amsterdam	24-10-1977
103 Klim	a: Charles Breeder King's Street, Ashford, Kent  c: None	c: See Grant 102, column 2	25-10-1977

Explanatory Notes on Table VII

This Table concerns the publication of a change in the denomination of the variety during the term of protection. Since this is a very rare event, it was not possible for the Office of the Union to determine which States publish information on the procedure for changing the denomination of a protected variety. Table VII and the following Table VIII would serve as a model in the case where a member State had to publish information on such denominations. They closely follow Table III and Table NL-2/UK-4.

MODEL TABLE CONCERNING APPLICATIONS FOR A NEW  
DENOMINATION FOR A PROTECTED VARIETY

TABLE VII. APPLICATIONS FOR A NEW DENOMINATION FOR A PROTECTED VARIETY

Grant Number	a: Holder b: Breeder (if different from a) c: Agent	Present Denomination	Proposed New Denomination
1	2	3	4
<u>Wheat</u> (Triticum aestivum L. emend. Fiori et Paol.)			
100	a: John Smith 11 London Street, Cambridge CB3 0LF  b: a and J. Müller Rathausstrasse 1, D-3000 Hannover 72  c: Jim Proxy Postbus 5, NL-Wageningen	Tatu	Jupiter
102	a: See Grant 100  c: See Grant 100	Kali	Apollo
103	a: Charles Breeder King's Street, Ashford, Kent	Klim	Klima

MODEL TABLE CONCERNING THE APPROVED NEW  
DENOMINATIONS FOR PROTECTED VARIETIES

TABLE VIII. APPROVED NEW DENOMINATIONS FOR PROTECTED VARIETIES

Grant Number	a: Holder b: Breeder c: Agent	Previous Denomination	New Denomination Date of Approval
1	2	3	4
<u>Wheat</u> (Triticum aestivum L. emend. Fiori et Paol.)			
100	a: John Smith 11 London Street, Cambridge CB3 0LF  b: a and J. Müller Rathausstrasse 1, D-3000 Hannover 72  c: Jim Proxy Postbus 5, NL-Wageningen	Tatu	Jupiter 19-9-1977
102	a: See Grant 100  c: See Grant 100	Kali	Apollo 19-9-1977
103	a: Charles Breeder King's Street, Ashford, Kent	Klim	Klima 19-19-1977

Explanatory Notes on Table IX

1. All member States publish tables on the termination of protection, either specifying or without specifying the ground of the termination (surrender or forfeiture). In the latter case, two tables (or more) are published. It is to be noted that, in the United Kingdom, an application offering to surrender a plant breeder's right has to be made first. The following information is given in such tables:

INFORMATION GIVEN IN NATIONAL TABLES CONCERNING THE TERMINATION OF PROTECTION							
Data	Denmark	France	Germany (Fed. Rep. of)	Netherlands	Sweden	United Kingdom	Model Table
Species	x	x	x	x	x	x	x
Application Number	x			x			
Grant Number	x	x	x	x	x	x	x
Grant Date	x				x	x	
Holder (Applicant)	x	x	x	x	x	x	x
Owner	x						
Denomination	x	x	x	x	x	x	x
Date of Termination		x	x	x		x	x

2. Table IX provides for the indication of all information published by the majority of the member States. Subheadings are provided for in order to classify the entries according to the grounds for termination. The proposed Table could, if necessary, be completed later with the subheading "4. Expiration of the Period of Protection."

MODEL TABLE CONCERNING THE TERMINATION OF PROTECTION

TABLE IX. TERMINATION OF PROTECTION

Grant Number	Holder	Denomination	Date of Termination
1	2	3	4

1. Surrenders

Wheat (Triticum aestivum L. emend. Fiori et Paol.)

100	John Smith 11 London Street Cambridge CB3 0LF	Tatu	19-9-1977
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2. Forfeiture

Wheat (Triticum aestivum L. emend. Fiori et Paol.)

102	See Grant 100	Kali	19-9-1977
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3. Annulment

Wheat (Triticum aestivum L. emend. Fiori et Paol.)

101	See Grant 100	Daboce	19-9-1977
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of document]