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

GENEVA

**MEETING  
WITH INTERNATIONAL ORGANIZATIONS****Geneva, November 9 and 10, 1983**

COMMENTS FROM INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS

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FIS

Document prepared by the Office of the UnionIntroduction

1. In accordance with the consultation procedure adopted by the Consultative Committee at its twenty-seventh session, the Office of the Union requested the international non-governmental organizations that had been invited to participate in the current meeting to communicate any preliminary comments they had on the items entered on the agenda.

2. The Office of the Union has received comments from the International Federation of the Seed Trade (FIS) by letter of October 5, 1983, from the Secretary General of FIS addressed to the Vice Secretary-General of UPOV. Those comments are reproduced in the Annex to this document.

[Annex follows]

0118

IOM/I/8

ANNEX

## Fédération Internationale du Commerce des Semences

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Ch. du Reposoir 5-7  
1260 Nyon (Suisse - Switzerland)  
Tél. 022 - 61 99 77  
Télex 22776 seed ch

Nyon, 5th Octobre 1983

HHL/ef

The Vice Secretary General  
U P O V  
34, Chemin des Colombettes  
1211 GENEVE 20

Dear Sir,

Minimum distances between Varieties (UPOV Document 10M/I/3)

We are informing you that on the proviso that this would not lead to abuse (protection of varieties which are rather infringements on the rights of others than new distinct varieties) our organization is for the protection of all varieties which proved to be distinct from other varieties even if the distinctive characteristic is small and are new, homogenous and stable.

We would believe that also from a psychological point of view it is under the present circumstances advisable to demonstrate that plant breeders' rights have not been created to allow only the happy few to get their varieties protected.

Yours sincerely,



Hans H. Leenders  
Secretary General

# Fédération Internationale du Commerce des Semences

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Nyon, 5th october 1983

HHL/ef

The Vice Secretary General  
U P O V  
34, Chemin des Colombettes  
1211 GENEVE 20

Dear Sir,

UPOV Document IOM/I/5

We are informing you that our organization is of the opinion that the above document, if adopted, would unduly restrict the industry in the naming of their varieties.

The text of the Convention does in our view not call for this document nor for the Guidelines for Variety Denominations.

In our view any denomination that is not misleading or leading to confusion concerning the characteristics, value or identity of the variety or the breeder is acceptable. Although the Convention does not allow the use of figures only we would not object to this. There are in other branches of industry sufficient examples proving that the argument that consumers could not remember names composed of figures only is wrong.

We finally wish to draw your attention to the lack of protection the holders of titles of plant variety protection have as far as variety denominations are concerned.

These can be legally trade-marketed by others for closely related products thus making use of the goodwill created by the holder of the title.

Yours sincerely,



Hans H. Leenders  
Secretary General

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