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UPOV/JT/2
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INTERNATIONALER VERBAND
ZUM SCHUTZ VON
PFLANZENZÜCHTUNGEN

UNION INTERNATIONALE
POUR LA PROTECTION
DES OBTENTIONS VÉGÉTALES

INTERNATIONAL UNION
FOR THE PROTECTION OF
NEW PLANT VARIETIES

OUTLINE FOR A JOINT EXAMINATION FOR ROSE VARIETIES

Presented by the Delegation
of the United Kingdom

OUTLINE FOR A JOINT EXAMINATION FOR ROSE VARIETIES

Procedures on applications received for the 1971 season

1. Applications received by each member country in respect of varieties due to enter trials in the 1971 season should be divided into 4 categories:-

- i) applications submitted only in the member State (Country A);
- ii) applications submitted in the Member State (Country A) and another Member State (Country B);
- iii) applications submitted in the member State (Country A) in respect of varieties already granted rights in another member State; and
- iv) applications submitted in the member State (Country A) in respect of varieties already in trials in another member State (Country B).

2. Country A should take the following action in respect of these applications:-

Category (i) inform applicant of the new system and that it is proposed to enter variety in trials in Country A.

Category (ii) confer with member State B and inform applicant as appropriate. As a general rule, if applicant is a national of Country A, the authority of that country should explain the new system and ask where the new variety should be entered in trials; if the applicant is a national of country B, the authority in that country should make the approach.

Category (iii) the new variety will have to undergo trials in Country A as member States will not take account of decisions given prior to 1971.

Category (iv) Country A confirms with Country B that variety will be in trials in 1971. In this event Country A informs applicant that further trials in Country A will not be necessary.

3. A list of new applications received by the United Kingdom is attached. This is sub-divided into the categories described in paragraph 2. It is recommended that each member State should exchange up-to-date information at the Geneva meeting to be held on [2nd] February and that further details be exchanged at for example 28.2.71 and 31.3.71.

4. On 1 May 1971 each member State to circulate details of all applications received with a statement showing where trials are to be carried out.

Procedures on applications received for the 1972 and subsequent seasons

5. When submitting his application each applicant should be asked to specify the country in which he wishes the trials on his variety to be carried out.

Note. Because of difficulties over legislation the United Kingdom would not wish to incorporate this information on the application form. Neither would we wish to incorporate it in the technical questionnaire as the questionnaire is not required to be submitted at the same time as the application for plant breeders' rights.

6. Lists of applications received together with details of country where applicants wish trials to be carried out to be circulated among member States at say monthly intervals on 30 September. These lists might be circulated in duplicate so that Country B could mark that trials would be carried out in that country and return the duplicate copy to Country A.

7. On 1 May each member State to circulate lists of all applications received with details of countries in which trials are to be carried out.

Procedures to be followed when decisions are made on applications

for plant breeders' rights

8. Immediately plant breeders' rights are granted, each member State to circulate lists giving grant number, name of holder of rights and name of variety. In addition, when Country B is awaiting results from Country A, the latter should also provide a copy of the report form, a description of the variety prepared on agreed lines, a photograph (photostat-type) and a colour transparency.

Note. 1) In the United Kingdom the decision to grant rights involves the immediate grant of rights.

2) The United Kingdom proposes either to circulate beforehand or to bring to the Geneva meeting examples of the photograph (photostat-type) she proposes to provide.

9. If a member State intends to refuse an application for a grant of rights, the other member States should be informed immediately with details of the ground or grounds on which it is proposed that rights should be refused and the Gazette edition in which the proposal will be advertised. It is considered that advance notice, which would have to be regarded as confidential, would be advantageous so that other trials authorities would be able, if they thought it necessary or desirable, to inspect the material.

Maintenance of museum or reference collection

10. Each member State should be required to keep a museum or reference collection only of the varieties which have been through trials in that member State.

/End of document
Annex follows/

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ROSES (APPLICATIONS FOR TRIALS IN 1971)

Category (i)

Applications apparently submitted only in the United Kingdom.

| <u>PVRO Reference</u> | <u>Name and Address of Applicant</u> | <u>Name of Variety or Breeder's Reference</u> | |
|-----------------------|--------------------------------------|---|-----------------|
| AFP 5/142 | U.R.S.-Meilland, France | Climbing Princess Margaret of England | |
| /143 | U.R.S.-Meilland, France | Climbing Charleston | |
| /144 | Armstrong Nurseries, USA. | Contempo | |
| /145 | Math Tantau, Germany | Oriana | |
| /147 | S McGredy, N Ireland | Liverpool Echo | |
| /148 | E B LeGrice, England | Pioneer | |
| /149* | U.R.S.-Meilland, France | Tender Night | |
| /150* | | Sweet Song | |
| /151* | | Elegy | |
| /152* | | Darling Flame | |
| /153* | | Galileo | |
| /154 | | Andersons Rose Nurseries, Scotland | Blushing Bride |
| /155 | | | Scarlet Ribbons |
| /156 | Bees Ltd, England | Guitare | |
| /157 | U.R.S.-Meilland, France | Promise Me | |
| /158 | Math Tantau, Germany | 6614 | |
| /159 | | | |
| /161 | C Gregory & Son Ltd, England | G 51/69 | |
| /162 | | G 20/70 | |
| /163 | | G 22/70 | |
| /164 | | G 26/70 | |
| /165 | | G 27/70 | |

*Applications submitted simultaneously in France

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Category (ii)

Applications submitted in the United Kingdom and another member State

| <u>PVRO Reference</u> | <u>Name and Address of Applicant</u> | <u>Name of Variety or Breeder's Reference</u> | <u>Other Member State</u> |
|-----------------------|--|---|---------------------------|
| AFP 5/160 | Math Tantau, Germany | Topsi | Germany |

End of Annex and
document UPOV/JT/2