



Norwegian implementation on the Priority provisions



Priority

UPOV -78 article 12

Norwegian Act relating to the Plant Breeder's Right section 2:

If the variety owner has applied for a breeder's right or a patent for a variety in one or more other UPOV-member States, and applies within twelve months from the date of filing of the first application for a plant breeder's right in respect of the variety in this Realm, the application in this Realm shall be deemed, [...], if the variety owner so requests, as having been filed on the same date as the first application.



Priority

Regulation concerning the Plant Breeder's Right:

- The priority claim must be in writing
- The application must give information of the country where the application upon which the priority claim is based was filed, the date for the filing and the application number. This information shall also be furnished in the register of application for plant Breeder's Rights and the Public Notice .
- A copy of this application, certified by the relevant authority, must be furnished to the Plant Variety Board within three months of filing a priority claim.
- The Plant Variety Board can not direct the applicant to provide the information and the plant material required to consider the application earlier than four years after the expiry of the time limit for priorities
- If the application upon which the priority claim is based is rejected or withdrawn the Plant Variety Board may set a new deadline for supplying information and plant material.

Example: The German variety



Norwegian Ministry of Agriculture and Food

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