

Ministerul Agriculturii și Industriei  
Alimentare

**COMISIA DE STAT  
PENTRU TESTAREA  
SOIURILOR DE PLANTE**



Ministry of Agriculture and  
Food Industry

**STATE COMMISSION  
FOR CROPS VARIETY  
TESTING**

bd. Ștefan cel Mare 180, Chișinău, MD-2004 Republica Moldova  
fax (373 22)21-15-37 tel.(373 22)22-03-00

„140” 15.05. 2024

**UPOV Secretariat**  
[upov.mail@upov.int](mailto:upov.mail@upov.int)

**Republic of Moldova:**

**the answers to the questions by the  
WG-SHF (UPOV Circular E-24/047)**

**1. Is your country/intergovernmental organization implementing the exception “acts done privately and for non-commercial purposes”? If so, how is it implemented?**

YES

- Contractually requests or provides testing services of new varieties for the purpose of registration in the Catalogue;
- Contractually requests or provides processing services of brute seeds into certified ones
- Contractually exchanges of genetic sources for the purpose of crop plant improvement

**2. Concerning this exception, are there definitions for the following term: “acts done privately and for non-commercial purposes”?**

Does not exist

**3. Please specify legislation/regulation and jurisprudence concerning this exception.**

**LAW ON SEEDS No. 68 of 05.04.2013, art. 9 (8)**

"The following are not subject to sale:

- a) seeds provided to official testing and inspection bodies;
- b) seeds provided to service providers for transformation or conditioning if the service provider does not obtain the right to the seeds provided in this way;
- c) raw seeds provided, under certain conditions, to service providers in order to produce agricultural raw materials intended for industrial purposes or seeds multiplied for processing purposes if the service provider does not obtain the right to the provided seeds or to the harvest."

**LAW REGARDING THE PROTECTION OF PLANT VARIETIES No. 39-XVI/2008, art. 16 (1)**

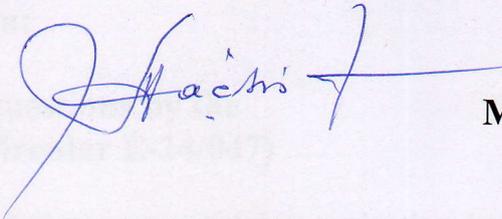
"(1) The right of the patent holder does not extend to:

- a) actions carried out for personal non-commercial purposes;
- b) actions carried out for the purpose of scientific research and experiments;
- c) the actions carried out for the purpose of creating or discovering and developing other varieties and on the actions related to these other varieties, according to art. 15 para. (1) - (3), except for the cases in which the provisions of art. 15 para. (4)".

**4. Are there any challenges and/or opportunities in implementing this exception in your jurisdiction? Please explain.**

Does not exist

**Director**



**Mihail MACHIDON**