

INTERNATIONALER VERBAND
ZUM SCHUTZ VON
PFLANZENZÜCHTUNGEN

GENÈVE, SCHWEIZ



UNION INTERNATIONALE
POUR LA PROTECTION
DES OBTENTIONS VÉGÉTALES

GENÈVE, SUISSE

INTERNATIONAL UNION
FOR THE PROTECTION OF
NEW VARIETIES OF PLANTS

GENEVA, SWITZERLAND

UPOV Press Release No. 7

Geneva, March 4, 1991

**DIPLOMATIC CONFERENCE FOR THE REVISION OF THE
INTERNATIONAL CONVENTION FOR THE PROTECTION OF
NEW VARIETIES OF PLANTS**

A Diplomatic Conference, convened by the International Union for the Protection of New Varieties of Plants (UPOV), is taking place in Geneva, Switzerland, from March 4 to 19, 1991, to negotiate and adopt a revised Act of the International Convention for the Protection of New Varieties of Plants. The twenty existing member States of UPOV are expected to participate in the Conference together with some thirty further States which will attend in an observer capacity.

If adopted, the revised Act of the UPOV Convention would make the protection of all species of plants mandatory for member States after the expiration of a transitional period and would strengthen the protection afforded to plant breeders. It would, however, leave protected varieties available, as at present, for use as a source of variation for the development of other varieties.

Strengthened protection for plant breeders would increase the incentive provided by the Convention for plant breeding and will lessen the threat to breeders of piracy and plagiaristic breeding activities.

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UPOV

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

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INFORMATION FOR THE PRESS

prepared by the Office of the Union

THE INTERNATIONAL UNION FOR THE PROTECTION

OF NEW VARIETIES OF PLANTS

(UPOV)

THE INTERNATIONAL UNION FOR THE PROTECTION
OF NEW VARIETIES OF PLANTS
(UPOV)

The International Union for the Protection of New Varieties of Plants (UPOV) is an independent intergovernmental organization. Its headquarters are in Geneva, Switzerland, in the same building as the headquarters of the World Intellectual Property Organization (WIPO). UPOV and WIPO work closely together pursuant to an agreement between them providing for the use by UPOV of the administrative services of WIPO. The Director General of WIPO is the Secretary-General of UPOV. The Office of UPOV employs its own staff and is responsible for matters of substance which arise under the UPOV Convention. On March 4, 1991, UPOV will have the following 20 member States: Australia, Belgium, Canada, Denmark, France, Germany, Hungary, Ireland, Israel, Italy, Japan, Netherlands, New Zealand, Poland, South Africa, Spain, Sweden, Switzerland, United Kingdom, United States of America.

History: The UPOV Convention was concluded in Paris in 1961 and has since been revised in Geneva in 1972 and 1978.

Objectives: The objectives of UPOV are:

(i) to promote the protection of new plant varieties throughout the world through cooperation among States and, where appropriate, in collaboration with any other international organization;

(ii) to ensure administrative cooperation amongst the member States of UPOV and to deal with the legal and administrative aspects of the protection of new varieties of plants;

(iii) to promote the accession of States to the UPOV Convention and to assist States in taking all measures, particularly legislative and technical measures, enabling them to accede to the Convention.

Resources: UPOV's resources (approximately 2 million Swiss francs per year) come from the contributions of member States.

The Nature of Plant Variety Protection: Under the provisions of the 1978 Act of the UPOV Convention, the prior authorization of the breeder of a protected plant variety is required before doing any of the following three acts in respect of the reproductive or vegetative propagating material of the variety:

- (i) production for the purposes of commercial marketing;
- (ii) offering for sale;
- (iii) marketing.

A variety may be protected only if it has not previously been commercialized, is distinct from other known varieties and is uniform and stable. Prior to a grant of protection, a variety will be examined officially to ensure compliance with these conditions. A protected variety remains freely available to other breeders as a source of genetic variability to develop further varieties. Protection must be provided for a minimum of 18 years in the case of vines and trees and 15 years in the case of all other plant species.