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UPOV

NEWSLETTER

INTERNATIONALER VERBAND
ZUM SCHUTZ VON
PFLANZENZÜCHTUNGEN

UNION INTERNATIONALE
POUR LA PROTECTION
DES OBTENTIONS VÉGÉTALES

INTERNATIONAL UNION
FOR THE PROTECTION OF
NEW VARIETIES OF PLANTS

No. 12

February 1978

Geneva

CONTENTS

Page

Information from UPOV

The International Union for the Protection of New Varieties of Plants in 1977	2
Membership of the Union (as of January 1, 1978)	5
Development of Plant Variety Protection Throughout the World in 1977	7
Statistics on the Protection of New Plant Varieties for 1976	9
Statistics on the Exchange of Examination Reports for the Period from July 1, 1976, to June 30, 1977	11

Information from Member States

Germany (Federal Republic of): Issuance of the 3,000th Title of Protection	20
Belgium: Extension of Protection	20

Publications of the Office of the Union

UPOV General Information Brochure	23
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<u>Bibliography</u>	23
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<u>Calendar</u>	24
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INFORMATION FROM UPOV

THE INTERNATIONAL UNION FOR THE PROTECTION OF
NEW VARIETIES OF PLANTS IN 1977

Membership

At the end of 1977, the International Union for the Protection of New Varieties of Plants (UPOV) comprised the following ten member States: Belgium, Denmark, France, Germany (Federal Republic of), Italy, Netherlands, South Africa, Sweden, Switzerland, United Kingdom. Italy deposited its instrument of ratification of the International Convention for the Protection of New Varieties of Plants, as amended by the Additional Act of 1972, on June 1, 1977, and Switzerland on June 10, 1977; South Africa deposited its instrument of accession on October 7, 1977. Thus, Italy became a member State of UPOV as from July 1, 1977, Switzerland as from July 10, 1977, and South Africa as from November 6, 1977.

The Additional Act of November 10, 1972, amending the UPOV Convention, entered into force on February 11, 1977. By the end of 1977, the Additional Act was in force in all but one of the member States (the United Kingdom).

Sessions

During 1977, the various bodies of UPOV met as listed below (unless otherwise indicated, the sessions took place in Geneva).

The Council held its eleventh ordinary session from December 6 to 9, 1977, under the chairmanship of Mr. B. Laclavière (France). That session was attended by observers from a number of interested non-member States, namely: Austria, Canada, Hungary, Ireland, Japan, New Zealand, Norway, Poland, Spain, Turkey and the United States of America. The following decisions were taken, inter alia, by the Council:

- (i) it approved the annual report and the accounts for 1976 and established the program and budget for 1978;
- (ii) it unanimously decided that a Diplomatic Conference be held from October 9 to 23, 1978. It approved the Provisional Agenda and the Provisional Rules of Procedure of that Diplomatic Conference and authorized the Secretary-General to issue the invitations in January 1978;
- (iii) it discussed in detail and cleared for distribution the proposed new text of the Convention. That text will be sent to the States and organizations invited to the Diplomatic Conference and will form the basis for discussions during that Conference;
- (iv) it agreed on a reorganization of the different sub-bodies created by it. Thus, as from December 9, 1977, the following are attached to the Council: the Consultative Committee, the Administrative and Legal Committee, the Technical Committee, and five Technical Working Parties (for Agricultural Crops, for Forest Trees, for Fruit Crops, for Ornamental Plants and for Vegetables, respectively). The Technical Committee will take over the tasks handled to date by the Technical Steering Committee, while the Administrative and Legal Committee will take over the tasks so far handled by the Fee Harmonization Working Party, the Committee of Experts on International Cooperation in Examination and the Working Group on Variety Denominations. It will also examine the relations between rules on competition and plant variety protection and will establish a UPOV model law on plant variety protection. In addition, an Ad Hoc Committee on the Revision of the Convention will take over the tasks of the Committee of Experts on the Interpretation and Revision of the Convention, but will meet only once in 1978 to study the observations received on the proposed new text of the UPOV Convention;

(v) it elected a new President, a new Vice-President and new Chairmen for the following bodies of UPOV:

- (a) Mr. H. Skov (Denmark) was elected President of the Council. His term of office will last until the closing of the ordinary session of the Council in 1980.
- (b) Mr. J.I.C. Butler (Netherlands) was elected Vice-President of the Council. His term of office will last until the closing of the ordinary session of the Council in 1978.
- (c) Dr. D. Böringer (Federal Republic of Germany) was elected Chairman of the Administrative and Legal Committee. His term of office will last until the closing of the ordinary session of the Council in 1980.
- (d) Mr. A.F. Kelly (United Kingdom) was elected Chairman of the Technical Committee. His term of office will last until the closing of the ordinary session of the Council in 1980.

The Consultative Committee held its fifteenth session on March 11, 1977, and its sixteenth session on December 5 and 9, 1977, under the chairmanship of Mr. B. Laclavière (France). In these sessions, it prepared the work of the Council and, in particular, discussed the progress of the preparations for the Diplomatic Conference on the Revision of the UPOV Convention and the draft program and budget for 1978.

The Committee of Experts on the Interpretation and Revision of the Convention held its fifth session from March 8 to 10, 1977, and its sixth session from September 20 to 23, 1977, under the chairmanship of Mr. H. Skov (Denmark). In the discussions during the fifth session, representatives of the following non-member States also had the possibility of expressing their views: Australia, Canada, Hungary, Ireland, Japan, New Zealand, Poland, South Africa, Spain and the United States of America. The following international non-governmental organizations were also represented by observers: the International Association of Horticultural Producers (AIPH), the International Association for the Protection of Industrial Property (AIPPI), the International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL), the International Community of Breeders of Asexually Reproduced Ornamentals (CIOPORA), the International Federation of the Seed Trade (FIS). During the fifth and the sixth sessions, the Committee considered proposals for the revision, or more flexible interpretation, of those provisions of the UPOV Convention which could constitute obstacles to the accession of further States to UPOV, and prepared the following draft documents for the Diplomatic Conference on the Revision of the UPOV Convention to be held in October 1978 for adoption by the Council: the Provisional Agenda of the Diplomatic Conference, the Provisional Rules of Procedure of the Diplomatic Conference and the proposed new text of the Convention.

The Committee of Experts on International Cooperation in Examination held its seventh session on May 17, 1977, under the chairmanship of Mr. J.I.C. Butler (Netherlands), and its eighth session on November 16, 1977, under the chairmanship of Mr. A.F. Kelly (United Kingdom), who replaced Mr. Butler. During both sessions, the Committee took note of reports on bilateral agreements concluded or in preparation on the basis of the UPOV Model Agreement for International Cooperation in the Testing of Varieties, examined statistics on the exchange of examination reports and updated the list of offers for cooperation in examination. During its eighth session, the Committee adopted a UPOV Model Form for the Request of Examination Results and began to consider the possibilities of harmonizing the plant breeders' rights gazettes of the member States.

The Technical Steering Committee held its tenth session from May 16 to 18, 1977, and its eleventh session from November 15 to 17, 1977, under the chairmanship of Dr. D. Böringer (Federal Republic of Germany), except for the last one and a half days of the eleventh session, during which time the Committee was presided over by Mr. A.F. Kelly (United Kingdom). During these two sessions, the Committee continued its discussions on data recording and interpretation with respect to distinctness and partly with respect to the testing of maize hybrids, and requested the Office of UPOV to transmit the preliminary results to the professional organizations in the field of plant breeding and the seed trade for comments.

During its eleventh session, the Committee began discussions on data recording and interpretation with respect to the testing of homogeneity and stability. As a result of the successful conclusion of the work of the Technical Working Parties, the Committee adopted, during its tenth session, Test Guidelines for Alstroemeria (TG/29/3), Streptocarpus (TG/47/2) and Red and White Currant (TG/52/2) and, during its eleventh session, Test Guidelines for Rape (TG/36/3), European Plum (TG/41/4), Vine (TG/50/3), Gooseberry (TG/51/3), Peach (TG/53/3), Brussels Sprouts (TG/54/3) and Spinach (TG/55/3). With the addition of these new Test Guidelines, Test Guidelines have now been adopted for a total of 53 species. Finally, the Committee also discussed problems associated with the grouping of colors, the determination and wording of simple symmetrical plane shapes and the question of multiline varieties.

The Technical Working Party for Agricultural Crops held its sixth session from May 24 to 26, 1977, in Hanover (Federal Republic of Germany) under the chairmanship of Mr. A.F. Kelly (United Kingdom). During this session, the Working Party finalized its work on draft Test Guidelines for Rape and prepared a first draft of Test Guidelines for Flax and Linseed and for Rye. It also discussed the preparation of lists of varieties of ryegrass used in the reference collections in different member States and the establishment of a growth stage code for grasses.

The Technical Working Party for Forest Trees held its fifth session from June 14 to 16, 1977, at Orleans (France) under the chairmanship of Mr. M. Bischoff (Federal Republic of Germany). During this session, it discussed the inclusion of further example varieties in the already adopted Test Guidelines for Poplar. It also discussed working papers on Test Guidelines for Willow and for Spruce. In addition, it noted that the results reached by the Technical Steering Committee on data recording and interpretation might not always be applicable to Test Guidelines established by this Working Party because, in forestry, the knowledge of the different characteristics mentioned in the relevant Test Guidelines was limited and each characteristic was not as well known as, for example, those characteristics mentioned in the Test Guidelines prepared by the Technical Working Party for Agricultural Crops.

The Technical Working Party for Fruit Crops held its eighth session from May 10 to 12, 1977, in Madrid under the chairmanship of Mr. J. Brossier (France). During this session, the Working Party finalized draft Test Guidelines for European Plum, for Vine, for Gooseberry, for Red and White Currant and for Peach. It also established first drafts of Test Guidelines for Almond and discussed a working paper on Test Guidelines for Apricot.

The Technical Working Party for Ornamental Plants held its tenth session from June 7 to 9, 1977, at Wageningen (Netherlands) under the chairmanship of Mr. F. Schneider (Netherlands). During this session, the Working Party finalized the draft Test Guidelines for Chrysanthemum, subject to a few points left open and to be agreed upon by correspondence, established a first draft of Test Guidelines for Lily and discussed working papers on Test Guidelines for Berberis and for Forsythia. It also discussed problems associated with virus diseases in material submitted for examination.

The Technical Working Party for Vegetables held its tenth session from September 6 to 8, 1977, at Aarslev (Denmark) under the chairmanship of Mr. T. Webster (United Kingdom). During its session, it finalized the draft Test Guidelines for Spinach and for Brussels Sprouts. In addition, it established first drafts of Test Guidelines for Cucumber and Gherkin, for Beetroot and for Rhubarb, subject to a few points left open and to be agreed upon by correspondence. It also discussed problems associated with the testing of diseases, the establishment of reference collections and the establishment of variety distinctness in vegetable crops.

The Working Group on Variety Denominations held its tenth session from March 8 to 11, 1977, jointly with the fifth session of the Committee of Experts on the Interpretation and Revision of the Convention, and its eleventh session on September 23, 1977, under the chairmanship of Mr. S. Mejegaard (Sweden). During both sessions, the Working Group discussed the provisions of the Convention relating to variety denominations.

The Fee Harmonization Working Party did not meet in 1977.

Relations with States and Organizations

The President of the Council of UPOV, the Secretary-General and the Vice Secretary-General, as well as several other members of the Council, participated in a symposium organized by the International Community of Breeders of Asexually Reproduced Ornamentals (CIOPORA) in Budapest.

The President of the Council of UPOV and the Vice Secretary-General attended a meeting of experts of CIOPORA at Sparrieshoop (Federal Republic of Germany) and a meeting of a joint drafting committee of the International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL) and UPOV, held in Paris, as well as the annual meeting of ASSINSEL and the Congress of the International Federation of the Seed Trade (FIS), both held at Monterey (California, USA).

The Vice Secretary-General attended meetings of the International Association of Horticultural Producers (AIPH) held in Lyngby (Denmark) and in Luxembourg.

The Office of the Union was represented at the Eighth Panamerican Seed Seminar held in Tegucigalpa (Honduras) and at a special meeting of the eighteenth Congress of the International Seed Testing Association (ISTA) in Madrid.

The Vice Secretary-General, outside his official duties, participated in the Centenary of the German Patent Office in Munich. At this time, he also accepted an invitation from the President of the Federal Plant Varieties Office of the Federal Republic of Germany to visit the trials conducted by that Office at Moosinnich near Munich.

Publications

In 1977, the Office of the Union continued the publication of the UPOV Newsletter and published four issues, in March, June, September and December, respectively. The Office also prepared a revised version of the General Information Brochure in English and issued a Japanese translation of this Brochure.

MEMBERSHIP OF THE UNION

(as of January 1, 1978)

The table appearing on page 6 indicates the dates on which the member States took the various steps in order to become bound by the International Convention for the Protection of New Varieties of Plants (of December 2, 1961) and by the Additional Act (of November 10, 1972), and the dates on which they actually became bound by those texts.

Pursuant to the provisions of the Convention, declarations and notifications were made by the member States on certain dates, in particular when signing the Convention or when depositing their instruments of ratification of or accession to the Convention. They dealt, in particular, with the following matters:

(i) list of species eligible for protection (for the latest stage, see UPOV Newsletter No. 11);

(ii) territorial extension of the application of the Convention;

(iii) in the case of the genera and species not appearing in the Annex to the Convention, entitlement of certain persons to protection.

These declarations and notifications are not reproduced here.

MEMBERSHIP OF THE UNION

(as of January 1, 1978)

State	CONVENTION OF 1961			ADDITIONAL ACT OF 1972		
	Date of Signature	Date of Deposit of Instrument ¹	Date upon which State became bound	Date of Signature	Date of Deposit of Instrument ¹	Date upon which State became bound
Belgium	December 2, 1961	November 5, 1976	December 5, 1976	November 10, 1972	November 5, 1976	February 11, 1977
Denmark	November 26, 1962	September 6, 1968	October 6, 1968	November 10, 1972	February 8, 1974	February 11, 1977
France	December 2, 1961	September 3, 1971	October 3, 1971	November 10, 1972	January 22, 1975	February 11, 1977
Germany (Federal Republic of)	December 2, 1961	July 11, 1968	August 10, 1968	November 10, 1972	July 23, 1976	February 11, 1977
Italy	December 2, 1961	June 1, 1977	July 1, 1977	November 10, 1972	June 1, 1977	July 1, 1977
Netherlands	December 2, 1961	August 8, 1967	August 10, 1968	November 10, 1972	January 12, 1977	February 11, 1977
South Africa	--	October 7, 1977	November 6, 1977	--	October 7, 1977	November 6, 1977
Sweden	--	November 17, 1971	December 17, 1971	January 11, 1973	January 11, 1973	February 11, 1977
Switzerland	November 30, 1962	June 10, 1977	July 10, 1977	November 10, 1972	June 10, 1977	July 10, 1977
United Kingdom	November 26, 1962	September 17, 1965	August 10, 1968	November 10, 1972	--	--

¹Of ratification if the State has signed the Convention or the Additional Act, as the case may be; of accession if the State has not done so.

DEVELOPMENT OF PLANT VARIETY PROTECTION
THROUGHOUT THE WORLD IN 1977

Summary of Exposés made by Government Representatives at the Eleventh Ordinary Session of the Council

Following established practice, the representatives of States having participated in the eleventh ordinary session of the Council of UPOV (December 6 to 9, 1977) briefly reported on the development of plant variety protection in their countries.

Most of the information given by the representatives of the member States has already been published in recent issues of the UPOV Newsletter and is therefore not restated here. Several member States were said to be preparing or planning extension of protection to further genera and species, which was in many cases made possible by the conclusion of bilateral agreements on cooperation in examination.

The following information given by the representatives of the non-member States is of particular interest.

In Austria, the first draft of a new law on plant variety protection had been submitted to certain government authorities. Progress had been delayed, however, by certain problems of competence which had arisen between institutes subordinated to the Ministry of Agriculture and Forestry and the Patent Office.

In Canada, legislation was in the draft stage and was expected to be submitted to Parliament during the current session.

From Hungary, it was reported that there had been no change in the legislation on patent protection for plant varieties. However, in other fields related to plant breeding, notably in respect of variety testing, new legal rules had been elaborated, mainly in order to establish closer links between the protection system and variety testing, thereby promoting and strengthening plant variety protection.

In Ireland, legislation for the implementation of the provisions of the Convention on the national level was being finalized.

As to Japan, it was reported that the Government fully recognized the importance of plant variety protection and that active studies were in progress to prepare the framework for such protection, having due regard to the progress of the work on the revision of the Convention.

In New Zealand, protection had been extended to further species in 1977 (see UPOV Newsletter No. 7) and a further extension was under consideration. No final decision had been made so far on whether to join UPOV or not. Since it was noted that the proposed revised text of the Convention would remove several problems which New Zealand would be faced with under the present text, membership might well be considered after the 1978 Diplomatic Conference.

In Norway, a new administration (the Norwegian State Seed Council) had been established and the intention was that this organ would also serve as the secretariat for plant variety protection.

From Poland, it was reported that a new draft of the law on plant breeding, seed production and nurseries and of the implementing decree, which would also provide for plant variety protection, had been prepared. According to the draft decree, protection would be afforded in respect of 189 kinds of plants (agricultural crops, vegetables, fruit crops, medical plants and ornamentals). It could be expected that the drafts would be submitted to the Government for acceptance during the first quarter of 1978 and then to the Chamber of Deputies. The legal texts, as adopted, would create the theoretical basis for the accession of Poland to the UPOV Convention.

From Spain, it was reported that the following species would be eligible for protection as of January 11, 1978, as provided by the Royal Decree of June 10, 1977, Approving the General Regulations for the Protection of New Plant Varieties: wheat, barley, oats, rice, potato, rose and carnation. The National Institute of Seed and Nursery Plants was entrusted with plant variety protection and was preparing the draft of the documentation which, after being studied and approved by the Government, would be addressed to the Swiss Federal Political Department as the formal application for accession to the UPOV Convention.

As to the United States of America, it was reported that "Reciprocity Limits" had been established under the Plant Variety Protection Act with Germany (Federal Republic of), the Netherlands, the United Kingdom and the Republic of South Africa. Agreements with Denmark, Israel and New Zealand were being discussed. In addition, with effect from March 17, 1977, the Plant Variety Protection Regulations had been amended to (i) extend from a total of 4 to 5 years the time within which a foreign applicant could file an application in the United States of America after filing in a foreign country, limited to the delay caused by the growing test plus one year, (ii) require a seed sample to be submitted with the application, and (iii) require the application and search fee to be submitted with the application. As regards the protection under the Patent Law, it was reported that there was no change in legislation in 1977. Finally, the representatives of both the Patent and Trademarks Office and of the Plant Variety Protection Office gave some statistical indications on plant variety protection.

STATISTICS ON THE PROTECTION OF NEW PLANT VARIETIES FOR 1976*

Chart I: Applications filed and titles of protection (special titles, patents, inventors' certificates) issued in 1976; titles of protection in force on December 31, 1976

Countries	Applications filed by			Titles of protection issued to			Titles in force on December 31, 1976
	Resi- dents	Non- Resi- dents	Total	Resi- dents	Non- Resi- dents	Total	
Austria	51	-	51	15	-	15	165
Belgium	-	11	11	-	11	11	102
Bulgaria	38	-	38	64	-	64	
Denmark	28	134	162	25	45	70	251
France	226	47	273	111	40	151	
Germany (Fed. Rep. of)	342	144	486	150	67	217	1,629
Hungary	-	5	5	-	-	-	17
Italy	6	10	16	-	-	-	
Japan	35	-	35	18	-	18	64
Netherlands	399	147	546	199	94	293	1,502
New Zealand	35	5	40	2	-	2	2
South Africa	4	3	7	2	2	4	26
Sweden	31	15	46	13	12	25	108
United Kingdom							
United States of America ¹	94	3	97	102	2	104	354
	142	33	175	137	39	176	2,107

* Established on the basis of information supplied by the competent authorities of the various States. For the statistics for the preceding years, see UPOV Newsletter No. 6.

¹ The figures above the dotted line refer to sexually reproduced varieties protected under the Plant Variety Protection Act. The figures under the dotted line refer to asexually reproduced varieties protected under the Patent Act.

Chart 11: Applications filed by and titles of protection issued to non-residents in 1976, broken down according to the country of origin

Reporting Country \ Country of origin	Country of origin																Total	
	Australia	Belgium	Canada	Denmark	France	German Democratic Republic	Germany (Federal Republic of)	Italy	Japan	Netherlands	New Zealand	South Africa	Sweden	Switzerland	United Kingdom	United States of America		Others*
Belgium	-	*	-	-	8	-	-	-	-	-	-	-	-	-	-	3	-	11
	-	-	-	-	8	-	-	-	-	-	-	-	-	-	-	3	-	11
Denmark	-	-	-	*	14	-	79	-	-	24	-	-	12	-	5	-	-	134
	-	-	-	-	8	1	8	-	-	11	-	-	10	-	3	4	-	45
France	-	-	-	-	*	-	8	-	-	31	-	-	3	-	-	5	-	47
	-	-	-	-	-	-	5	-	-	32	-	-	-	-	-	3	-	40
Germany (Federal Republic of)	-	-	-	9	49	4	*	-	-	63	-	-	4	-	15	-	-	144
	-	-	-	3	19	-	-	-	-	31	-	-	4	-	10	-	-	67
Hungary	-	-	-	-	5	-	-	-	-	-	-	-	-	-	-	-	-	5
	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Italy	-	-	-	-	10	-	-	*	-	-	-	-	-	-	-	-	-	10
	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Netherlands	-	5	-	3	34	6	60	-	-	*	-	-	1	2	8	26	2	147
	-	-	-	3	28	-	14	3	1	-	-	-	3	1	15	26	-	94
New Zealand	-	-	-	-	-	-	-	-	-	-	*	-	-	-	3	1	1	5
	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
South Africa	-	-	-	-	-	-	-	-	-	-	-	*	-	-	-	3	-	3
	-	-	-	-	-	-	2	-	-	-	-	-	-	-	-	-	-	2
Sweden	-	-	-	1	10	-	4	-	-	-	-	-	-	-	-	-	-	15
	-	-	-	1	7	-	2	-	-	2	-	-	*	-	-	-	-	12
United Kingdom															*			
United States of America ¹	-	-	-	-	-	-	-	-	-	1	-	-	-	-	2	*	-	3
	-	-	-	-	-	-	-	-	-	1	-	-	-	-	1	-	-	2
	1	-	1	-	2	-	13	-	3	3	2	-	1	3	4	*	-	33
	1	2	1	-	5	-	11	-	1	-	2	-	7	2	-	6	-	39

General remark:

For each reporting country, the first line of figures refers to applications and the second line to titles of protection issued.

¹ See footnote 1, Chart 1

* Detail (the figure before the slash refers to applications and the figure after the slash refers to titles of protection issued):

Netherlands: Bulgaria 1/-
Liechtenstein 1/-

New Zealand: Cayman Islands 1/-

United States of America: Costa Rica -/6

STATISTICS ON THE EXCHANGE OF EXAMINATION REPORTS (PERIOD FROM JULY 1, 1976, TO JUNE 30, 1977)
 STATISTIQUES SUR L'ECHANGE DE RAPPORTS D'EXAMENS (PERIODE DU 1er JUILLET 1976 AU 30 JUIN 1977)
 STATISTIK ÜBER DEN AUSTAUSCH VON PRÜFUNGSBERICHTEN (FÜR DIE ZEIT VOM 1. JULI 1976 BIS ZUM 30. JUNI 1977)

Requesting State Etat demandeur Anfordernder Staat	Applications ¹ Demandes ¹ Anmeldungen ¹	Species Espèce Art	Number of examination reports requested (1st line) and received (2nd line) from States hereunder Nombre de rapports d'examen demandés aux Etats ci- dessous (1ère ligne) et reçus de ceux-ci (2e ligne) Anzahl der von den unten genannten Staaten verlangten (1. Zeile) und erhaltenen (2. Zeile) Prüfungsberichte									Total/Gesamtzahl	
			B	CH	D	DK	F	I	NL	S	UK	for above period pour la période ci-dessus für obengenannte Zeit	from beginning to du début au vom Beginn bis 1977-06-30
B*	-	Red Fescue/Fétuque rouge/Rotschwingel	-	-	-	-	-	-	0	-	-	0	8
	-	Perennial Ryegrass/Ray-grass anglais/Deutsches Weidelgras	-	-	-	-	-	3	-	-	-	1	3
	-	Timothy/Fléole des prés/Wiesenlieschgras	-	-	-	-	-	1	-	-	-	3	13
	-	Kentucky Bluegrass/Pâturin des prés/Wiesenrispe	-	-	-	-	-	1	-	-	-	1	4
	-	Rye/Seigle/Roggen	-	-	-	-	-	0	-	-	-	0	1
	-		-	-	-	-	-	-	-	-	-	0	1
		Total/Gesamtzahl	-	-	-	-	-	4	-	-	4	32	
			-	-	-	-	-	2	-	-	2	12	

¹ These are applications for protection in the requesting State
¹ Il s'agit de demandes de protection dans l'Etat demandeur
¹ Es handelt sich um Sortenschutzanmeldungen im anfordernden Staat

* These figures concern national listing
 * Ces chiffres se rapportent à la procédure d'inscription sur la liste nationale
 * Diese Zahlen betreffen das Eintragungsverfahren in die nationale Sortenliste

STATISTICS ON THE EXCHANGE OF EXAMINATION REPORTS (PERIOD FROM JULY 1, 1976, TO JUNE 30, 1977)
 STATISTIQUES SUR L'ECHANGE DE RAPPORTS D'EXAMENS (PERIODE DU 1er JUILLET 1976 AU 30 JUIN 1977)
 STATISTIK ÜBER DEN AUSTAUSCH VON PRÜFUNGSBERICHTEN (FÜR DIE ZEIT VOM 1. JULI 1976 BIS ZUM 30. JUNI 1977)

Requesting State Etat demandeur Anfordernder Staat	Applications ¹ Demandes Anmeldungen ¹	Species Espèce Art	Number of examination reports requested (1st line) and received (2nd line) from States hereunder Nombre de rapports d'examen demandés aux Etats ci- dessous (1ère ligne) et reçus de ceux-ci (2e ligne) Anzahl der von den unten genannten Staaten verlangten (1. Zeile) und erhaltenen (2. Zeile) Prüfungsberichte								Total/Gesamtzahl		
			B	CH	D	DK	F	I	NL	S	UK	for above period pour la période ci-dessus für obengenannte Zeit	from beginning to du début au vom Beginn bis 1977-06-30
D	5	Alstroemeria/Alstroemère/Inkalilie	-	-	-	-	-	-	5	-	-	5	5
			-	-	-	-	-	-	0	-	-	0	0
	6	Anthurium/Flamingoblume	-	-	-	-	-	-	6	-	-	6	6
			-	-	-	-	-	-	0	-	-	0	0
	20	Chrysanthemum/Chrysanthème/Chrysantheme	-	-	-	-	-	-	-	-	54	54	119
			-	-	-	-	-	-	-	-	0	0	40
	14	Carnation/Deillet/Nelke	-	-	-	-	-	-	18	-	-	18	44
			-	-	-	-	-	-	7	-	-	7	21
	0	Euphorbia fulgens/Euphorbe/Korallenranke	-	-	-	-	-	-	-	-	-	-	1
			-	-	-	-	-	-	-	-	-	-	1
	1	Poinsettia/Poinsettie	-	-	-	4	-	-	-	-	-	4	18
			-	-	-	0	-	-	-	-	-	0	0
	3	Freesia/Freesie	-	-	-	-	-	-	4	-	-	4	10
			-	-	-	-	-	-	1	-	-	1	7
()	Soya Bean/Soja/Sojabohne*	-	-	-	-	2	-	-	-	-	2	2	
		-	-	-	-	0	-	-	-	-	0	0	
()	Common Sunflower/Tournesol/Sonnenblume*	-	-	-	-	1	-	-	-	-	1	1	
		-	-	-	-	0	-	-	-	-	0	0	
4	Apple/Pommier/Apfel	-	-	-	-	-	-	-	-	3	3	9	
		-	-	-	-	-	-	-	-	0	0	6	
0	Thuja/Thuya/Lebensbaum	-	-	-	-	-	-	-	-	-	-	1	
		-	-	-	-	-	-	-	-	-	-	0	
	Total/Gesamtzahl	-	-	-	4	3	-	33	-	57	97	216	
		-	-	-	0	0	-	8	-	0	8	75	

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			B	CH	D	DK	F	I	NL	S	UK	for above period pour la période ci-dessus für obengenannte Zeit	from beginning to du début au vom Beginn bis 1977-06-30
DK	1	Elatior Begonia/ <i>Bégonia elatior</i> /Elatior Begonie	-	-	17	-	-	-	-	-	-	17	17
			-	-	11	-	-	-	-	-	-	11	11
	29	Chrysanthemum/ <i>Chrysanthème</i> /Chrysantheme	-	-	-	-	-	-	-	-	28	28	28
			-	-	-	-	-	-	-	-	3	3	3
	5	Freesia/Freesie	-	-	-	-	2	-	3	-	-	5	5
			-	-	-	-	0	-	0	-	-	0	0
2	African Violet/ <i>Saintpaulia</i> /Usambaraveilchen	-	-	10	-	-	-	-	-	-	10	10	
		-	-	0	-	-	-	-	-	-	0	0	
		Total/Gesamtzahl	-	-	27	-	2	-	3	-	28	60	
			-	-	11	-	0	-	0	-	3	14	14

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			B	CH	D	DK	F	I	NL	S	UK	for above period pour la période ci-dessus für obengenannte Zeit	from beginning to du début au vom Beginn bis 1977-06-30
			F	-	Chrysanthemum/ <i>Chrysanthème</i> /Chrysantheme	-	-	-	-	-	-	-	-
	-	Perennial Ryegrass/ <i>Ray-grass anglais</i> /Deutsches Weidelgras*	-	-	-	-	-	-	-	-	12	12	12
	-	Rye/ <i>Seigle</i> /Roggen*	-	-	2	-	-	-	-	-	2	2	2
		Total/Gesamtzahl	-	-	2	-	-	-	-	-	29	31	31
			-	-	0	-	-	-	-	-	0	0	0

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			B	CH	D	DK	F	I	NL	S	UK	for above period pour la période ci-dessus für obengenannte Zeit	from beginning to du début au vom Beginn bis 1977-06-30
NL	5	Begonia/Bégonia/Begonie	-	-	5	-	-	-	-	-	-	5	19
			-	-	11	-	-	-	-	-	-	11	11
	53	Chrysanthemum/Chrysanthème/Chrysantheme	-	-	-	-	-	-	-	-	53	53	259
			-	-	-	-	-	-	-	-	66	66	145
	5	Euphorbia fulgens/Euphorbe/Korallenranke	-	-	-	5	-	-	-	-	-	5	10
			-	-	-	0	-	-	-	-	-	0	3
	5	Poinsettia/Poinsettie	-	-	-	5	-	-	-	-	-	5	41
			-	-	-	0	-	-	-	-	-	0	28
	2	Strawberry/Fraisier/Erdbeere	-	-	2	-	-	-	-	-	-	2	2
			-	-	0	-	-	-	-	-	-	0	0
	6	Italian Ryegrass/Ray-grass d'Italie/Italienisches Raygras	-	-	-	-	-	-	-	-	6	6	20
			-	-	-	-	-	-	-	-	4	4	4
3	Apple/Pommier/Apfel	-	-	-	-	-	-	-	-	3	3	14	
		-	-	-	-	-	-	-	-	0	0	6	
1	Lucerne/Luzerne (cultivée et hybride)/Luzerne (Blaue und Bastard-)	-	-	-	-	-	-	-	-	1	1	3	
		-	-	-	-	-	-	-	-	0	0	0	
0	Cherry/Cerisier/Kirsche	-	-	-	-	-	-	-	-	-	0	1	
		-	-	-	-	-	-	-	-	-	0	0	
0	Plum/Prunier/Pflaume	-	-	-	-	-	-	-	-	-	0	1	
		-	-	-	-	-	-	-	-	-	0	0	
1	Black Currant/Cassis/Schwarze Johannisbeere	-	-	1	-	-	-	-	-	-	1	1	
		-	-	0	-	-	-	-	-	-	0	0	

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			B	CH	D	DK	F	I	NL	S	UK	for above period pour la période ci-dessus für obengenannte Zeit	from beginning to du début au vom Beginn bis 1977-06-30
NL (Ctd)	9	African Violet/ <i>Saintpaulia</i> /Usambaraveilchen	-	-	9	-	-	-	-	-	-	9	26
			-	-	0	-	-	-	-	-	-	0	0
	1	Red Clover/ <i>Trèfle violet</i> /Rotklee	-	-	-	-	-	-	-	-	1	1	4
			-	-	-	-	-	-	-	-	2	2	2
		Total/Gesamtzahl	-	-	17	10	-	-	-	-	64	91	401
			-	-	11	0	-	-	-	-	72	83	199

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			B	CH	D	DK	F	I	NL	S	UK	for above period pour la période ci-dessus für obengenannte Zeit	from beginning to du début au vom Beginn bis 1977-06-30
S	-	Carnation/Oeillet/Nelke	-	-	-	-	-	-	0	-	-	0	5
	-	Strawberry/Fraisier/Erdbeere	-	-	2	-	2	-	-	-	-	4	4
	-	Apple/Pommier/Apfel	-	-	-	-	-	-	-	-	3	3	6
	-	Plum/Prunier/Pflaume	-	-	-	-	-	-	-	-	0	0	0
	-	Black Currant/Cassis/Schwarze Johannisbeere	-	-	-	-	-	-	-	-	-	-	1
	-	Rose/Rosier/Rose	-	-	1	-	3	-	7	-	-	11	59
	-		-	-	1	-	6	-	7	-	-	14	43
		Total/ Gesamtzahl	-	-	3	-	5	-	7	-	3	18	78
			-	-	2	-	6	-	8	-	0	16	49

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			B	CH	D	DK	F	I	NL	S	UK	for above period pour la période ci-dessus für obengenannte Zeit	from beginning to du début au vom Beginn bis 1977-06-30	
UK	-	Velvet Bent/ <i>Agrostis des chiens</i> /Hundsstraussgras*	-	-	-	-	-	-	-	-	-	-	0	1
	-	Creeping Bent/ <i>Agrostide stolonifère</i> /Flechtstrauss- gras*	-	-	-	-	-	-	-	-	-	-	0	5
	-	Common Bent/ <i>Agrostide commune</i> /Rotes Straussgras*	-	-	-	-	-	-	2	-	-	-	2	24
	-	Alstroemeria/ <i>Alstroemère</i> /Inkalilie	-	-	-	-	-	-	0	-	-	-	0	0
	4	Carnation/ <i>Oeillet</i> /Nelke	-	-	-	-	-	-	3	-	-	-	3	16
	-	Sheep's Fescue/ <i>Fétuque ovine</i> /Schafschwingel*	-	-	-	-	-	-	0	-	-	-	2	6
	-	Freesia/Freesie	-	-	-	-	-	-	-	-	-	-	0	1
	-	Lupin/Lupine	-	-	-	-	-	-	-	-	-	-	0	1
	-	Kentucky Bluegrass/ <i>Pâturin des prés</i> /Wicosenrispe*	-	-	-	-	-	-	13	-	-	-	13	38
	6	Rose/ <i>Rosier</i> /Rose	-	-	1	-	5	-	0	-	-	-	6	32
	-	Rye/ <i>Seigle</i> /Roggen*	-	-	1	-	0	-	2	-	-	-	3	3
	-		-	-	5	-	-	-	-	-	-	-	5	6
			-	-	0	-	-	-	-	-	-	-	0	1

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			B	CH	D	DK	F	I	NL	S	UK	for above period pour la période ci-dessus für obengenannte Zeit	from beginning to du début au vom Beginn bis 1977-06-30
			UK (Ctd)	-	Maize/Maïs/Mais*	-	-	-	-	14	-	-	-
		Total/Gesamtzahl	-	-	6	-	19	-	20	-	-	45	145
		Total/Gesamtzahl	0	0	55	14	29	-	67	0	181	346	963
		[End of document/ Fin du document/ Ende des Dokuments]	0	0	25	0	17	-	23	0	75	140	368

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INFORMATION FROM MEMBER STATES

Germany (Federal Republic of): Issuance of the 3,000th Title of Protection

On December 19, 1977, the Bundessortenamt (Federal Plant Varieties Office) issued the 3,000th title of protection after the introduction of plant variety protection in the Federal Republic of Germany and the setting up of the Federal Plant Varieties Office in 1953.

Of the 3,000 titles of protection issued, presently in respect of about 150 species (agricultural crops, vegetables, fruit crops, vine and forest trees), 1,752 were in force on the said date. At present, about 600 applications for protection are filed each year and about 250 titles of protection are issued, almost half of which are in respect of varieties of foreign origin.

Protection expires yearly in respect of more than 100 varieties, so that the yearly net increase in the number of titles in force amounts to between 100 and 150.

Belgium: Extension of Protection

By the Royal Decree of November 25, 1977, Fixing the Plant Species for which a New Plant Variety Certificate may be Delivered and Fixing the Duration of Protection for Those Species, which was published in the Moniteur belge - Belgisch Staatsblad of January 20, 1978 (pages 582 to 585), protection was extended to further genera and species. The corresponding former decree of July 22, 1977, has been repealed.

The list of the genera and species which are covered by the Decree is given hereunder, as well as some details on the duration and scope of protection and the date of entry into effect of the Decree in respect of each species. The Latin, Dutch and French names appear in the Decree, whereas the English and German common names have been added, without guarantee of concordance, by the Office of the Union.

Scope of Protection/Portée de la protection/Schutzzumfang:

- A: Protection relates to any type of seed, whether certified or not.
La protection porte sur tout type de semences, certifiées ou non.
Der Schutz bezieht sich auf jeden Typ von Saatgut, ob zertifiziert oder nicht.
- B: Protection relates to the whole plant or parts thereof to be used as vegetative or reproductive propagating material.
La protection porte sur tout ou partie de la plante destinée à être utilisée comme matériel de multiplication et de reproduction.
Der Schutz bezieht sich auf die ganze Pflanze, die als vegetatives oder generatives Vermehrungsmaterial verwendet werden soll, oder Teile davon.
- C: Protection relates to the whole plant or parts thereof, as well as to any reproductive or vegetative propagating material of the variety.
La protection porte sur tout ou partie de la plante de même que sur tout élément de reproduction ou de multiplication de la variété.
Der Schutz bezieht sich auf die ganze Pflanze oder Teile davon sowie auf jedes generative oder vegetative Vermehrungsmaterial der Sorte.

Plant Variety Protection in Belgium/Protection des obtentions végétales en Belgique/Sortenschutz in Belgien

<u>Latin</u>	<u>Nederlandse</u>	<u>Français</u>	<u>English</u>	<u>Deutsch</u>	<u>Duration</u> ¹ <u>Durée</u> ¹ <u>Dauer</u> ¹	<u>Scope</u> ² <u>Portée</u> ² <u>Umfang</u> ²	<u>As from</u> ² <u>A partir de</u> ² <u>Ab</u> ²
Avena byzantina K. Koch	Byzantijnse haver	Avoine d'Algérie	Algerian Oat	Mittelmeerhafer	20	A	B
Avena nuda L.	Naakte haver	Avoine nue	Naked Oat	Nackthafer	20	A	B
Avena sativa L.	Haver	Avoine	Oat	Hafer	20	A	B
Brassica rapa L. emend. Metzg. var. rapa	Raap	Navet	Turnip	Herbstrübe, Mairübe	20	A	B
Dianthus caryophyllus L.	Anjer	Oeillet	Carnation, Pinks, Border Carnations	Nelke	20	C	C
Fragaria L.	Aardbei	Fraisier	Strawberry	Erdbeere	20	B	B
Hordeum vulgare L.	Gerst	Orge	Barley	Gerste	20	A	A
Lolium multiflorum Lam.	Italiaans raai gras Westerwolds raai gras	Ray-grass d'Italie Ray-grass de Westerwold	Italian Ryegrass Westerwold Ryegrass	Italienisches Raygras Welsches Weidelgras	20	A	A
Lolium perenne L.	Engels raai gras Hybriden van Engels-, Ital- iaans- en Westerwolds raai- gras	Ray-grass anglais Hybrides des ray-grass anglais, d'Italie et de Westerwold	Perennial Ryegrass Hybrids between Perennial, Italian and Westerwold Ryegrass	Deutsches Weidelgras Hybriden zwischen Deutschem, Italienischem und Welschem Weidel- bzw. Raygras	20 20	A A	A A
Malus Mill.	Appel	Pommier	Apple	Apfel	25	D	B
Phaseolus coccineus L.	Pronkboon	Haricot d'Espagne	Runner Bean, Kidney Bean	Prunkbohne	20	A	A
Phaseolus vulgaris L.	Boon	Haricot	French Bean	Gartenbohne	20	A	A
Pisum sativum L. sensu lato	Erwt	Pois	Pea	Erbse	20	A	A
Populus L.	Populier	Peuplier	Poplar	Pappel	25	E	B
Prunus L.	Kers, pruim, abrikoos, kers- pruim, perzik	Cerisier, prunier, abricotier, myrobolan, pêcher	Cherry, Plum, Apricot, Myro- balan, Peach	Kirsche, Pflaume, Aprikose, Myro- balane, Pfirsich	25	D	B
Pyrus L.	Peer	Poirier	Pear	Birne	25	D	B
Rhododendron L.	Azalea, Rhododendron	Azalée, Rhododendron	Azalea, Rhododendron, Azaleo- dendron	Azalée, Rhododendron	20	C	C
Ribes nigrum L.	Zwarte aalbes	Cassis	Black Currant	Schwarze Johannisbeere	25	D	B
Ribes niveum Lindl.	Witte trosbes	Groseillier blanc	White Currant	Weisse Johannisbeere	25	D	B
Ribes sylvestre (Lam.) Mert. & W. Koch	Rode trosbes	Groseillier rouge	Red Currant	Rote Johannisbeere	25	D	B
Ribes uva-crispa L.	Kruisbes	Groseillier à maquereau	Gooseberry	Stachelbeere	25	D	B
Rosa L.	Roos	Rosier	Rose	Rose	20	C	C
Secale cereale L.	Rogge	Seigle	Rye	Roggen	20	A	B
Triticum aestivum L. ssp. vulgare (Vill, Host) Mac Kay	Zachte tarwe	Blé tendre	Wheat, Soft Wheat, Bread Wheat	Weichweizen	20	A	A
Triticum durum Desf.	Harde tarwe	Blé dur	Durum Wheat, Macaroni Wheat, Hard Wheat	Durumweizen (Hartweizen)	20	A	A
Triticum spelta L.	Spelt	Epeautre	Spelt	Spelz	20	A	B

¹In years/En années/In Jahren

²See explanations page 20/Voir explications page 20/Siehe Erläuterungen Seite 20

D: All varieties, including rootstocks, except ornamental varieties may be protected. Protection relates to any part of the plant to be used as vegetative propagating material, such as plants, grafts, cuttings, layers. It relates also to any type of seed or to the pips and stones of these species, in cases where they may be used as seeds for the generative reproduction of the varieties.

Toutes les variétés, à l'exclusion des variétés ornementales mais y compris les porte-greffes, peuvent être protégées. La protection porte sur toute partie de la plante destinée à être utilisée comme matériel de multiplication, tels que plants, greffons, boutures, marcottes. Elle porte également sur tout type de semences ou sur les pépins et noyaux de ces espèces dans le cas où ils sont utilisables à titre de semences pour la reproduction des variétés par voie sexuée.

Alle Sorten, ausser Ziersorten, aber einschliesslich Unterlagen, können geschützt werden. Der Schutz bezieht sich auf alle Teile der Pflanze, die als vegetatives Vermehrungsmaterial verwendet werden sollen, z.B. Pflanzen, Pfropfreiser, Stecklinge, Senkreiser. Er bezieht sich gleichwohl auf jeden Typ von Saatgut oder auf Kerne und Steine dieser Arten, falls sie als Saatgut für die generative Vermehrung der Sorten verwendet werden können.

E: Protection relates to the cuttings and, in general, to any part of the plant to be used as vegetative or reproductive propagating material.

La protection porte sur les boutures et, d'une manière générale, sur toute partie de la plante destinée à être utilisée comme matériel de multiplication et de reproduction.

Der Schutz bezieht sich auf die Stecklinge und im allgemeinen auf alle Teile der Pflanze, die als vegetatives oder generatives Vermehrungsmaterial verwendet werden sollen.

Entry into effect/Applicabilité/Anwendbarkeit

A: On October 23, 1977 / Depuis le 23 octobre 1977 / Seit dem 23. Oktober 1977

B: On January 21, 1978 / Depuis le 21 janvier 1978 / Seit dem 21. Januar 1978

C: (a) On January 21, 1978, in the case of new varieties in respect of which protection is granted for the first time from the said date in one of the UPOV member States.

(b) On July 1, 1981, in the case of the other varieties which, on the said date, meet the requirements specified in Article 3 of the Law of May 20, 1975, on the Protection of New Plant Varieties. However, rose varieties cultivated for the production of cut flowers which were planted on January 20, 1978, are exempted from royalties for the normal duration of exploitation of the plantation, provided that such plantations are the subject of a declaration filed with the State horticultural engineer of the district before March 21, 1978. Such exemption expires on August 31, 1984.

(a) Depuis le 21 janvier 1978, pour les variétés nouvelles pour lesquelles un certificat d'obtention est délivré pour la première fois à partir de cette date dans un des Etats membres de l'UPOV.

- (b) A partir du 1er juillet 1981, pour toutes les autres variétés qui, à cette date, satisfont aux dispositions de l'article 3 de la loi du 20 mars 1975 sur la protection des obtentions végétales. Cependant, les variétés de rosier cultivées pour la production de fleurs coupées et qui, le 20 janvier 1978, ont été plantées, sont exemptées du paiement de licences, pendant la durée normale d'exploitation de la plantation, pour autant que ces plantations fassent l'objet d'une déclaration introduite auprès de l'ingénieur horticole de l'Etat de la région avant le 21 mars 1978. Cette exemption prend fin au 31 août 1984.
- (a) Seit dem 21. Januar 1978, im Falle der neuen Sorten, für die ein Schutztitel zum ersten Mal von diesem Tag an in einem UPOV-Verbandsstaat erteilt wird.
- (b) Vom 1. Juli 1981 ab, im Falle der anderen Sorten, die an diesem Tag die Bestimmungen des Artikels 3 des Sortenschutzgesetzes vom 20. Mai 1975 erfüllen. Jedoch werden für Rosensorten, die zum Zwecke der Schnittblumen-erzeugung angebaut werden und am 20. Januar 1978 angebaut worden sind, während der normalen Nutzungsdauer des Anbaus keine Gebühren erhoben, sofern ihr Anbau bis zum 21. März 1978 beim Staatsgartenbauingenieur des Gebiets angemeldet wird. Diese Gebührenfreiheit endet am 31. August 1984 ab.

PUBLICATIONS OF THE OFFICE OF THE UNION

UPOV General Information Brochure

The English version of the UPOV General Information Brochure has been reprinted in an updated version (1978). A Japanese version of the UPOV General Information Brochure has been printed. Both are available free of charge from the Office of the Union.

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CALENDAR

1. UPOV Meetings 1978
- | | |
|---|---|
| April 17 to 19
Geneva | Administrative and Legal Committee |
| April 20 and 21
Geneva | Consultative Committee |
| May 23 to 25
Zürich - Reckenholz
(Switzerland) | Technical Working Party for Agricultural
Crops |
| June 6 to 8
Hanover (Federal
Republic of Germany) | Technical Working Party for Vegetables |
| June 20 to 22
Paris (France) | Technical Working Party for Ornamental
Plants |
| September 5 to 7
Florence (Italy) | Technical Working Party for Fruit Crops |
| September 11 to 15
Geneva | Ad Hoc Committee on the Revision of the
Convention |
| September 19 to 21
Melle (Belgium) | Technical Working Party for Forest Trees |
| October 9 to 23
Geneva | Diplomatic Conference |
| November 13 to 15
Geneva | Technical Committee |
| November 15 to 17
Geneva | Administrative and Legal Committee |
| December 5 and 8
Geneva | Consultative Committee |
| December 6 to 8
Geneva | Council |
2. Meetings of Non-Governmental Organizations
- | | |
|---|--|
| March 20
Zürich
(Switzerland) | International Association of Horticultural
Producers (AIPH), Committee for Novelty
Protection |
| May 30 and 31
Hamburg (Federal
Republic of Germany) | International Association of Plant Breeders
for the Protection of Plant Varieties
(ASSINSEL), General Assembly |
| May 29 to 31
Hamburg (Federal
Republic of Germany) | International Federation of the Seed Trade
(FIS), Congress |
| June 1 to 4
Scharnhorst (Federal
Republic of Germany)
and Klarskovgaard
(Denmark) | Symposium for Grass Breeders (of ASSINSEL) |

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