



This publication has been scanned from a paper copy and may have some discrepancies from the original publication.

---

Cette publication a été numérisée à partir d'une copie papier et peut contenir des différences avec la publication originale.

---

Diese Veröffentlichung wurde von einer Papierkopie gescannt und könnte Abweichungen von der originalen Veröffentlichung aufweisen.

---

Esta publicación ha sido escaneada a partir de una copia en papel y puede que existan divergencias en relación con la publicación original.

# PLANT VARIETY PROTECTION

**Gazette and Newsletter  
of the  
International Union for the Protection of New Varieties of Plants (UPOV)**

No. 37

December 1983

Geneva

## CONTENTS

Page

### GAZETTE

#### Extension of Protection to Further Genera and Species

- Israel .....	2
- Italy .....	2
- Sweden .....	11

### NEWSLETTER

#### Member States

Hungary: Appointment of the Representatives to the Council ....	11
Ireland: Appointment of a New Controller of Plant Breeders' Rights .....	11
Japan: Appointment of a New Director of the Seeds and Seedlings Division .....	16
United Kingdom: Modification of Fees .....	16

#### Cooperation in Examination

##### Extension of Agreements

- Belgium and the Federal Republic of Germany .....	16
- Denmark and the Federal Republic of Germany .....	16
- Federal Republic of Germany and the United Kingdom .....	18
- France and the Federal Republic of Germany .....	18
- France and the Netherlands .....	40
<u>Statistics (Period from July 1, 1980, to June 30, 1981)</u> .....	42

<u>Bibliography</u> .....	41
---------------------------	----

### UPOV

Statistics on the Protection of Plant Varieties in 1980 .....	58
---	----

### Legislation

United States of America: Plant Variety Protection Act (Consolidated Text of Public Law 91-577 of December 24, 1970, as Amended by Public Law 96-574 December 22, 1980) .....	19
---	----

<u>Calendar</u> .....	60
-----------------------	----

## GAZETTE

## EXTENSION OF PROTECTION TO FURTHER GENERA AND SPECIES

## Israel

By virtue of the Plant Breeders' Rights Order (Amendment of Schedule), 5743-1983, of August 31, 1983 (Kovetz Hatakanot 4535, of September 30, 1983), protection was extended to the following (the Latin name appears in the Order, whereas the English common name has been added, without guarantee of concordance, by the Office of the Union).

<u>Latine</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
Simmondsia chinensis (Link) Schneid.	Jojoba	-	-

As regards the availability of protection to foreigners and the duration of protection, reference is made to the subsection "Israel" of the section "Extension of Protection to Further Genera and Species" published on page 12 of Plant Variety Protection No. 36.

The list of taxa covered by plant variety protection legislation is given hereunder, starting on page 4. In that list, the English, French and German common names have been added, without guarantee of concordance, by the Office of the Union.

## Italy

By virtue of the Ministerial Decree of August 6, 1983 (Gazzetta Ufficiale of September 20, 1983), Concerning the Implementation of Presidential Decree No. 974 of August 12, 1975, Containing Standards for the Protection of New Plant Varieties, protection was extended to the following (the Latin and Italian names appear in the Ministerial Decree, whereas the English, French and German common names have been added, without guarantee of concordance, by the Office of the Union):

<u>Latine</u>	<u>Italiano</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
Allium porrum L.	Porro	Leek	Poireau	Porree
Alstroemeria L.	Alstroemeria	Alstroemeria, Herb Lily	Alstroèmère, Lis des Incas	Inkalilie
Amygdalus communis L. X genus Prunus	Pesco X prugno	Peach X Plum	Pêcher X prunier	Pfirsich X Pflaume
Begonia elatior	Begonia	Begonia	Bégonia	Begonie
Castanea sativa Mill.	Castagno	Chestnut	Châtaignier	Kastanie
Ficus carica L.	Fico	Fig	Figuier	Echte Feige
Foeniculum vulgare P. Mill.	Finocchio	Fennel	Fenouil	Fenchel
[Freesia-Hybridi] <sup>1</sup>	Fresia	Freesia	Freesia	Freesia
Juglans regia L.	Noce	Walnut	Noyer	Walnuss

<sup>1</sup> Ibridi del genere Freesia.  
Hybrids from the genus Freesia.  
Hybrides du genre Freesia.  
Hybriden der Gattung Freesia.

<u>Latine</u>	<u>Italiano</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
Phoenix dactylifera L.	Palma da dattero	Date, Date Palm	Palmier dattier	Dattelpalme
Pistacia vera L.	Pistacchio	Pistache	Pistachier	Echte Pistazie
Prunus cerasus L.	Ciliegiol <sup>1</sup> acido	Morello, Sour Cherry	Cerisier (cerises acides: griottes, amarelles)	Sauerkirsche
Prunus domestica	Susino europeo	European Plum	Prunier européen	Europäische Pflaume
Prunus persica X Amygdalus communis L.	Pesco-mandorlo	Peach X Almond	Pêcher-amandier	Pfirsich X Mandel
[Prunus salicina Lindl.] <sup>2</sup>	Susino giapponese	Japanese Plum	Prunier japonais	Japanische Pflaume

The Law on Patents for Inventions (Royal Decree No. 1127 of June 29, 1939, as last amended by Decree of the President of the Republic No. 338 of June 22, 1979), which is the basic legal text governing plant variety protection in Italy, provides in its article 21 that "foreigners may obtain rights for an industrial invention on the same terms and conditions as those fixed for Italian citizens."

Pursuant to Article 4(2) of Presidential Decree No. 974 of August 12, 1975, the rights conferred by a patent in respect of a new plant variety "also extend to the production, marketing and introduction on the territory of the State of the products of the patented new variety, in cases where the predominant use of the variety occurs through the sale of plants, parts of plants or flowers to be used for ornamental purposes."

Pursuant to Article 7 of the said Decree, the duration of protection is 15 years from the date of the grant of the patent, except for plants with woody stems such as grapevines, fruit trees and their rootstocks, forest trees and ornamental trees. The effects of the patent run, moreover, from the filing date of the application.

The list of taxa covered by plant variety protection legislation is given hereunder, starting on page 7, with the same proviso as for the above list.

- 1 Nello testo originale, erroneamente denominato "Susino"  
In the original text erroneously designated as "Susino".  
Dans le texte original, dénommé par erreur "Susino"  
Im Originaltext irrtümlicherweise als "Susino" bezeichnet.
- 2 Incroci interspecifici del genere Prunus di tipo giapponese con Prunus di tipo americano.  
Interspecific hybrids between Japanese types and American types from the genus Prunus.  
Hybrides interspécifiques entre types japonais et types américains du genre Prunus.  
Interspezifische Kreuzungen zwischen japanischen Typen und amerikanischen Typen der Gattung Prunus.

List of Taxa Covered by Plant Variety Protection Legislation  
in Israel\*

Liste des taxons couverts par la législation sur la protection des  
obtentions végétales en Israël\*

Liste der taxonomischen Einheiten, die in Israel  
der Sortenschutzgesetzgebung unterliegen\*

<u>Latine</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
Allium cepa L.	Onion	Oignon	Zwiebel
Allium sativum L.	Garlic	Ail	Knoblauch
Alstroemeria L.	Alstroemeria	Alstroemère, Lis des Incas	Inkalilie,
Amygdalus communis L.	Almond	Amandier	Mandel
Anemone L.	Anemone	Anémone	Anemone, Windröschen
Annona cherimola Mill.; A. squamosa L.	Annona, Cherimoya; Annona, Sugar Apple, Sweet Sop	Chérimolier; Pommier-cannelle	"Cherimoya"; Rahmapfel, Süß- sack, Zuckerapfel
Anthurium Schott	Anthurium, Tail Flower	Anthurium	Schwanzblume
Arachis hypogaea L.	Peanut	Arachide	Erdnuss
Aster L.	Aster	Aster	Sommeraster
Avena sativa L.	Oat	Avoine	Hafer
Begonia L.	Begonia	Bégonia	Begonie
Brassica oleracea L. convar. botrytis (L.) Alef.	Cauliflower	Chou-fleur	Blumenkohl
Capsicum annum L.	Sweet Pepper, Cap- sicum, Chili	Poivron, Piment	Paprika
Carthamus tinctorius L.	Safflower	Carthame, Safran bâtard	Saflor, Färberdistel
Carum carvi L.	Caraway	Carvi, Cumin des prés	Kümmel
Carya illinoensis (Wangenh.) C. Koch	Pecan Nut	Pacancier	Pekan, Pekannuss
Catharanthus roseus (L.) G. Don	Vinca	Catharanthus	Catharanthus
Chrysanthemum L.	Chrysanthemum	Chrysanthème	Chrysantheme
Cicer arietinum L.	Chick-pea	Pois chiche	Kichererbse
Citrullus lanatus (Thunb.) Matsum. et Nakai	Watermelon	Pastèque	Wassermelone

\* This list is based on a translation from the originals in Hebrew published in Reshumot (original list) and in Kovetz Hatakanot (subsequent amendments).

Cette liste est fondée sur une traduction des textes originaux en hébreu publiés dans Reshumot (liste initiale) et dans Kovetz Hatakanot (modifications ultérieures).

Diese Liste stützt sich auf eine Übersetzung der in Reshumot (Originalliste) und in Kovetz Hatakanot (spätere Änderungen) in hebräisch veröffentlichten Originaltexte.

<u>Latine</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
Citrus spec.	Citrus	Agrumes	Zitrus
Cucumis melo L.	Muskmelon	Melon	Melone
Cucumis sativus L.	Cucumber, Gherkin	Concombre, Cornichon	Gurke
Cucurbita pepo L.	Pumpkin, Marrow, Courgette	Courge, Pâtisson, Citrouille	Gartenkürbis, Ölkürbis
Cynara spp.	Artichoke, Cardoon	Artichaut, Cardon	Artischoke, Kardone
Dianthus L.	Carnation	Oeillet	Nelke
Diospyros kaki L. f.	Japanese Persimmon, Kaki	Plaqueminier, Kaki	Kakipflaume
Duboisia leichardtii F. Moell.	Duboisia	Duboisia	Duboisie
Eriobotrya japonica (Thunb.) Lindl.	Loquat	Néflier du Japon	Japanische Mispel, Loquate
Fragaria L.	Strawberry	Fraisier	Erdbeere
Freesia Klatt	Freesia	Freesia	Freesie
Gerbera L.	Gerbera	Gerbera	Gerbera
Gladiolus L.	Gladiolus	Glaïeul	Gladiole
Gossypium L.	Cotton	Cotonnier	Baumwolle
Gypsophila L.	Gyp, Gypsophila, Baby's Breath	Gypsophile	Gipskraut, Schleierkraut
Helianthus annuus L.	Common Sunflower	Tournesol, Soleil	Sonnenblume
Hordeum vulgare L.	Barley	Orge	Gerste
Iris L.	Iris	Iris	Iris, Schwertlilie
Kalanchoë Adans.	Kalanchoë	Kalanchoë	Kalanchoë
Lactuca sativa L.	Lettuce	Laitue	Salat
Leucadendron R. Br.	Leucadendron	Leucadendron	Leucadendron
Leucospermum R. Br.	Leucospermum	Leucospermum	Leucospermum
Liatris Gaertn. ex Schreb.	Liatris, Blazing Star, Gayfeather	Liatris	Prachtscharte
Lilium L.	Lily	Lis	Lilie
Limonium Mill.	Sea Lavender, Statice	Limonium, Statice	Widerstoss, Meerlavendel
Litchi sinensis Sonn.	Litchi	Litchi	Litschi
Lycopersicon esculentum P. Mill.	Tomato	Tomate	Tomate
Malus sylvestris Mill.	Apple	Pommier	Apfel
Mangifera indica L.	Mango	Manguier	Mango
Medicago hispida Gaertn.; M. sativa L.	Alfalfa (Hairy Medick and Lucerne)	Luzerne (hérissée et cultivée)	Schneckenklee (Sichelluzerne und Blaue Luzerne)
Musa L.	Banana	Bananier	Banane

<u>Latine</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
Narcissus L.	Narcissus, Daffodil, Jonquil	Narcisse, Jonquille	Narzisse
Nicotiana tabacum L.	Tobacco (common)	Tabac	Tabak
Olea europaea L.	Olive	Olivier	Ölbaum, Olive
Orchidaceae Juss.	Orchids	Orchidées	Orchideen
Oryzopsis holciformis (N. B.) Hack.	Oryzopsis	Petit millet, Oryzopsis, Faux-millet	Grannenhirse
Pelargonium L'Hér. ex Ait.	Pelargonium	Pelargonium	Pelargonie
Persea americana Mill.	Avocado	Avocatier	Avocado
Petunia Juss.	Petunia	Pétunia	Petunie
Phalaris tuberosa L.	Hardings Grass	Herbe de Harding, Alpiste tubéreux	Knolliges Glanzgras
Phaseolus vulgaris L.	French Bean	Haricot	Gartenbohne
Prunus armeniaca	Apricot	Abricotier	Aprikose
Prunus domestica L.; P. salicina Lindl.	Plum	Prunier	Pflaume
Prunus persica (L.) Batsch	Peach	Pêcher	Pfirsich
Pyrus communis L.	Pear	Poirier	Birne
Ranunculus L.	Ranunculus, Buttercup	Renoncule	Hahnenfuss
Ricinus communis L.	Castorbean	Ricin	Wunderbaum, Palma Christi
Rosa L.	Rose	Rosier	Rose
Saintpaulia ionantha H. Wendl.	African Violet	Saintpaulia	Usambaraveilchen
Sesamum indicum L.	Sesame	Sésame	Sesam
Simmondsia chinensis (Link) Schneid.	Jojoba	-	-
Solanum melongena L. var. esculentum Nees	Eggplant, Aubergine	Aubergine	Eierfrucht, Aubergine
Solanum tuberosum L.	Potato	Pomme de terre	Kartoffel
Sorghum vulgare Pers.	Sorghum	Sorgho	Mohrenhirse
Trifolium alexandrinum L.; T. berytheum Boiss.; T. repens L. T. subterraneum L.	Clover	Trèfle	Klee
Triticum aestivum L. emend. Fiori et Paol. (T. aestivum L. ssp. vulgare (Vill., Host) Mac Kay); Triticum durum Desf.	Wheat	Blé	Weizen
Vicia faba L.	Horse Bean	Fève	Dicke Bohne
Vicia sativa L.	Common Vetch	Vesce commune	Saatwicke
Vitis vinifera L.	Vine	Vigne	Rebe
Zea mays L.	Maize	Maïs	Mais

List of Taxa Covered by Plant Variety Protection Legislation  
in Italy\*

Liste des taxons couverts par la législation sur la protection des  
obtentions végétales en Italie\*

Liste der taxonomischen Einheiten, die in Italien der  
Sortenschutzgesetzgebung unterliegen\*

<u>Latine</u>	<u>Italiano</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
Agrostis spec.	Agrostidi	Bentgrass	Agrostis, Agrostide	Straussgras
Allium cepa L.	Cipolla	Onion	Oignon	Zwiebel
Allium porrum L.	Porro	Leek	Poireau	Porree
Alstroemeria L.	Alstroemeria	Alstroemeria, Herb Lily	Alstroèmère, Lis des Incas	Inkalilie
Amygdalus communis L.	Mandorlo	Almond	Amandier	Mandel
Amygdalus communis L. X genus Prunus	Pesco X prugno	Peach X Plum	Pêcher X prunier	Pfirsich X Pflaume
Apium graveolens L.	Sedano	Celery, Celeriac	Céleri, Céleri-rave	Sellerie
Asparagus officinalis L.	Asparagio	Asparagus	Asperge	Spargel
Avena sativa L.	Avena	Oats	Avoine	Hafer
Begonia elatior	Begonia	Begonia	Bégonia	Begonie
Beta vulgaris L.	Barbabietola da foraggio e da zucchero	Fodder and Sugar Beets	Betteraves fourragère et sucrière	Runkel- und Zuckerrübe
Brassica napus oleifera L.	Colza	Swede Rape, including Oilseed Rape	Colza	Raps
Brassica oleracea L.	Cavolfiore, Broccoli	Cauliflower, Sprouting Broccoli, Calabrese	Chou-fleur, Brocoli	Blumenkohl, Brokkoli, Spargelkohl
Capsicum annuum L.	Peperone	Sweet Pepper, Capsicum, Chili	Poivron, Piment	Paprika
Castanea sativa Mill.	Castagno	Chestnut	Châtaignier	Kastanie
Chrysanthemum spec.	Crisantemi, Margherite	Chrysanthemums, Daisies	Chrysanthèmes, Marguerites	Chrysanthemen, Margeriten

\* The Latin names preceded by an asterisk have been added by the Office of the Union.

Les noms latins précédés d'un astérisque ont été ajoutés par le Bureau de l'Union.

Die durch ein Sternchen gekennzeichneten lateinischen Namen sind durch das Verbandsbüro eingetragen worden.



<u>Latine</u>	<u>Italiano</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
Cichorium endivia L.	Indivia, Scarola	Endive	Chicorée frisée, Scarole	Winterendivie
Cichorium intybus L.	Cicoria, Radicchio	Chicory	Chicorée, Endive	Salatzichorie, Wurzelzichorie
Citrus limon L. (Burmam)	Limone	Lemon	Citronnier	Zitrone, Sauerzitronne, Limone
Citrus paradisi (Macfadyen)	Pompelmo	Grapefruit	Pomélo	Grapefruit
Citrus reticulata (Blanco)	Mandarino	Mandarine	Mandarinier	Mandarine
*Citrus reticulata X C. paradisi	Tangelo	Tangelo	Tangelo	Tangelo
*Citrus reticulata X C. sinensis	Tangor	Tangor	Tangor	Tangor
Citrus sinensis (L.) Osbeck	Arancio dolce	Orange	Oranger	Apfelsine, Orange
Codiaeum variegatum L.	Croton	Croton	Croton	Wunderstrauch, Croton
Cucumis sativus L.	Cetriolo	Cucumber, Gherkin	Concombre, Cornichon	Gurke
Cucurbita pepo L.	Zucchini	Pumpkin, Marrow, Courgette	Courge, Citrouille, Pâtisson	Gartenkürbis, Ölkurbis
Cyclamen persicum L.	Ciclamini	Cyclamens	Cyclamens de Perse	Alpenveilchen
Cynara scolymus L.	Carciofo	Globe Artichoke	Artichaut	Artischocke
Daucus carota L.	Carota	Carrot	Carotte	Möhre
*Dianthus spec.	Garofano	Carnation	Oeillet	Nelke
Dieffenbachia spec.	Dieffenbachia	Dieffenbachia	Dieffenbachia	Dieffenbachia
Dracaena spec.	Dracena	Dragon Tree	Dragonnier	Drachenbaum
Euphorbia pulcherrima	Poinsettia	Poinsettia	Poinsettia	Poinsettie, Weihnachtsstern
Ficus carica L.	Fico	Fig	Figuier	Echte Feige
Foeniculum vulgare P. Mill.	Finocchio	Fennel	Fenouil	Fenchel
Fragaria L.	Fragola	Strawberry	Fraisier	Erdbeere
[Freesia-Hybridi] <sup>1</sup>	Fresia	Freesia	Freesia	Freesia
Gerbera spec.	Gerbera	Gerbera	Gerbera	Gerbera
Gladiolus spec.	Gladiolo	Gladiolus	Glaïeul	Gladiole

<sup>1</sup> Ibridi del genere Freesia.  
 Hybrids from the genus Freesia.  
 Hybrides du genre Freesia.  
 Hybriden der Gattung Freesia.

<u>Latine</u>	<u>Italiano</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
Glycine max L.	Soia	Soya Bean, Soybean	Soja	Sojabohne
Helianthus annuus L.	Girasole	Common Sunflower	Tournesol, Soleil	Sonnenblume
*Hordeum spec.	Orzo	Barley	Orge	Gerste
Iris spec.	Iris	Iris	Iris	Iris
Juglans regia L.	Noce	Walnut	Noyer	Walnuss
Lactuca sativa L.	Lattuga	Lettuce	Laitue	Salat
Lilium spec.	Lilium	Lily	Lis	Lilie
Lolium multiflorum Lam.	Loietto comune, Loietto italico	Italian Ryegrass, Westerwold Ryegrass	Ray-grass d'Italie	Welsches Weidelgras, Italienisches Raygras
Malus communis L.	Melo	Apple	Pommier	Apfel
*Medicago spec.	Erba medica	Alfalfa, Lucerne	Luzerne	Schneckenklee
Nicotiana tabacum L.	Tabacco	Tobacco (common)	Tabac	Tabak
Olea europaea L.	Olivo	Olive	Olivier	Ölbaum, Olive
*Oryza spec.	Riso	Rice	Riz	Reis
Pelargonium spec.	Gerani, Pelargoni	Geraniums, Pelargoniums	Géraniums, Pelargoniums	Pelargonien
Petunia spec.	Petunia	Petunia	Pétunia	Petunie
Phaseolus vulgaris L.	Fagiolo	French Bean	Haricot	Gartenbohne
Phoenix dactylifera L.	Palma da dattero	Date, Date Palm	Palmier dattier	Dattelpalme
Pistacia vera L.	Pistacchio	Pistache	Pistachier	Echte Pistazie
Pisum sativum L.	Pisello da orto	Garden Pea	Pois (potager)	Gemüseerbse
Poa spec.	Poa	Meadow-Grass	Pâturin	Rispengras
*Populus spec.	Pioppo	Poplar	Peuplier	Pappel
Prunus armeniaca L.	Albicocco	Apricot	Abricotier	Aprikose
Prunus avium L.	Ciliegio dolce	Sweet Cherry	Cerisier (cerises douces : guignes, bigarreaux)	Süsskirsche
Prunus cerasus L.	Ciliegio <sup>1</sup> acido	Morello, Sour Cherry	Cerisier (cerises acides: griottes, amarelles)	Sauerkirsche

<sup>1</sup> Nello testo originale, erroneamente denominato "Susino"  
 In the original text erroneously designated as "Susino".  
 Dans le texte original, dénommé par erreur "Susino"  
 Im Originaltext irrtümlicherweise als "Susino" bezeichnet.

<u>Latine</u>	<u>Italiano</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
<i>Prunus domestica</i>	Susino europeo	European Plum	Prunier européen	Europäische Pflaume
<i>Prunus persica</i> (Stokes)	Pesco	Peach	Pêcher	Pfirsich
<i>Prunus persica</i> X <i>Amygdalus</i> <i>communis</i> L.	Pesco-mandorlo	Peach X Almond	Pêcher-amandier	Pfirsich X Mandel
[ <i>Prunus salicina</i> Lindl.] <sup>1</sup>	Susino giapponese	Japanese Plum	Prunier japonais	Japanische Pflaume
<i>Pyrus communis</i> L.	Pero	Pear	Poirier	Birne
<i>Ranunculus</i> <i>asiaticus</i>	Ranuncolo	Garden Ranunculus	Renoncule des jardins	Ranunkel
* <i>Rosa spec.</i>	Rosa	Rose	Rosier	Rose
<i>Saintpaulia</i> <i>ionantha</i> H. Wendl.	Saintpaulia	African Violet	Saintpaulia	Usambaraveilchen
<i>Secale cereale</i> L.	Segale	Rye	Seigle	Roggen
<i>Solanum</i> <i>lycopersicum</i> L.	Pomodoro	Tomato	Tomate	Tomate
<i>Solanum</i> <i>melongena</i> L.	Melanzana	Eggplant, Aubergine	Aubergine	Eierfrucht, Aubergine
<i>Solanum</i> <i>tuberosum</i> L.	Patata	Potato	Pomme de terre	Kartoffel
<i>Sorghum vulgare</i> L.	Sorgo	Sorghum	Sorgho	Mohrenhirse
<i>Spinacia</i> <i>oleracea</i> L.	Spinacio	Spinach	Epinard	Spinat
* <i>Trifolium spec.</i>	Trifoglio	Clover	Trèfle	Klee
Triticale	Triticale	Triticale	Triticale	Triticale
* <i>Triticum spec.</i>	Grano	Wheat	Blé	Weizen
<i>Vicia faba</i> L.	Fava	Broad Bean, Horse Bean, Field Bean, Tick Bean	Fève, Féverole	Dicke Bohne (Puffbohne), Ackerbohne
* <i>Vitis spec.</i>	Vite e suoi portainnesti	Grapevine, and its rootstocks	Vigne et ses porte-greffes	Rebe und derer Unterlagen
* <i>Zea spec.</i>	Mais	Maize	Maïs	Mais

<sup>1</sup> Incroci interspecifici del genere *Prunus* di tipo giapponese con *Prunus* di tipo americano.

Interspecific hybrids between Japanese types and American types from the genus *Prunus*.

Hybrides interspecifiques entre types japonais et types américains du genre *Prunus*.

Interspezifische Kreuzungen zwischen japanischen Typen und amerikanischen Typen der Gattung *Prunus*.

## Sweden

By virtue of the Law of November 10, 1982 (SFS : 991 of December 7, 1982), Amending the Plant Breeders' Rights Law of May 27, 1971 (SFS : 392 of June 23, 1971), protection was extended, with effect from January 1, 1983, to the following (the Latin and Swedish names appear in the Law, whereas the English, French and German common names have been added, without guarantee of concordance, by the Office of the Union):

<u>Latine</u>	<u>Svensk</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
Salix spp.	Pil, Sälq, Vide	Willow	Saule	Weide

The availability of protection to foreigners is governed by Article 3 of the Plant Breeders' Rights Law of May 27, 1971, as last amended by the Law of November 10, 1982, which reads as follows:

"A breeder who has created a plant variety in the country, or his successor in title, may obtain through registration the exclusive right to commercially exploit the variety in accordance with this Law (plant breeder's right).

"A breeder who is a Swedish national or is domiciled in Sweden, or such breeder's successor in title, may acquire a plant breeder's right also in respect of a variety which has been created abroad.

"A plant breeder's right may also be acquired

1. by a breeder who has created a plant variety in a foreign State which is bound by the Convention of December 2, 1961, for the Protection of New Varieties of Plants, or by such breeder's successor in title.

2. by a breeder who is a national of or is domiciled in such a State and who has created a plant variety abroad in a case other than the one mentioned under 1, or by such breeder's successor in title.

"A plant breeder's right may be acquired in still another case, if the Government considers that it is of significant interest for Swedish food supply or for Swedish plant growing."

Pursuant to Article 21 of the above-mentioned Law, the duration of protection is 20 years, computed from the beginning of the year following that in which the decision on the registration of a plant breeder's right gains force of law.

The list of taxa covered by plant variety protection legislation is given below, starting on page 12, with the same proviso as above.

## NEWSLETTER

## MEMBER STATES

## Hungary: Appointment of the Representatives to the Council

Dr. Bálint Szalóczy, Director General of the Institute for Plant Production and Qualification of the Ministry of Agriculture and Food, has been appointed representative of Hungary on the UPOV Council and Dr. Jenő Bobrovsky, Director General of the National Office of Inventions has been appointed alternate representative.

## Ireland: Appointment of a New Controller of Plant Breeders' Rights

Mr. Patrick J. O'Leary has been appointed Controller of Plant Breeders' Rights and representative of Ireland on the UPOV Council, in replacement of Mr. John K. O'Donohoe, who has taken up another function.

[Section continued on page 16]

List of Taxa Covered by Plant Variety Protection Legislation  
in Sweden

Liste des taxons couverts par la législation sur la protection des  
obtentions végétales en Suède

Liste der taxonomischen Einheiten, die in Schweden der  
Sortenschutzgesetzgebung unterliegen

A. Lantbruksväxter / Agricultural Crops / Plantes agricoles / Landwirtschaftliche Pflanzen

<u>Latine</u>	<u>Svensk</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
Agrostis spp.	Ven	Bentgrass	Agrostis, Agrostide	Straussgras
Alopecurus pratensis L.	Ångskavle	Meadow Foxtail	Vulpin des prés	Wiesenfuchsschwanz
Avena byzantina K. Koch	Rödhavre	Algerian Oats	Avoine (d'Algérie)	Mittelmeerhafer
Avena sativa L.	Havre	Oats	Avoine	Hafer
Beta vulgaris L. ssp. vulgaris var. altissi- ma Doell	Sockerbeta	Sugar Beet	Betterave sucrière	Zuckerrübe
Beta vulgaris L. ssp. vulgaris var. crassa Alef.	Foderbeta	Fodder Beet	Betterave four- ragère	Runkelrübe
Brassica napus L. var. oleifera Metzg.	Raps	Swede Rape, incl. Oilseed Rape	Colza	Raps
Brassica napus L. var. napobrassica (L.) Rchb.	Kålrot	Swede	Chou-navet, Rutabaga	Kohlrübe
Brassica nigra (L.) W. Koch	Svartsenap	Black Mustard	Moutarde noire	Schwarzer Senf
Brassica oleracea L. ssp. acephala DC.	Fodermärgkål	Fodder Kale	Chou fourrager	Futterkohl
Brassica rapa L. var. oleifera Metzg.	Rybs	Turnip Rape	Navette	Rübsen
Brassica rapa L. var. rapifera Metzg.	Rova	Turnip	Navet	Herbstrübe, Mairübe
Bromus arvensis L.	Renlosta	Field Brome	Brome des champs	Ackertrespe
Bromus inermis Leyss.	Foderlosta	Smooth Brome (Awnless Brome)	Brome inerme	Wehrlose Trespe
Camelina sativa (L.) Crantz	Oljedådra	Large-seeded False Flax	Caméline cultivée	Angebauter Leindotter
Cannabis sativa L.	Hampa	Hemp	Chanvre	Hanf
Cynosurus cristatus L.	Kamäxing	Crested Dog's-tail	Crételle	Kammgras
Dactylis glomerata L.	Hundäxing	Cocksfoot, Orchard Grass	Dactyle	Knautgras
Festuca spp.	Svingel	Fescue	Fétuque	Schwingel
Glycine max (L.) Merrill	Sojaböna	Soya Bean, Soybean	Soja	Sojabohne
Helianthus annuus L.	Solros	Common Sunflower	Tournesol, Soleil	Sonnenblume

<u>Latine</u>	<u>Svensk</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
<i>Hordeum vulgare</i> L.	Korn	Barley	Orge	Gerste
<i>Linum usitatissimum</i> L.	Lin	Flax, Linseed	Lin	Lein
<i>Lolium</i> spp.	Rajgräs	Ryegrass	Ray-grass	Weidelgras
<i>Lupinus angustifolius</i> L.	Blålupin	Blue Lupin	Lupin bleu	Blaue Lupine
<i>Lupinus luteus</i> L.	Gullupin	Yellow Lupin	Lupin jaune	Gelbe Lupine
<i>Medicago</i> spp.	Lusern	Alfalfa, Lucerne	Luzerne	Schneckenklee
<i>Ornithopus sativus</i> Brot.	Seradella	Serradella	Serradelle	Serradella
<i>Papaver somniferum</i> L.	Vallmo	Opium Poppy	Oeillette, Pavot	Mohn
<i>Phalaris arundinacea</i> L.	Rörflen	Reed Canary Grass	Alpiste roseau	Rohrglanzgras
<i>Phaseolus vulgaris</i> L.	Böna	French Bean	Haricot	Gartenbohne
<i>Phleum</i> spp.	Timotej	Timothy	Fléole	Lieschgras
<i>Pisum sativum</i> L.	Ärt	Pea	Pois	Erbse
<i>Poa</i> spp.	Gröe	Meadow-grass	Pâturin	Rispengras
<i>Secale cereale</i> L.	Råg	Rye	Seigle	Roggen
<i>Sinapis alba</i> L.	Vitsenap	White Mustard	Moutarde blanche	Weisser Senf
<i>Solanum tuberosum</i> L.	Potatis	Potato	Pomme de terre	Kartoffel
<i>Trifolium hybridum</i> L.	Alsikeklöver	Alsike Clover	Trèfle hybride	Schwedenklee
<i>Trifolium pratense</i> L.	Rödklöver	Red Clover	Trèfle violet	Rotklee
<i>Trifolium repens</i> L.	Vitklöver	White Clover	Trèfle blanc	Weissklee
<i>Triticum aestivum</i> L. emend. Fiori et Paol.	Vete	Wheat, Soft Wheat, Bread Wheat	Blé tendre, Froment	Weichweizen
<i>Triticum durum</i> Desf.	Makaronivete	Durum Wheat, Macaroni Wheat, Hard Wheat	Blé dur	Hartweizen
<i>Vicia faba</i> L. var. minor Harz	Åkerböna	Field Bean, Tick Bean	Féverole	Ackerbohne
<i>Vicia sativa</i> L.	Fodervicker	Common Vetch	Vesce commune	Saatwicke
<i>Vicia villosa</i> Roth	Luddvicker	Hairy Vetch	Vesce velue	Zottelwicke
<i>Zea mays</i> L.	Majs	Maize	Maïs	Mais

B. Trädgårdsväxter / Horticultural Crops / Plantes horticoles / Gartenbauliche Pflanzen

1. Köksväxter / Vegetables / Plantes potagères / Gemüsepflanzen

<u>Latine</u>	<u>Svensk</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
<i>Allium</i> spp.	Lök	-	-	Lauch
<i>Anethum graveolens</i> L.	Dill	Dill	Aneth	Dill
<i>Apium graveolens</i> L.	Selleri	Celery, Celeriac	Céleri, Céleri-rave	Sellerie
<i>Asparagus officinalis</i> L.	Sparris	Asparagus	Asperge	Spargel

<u>Latine</u>	<u>Svensk</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
Beta vulgaris L. ssp. vulgaris var. conditiva Alef.	Rödbeta	Garden Beet, Beetroot	Betterave rouge, Betterave potagère	Rote Rübe
Brassica napus L. var. napobrassica (L.) Rchb.	Kålrot	Swede	Chou-navet, Rutabaga	Kohlrübe
Brassica oleracea L.	Kål	Brassica vegetables	Choux maraîchers	Gemüsekohl
Capsicum annum L.	Paprika	Sweet Pepper, Capsicum, Chili	Poivron, Piment	Paprika
Cucumis melo L.	Melon	Melon	Melon	Melone
Cucumis sativus L.	Gurka	Cucumber, Gherkin	Concombre, Cornichon	Gurke
Daucus carota L.	Morot	Carrot	Carotte	Möhre
Glycine max (L.) Merrill	Sojaböna	Soya Bean, Soybean	Soja	Sojabohne
Lactuca sativa L.	Sallat	Lettuce	Laitue	Salat
Lycopersicon esculentum P. Mill.	Tomat	Tomato	Tomate	Tomate
Pastinaca sativa L.	Palsternacka	Parsnip	Panais	Pastinak
Petroselinum crispum (Mill.) Nym. ex A. W. Hill	Persilja	Parsley	Persil	Petersilie
Phaseolus vulgaris L.	Böna	French Bean	Haricot	Gartenbohne
Pisum sativum L.	Ärt	Pea	Pois	Erbse
Raphanus sativus L. var. niger (Mill.) S. Kerner	Rättika	Black Radish	Radis d'été, d'automne et d'hiver	Rettich
Raphanus sativus L. var. radicola Pers.	Rädisa	Radish	Radis de tous les mois	Radieschen
Spinacia oleracea L.	Spenat	Spinach	Epinard	Spinat
Vicia faba L. var. major Harz	Bondböna	Broad Bean, Horse Bean	Fève	Dicke Bohne (Puffbohne)
Zea mays L.	Majs	Maize	Maïs	Mais

## 2. Fruktträd och bärväxter / Fruit Crops / Plantes fruitières / Obstpflanzen

<u>Latine</u>	<u>Svensk</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
Fragaria spp.	Jordgubbar, Smultron	Strawberry	Fraisier	Erdbeere
Malus spp.	Äpple	Apple	Pommier	Apfel
Prunus spp.	Körsbär, Plommon, Persika, Aprikos	Cherry, Plum, Peach, Apricot	Cerisier, Prunier, Pêcher, Abricotier	Kirsche, Pflaume, Pfirsich, Aprikose
Pyrus spp.	Päron	Pear	Poirier	Birne
Ribes spp.	Vinbär, Krusbär	Currants, Gooseberry	Cassis, Groseilliers	Johannisbeeren, Stachelbeere

<u>Latine</u>	<u>Svensk</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
Rubus spp.	Hallon, Björnbär	Raspberry, Blackberry	Framboisier, Ronce fruitière	Himbeere, Brombeere
Vaccinium spp.	Blåbär, Lingon	Bilberry, Whortleberry, Cranberry, Cowberry	Airelle, Myrtille	Heidelbeere, Preisselbeere, Moosbeere
-	Grunstam för Malus, Pyrus, Prunus och Ribes	Rootstocks for Malus, Pyrus, Prunus and Ribes	Porte-greffes pour Malus, Pyrus, Prunus et Ribes	Unterlagen für Malus, Pyrus, Prunus und Ribes

### 3. Prydnadsväxter / Ornamental Plants / Plantes ornementales / Zierpflanzen

<u>Latine</u>	<u>Svensk</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
Alstroemeria L.	Perulilja	Alstroemeria, Herb Lily	Alstroemère, Lis des Incas	Inkalilie
Begonia elatior (Begonia x hiemalis)	Begonia	Elatior Begonia	Bégonia elatior	Elatior-Begonie
Chrysanthemum spp.	Krysantemum	Chrysanthemum	Chrysanthème	Chrysantheme
Dianthus caryophyllus L.	Nejljika	Carnation	Oeillet	Nelke
Euphorbia pulcherrima Willd. ex Klotzsch	Julstjärna	Poinsettia	Poinsettia	Poinsettie, Weihnachtsstern
Pelargonium-Peltatum- Hybridi	Hängpelargon	Ivy-leaved Pelargonium	Géranium-lierre	Efeupelargonie
Pelargonium-Zonale- Hybridi	Vanlig Pelargon	Zonal Pelargonium	Géranium, Pelar- gonium zonale	Zonalpelargonie
Pelargonium-Peltatum x Pelargonium-Zonale- Hybridi	-	-	-	Halbpeltaten
Phaseolus coccineus L.	Rosenböna	Runner Bean, Kidney Bean	Haricot d'Espagne	Prunkbohne
Potentilla fruticosa L.	Tok	Shrubby Cinquefoil	Potentille ligneuse	Strauchfingerkraut
Rosa spp.	Ros	Rose	Rosier	Rose
Saintpaulia ionantha H. Wendl.	Saintpaulia	African Violet	Saintpaulia	Usambaraveilchen
Streptocarpus X hybridus Voss	Kornett- blomma	Streptocarpus	Streptocarpus	Drehfrucht

### C. Skogsträd / Forest Trees / Arbres forestiers / Forstbäume

<u>Latin</u>	<u>Svensk</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
Salix spp.	Pil, Sälga, Vide	Willow	Saule	Weide



### Japan: Appointment of a New Director of the Seeds and Seedlings Division

Mr. Michiyuki Tsuchiyama has been appointed Director of the Seeds and Seedlings Division and representative of Japan on the UPOV Council, in replacement of Mr. Ryusuke Yoshimura, who has taken up another function.

### United Kingdom: Modification of Fees

The following amendments have been made in the fee tariff, with effect from November 1, 1983, by virtue of the Plant Breeders' Rights (Fees) (Amendment No. 2) Regulations 1983 and the Seeds (National List of Varieties) (Fees) (Amendment No. 2) Regulations 1983:

(i) the testing fees have been increased, with respect to cereals, to £525 for the first year of tests and £485 for any subsequent year of tests;

(ii) a fee amounting to £1000 has been introduced, with respect to wheat, barley and oats, for the first year of tests for value for cultivation and use (VCU tests).

Concerning the other fees, which remain unchanged, and the details of the operation of the fee system, reference is made to Plant Variety Protection No. 36, page 21.

## COOPERATION IN EXAMINATION

### EXTENSION OF AGREEMENTS

#### Belgium and the Federal Republic of Germany

The Administrative Agreement providing for cooperation in the examination of plant varieties for distinctness, homogeneity and stability concluded between the Service de la protection des obtentions végétales (SPOV - Service for the Protection of New Plant Varieties) of Belgium and the Bundessortenamt (BSA - Federal Office of Plant Varieties) of the Federal Republic of Germany (see UPOV Newsletter No. 13, page 6, and No. 17, page 11, and Plant Variety Protection No. 27, page 18, and No. 36, page 22) was extended, with effect from November 1, 1983, to the following, which will be examined by the SPOV on behalf of the BSA:

#### Taxon whose varieties will be examined by Belgium

<u>Latine</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
Begonia X tuberhybrida Voss	Tuberous Begonia	Bégonia tubéreux	Knollenbegonie

Concerning the list of the taxa whose varieties are examined by the Federal Republic of Germany on behalf of Belgium, reference is made to Plant Variety Protection No. 36, page 22.

#### Denmark and the Federal Republic of Germany

The Administrative Agreement providing for cooperation in the examination of plant varieties for distinctness, homogeneity and stability concluded between the Plantenyhedsnaevnet (PN - Board for Plant Novelties) of Denmark and the Bundessortenamt (BSA - Federal Office of Plant Varieties) of the Federal Republic of Germany (see UPOV Newsletter No. 8, page 8, and No. 18, page 7) was extended, with effect from February 1, 1983, to Rhipsalidopsis Britt. et Rose and Schlumbergera Lem., which will be examined by the PN on behalf of the BSA. The taxa now covered by this agreement are listed on page 17 below.

Administrative Agreement on Cooperation in Examination  
Between Denmark and the Federal Republic of Germany

Accord administratif de coopération en matière d'examen  
entre le Danemark et la République fédérale d'Allemagne

Verwaltungsvereinbarung für die Zusammenarbeit bei der Prüfung  
zwischen Dänemark und der Bundesrepublik Deutschland

1. Taxa whose varieties will be examined by Denmark / Taxons dont les variétés seront examinées par le Danemark / Taxonomische Einheiten, deren Sorten durch Dänemark geprüft werden

<u>Purpose<sup>1</sup></u>	<u>Latine</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
P	Euphorbia fulgens Karw.	Euphorbia fulgens	Euphorbia fulgens	Korallenranke
P	Euphorbia pulcherrima Willd. ex Klotzsch	Poinsettia	Poinsettia	Poinsettie (Weihnachtsstern)
P	Juniperus spec.	Juniper	Genévrier	Wacholder
L-P	Medicago lupulina L.	Black Medick, Yellow Trefoil	Luzerne lupuline, Minette	Gelbklee (Hopfenklee)
P	Rhipsalidopsis Britt. et Rose	Easter Cactus	Cactus de Pâques	Osterkaktus
P	Schlumbergera Lem.	Christmas Cactus	Cactus de Noël	Weihnachtskaktus
P	Thuja spec.	Thuja	Thuya	Lebensbaum
L-P	Trifolium hybridum L.	Alsike Clover	Trèfle hybride	Schwedenklee
L-P	Trifolium pratense L.	Red Clover	Trèfle violet	Rotklee

2. Taxa whose varieties will be examined by the Federal Republic of Germany / Taxons dont les variétés seront examinées par la République fédérale d'Allemagne / Taxonomische Einheiten, deren Sorten durch die Bundesrepublik Deutschland geprüft werden

<u>Purpose<sup>1</sup></u>	<u>Latine</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
P	Begonia-Elatior-Hybridi	Elatior Begonia	Bégonia elatior	Elatior-Begonie
P	Fragaria spec.	Strawberry	Fraisier	Erdbeere
P	Kalanchoë Adans.	Kalanchoë	Kalanchoë	Kalanchoë
L-P	Lupinus albus L.	White Lupin	Lupin blanc	Weisslupine
L-P	Lupinus angustifolius L.	Blue Lupin	Lupin bleu	Blaue Lupine
L-P	Lupinus luteus L.	Yellow Lupin	Lupin jaune	Gelbe Lupine
P	Pelargonium-Peltatum-Hybridi	Ivy-leaved Pelargonium	Géranium-lierre	Efeupelargonie
P	Pelargonium-Zonale-Hybridi	Zonal Pelargonium	Géranium, Pelar- gonium zonale	Zonalpelargonie
P	Pelargonium-Peltatum X P.-Zonale-Hybridi	-	-	Halbpeltaten
P	Rhododendron spec.	Rhododendron, Azalea	Rhododendron, Azalée	Rhododendron, Azalee
P	Ribes nigrum L.	Black Currant	Cassis	Schwarze Johannisbeere
P	Ribes niveum Lindl.	White Currant	Groseillier blanc	Weisse Johannisbeere
P	Ribes sylvestre (Lam.) Mert. et Koch	Red Currant	Groseillier rouge	Rote Johannisbeere
P	Ribes uva-crispa L.	Gooseberry	Groseillier à maquereau	Stachelbeere
P	Rosa L.	Rose	Rosier	Rose
P	Rubus subg. Eubatus Focke	Blackberry	Ronce fruitière	Brombeere
P	Saintpaulia ionantha H. Wendl.	African Violet	Saintpaulia	Usambaraveilchen
L-P	Secale cereale L.	Rye	Seigle	Roggen
L-P	Zea mays L.	Maize	Maïs	Mais

1 L = National List / Catalogue / Sortenliste.  
P = Protection / Sortenschutz.

### Federal Republic of Germany and the United Kingdom

The Administrative Agreement providing for cooperation in the examination of plant varieties for distinctness, homogeneity and stability concluded between the Bundessortenamt (BSA - Federal Office of Plant Varieties) of the Federal Republic of Germany, on the one hand, and the Minister of Agriculture, Fisheries and Food, the Secretaries of State for Scotland, Northern Ireland and Wales and the Controller of Plant Variety Rights in the United Kingdom, on the other (see UPOV Newsletter No. 18, page 9) was extended, with effect from September 1, 1982, to Begonia-Elatior-Hybridi, Saintpaulia ionantha H. Wendl. and X Triticale, which will be examined by the BSA on behalf of the United Kingdom authorities. The taxa now covered by this agreement are listed below.

1. Taxa whose varieties will be examined by the Federal Republic of Germany / Taxons dont les variétés seront examinées par la République fédérale d'Allemagne / Taxonomische Einheiten, deren Sorten durch die Bundesrepublik Deutschland geprüft werden

<u>Latine</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
Begonia-Elatior-Hybridi	Elatior Begonia	Bégonia elatior	Elatior-Begonie
Lupinus albus L.	White Lupin	Lupin blanc	Weisslupine
Lupinus angustifolius L.	Blue Lupin	Lupin bleu	Blaue Lupine
Lupinus luteus L.	Yellow Lupin	Lupin jaune	Gelbe Lupine
Saintpaulia ionantha H. Wendl.	African Violet	Saintpaulia	Usambaraveilchen
Secale cereale L.	Rye	Seigle	Roggen
X Triticale	Triticale	Triticale	Triticale

2. Taxa whose varieties will be examined by the United Kingdom / Taxons dont les variétés seront examinées par le Royaume-Uni / Taxonomische Einheiten, deren Sorten durch das Vereinigte Königreich geprüft werden

Chrysanthemum spec.	Perennial Chrysanthemums	Chrysanthèmes vivaces	Ausdauernde Chrysanthemen
Malus domestica Borkh.	Apple	Pommier	Apfel
Malus Mill. excluding M. domestica Borkh. and all varieties of apple root- stocks of Malus spp.	Ornamental Apple	Pommier orne- mental	Zierapfel
Potentilla L.	Cinquefoil	Potentille	Fingerkraut

### France and the Federal Republic of Germany

The Administrative Agreement providing for cooperation in the examination of plant varieties for distinctness, homogeneity and stability concluded between the Comité de la protection des obtentions végétales (CPOV - Committee for the Protection of New Plant Varieties) and the Groupe d'étude et de contrôle des variétés et des semences (GEVES - Group for the Study and Control of Varieties and Seeds) of France, on the one hand, and the Bundessortenamt (BSA - Federal Office of Plant Varieties) of the Federal Republic of Germany, on the other (see UPOV Newsletter No. 8, page 8, No. 17, page 11 and No. 21, page 16, and Plant Variety Protection No. 27, page 18) was extended, with effect from July 1, 1982, to Kalanchoë Adans., which will be examined by the BSA on behalf of the CPOV. The taxa now covered by this agreement are listed on page 39 below.

[Subsection continued on page 39]

---

**UNITED STATES OF AMERICA****Plant Variety Protection Act\***

Consolidated Text of Public Law 91-577 of December 24, 1970,  
as Amended by Public Law 96-574 of December 22, 1980\*\*

**TITLE I****Plant Variety Protection Office****CHAPTER I****Organization and Publications****Section 1****Establishment**

There is hereby established in the Department of Agriculture an office to be known as the Plant Variety Protection Office, which shall have the functions set forth in this Act.

**Section 2****Seal**

The Plant Variety Protection Office shall have a seal with which documents and certificates evidencing plant variety protection shall be authenticated.

**Section 3****Organization**

The organization of the Plant Variety Protection Office shall, except as provided herein, be determined by the Secretary of Agriculture (hereinafter called the Secretary). The office shall devote itself substantially exclusively to the administration of this Act.

**Section 4****Restrictions on Employees as to Interest in Plant Variety Protection**

Employees of the Plant Variety Protection Office shall be ineligible during the periods of their employment, to apply for plant variety protection and to acquire directly or indirectly, except by inheritance or bequest, any

---

\* Full title: An Act to encourage the development of novel varieties of sexually reproduced plants and to make them available to the public, providing protection available to those who breed, develop, or discover them, and thereby promoting progress in agriculture in the public interest.

\*\* Consolidated text prepared by the Office of the Union from texts published in the US Statutes:

Public Law 91-577: 84 Stat. 1542;  
Public Law 96-574: 94 Stat. 3350.

right or interest in any matters before that office. This section shall not apply to members of the Plant Variety Protection Board who are not otherwise employees of the Plant Variety Protection Office.

#### **Section 5**

[repealed]

#### **Section 6**

##### **Regulations**

The Secretary may establish regulations, not inconsistent with law, for the conduct of proceedings in the Plant Variety Protection Office after consultations with the Plant Variety Protection Board.

#### **Section 7**

##### **Plant Variety Protection Board**

(a) Appointment. - The Secretary shall appoint a Plant Variety Protection Board. The Board shall consist of individuals who are experts in various areas of varietal development covered by this Act. Membership of the Board shall include farmer representation and shall be drawn approximately equally from the private or seed industry sector and from the sector of government or the public. The Secretary or his designee shall act as chairman of the Board without voting rights except in the case of ties.

(b) Functions of the Board. - The functions of the Plant Variety Protection Board shall include:

- (1) Advising the Secretary concerning the adoption of Rules and Regulations to facilitate the proper administration of this Act;
- (2) Making advisory decisions on all appeals from the examiner. The Board shall determine whether to act as a full Board or by panels it selects; and whether to review advisory decisions made by a panel. For service on such appeals, the Board may select, as temporary members, experts in the area to which the particular appeal relates; and
- (3) Advising the Secretary on all questions under section 44.

(c) Compensation of Board. - The members of the Plant Variety Protection Board shall serve without compensation except for standard government reimbursable expenses.

#### **Section 8**

##### **Library**

The Secretary shall maintain a library of scientific and other works and periodicals, both foreign and domestic, in the Plant Variety Protection Office to aid the examiners in the discharge of their duties.

#### **Section 9**

##### **Register of Protected Plant Varieties**

The Secretary shall maintain a register of descriptions of United States protected plant varieties.

## Section 10

### **Publications**

(a) The Secretary may publish or cause to be published, in such format as he shall determine to be suitable, the following:

- (1) descriptions of plant varieties protected including drawings and photographs;
- (2) the Official Journal of the Plant Variety Protection Office, including annual indices;
- (3) pamphlet copies of the plant variety protection laws and rules of practice and circulars or other publications relating to the business of the Office.

(b) The Secretary may (1) establish public facilities for the searching of plant variety protection records and materials, and (2) from time to time, as through an information service, disseminate to the public those portions of the technological and other public information available to or within the Plant Variety Protection Office to encourage innovation and promote the progress of plant breeding.

(c) The Secretary may exchange any of the publications specified for publications desirable for the use of the Plant Variety Protection Office. The Secretary may exchange copies of descriptions, drawings, and photographs of United States protected plant varieties for copies of descriptions, drawings, and photographs of applications and protected plant varieties of foreign countries.

## Section 11

### **Copies for Public Libraries**

The Secretary may supply printed copies of descriptions, drawings, and photographs of protected plant varieties to public libraries in the United States which shall maintain such copies for the use of the public.

## **CHAPTER 2**

### Legal Provisions as to the Plant Variety Protection Office

## Section 21

### **Day for Taking Action Falling on Saturday, Sunday, or Holiday**

When the day, or the last day, for taking any action or paying any fee in the United States Plant Variety Protection Office falls on Saturday, Sunday, a holiday within the District of Columbia, or on any other day the Plant Variety Protection Office is closed for the receipt of papers, the action may be taken or the fee paid, on the next succeeding business day.

## Section 22

### **Form of Papers Filed**

The Secretary may by regulations prescribe the form of papers to be filed in the Plant Variety Protection Office.

## Section 23

### **Testimony in Plant Variety Protection Office Cases**

The Secretary may establish regulations for taking affidavits, depositions, and other evidence required in cases before the Plant Variety Protection

Office. Any officer authorized by law to take depositions to be used in the courts of the United States, or of the State where he resides, may take such affidavits and depositions, and swear the witnesses. If any person acts as a hearing officer by authority of the Secretary, he shall have like power.

#### Section 24

##### **Subpoenas; Witnesses**

(a) The clerk of any United States court for the district wherein testimony is to be taken in accordance with regulations established by the Secretary for use in any contested case in the Plant Variety Protection Office shall, upon the application of any party thereof, issue a subpoena for any witness residing or being within such district or within one hundred miles of the stated place in such district, commanding him to appear and testify before an officer in such district authorized to take depositions and affidavits, at the time and place stated in the subpoena. The provisions of the Federal Rules of Civil Procedure relating to the attendance of witnesses and the production of documents and things shall apply to contested cases in the Plant Variety Protection Office insofar as consistent with such regulations.

(b) Every witness subpoenaed or testifying shall be allowed the fees and traveling expenses allowed to witnesses attending the United States district courts.

(c) A judge of a court whose clerk issued a subpoena may enforce obedience to the process or punish disobedience as in other like cases, on proof that a witness, served with such subpoena, neglected or refused to appear or to testify. No witness shall be deemed guilty of contempt for disobeying such subpoena unless his fees and traveling expenses in going to, and returning from, one day's attendance at the place of examination, are paid or tendered him at the same time of the service of the subpoena; nor for refusing to disclose any secret matter except upon appropriate order of the court which issued the subpoena or of the Secretary.

#### Section 25

##### **Effect of Defective Execution**

Any document to be filed in the Plant Variety Protection Office and which is required by any law or regulation to be executed in a specified manner may be provisionally accepted by the Secretary despite a defective execution, provided a properly executed document is submitted within such time as may be prescribed.

#### Section 26

##### **Regulations for Practice Before the Office**

The Secretary shall prescribe regulations governing the admission to practice and conduct of persons representing applicants or other parties before the Plant Variety Protection Office. The Secretary may, after notice and opportunity for a hearing, suspend or exclude, either generally or in any particular case, from further practice before the Office of Plant Variety Protection any person shown to be incompetent or disreputable or guilty of gross misconduct.

#### Section 27

##### **Unauthorized Practice**

Anyone who in the United States engages in direct or indirect practice before the Office of Plant Variety Protection while suspended or excluded under section 26, or without being admitted to practice before the Office, shall be liable in a civil action for the return of all money received, and

for compensation for damage done by such person and also may be enjoined from such practice. However, there shall be no liability for damage if such person establishes that the work was done competently and without negligence. This section does not apply to anyone who, without a claim of self-sufficiency, works under the supervision of another who stands admitted and is the responsible party; nor to anyone who establishes that he acted only on behalf of any employer by whom he was regularly employed.

### CHAPTER 3

#### Variety Protection Fees

##### Section 31

##### **Plant Variety Protection Fees; Appropriations**

The Secretary shall, under such regulations as he may prescribe, charge and collect reasonable fees for services performed under this Act. Such fees shall be deposited into the Treasury as miscellaneous receipts. There are hereby authorized to be appropriated such funds as may be necessary to carry out the provisions of this Act.

##### Section 32

##### **Payment of Plant Variety Protection Fees; Return of Excess Amounts**

All fees shall be paid to the Secretary, and the Secretary may refund any sum paid by mistake or in excess of the fee required.

### TITLE II

#### Protectability of Plant Varieties and Certificates of Protection

### CHAPTER 4

#### Protectability of Plant Varieties

##### Section 41

##### **Definitions and Rules of Construction**

The definitions and rules of construction set forth in this section apply for the purposes of this Act.

(a) The term "novel variety" may be represented by, without limitation, seed, transplants, and plants, and is satisfied if there is:

- (1) Distinctness in the sense that the variety clearly differs by one or more identifiable morphological, physiological or other characteristics (which may include those evidenced by processing or product characteristics, for example, milling and baking characteristics in the case of wheat) as to which a difference in genealogy may contribute evidence, from all prior varieties of public knowledge at the date of determination within the provisions of section 42; and
- (2) Uniformity in the sense that any variations are describable, predictable and commercially acceptable; and
- (3) Stability in the sense that the variety, when sexually reproduced or reconstituted, will remain unchanged with regard to its essential and distinctive characteristics with a reasonable degree of reliability commensurate with that of varieties of the same category in which the same breeding method is employed.



(b) The terms "United States" and "this country" mean the United States of America, its territories and possessions, and the Commonwealth of Puerto Rico.

(c) The term "kind" means one or more related species or subspecies singly or collectively known by one common name, for example, soybean, flax, or radish.

(d) The term "date of determination" means the date when there has been at least tentative determination that the variety has been sexually reproduced with recognized characteristics, whether or not the novelty of those characteristics has been determined.

(e) The term "breeder" shall mean the person who-

- (1) directs the final breeding creating the novel variety, or
- (2) discovers the novel variety, and

makes the tentative determination described in subsection (d). Where such actions are conducted by an agent on behalf of his principal, the principal, rather than the agent, shall be considered the breeder. The terms "breed", "develop", "originate", and "discover", and derivatives thereof shall each include the other.

(f) The term "sexually reproduced" shall include any production of a variety by seed.

(g) The term "basic seed" means the seed planted to produce certified or commercial seed.

(h) The term "testing" means testing or experimental use of a variety before any sale thereof. Sale for other than seed purposes of seed or other plant material produced as the result of testing shall not constitute a sale for the purpose of the preceding sentence or for the purpose of the following subsection.

(i) The term "public variety" means a variety sold or used in this country, or existing in and publicly known in this country; but use for the purpose of testing, or sale or use as individual plants not known to be sexually reproducible, shall not make the variety a public variety.

(j) A variety described in a publication as specified in section 42(a)(1)(B) is "effectively available to workers in this country" if a source from which it can be purchased is indicated in such publication or readily determinable or if such publications teaches how to produce the variety from source-material effectively available to workers in this country.

## **Section 42**

### **Right to Plant Variety Protection; Plant Varieties Protectable**

(a) The breeder of any novel variety of sexually reproduced plant (other than fungi, bacteria, or first generation hybrids) who has so reproduced the variety, or his successor in interest, shall be entitled to plant variety protection therefor, subject to the conditions and requirements of this title unless one of the following bars exists:

- (1) Before the date of determination thereof by the breeder, or more than one year before the effective filing date of the application therefor, the variety was (A) a public variety in this country, or (B) effectively available to workers in this country and adequately described by a publication reasonably deemed a part of the public technical knowledge in this country which description must include a disclosure of the principal characteristics by which the variety is distinguished.
- (2) An application for protection of the variety based on the same breeder's acts, was filed in a foreign country by the owner or his privies more than one year before the effective filing date of the application filed in the United States.

- (3) Another is entitled to an earlier date of determination for the same variety and such other (A) has a certificate of plant variety protection hereunder or (B) has been engaged in a continuing program of development and testing to commercialization, or (C) has within six months after such earlier date of determination adequately described the variety by a publication reasonably deemed a part of the public technical knowledge in this country which description must include a disclosure of the principal characteristics by which the variety is distinguished.

(b) The Secretary may, by regulation, extend for a reasonable period of time the one year time period provided in subsection (a) for filing applications, and may in that event provide for at least commensurate reduction of the term of protection.

### Section 43

#### **Reciprocity Limits**

Protection under the Act may, by regulation, be limited to nationals of the United States, except where this limitation would violate a treaty and except that nationals of a foreign state in which they are domiciled shall be entitled to so much of the protection here afforded as is afforded by said foreign state to nationals of the United States for the same genus and species.

### Section 44

#### **Public Interest in Wide Usage**

The Secretary may declare a protected variety open to use on a basis of equitable remuneration to the owner, not less than a reasonable royalty, when he determines that such declaration is necessary in order to insure an adequate supply of fiber, food, or feed in this country and that the owner is unwilling or unable to supply the public needs for the variety at a price which may reasonably be deemed fair. Such declaration may be, with or without limitation, with or without designation of what the remuneration is to be; and shall be subject to review as under section 71 or 72 (any finding that the price is not reasonable being reviewable), and shall remain in effect not more than two years. In the event litigation is required to collect such remuneration, a higher rate may be allowed by the court.

## **CHAPTER 5**

### Applications; Form, Who May File, Relating Back, Confidentiality

### Section 51

#### **Application for Recognition of Plant Variety Rights**

(a) An application for a certificate of Plant Variety Protection may be filed by the owner of the variety sought to be protected. The application shall be made in writing to the Secretary, shall be signed by or on behalf of the applicant, and shall be accompanied by the prescribed fee.

(b) An error as to the naming of the breeder, without deceptive intent, may be corrected at any time, in accordance with regulations established by the Secretary.

### Section 52

#### **Content of Application**

An application for a certificate recognizing plant variety rights shall contain:

- (1) The name of the variety except that a temporary designation will suffice until the certificate is to be issued.
- (2) A description of the variety setting forth its novelty and a description of the genealogy and breeding procedure, when known. The Secretary may require amplification, including the submission of adequate photographs or drawings or plant specimens, if the description is not adequate or as complete as is reasonably possible, and submission of records or proof of ownership or of allegations made in the application. An applicant may add to or correct the description at any time, before the certificate is issued, upon a showing acceptable to the Secretary that the revised description is retroactively accurate. Courts shall protect others from any injustice which would result. The Secretary may accept records of the breeder and of any official seed certifying agency in this country as evidence of stability where applicable.
- (3) A declaration that a viable sample of basic seed necessary for propagation of the variety will be deposited and replenished periodically in a public repository in accordance with regulations to be established hereunder.
- (4) A statement of the basis of applicant's ownership.

### Section 53

#### **Joint Breeders**

- (a) When two or more persons are the breeders, one (or his successor) may apply, naming the others.
- (b) The Secretary, after such notice as he may prescribe, may issue a certificate of plant variety protection to the applicant and such of the other breeders (or their successors in interest) as may have subsequently joined in the application.

### Section 54

#### **Death or Incapacity of Breeder**

Legal representatives of deceased breeders and of those under legal incapacity may make application for plant variety protection upon compliance with the requirements and on the same terms and conditions applicable to the breeder or his successor interest.

### Section 55

#### **Benefit of Earlier Filing Date**

(a) An application for a certificate of plant variety protection filed in this country based on the same variety, and on rights derived from the same breeder, on which there has previously been filed an application for plant variety protection in a foreign country which affords similar privileges in the case of applications filed in the United States by nationals of the United States, shall have the same effect as the same application would have if filed in the United States on the date on which the application for plant variety protection for the same variety was first filed in such foreign country, if the application in this country is filed within twelve months from the earliest date on which such foreign application was filed. No application shall be entitled to a right of priority under this section, unless the applicant designates the foreign application in his application or by amendment thereto and, if required by the Secretary, furnishes such copy, translation or both, as the Secretary may specify.

(b) An application for a certificate of plant variety protection for the same variety as was the subject of an application previously filed in the United States by or on behalf of the same person, or by his predecessor in title,

shall have the same effect as to such variety as though filed on the date of the prior application if filed before the issuance of the certificate or other termination of proceedings on the first application or on an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application.

(c) A later application shall not by itself establish that a characteristic newly described was in the variety at the time of the earlier application.

#### **Section 56**

##### **Confidential Status of Application**

Applications for plant variety protection and their contents shall be kept in confidence by the Plant Variety Protection Office, by the Board, and by the offices in the Department of Agriculture to which access may be given under regulations. No information concerning the same shall be given without the authority of the owner, unless necessary under special circumstances as may be determined by the Secretary, except that the Secretary may publish the variety names designated in applications, stating the kind to which each applies, the name of the applicant, and whether the applicant specified that the variety is to be sold by variety name only as a class of certified seed.

#### **Section 57**

##### **Publication**

The Secretary may establish regulations for the publication of information regarding any pending application when publication is requested by the owner.

### **CHAPTER 6**

#### **Examination, Response Time, Initial Appeals**

#### **Section 61**

##### **Examination of Application**

The Secretary shall cause an examination to be made of the application and if on such examination it is determined that the applicant is entitled to plant variety protection under the law, the Secretary shall issue a notice of allowance of plant variety protection therefor as hereinafter provided.

#### **Section 62**

##### **Notice of Refusal; Reconsideration**

(a) Whenever an application is refused, or any objection or requirement made by the examiner, the Secretary shall notify the applicant thereof, stating the reasons therefor, together with such information and references as may be useful in judging the propriety of continuing the prosecution of the application; and if after receiving such notice the applicant requests reconsideration, with or without amendment, the application shall be reconsidered.

(b) For taking appropriate action after the mailing to him of an action other than allowance, an applicant shall be allowed six months, or such other time as the Secretary in exceptional circumstances shall set in the refusal, or such time as he may allow as an extension. Without such extension, action may be taken up to three months late by paying an additional fee to be prescribed by the Secretary.

### **Section 63**

#### **Initial Appeal**

When an application for plant variety protection has been refused by the Plant Variety Protection Office, the applicant may appeal to the Secretary. The Secretary shall seek the advice of the Plant Variety Protection Board on all appeals, before deciding the appeal.

## **CHAPTER 7**

### **Appeals to Courts and Other Review**

#### **Section 71**

##### **Appeals**

From the decisions made under sections 44, 63, 91, 92 and 128 appeal may, within sixty days or such further times as the Secretary allows, be taken under the Federal Rules of Appellate Procedure. The Court of Customs and Patent Appeals and United States Courts of Appeals shall have jurisdiction, with venue in the case of the latter as stated in 28 U.S.C. 2343.

#### **Section 72**

##### **Civil Action Against Secretary**

An applicant dissatisfied with a decision under section 63 or 91 of this title, may, as an alternative to appeal, have remedy by civil action against the Secretary in the United States District Court for the District of Columbia. Such action shall be commenced within sixty days after such decision or within such further time as the Secretary allows. The court may, in the case of review of a decision by the Secretary refusing plant variety protection, adjudge that such applicant is entitled to receive a certificate of plant variety protection for his variety as specified in his application as the facts of the case may appear, on compliance with the requirements of this Act.

#### **Section 73**

##### **Appeal or Civil Action in Contested Cases**

(a) A party to a proceeding under section 92 of this title, dissatisfied with the decision, may take an appeal under section 71 or may have remedy by civil action if commenced within sixty days after such decision or within such further time as the Secretary allows. A party contemplating appeal as provided herein shall notify all adverse parties of his intention and any such adverse party, not the Secretary, shall have the right, by notice served within ten days of the notice to him, to elect that any review shall be by civil action. In such suits the record in the Plant Variety Protection Office shall be admitted on motion of any party upon the terms and conditions as to costs, expenses, and the further cross-examination of witnesses, as the court imposes, without prejudice to the right of the parties to take further testimony. The testimony and exhibits of the record in the Plant Variety Protection Office when admitted shall have the same effect as if originally taken and produced in the suit.

(b) Such suit may be instituted against the party in interest as shown by the record of the Plant Variety Protection Office at the time of the decision complained of, but any party in interest may become a party to the action. If there be adverse parties residing in a plurality of districts not embraced within the same State, or an adverse party residing in a foreign country, the United States District Court for the District of Columbia, or any United States district court to which it may transfer the case, shall have jurisdiction and may issue summons against the adverse parties directed to the marshal of any

district in which any adverse party resides. Summons against adverse parties residing in foreign countries may be served by publication or otherwise as the court directs. The Secretary shall not be made a party but he shall have the right to intervene. Judgment of the court in favor of the right of an applicant to plant variety protection shall authorize the Secretary to issue a certificate of plant variety protection on the filing in the Plant Variety Protection Office of a certified copy of the judgment and on compliance with the requirements of this Act.

## CHAPTER 8

### Certificates of Plant Variety Protection

#### Section 81

##### **Plant Variety Protection**

(a) If it appears that a certificate of plant variety protection should be issued on an application, a written notice of allowance shall be given or mailed to the owner. The notice shall specify the sum, constituting the issue fee, which shall be paid within one month thereafter.

(b) Upon timely payment of this sum, and provided that deposit of seed has been made in accordance with section 52(3), the certificate of plant variety protection shall issue.

(c) If any payment required by this section is not timely made, but is submitted with an additional fee prescribed by the Secretary within nine months after the due date or within such further time as the Secretary may allow, it shall be accepted.

#### Section 82

##### **How issued**

A certificate of plant variety protection shall be issued in the name of the United States of America under the seal of the Plant Variety Protection Office, and shall be signed by the Secretary or have his signature placed thereon, and shall be recorded in the Plant Variety Protection Office.

#### Section 83

##### **Contents and Term of Plant Variety Protection**

(a) Every certificate of plant variety protection shall certify that the breeder (or his successor in interest), his heirs or assignees, has the right, during the term of the plant variety protection, to exclude others from selling the variety, or offering it for sale, or reproducing it, or importing it, or exporting it, or using it in producing (as distinguished from developing) a hybrid or different variety therefrom, to the extent provided by this Act. If the owner so elects, the certificate shall also specify that in the United States, seed of the variety shall be sold by variety name only as a class of certified seed and, if specified, shall also conform to the number of generations designated by the owner. Any rights, or all rights except those elected under the preceding sentence, may be waived; and the certificate shall conform to such waiver. The Secretary may at his discretion permit such election or waiver to be made after certificating and amend the certificate accordingly, without retroactive effect.

(b) The term of plant variety protection shall expire eighteen years from the date of issue of the certificate in the United States. If the certificate is not issued within three years from the effective filing date, the Secretary may shorten the term by the amount of delay in the prosecution of the application attributed by the Secretary to the applicant.

(c) The term of plant variety protection shall also expire if the owner fails to comply with regulations, in force at the time of certificating, relating to replenishing seed in a public repository: Provided, however, That this expiration shall not occur unless notice is mailed to the last owner recorded as provided in section 101(d) and he fails, within the time allowed thereafter, not less than three months, to comply with said regulations, paying an additional fee to be prescribed by the Secretary.

#### Section 84

##### **Correction of Plant Variety Protection Office Mistake**

Whenever a mistake in a certificate of plant variety protection incurred through the fault of the Plant Variety Protection Office is clearly disclosed by the records of the Office, the Secretary may issue, without charge, a corrected certificate of plant variety protection, stating the fact and nature of such mistake. Such certificate of plant variety protection shall have the same effect and operation in law as if the same had been originally issued in such corrected form.

#### Section 85

##### **Correction of Applicant's Mistake**

Whenever a mistake of a clerical or typographical nature, or of minor character, or in the description of the variety, which was not the fault of the Plant Variety Protection Office, appears in a certificate of plant variety protection and a showing has been made that such mistake occurred in good faith, the Secretary may, upon payment of the required fee, issue a corrected certificate if the correction could have been made before the certificate issued. Such certificate of plant variety protection shall have the same effect and operation in law as if the same had been originally issued in such corrected form.

#### Section 86

##### **Correction of Named Breeder**

An error as to the naming of a breeder in the application, without deceptive intent, shall not affect validity of plant variety protection and may be corrected at any time by the Secretary in accordance with regulations established by him or upon order of a federal court before which the matter is called in question. Upon such correction the Secretary shall issue a certificate accordingly. Such correction shall not deprive any person of any rights he otherwise would have had.

### **CHAPTER 9**

#### Reexamination After Issue, and Contested Proceedings

#### Section 91

##### **Reexamination After Issue**

(a) Any person may, within five years after the issuance of a certificate of plant variety protection, notify the Secretary in writing of facts which may have a bearing on the protectability of the variety, and the Secretary may cause such plant variety protection to be reexamined in the light thereof.

(b) Reexamination of plant variety protection under this section and appeals shall be pursuant to the same procedures and with the same rights as for original examinations. Abandonment of the procedure while subject to a ruling

against the retention of the certificate shall result in cancellation of the plant variety certificate thereon and notice thereof shall be endorsed on copies of the description of the protected plant variety thereafter distributed by the Plant Variety Protection Office.

(c) If a person acting under subsection (a) makes a prima facie showing of facts needing proof, the Secretary may direct that the reexamination include such interparty proceedings as he shall establish.

### **Section 92**

#### **Priority Contest**

(a) If the Secretary determines that two applications of different applicants may be based on the same variety, he may:

- (1) Initiate a priority contest on his own motion whether or not one of the applications may have been certificated; or
- (2) Issue a certificate on the application having the earliest effective filing date, with notice to all; or
- (3) Issue a certificate naming alternative owners, under a single variety name acceptable to both.

(b) On request of any person when a certificate has been issued naming another as an owner or alternative owner, both having applied for protection on the same variety, the Secretary shall institute a priority contest, except that any person shall have forfeited his right to assert priority for the purpose of obtaining plant variety protection when an adverse certificate has issued if he fails to make the request within one year of the mailing of notice specified in part (2) above or if he fails to make the request within the period for taking action after refusal of his application on the basis of the adverse certificate.

### **Section 93**

#### **Effect of Adverse Final Judgment or of Non Action**

(a) A final judgment under section 92 adverse to an application from which no appeal or other review had been or can be taken or had shall constitute cancellation of any certificating on that application, and notice thereof shall be endorsed on copies of the description of the protected plant variety thereafter distributed by the Plant Variety Protection Office.

(b) Any person who has not proceeded in accordance with the provision of this chapter shall not be foreclosed or in any way prejudiced with respect to the defense of an infringement suit or affirmative relief under declaratory judgment proceedings.

(c) No person subject to an adverse decision in a proceeding under this chapter shall be foreclosed with respect to asserting comparable grounds in defense of an infringement suit or as a basis for affirmative relief under declaratory judgment proceedings.

### **Section 94**

#### **Interfering Plant Variety Protection**

The owner of a certificate of plant variety protection may have relief against another owner of a certificate of the same variety by civil action, and the court may adjudge the question of validity of the respective certificates, or the ownership of the certificate. The provisions of section 73(b) of this title shall apply to actions brought under this section.



**TITLE III****Plant Variety Protection and Rights****CHAPTER 10****Ownership and Assignment****Section 101****Ownership and Assignment**

(a) Subject to the provisions of this title, plant variety protection shall have the attributes of personal property.

(b) Applications for certificates of plant variety protection, or any interest in a variety, shall be assignable by an instrument in writing. The owner may in like manner license or grant and convey an exclusive right to use of the variety in the whole or any specified part of the United States.

(c) A certificate of acknowledgement under the hand and official seal of a person authorized to administer oaths within the United States, or in a foreign country, of a diplomatic or consular officer of the United States or an officer authorized to administer oaths whose authority is proved by a certificate of a diplomatic or consular officer of the United States, shall be prima facie evidence of the execution of an assignment, grant, license, or conveyance of plant variety protection or application for plant variety protection.

(d) An assignment, grant, conveyance or license shall be void as against any subsequent purchaser or mortgagee for a valuable consideration, without notice, unless it, or an acknowledgment thereof by the person giving such encumbrance that there is such encumbrance, is filed for recording in the Plant Variety Protection Office within one month from its date or at least one month prior to the date of such subsequent purchase or mortgage.

**Section 102****Ownership During Testing**

An owner who, with notice that release is for testing only, releases possession of seed or other sexually reproducible plant material for testing retains ownership with respect thereto; and any diversion from authorized testing, or any unauthorized retention, of such material by anyone who has knowledge that it is under such notice, or who is chargeable with notice, is prohibited, and violates the property rights of the owner. Anyone receiving the material tagged or labeled with the notice is chargeable with the notice. The owner is entitled to remedy and redress in a civil action hereunder. No remedy available by State or local law is hereby excluded. No such notice shall be used, or if used be effective, when the owner has made identical sexually reproducible plant material available to the public, as by sale thereof.

**CHAPTER 11****Infringement of Plant Variety Protection****Section 111****Infringement of Plant Variety Protection**

Except as otherwise provided in this title, it shall be an infringement of the rights of the owner of a novel variety to perform without authority,

any of the following acts in the United States, or in commerce which can be regulated by Congress or affecting such commerce, prior to expiration of the right to plant variety protection but after either the issue of the certificate or the distribution of a novel plant variety with the notice under section 127:

- (1) sell the novel variety, or offer it or expose it for sale, deliver it, ship it, consign it, exchange it, or solicit an offer to buy it, or any other transfer of title or possession of it;
- (2) import the novel variety into, or export it from, the United States;
- (3) sexually multiply the novel variety as a step in marketing (for growing purposes) the variety; or
- (4) use the novel variety in producing (as distinguished from developing) a hybrid or different variety therefrom; or
- (5) use seed which had been marked "Unauthorized Propagation Prohibited" or "Unauthorized Seed Multiplication Prohibited" or progeny thereof to propagate the novel variety; or
- (6) dispense the novel variety to another, in a form which can be propagated, without notice as to being a protected variety under which it was received; or
- (7) perform any of the foregoing acts even in instances in which the novel variety is multiplied other than sexually, except in pursuance of a valid United States plant patent; or
- (8) instigate or actively induce performance of any of the foregoing acts.

#### Section 112

##### **Grandfather Clause**

Nothing in this Act shall abridge the right of any person, or his successor in interest, to reproduce or sell a variety developed and produced by such person more than one year prior to the effective filing date of an adverse application for a certificate of plant variety protection.

#### Section 113

##### **Right To Save Seed; Crop Exemption**

Except to the extent that such action may constitute an infringement under subsections (3) and (4) of section 111, it shall not infringe any right hereunder for a person to save seed produced by him from seed obtained, or descended from seed obtained, by authority of the owner of the variety for seeding purposes and use such saved seed in the production of a crop for use on his farm, or for sale as provided in this section: Provided, That without regard to the provisions of section 111(3) it shall not infringe any right hereunder for a person, whose primary farming occupation is the growing of crops for sale for other than reproductive purposes, to sell such saved seed to other persons so engaged, for reproductive purposes, provided such sale is in compliance with such State laws governing the sale of seed as may be applicable. A bona fide sale for other than reproductive purposes, made in channels usual for such other purposes, of seed produced on a farm either from seed obtained by authority of the owner for seeding purposes or from seed produced by descent on such farm from seed obtained by authority of the owner for seeding purposes shall not constitute an infringement. A purchaser who diverts seed from such channels to seeding purposes shall be deemed to have notice under section 127 that his actions constitute an infringement.

#### Section 114

##### **Research Exemption**

The use and reproduction of a protected variety for plant breeding or other bona fide research shall not constitute an infringement of the protection provided under this Act.

**Section 115****Intermediary Exemption**

Transportation or delivery by a carrier in the ordinary course of its business as a carrier, or advertising by a person in the advertising business in the ordinary course of that business, shall not constitute an infringement of the protection provided under this Act.

**CHAPTER 12****Remedies for Infringement of Plant Variety  
Protection, and Other Actions****Section 121****Remedy for Infringement of Plant Variety Protection**

An owner shall have remedy by civil action for infringement of his plant variety protection under section 111. If a variety is sold under the name of a variety shown in a certificate, there is a prima facie presumption that it is the same variety.

**Section 122****Presumption of Validity; Defenses**

(a) Certificates of plant variety protection shall be presumed valid. The burden of establishing invalidity of a plant variety protection shall rest on the party asserting invalidity.

(b) The following shall be defenses in any action charging infringement and shall be pleaded: (1) noninfringement, absence of liability for infringement, or unenforceability; (2) invalidity of the plant variety protection in suit on any ground specified in section 42 of this title as a condition for protectability; (3) invalidity of the plant variety protection in suit for failure to comply with any requirement of section 52; (4) that the asserted infringement was performed under an existing certificate adverse to that asserted and prior to notice of the infringement; and (5) any other fact or act made a defense by this Act.

**Section 123****Injunction**

The several courts having jurisdiction of cases under this title may grant injunctions in accordance with the principles of equity to prevent the violation of any right hereunder on such terms as the court deems reasonable.

**Section 124****Damages**

(a) Upon finding an infringement the court shall award damages adequate to compensate for the infringement but in no event less than a reasonable royalty for the use made of the variety by the infringer, together with interest and costs as fixed by the court.

(b) When the damages are not determined by the jury, the court shall determine them. In either event the court may increase the damages up to three times the amount determined.

(c) The court may receive expert testimony as an aid to the determination of damages or of what royalty would be reasonable under the circumstances.

(d) As to infringement prior to, or resulting from a planting prior to, issuance of a certificate for the infringed variety, a court finding the infringer to have established innocent intentions, shall have discretion as to awarding damages.

#### **Section 125**

##### **Attorney Fees**

The court in exceptional cases may award reasonable attorney fees to the prevailing party.

#### **Section 126**

##### **Time Limitation on Damages**

(a) No recovery shall be had for that part of any infringement committed more than six years (or known to the owner more than one year) prior to the filing of the complaint or counterclaim for infringement in the action.

(b) In the case of claims against the United States Government for unauthorized use of a protected variety, the period between the date of receipt of written claim for compensation by the department or agency of the Government having authority to settle such claim, and the date of mailing by the Government of a notice to the claimant that his claim has been denied shall not be counted as part of the period referred to in the preceding paragraph.

#### **Section 127**

##### **Limitation of Damages; Marking and Notice**

Owners may give notice to the public by physically associating with or affixing to the container of seed of a novel variety or by fixing to the novel variety, a label containing either the words "Unauthorized Propagation Prohibited" or the words "Unauthorized Seed Multiplication Prohibited" and after the certificate issues, such additional words as "U.S. Protected Variety". In the event the novel variety is distributed by authorization of the owner and is received by the infringer without such marking, no damages shall be recovered against such infringer by the owner in any action for infringement, unless the infringer has actual notice or knowledge that propagation is prohibited or that the variety is a protected variety, in which event damages may be recovered only for infringement occurring after such notice. As to both damages and injunction, a court shall have discretion to be lenient as to disposal of materials acquired in good faith by acts prior to such notice.

#### **Section 128**

##### **False Marking; Cease and Desist Orders**

(a) Each of the following acts, if performed in connection with the sale, offering for sale, or advertising of sexually reproducible plant material, is prohibited, and the Secretary may, if he determines after an opportunity for hearing that the act is being so performed, issue an order to cease and desist, said order being binding unless appealed under section 71:

- (1) Use of the words "U.S. Protected Variety" or any word or number importing that the material is a variety protected under certificate, when it is not;

- (2) Use of any wording importing that the material is a variety for which an application for plant variety protection is pending, when it is not;
  - (3) Use of either the phrase "Unauthorized Propagation Prohibited" or "Unauthorized Seed Multiplication Prohibited" or similar phrase without reasonable basis. Any reasonable basis expires one year after the first sale of the variety except as justified thereafter by a pending application or a certificate still in force.
- (b) Anyone convicted of violating a binding cease and desist order, or of performing any act prohibited in subsection (a) of this section for the purpose of deceiving the public, shall be fined not more than \$10,000 and not less than \$500.
- (c) Anyone whose business is damaged or is likely to be damaged by an act prohibited in subsection (a) of this section, or is subjected to competition in connection with which such act is performed, may have remedy by civil action.

#### Section 129

##### **Nonresident Proprietors; Service and Notice**

Every owner not residing in the United States may file in the Plant Variety Protection Office a written designation stating the name and address of a person residing within the United States on whom may be served process or notice of proceedings affecting the plant variety protection or rights thereunder. If the person designated cannot be found at the address given in the last designation, or if no person has been designated, the United States District Court for the District of Columbia shall have jurisdiction and summons shall be served by publication or otherwise as the court directs. The court shall have the same jurisdiction to take any action respecting the plant variety protection, or rights thereunder that it would have if the owner were personally within the jurisdiction of the court.

#### CHAPTER 13

##### Intent and Severability

#### Section 131

##### **Intent**

It is the intent of Congress to provide the indicated protection for new varieties by exercise of any constitutional power needed for that end, so as to afford adequate encouragement for research, and for marketing when appropriate, to yield for the public the benefits of new varieties. Constitutional clauses 3 and 8 of article I, section 8 are both relied upon.

#### Section 132

##### **Severability**

If this Act is held unconstitutional as to some provisions or circumstances, it shall remain in force as to the remaining provisions and other circumstances.

## CHAPTER 14

Temporary Provision and Related Enactments;  
Exempted Plants; MiscellaneousSection 141**Effective Date**

This Act shall take effect upon enactment. Applications may be filed with the Secretary and held by him until the Office of Plant Variety Protection is organized and in operation.

Section 142**Amendment of Federal Seed Act**

The Federal Seed Act (53 Stat.1275) is amended as follows:

(a) By adding at the end thereof:

**"Title V. Sale of Uncertified Seed of Protected Variety"**Section 501.

"(a) It shall be unlawful in the United States or in interstate or foreign commerce to sell by variety name seed not certified by an official seed certifying agency when it is a variety for which a certificate of plant variety protection under the Plant Variety Protection Act specifies sale only as a class of certified seed: Provided, That seed from a certified lot may be labeled as to variety name when used in a mixture by, or with the approval of, the owner of the variety."

(b) By adding at the end of section 102 the following wording:

"Seed of a variety for which a certificate of plant variety protection under the Plant Variety Protection Act specifies sale only as a class of certified seed shall be certified only when

"(1) the basic seed from which the variety was produced was furnished by authority of the owner of the variety if the certification is made during the term of protection, and

"(2) it conforms to the number of generations designated by the certificate, if the certificate contains such a designation."

Section 143**Amendment of Judicial Code**

Title 28 of the United States Code, entitled Judicial Code and Judiciary, is amended as follows:

(a) After section 1544 add:

"Section 1545. Decision of the Plant Variety Protection Office.

"The Court of Customs and Patent Appeals shall have nonexclusive jurisdiction of appeals under section 71 of the Plant Variety Protection Act."

(b) In section 1338 after "Patents" in the heading, after "patents" and after "patent" (both occurrences) insert, "plant variety protection".

(c) After section 2351 add:

"2353. The Court of appeals has nonexclusive jurisdiction to hear appeals under section 71 of the Plant Variety Protection Act."

(d) In section 1498 add the following new subsection:

"(d) Hereafter, whenever a plant variety protected by a certificate of plant variety protection under the laws of the United States shall be infringed by the United States, by a corporation owned or controlled by the United States, or by a contractor, subcontractor, or any person, firm, or corporation acting for the Government and with the authorization and consent of the Government, the exclusive remedy of the owner of such certificate shall be by action against the United States in the Court of Claims for the recovery of his reasonable and entire compensation as damages for such infringement: Provided, That a Government employee shall have a right of action against the Government under this subsection except where he was in a position to order, influence, or induce use of the protected plant variety by the Government: Provided, however, That this subsection shall not confer a right of action on any certificate owner or any assignee of such owner with respect to any protected plant variety made by a person while in the employment or service of the United States, where such variety was prepared as a part of the official functions of the employee, or in the preparation of which Government time, material, or facilities were used: And provided further, That before such action against the United States has been instituted, the appropriate corporation owned or controlled by the United States or the head of the appropriate agency of the Government, as the case may be, is authorized to enter into an agreement with the certificate owner in full settlement and compromise, for the damages accrued to him by reason of such infringement and to settle the claim administratively out of available appropriations."

#### Section 144

[repealed]

#### Section 145

#### Short Title

This Act may be cited as the "Plant Variety Protection Act".

[The Plant Variety Protection Act of the United States of America is implemented by "Regulations and Rules of Practice." Those Regulations and Rules of Practice will be published in one of the next issues of "Plant Variety Protection"].

Administrative Agreement on Cooperation in Examination  
Between France and the Federal Republic of Germany

Accord administratif de coopération en matière d'examen  
entre la France et la République fédérale d'Allemagne

Verwaltungsvereinbarung für die Zusammenarbeit bei der Prüfung  
zwischen Frankreich und der Bundesrepublik Deutschland

1. Taxa whose varieties will be examined by France / Taxons dont les variétés seront examinées par la France / Taxonomische Einheiten, deren Sorten durch Frankreich geprüft werden

<u>Purpose</u> <sup>1</sup>	<u>Latine</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
L-P	Capsicum annuum L.	Sweet Pepper, Capsicum, Chili	Piment, Poivron	Paprika
L-P	Cichorium endivia L.	Endive	Chicorée frisée, Scarole	Winterendivie
P	Cydonia Mill.	Quince	Cognassier	Quitte
L-P	Glycine max (L.) Merrill	Soya Bean, Soybean	Soja	Sojabohne
L-P	Helianthus annuus L.	Common Sunflower	Tournesol	Sonnenblume
P	Hydrangea L.	Hydrangea	Hortensia	Hortensie
L-P	Linum usitatissimum L.	Flax, Linseed	Lin	Lein
P	Prunus L.	Cherry, except ornamental varieties	Cerisier, sauf variétés orne- mentales	Kirsche, ausser Ziersorten
P	Prunus avium L.	Sweet Cherry	Cerisier (cerises douces)	Süsskirsche
P	Prunus cerasus L.	Morello, Sour Cherry	Cerisier (cerises acides)	Sauerkirsche
P	Pyracantha M.J. Roem.	Firethorn	Pyracantha, Buisson ardent	Feuerdorn
P	Pyrus L.	Pear, except ornamental varieties	Poirier, sauf variétés orne- mentales	Birne, ausser Ziersorten
P	Pyrus communis L.	Pear	Poirier	Birne
L-P	Valerianella locusta (L.) Laterrade	Cornsalad, Lamb's Lettuce	Mâche	Feldsalat

2. Taxa whose varieties will be examined by the Federal Republic of Germany / Taxons dont les variétés seront examinées par la République fédérale d'Allemagne / Taxonomische Einheiten, deren Sorten durch die Bundesrepublik Deutschland geprüft werden

<u>Purpose</u> <sup>1</sup>	<u>Latine</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
P	Begonia-Elatior-Hybridi	Elatior Begonia	Bégonia elatior hybrides	Elatior-Begonie
P	Humulus lupulus L.	Hop	Houblon	Hopfen
P	Kalanchoë Adans.	Kalanchoë	Kalanchoë	Kalanchoë
P	Pelargonium-Peltatum-Hybridi (Syn.: Pelargonium peltatum hort. non (L.) L'Hérit ex Ait.)	Ivy-leaved Pelargonium	Géranium-lierre	Efeupelargonie

<sup>1</sup> L = National List / Catalogue / Sortenliste.  
P = Protection / Sortenschutz.



<u>Purpose</u> <sup>1</sup>	<u>Latine</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
P	Pelargonium-Zonale-Hybridi (Syn.: Pelargonium X hortorum L.H. Bailey, Pelargonium zonale hort. non (L.) L'Hérit. ex Ait.)	Zonal Pelargonium	Géranium, Pelar- gonium zonale	Zonalpelargonie
P -		Their hybrids	Leurs hybrides	Deren Hybriden
L-P	Populus L.	Poplar	Peuplier	Pappel
L	Raphanus sativus L. var. oleiformis Pers. (Syn.: Raphanus sativus L. ssp. oleifera (DC.) Metzg.)	Fodder Radish	Radis oléifère	Ölrettich
P	Rhododendron spec.	Rhododendron, Azalea	Rhododendron, Azalée	Rhododendron, Azalee
P	Ribes nigrum L.	Black Currant	Cassis	Schwarze Johannisbeere
L-P	Ribes niveum Lindl.	White Currant	Groseillier blanc	Weisse Johannisbeere
L-P	Ribes sylvestre (Lam.) Mert. et W. Koch	Red Currant	Groseillier rouge	Rote Johannisbeere
L-P	Ribes uva-crispa L.	Gooseberry	Groseillier épineux	Stachelbeere
P	Rubus subg. Eubatus	Blackberry	Ronce fruitière	Brombeere
P	Saintpaulia ionantha H. Wendl.	African Violet	Saintpaulia	Usambaraveilchen
L	Secale cereale L.	Rye	Seigle	Roggen

#### France and the Netherlands

The Administrative Agreement providing for cooperation in the examination of plant varieties for distinctness, homogeneity and stability concluded between the Comité de la protection des obtentions végétales (CPOV - Committee for the Protection of New Plant Varieties) and the Groupe d'étude et de contrôle des variétés et des semences (GEVES - Group for the Study and Control of Varieties and Seeds) of France, on the one hand, and the Minister of Agriculture and Fisheries of the Netherlands, on the other (see UPOV Newsletter No. 9, page 30, and No. 11, page 30) was extended, with effect from July 1, 1982, to Streptocarpus Lindl. and Tulipa L., which will be examined by the Dutch authorities on behalf of the CPOV. The taxa now covered by this agreement are listed below.

1. Taxa whose varieties will be examined by France / Taxons dont les variétés seront examinées par la France / Taxonomische Einheiten, deren Sorten durch Frankreich geprüft werden

<u>Purpose</u> <sup>1</sup>	<u>Latine</u>	<u>English</u>	<u>Français</u>	<u>Deutsch</u>
L-P	Prunus cerasus L.	Cherry	Cerisier	Kirsche
L-P	Prunus domestica L.	Plum	Prunier	Pflaume
L-P	Prunus insititia L.	Plum, Mirabelle	Prunier, Mirabellier	Pflaume, Mirabelle
L-P	Prunus salicina Lindl.	Japanese Plum	Prunier du Japon	Japanische Pflaume
L-P	Pyrus communis L.	Pear	Poirier	Birne
L-P	Valerianella locusta (L.) Laterrade	Cornsalad, Lamb's Lettuce	Mâche	Feldsalat

- <sup>1</sup> L = National List / Catalogue / Sortenliste.  
P = Protection / Sortenschutz.

2. Taxa whose varieties will be examined by the Netherlands / Taxons dont les variétés seront examinées par les Pays-Bas / Taxonomische Einheiten, deren Sorten durch die Niederlande geprüft werden

Purpose <sup>1</sup>	Latine	English	Français	Deutsch
L	Agrostis canina L.	Velvet Bent	Agrostis des chiens	Hundsstraussgras
L	Agrostis gigantea L.	Red Top (Black Bent)	Agrostide blanche, Agrostide géante	Weisses Straussgras
L	Agrostis stolonifera L.	Creeping Bent	Agrostide blanche, Agrostide stolonifère	Flechtstraussgras
L	Agrostis tendis Sibth.	Brown Top, Common Bent	Agrostide commune	Rotes Straussgras
P	Freesia Klatt	Freesia	Freesia	Freesie
P	Gerbera Cass.	Gerbera	Gerbera	Gerbera
P	Gladiolus L.	Gladiolus	Glaïeul	Gladiole
P	Iris L.	Iris	Iris	Iris
P	Lilium L.	Lily	Lis	Lilie
P	Orchidaceae Juss.	Orchids	Orchidées	Orchideen
L	Poa annua L.	Annual Meadow Grass	Pâturin annuel	Einjähriges Rispengras
L	Poa compressa L.	Canada Bluegrass, Flattened Meadow Grass	Pâturin comprimé	Flaches Rispengras
L	Poa nemoralis L.	Wood Meadow Grass	Pâturin des bois	Hainrispengras
L	Poa palustris L.	Swamp Meadow Grass	Pâturin des marais	Sumpfrispengras
L	Poa pratensis L.	Kentucky Bluegrass, Smooth Stalked Meadow Grass	Pâturin des prés	Wiesenrispengras
L	Poa trivialis L.	Rough Stalked Meadow Grass	Pâturin commun	Gemeines Rispengras
L-P	Solanum tuberosum L.	Potato	Pomme de terre	Kartoffel
P	Streptocarpus Lindl. (S. X hybridus Voss)	Streptocarpus, Cape Primrose	Streptocarpus	Drehfrucht
P	Tulipa L.	Tulip	Tulipe	Tulpe

## BIBLIOGRAPHY

BYRNE (Noel J.)

The Agritechnical Criteria in Plant Breeders' Rights Law  
in: Industrial Property, October 1983, pp. 293-303.

STRAUS (Joseph)

Patent für gentechnologische Pflanzenzüchtungen? Zum Verbot des "Doppelschutzes" von Pflanzensorten  
in: Gewerblicher Rechtsschutz und Urheberrecht - Internationaler Teil, 1983, No. 6/7, pp. 591-597

<sup>1</sup> L = National List / Catalogue / Sortenliste.  
P = Protection / Sortenschutz.

STATISTICS ON COOPERATION IN EXAMINATION (period from July 1, 1980, to June 30, 1981)

DE Germany (Federal Republic of) Allemagne (République fédérale d') Deutschland (Bundesrepublik)	1st line: reports requested by States hereunder 2nd line: requests withdrawn 3rd line: final reports transmitted to States hereunder								total	
	BE	CH	DE	DK	FR	GB	NL	SE	for period	since beginning
Taxon										
Apium graveolens L. var. rapaceum (Mill.) Gaud. (Celeriac/Céleri-rave/Knollen- sellerie)	-	-		-	-	-	5	-	5	14
	-	-		-	-	-	1	-	1	1
	-	-		-	-	-	2	-	2	6
Begonia-Elatior-Hybridi (Elatior Begonia/ Bégonia elatior/Elatior-Begonie)	-	-		4	19	-	8	-	31	107
	-	-		1	0	-	0	-	1	6
	-	-		4	1	-	3	-	8	68
Brassica napus L. var. oleifera Metzg. (Winter Oilseed Rape/Colza d'hiver/Winter- raps)	-	-		-	-	-	-	-	-	1
	-	-		-	-	-	-	-	-	0
	-	-		-	-	-	-	-	-	1
Brassica oleracea L. convar. acephala (DC.) Alef. var. gongylodes L. (Kohlrabi/Chou- rave/Kohlrabi)	-	3		-	-	-	-	-	3	5
	-	0		-	-	-	-	-	0	1
	-	0		-	-	-	-	-	0	1
Festuca pratensis Huds. (Meadow Fescue/ Fétuque des prés/Wiesenschwingel)	1	-		-	-	-	-	-	1	1
	0	-		-	-	-	-	-	0	0
	0	-		-	-	-	-	-	0	0
Festuca rubra L. (Red Fescue, Creeping Fescue/Fétuque rouge/Rotschwingel)	1	-		-	-	-	1	-	2	2
	0	-		-	-	-	0	-	0	0
	1	-		-	-	-	1	-	2	2
Fragaria L. (Strawberry/Fraisier/Erdbeere)	-	3		2	-	-	4	-	9	23
	-	0		0	-	-	1	-	1	1
	-	3		2	-	-	0	-	5	16
Hordeum vulgare L. sensu lato (Winter Barley/ Orge d'hiver/Wintergerste)	-	1		-	-	-	-	-	1	3
	-	0		-	-	-	-	-	0	0
	-	1		-	-	-	-	-	1	3

STATISTIQUES SUR LA COOPERATION EN MATIERE D'EXAMEN (période du 1er juillet 1980 au 30 juin 1981)

DE	<u>Germany (Federal Republic of)</u> <u>Allemagne (République fédérale d')</u> <u>Deutschland (Bundesrepublik)</u>	<u>1ère ligne</u> : rapports demandés par les Etats ci-dessous <u>2e ligne</u> : demandes retirées <u>3e ligne</u> : rapports finals transmis aux Etats ci-dessous								total	
										pour la période	depuis le début
Taxon		BE	CH	DE	DK	FR	GB	NL	SE		
Kalanchoë Adans. (Kalanchoë)		-	7		4	-	-	0	-	11	28
		-	0		0	-	-	0	-	0	0
		-	2		10	-	-	5	-	17	19
Lolium X boucheanum Kunth (Hybrid Ryegrass/ Ray-grass hybride/Bastardweidelgras, Oldenburgisches Weidelgras)		-	-		-	-	-	-	-	-	1
		-	-		-	-	-	-	-	-	0
		-	-		-	-	-	-	-	-	1
Lolium multiflorum Lam. (Italian Ryegrass, Westerwold Ryegrass/Ray-grass d'Italie/ Welsches Weidelgras, Italienisches Raygras)		-	-		-	-	-	-	-	-	4
		-	-		-	-	-	-	-	-	0
		-	-		-	-	-	-	-	-	2
Lolium perenne L. (Perennial Ryegrass/ Ray-grass anglais/Deutsches Weidelgras)		-	-		-	-	-	-	-	-	2
		-	-		-	-	-	-	-	-	0
		-	-		-	-	-	-	-	-	2
Lupinus albus L. (White Lupin/Lupin blanc/ Weisslupine)		-	-		-	-	-	-	-	-	1
		-	-		-	-	-	-	-	-	0
		-	-		-	-	-	-	-	-	1
Lupinus angustifolius L. (Blue Lupin/ Lupin bleu/Blaue Lupine)		-	-		-	-	-	-	-	-	1
		-	-		-	-	-	-	-	-	0
		-	-		-	-	-	-	-	-	1
Lycopersicon lycopersicum (L.) Karst. ex Farwell (Tomato/Tomate)		2	-		-	-	-	-	-	2	5
		0	-		-	-	-	-	-	0	0
		0	-		-	-	-	-	-	0	0
Phaseolus vulgaris L. var. nanus (L.) Aschers. (Dwarf French Bean/Haricot nain/ Buschbohne)		-	-		-	-	-	-	-	-	2
		-	-		-	-	-	-	-	-	0
		-	-		-	-	-	-	-	-	2

STATISTISCHE ANGABEN ÜBER DIE ZUSAMMENARBEIT BEI DER PRÜFUNG (für die Zeit vom 1. Juli 1980 bis zum 30. Juni 1981)

DE	Germany (Federal Republic of) Allemagne (République fédérale d') Deutschland (Bundesrepublik)	1. Zeile: durch die unten genannten Staaten angeforderte Berichte 2. Zeile: zurückgenommene Anforderungen 3. Zeile: den unten genannten Staaten übergebene abschliessende Berichte							Gesamtzahl		
									für die Zeit	seit Beginn	
	Taxon	BE	CH	DE	DK	FR	GB	NL	SE		
	Phleum pratense L. (Timothy/Fléole des prés/ Wiesenlieschgras)	- - -	- - -		- - -	- - -	- - -	- - -	- - -	- - -	1 0 0
	Pisum sativum L. sensu lato (Garden Pea/ Petit pois/Gemüseerbse)	- - -	- - -		- - -	- - -	- - -	- - -	- - -	- - -	1 0 1
	Pisum sativum L. sensu lato (Pea for consumption at dry stage/Pois de casserie/ Trockenspeiseerbse)	- - -	- - -		- - -	- - -	2 0 2	- - -	- - -	2 0 2	2 0 2
	Pisum sativum L. sensu lato (Field Pea/Pois fourrager/Futtererbse)	- - -	- - -		- - -	- - -	2 0 2	- - -	- - -	2 0 2	2 0 2
	Poa pratensis L. (Kentucky Bluegrass, Smooth-Stalked Meadow-Grass/Pâturin des prés/Wiesenrispengras)	- - -	- - -		- - -	- - -	- - -	- - -	- - -	- - -	1 0 1
	Populus L. (Poplar/Peuplier/Pappel)	- - -	- - -		- - -	- - -	- - -	- - -	- - -	- - -	14 0 13
	Raphanus sativus L. var. oleiformis Pers. (Fodder Radish/Radis oléifère, Radis chinois/Ölrettich)	- - -	- - -		1 0 0	- - -	- - -	- - -	- - -	1 0 0	1 0 0
	Rhododendron L. (Azalea/Azalée/Azalee)	4 0 1	- - -		- - -	- - -	- - -	- - -	- - -	4 0 1	7 0 4

STATISTICS ON COOPERATION IN EXAMINATION (period from July 1, 1980, to June 30, 1981)

DE	Germany (Federal Republic of) Allemagne (République fédérale d') Deutschland (Bundesrepublik)	1st line: reports requested by States hereunder 2nd line: requests withdrawn 3rd line: final reports transmitted to States hereunder								total	
		BE	CH	DE	DK	FR	GB	NL	SE	for period	since beginning
	Taxon										
	Rhododendron L. (Garden Rhododendron/Rhododendron de jardin/Freilandrhododendron)	-	-		-	-	-	0	-	0	2
		-	-		-	-	-	0	-	0	0
		-	-		-	-	-	2	-	2	2
	Ribes nigrum L. (Black Currant/Cassis/Schwarze Johannisbeere)	-	-		-	-	-	-	0	0	6
		-	-		-	-	-	-	0	0	1
		-	-		-	-	-	-	1	1	4
	Ribes sylvestre (Lam.) Mert. et W. Koch Red Currant/Groseillier rouge/Rote Johannisbeere)	-	-		-	1	-	-	-	1	2
		-	-		-	0	-	-	-	0	0
		-	-		-	0	-	-	-	0	0
	Rosa L. (Rose/Rosier/Rose)	7	9		13	-	0	0	1	30	91
		0	0		0	-	0	0	0	0	2
		6	7		4	-	2	2	1	22	70
	Rubus idaeus L. (Raspberry/Framboisier/Himbeere)	-	1		-	-	-	-	-	1	1
		-	0		-	-	-	-	-	0	0
		-	0		-	-	-	-	-	0	0
	Salix L. (Willow/Saule/Weide)	-	-		-	-	-	1	-	1	2
		-	-		-	-	-	0	-	0	0
		-	-		-	-	-	0	-	0	0
	Saintpaulia ionantha H. Wendl. (African Violet/Saintpaulia/Usambaraveilchen)	-	3		7	-	-	9	0	19	123
		-	0		1	-	-	0	0	1	8
		-	3		10	-	-	12	2	27	97
	Scorzonera hispanica L. (Black Salsify/Scorsonère, Salsifis noir/Schwarzwurzel)	2	-		-	-	-	-	-	2	3
		0	-		-	-	-	-	-	0	0
		0	-		-	-	-	-	-	0	0

STATISTIQUES SUR LA COOPERATION EN MATIERE D'EXAMEN (période du 1er juillet 1980 au 30 juin 1981)

DE <u>Germany (Federal Republic of)</u> <u>Allemagne (République fédérale d')</u> <u>Deutschland (Bundesrepublik)</u>	1ère ligne : rapports demandés par les Etats ci-dessous 2e ligne : demandes retirées 3e ligne : rapports finals transmis aux Etats ci-dessous								total	
	Taxon								pour la période	depuis le début
	BE	CH	DE	DK	FR	GB	NL	SE		
Secale cereale L. (Spring Rye/Seigle de printemps/Sommerroggen)	- - -	- - -		- - -	- - -	- - -	- - -	- - -	- - -	1 0 1
Secale cereale L. (Winter Rye/Seigle d'hiver/Winterroggen)	- - -	- - -		- - -	0 0 2	- - -	- - -	- - -	0 0 2	17 0 12
Solanum tuberosum L. (Potato/Pomme de terre/Kartoffel)	- - -	3 0 2		- - -	- - -	- - -	- - -	- - -	3 0 2	7 0 6
Trifolium pratense L. (Red Clover/Trèfle violet/Rotklee)	- - -	- - -		- - -	- - -	- - -	1 0 1	- - -	1 0 1	1 0 1
Triticum aestivum L. (Winter Wheat/Blé d'hiver/Winterweizen)	- - -	- - -		1 0 1	- - -	- - -	- - -	- - -	1 0 1	1 0 1
Zea mays L. (Maize/Mais/Mais)	- - -	- - -		4 2 0	- - -	- - -	- - -	- - -	4 2 0	7 2 1
Total/Gesamtzahl	17 0 8	30 0 18		36 4 31	20 0 3	4 0 6	29 2 28	1 0 4	137 6 98	493 22 343

STATISTISCHE ANGABEN ÜBER DIE ZUSAMMENARBEIT BEI DER PRÜFUNG (für die Zeit vom 1. Juli 1980 bis zum 30. Juni 1981)

DK Denmark Danemark Dänemark	1. Zeile: durch die unten genannten Staaten angeforderte Berichte 2. Zeile: zurückgenommene Anforderungen 3. Zeile: den unten genannten Staaten übergebene abschliessende Berichte								Gesamtzahl	
	Taxon								für die Zeit	seit Beginn
	BE	CH	DE	DK	FR	GB	NL	SE		
Euphorbia fulgens Karw. (Euphorbia fulgens/ Euphorbe (fulgens)/Korallenranke)	- - -	- - -	- - -		- - -	- - -	1 0 2	- - -	1 0 2	20 0 18
Euphorbia pulcherrima Willd. ex Klotzsch (Poinsettia/Poinsettie, Weihnachtsstern)	- - -	- - -	4 1 0		1 0 1	- - -	1 0 0	- - -	6 1 1	67 9 54
Medicago lupulina L. (Black Medick, Yellow Trefoil/Luzerne lupuline, Minette/Gelbklee (Hopfenklee))	- - -	- - -	0 0 1		- - -	- - -	- - -	- - -	0 0 1	1 0 1
Poa pratensis L. (Kentucky Bluegrass, Smooth-Stalked Meadow-Grass/Pâturin des prés/Wiesenrispengras)	0 0 1	- - -	- - -		- - -	- - -	- - -	- - -	0 0 1	1 0 1
Prunus domestica L. (Plum/Prunier/Pflaume)	- - -	- - -	- - -		- - -	- - -	- - -	0 0 1	0 0 1	3 0 3
Sinapis alba L. (White Mustard/Moutarde blanche/Weisser Senf)	- - -	- - -	- - -		- - -	- - -	1 0 0	- - -	1 0 0	2 0 0
Thuja spp. (Thuja/Lebensbaum)	- - -	- - -	1 0 0		1 0 0	- - -	- - -	- - -	2 0 0	3 0 1
Trifolium pratense L. (Red Clover/Trèfle violet/Rotklee)	- - -	- - -	3 2 2		- - -	- - -	- - -	- - -	3 2 2	15 2 2



STATISTICS ON COOPERATION IN EXAMINATION (period from July 1, 1980, to June 30, 1981)

DK <u>Denmark</u> <u>Danemark</u> <u>Dänemark</u>	1st line: reports requested by States hereunder 2nd line: requests withdrawn 3rd line: final reports transmitted to States hereunder								total	
									for period	since beginning
Taxon	BE	CH	DE	DK	FR	GB	NL	SE		
Triticum aestivum L. (Soft Wheat/Blé tendre, Froment/Weichweizen)	-	1	-		-	-	-	-	1	1
	-	0	-		-	-	-	-	0	0
	-	1	-		-	-	-	-	1	1
Total/Gesamtzahl	0	1	8		2	-	3	0	14	113
	0	0	3		0	-	0	0	3	11
	1	1	3		1	-	2	1	9	81

---

FR <u>France</u> <u>France</u> <u>Frankreich</u>	1st line: reports requested by States hereunder 2nd line: requests withdrawn 3rd line: final reports transmitted to States hereunder								total	
									for period	since beginning
Taxon	BE	CH	DE	DK	FR	GB	NL	SE		
Avena L. (Oats/Avoine/Hafer)	-	-	-	-		-	-	-	-	1
	-	-	-	-		-	-	-	-	1
	-	-	-	-		-	-	-	-	0
Dianthus caryophyllus L. (Carnation/Oeillet/Nelke)	-	-	-	-		-	-	-	-	14
	-	-	-	-		-	-	-	-	6
	-	-	-	-		-	-	-	-	7
Hordeum vulgare L. sensu lato (Barley/Orge/Gerste)	-	1	-	-		-	-	-	1	3
	-	0	-	-		-	-	-	0	0
	-	3	-	-		-	-	-	3	3
Hydrangea L. (Hydrangea/Hortensia/Hortensie)	-	-	0	-		-	-	-	0	3
	-	-	3	-		-	-	-	3	3
	-	-	0	-		-	-	-	0	0

STATISTIQUES SUR LA COOPERATION EN MATIERE D'EXAMEN (période du 1er juillet 1980 au 30 juin 1981)

FR <u>France</u> <u>France</u> <u>Frankreich</u>	<u>1ère ligne</u> : rapports demandés par les Etats ci-dessous <u>2e ligne</u> : demandes retirées <u>3e ligne</u> : rapports finals transmis aux Etats ci-dessous								total		
	Taxon	BE	CH	DE	DK	FR	GB	NL	SE	pour la période	depuis le début
	Linum usitatissimum L. (Flax, Linseed/Lin/ Lein)	- - -	- - -	- - -	3 1 0		- - -	- - -	- - -	3 1 0	3 1 0
	Lolium multiflorum L. (Italian Ryegrass, Westerwold Ryegrass/Ray-grass d'Italie/ Welsches Weidelgras, Italienisches Raygras)	1 0 0	- - -	- - -	- - -		- - -	- - -	- - -	1 0 0	1 0 0
	Malus domestica Borkh. (Apple/Pommier/Apfel)	- - -	1 0 0	1 0 0	- - -		1 0 0	1 0 0	- - -	4 0 0	4 0 0
	Medicago sativa L. (Lucerne, Alfalfa/Luzerne (cultivée)/Blaue Luzerne)	- - -	- - -	- - -	- - -		- - -	- - -	- - -	- - -	2 0 2
	Phaseolus vulgaris L. (French Bean/Haricot/ Gartenbohne)	- - -	- - -	- - -	- - -		- - -	- - -	- - -	- - -	3 1 2
	Pisum sativum L. sensu lato (Pea/Pois/Erbse)	0 0 1	- - -	- - -	- - -		- - -	- - -	- - -	0 0 1	7 0 1
	Prunus cerasus L. (Morello, Sour Cherry/ Cerisier (cerises acides)/Sauerkirsche)	- - -	- - -	1 0 0	- - -		- - -	- - -	- - -	1 0 0	1 0 0
	Rosa L. (Rose/Rosier/Rose)	7 2 5	5 0 5	- - -	- - -		3 0 6	2 0 1	1 0 0	18 2 17	85 16 45

STATISTISCHE ANGABEN ÜBER DIE ZUSAMMENARBEIT BEI DER PRÜFUNG (für die Zeit vom 1. Juli 1980 bis zum 30. Juni 1981)

FR <u>France</u> <u>France</u> <u>Frankreich</u>	1. Zeile: durch die unten genannten Staaten angeforderte Berichte 2. Zeile: zurückgenommene Anforderungen 3. Zeile: den unten genannten Staaten übergebene abschliessende Berichte								Gesamtzahl	
									für die Zeit	seit Beginn
Taxon	BE	CH	DE	DK	FR	GB	NL	SE		
Trifolium pratense L. (Red Clover/Trèfle violet/Rotklee)	3 0 0	- - -	- - -	- - -		- - -	- - -	- - -	3 0 0	5 0 2
Trifolium repens L. (White Clover/Trèfle blanc/Weissklee)	1 0 0	- - -	- - -	- - -		- - -	- - -	- - -	1 0 0	1 0 0
Triticum aestivum L. (Soft Wheat/Blé tendre, Froment/Weichweizen)	- - -	- - -	- - -	- - -		- - -	- - -	- - -	- - -	3 1 0
Zea mays L. (Maize/Mais/Mais)	- - -	0 0 8	- - -	- - -		20 0 23	- - -	- - -	20 0 31	166 24 127
Total/Gesamtzahl	12 2 6	7 0 16	2 3 0	3 1 0		24 0 29	3 0 1	1 0 0	52 6 52	302 53 189

STATISTICS ON COOPERATION IN EXAMINATION (period from July 1, 1980, to June 30, 1981)

GB	United Kingdom Royaume-Uni Vereinigtes Königreich	1st line: reports requested by States hereunder 2nd line: requests withdrawn 3rd line: final reports transmitted to States hereunder								total	
										for period	since beginning
Taxon		BE	CH	DE	DK	FR	GB	NL	SE		
Chrysanthemum morifolium Ramat. (Chrysanthemum/Chrysanthème/Chrysantheme)		-	-	25	27	48		68	12	180	1379
		-	-	4	4	5		11	10	34	154
		-	-	39	31	92		57	15	234	811
Festuca rubra L. (Red Fescue, Creeping Fescue/Fétuque rouge/Rotschwingel)		-	-	-	-	-		-	-	-	1
		-	-	-	-	-		-	-	-	0
		-	-	-	-	-		-	-	-	1
Lolium X boucheanum Kunth (Hybrid Ryegrass/Ray-grass hybride/Bastardweidelgras, Oldenburgisches Weidelgras)		-	-	-	-	-		-	-	-	1
		-	-	-	-	-		-	-	-	0
		-	-	-	-	-		-	-	-	1
Lolium multiflorum Lam. (Italian Ryegrass, Westerwold Ryegrass/Ray-grass d'Italie/Welsches Weidelgras, Italienisches Raygras)		1	-	-	-	-		5	-	6	49
		0	-	-	-	-		2	-	2	10
		0	-	-	-	-		14	-	14	21
Lolium perenne L. (Perennial Ryegrass/Ray-grass anglais/Deutsches Weidelgras)		-	-	-	-	11		-	-	11	75
		-	-	-	-	0		-	-	0	2
		-	-	-	-	54		-	-	54	54
Malus domestica Borkh. (Apple/Pommier/Apfel)		1	-	1	-	1		2	-	5	50
		0	-	0	-	0		2	-	2	8
		1	-	0	-	1		0	-	2	23
Malus Mill. (Flowering Crab/Pommier ornamental/Zierapfel)		-	-	-	-	0		-	-	0	3
		-	-	-	-	0		-	-	0	0
		-	-	-	-	2		-	-	2	2
Medicago sativa L. (Lucerne, Alfalfa/Luzerne (cultivée)/Blaue Luzerne)		-	-	-	-	0		-	-	0	4
		-	-	-	-	0		-	-	0	2
		-	-	-	-	1		-	-	1	1

STATISTIQUES SUR LA COOPERATION EN MATIERE D'EXAMEN (période du 1er juillet 1980 au 30 juin 1981)

GB	United Kingdom Royaume-Uni Vereinigtes Königreich	lère ligne : rapports demandés par les Etats ci-dessous 2e ligne : demandes retirées 3e ligne : rapports finals transmis aux Etats ci-dessous								total	
		BE	CH	DE	DK	FR	GB	NL	SE	pour la période	depuis le début
	Taxon										
	Phaseolus vulgaris L. (French Bean/Haricot/ Gartenbohne)	- - -	- - -	- - -	- - -	- - -		- - -	- - -	- - -	2 0 2
	Pisum sativum L. sensu lato (Pea/Pois/Erbse)	- - -	- - -	- - -	- - -	- - -		- - -	- - -	- - -	1 0 1
	Potentilla fruticosa L. (Shrubby Cinquefoil/ Potentille ligneuse/Strauchfingerkraut)	- - -	- - -	- - -	- - -	- - -		- - -	- - -	- - -	1 0 1
	Prunus avium (L.) L. (Sweet Cherry/Cerisier (cerises douces)/Süsskirsche)	- - -	- - -	- - -	- - -	- - -		0 0 1	- - -	0 0 1	1 0 1
	Prunus domestica L. (Plum/Prunier/Pflaume)	1 0 1	- - -	- - -	- - -	- - -		- - -	- - -	1 0 1	2 0 2
	Rosa L. (Rose/Rosier/Rose)	- - -	- - -	- - -	- - -	- - -		- - -	- - -	- - -	4 0 4
	Trifolium pratense L. (Red Clover/Trèfle violet/Rotklee)	- - -	- - -	- - -	- - -	- - -		- - -	- - -	- - -	4 0 2
	Total/Gesamtzahl	3 0 2	- - -	26 4 39	27 4 31	60 5 150		75 15 72	12 10 15	203 38 309	1577 176 927

STATISTISCHE ANGABEN ÜBER DIE ZUSAMMENARBEIT BEI DER PRÜFUNG (für die Zeit vom 1. Juli 1980 bis zum 30. Juni 1981)

NL <u>Netherlands</u> <u>Pays-Bas</u> <u>Niederlande</u>	1. Zeile: durch die untergenannten Staaten angeforderte Berichte 2. Zeile: zurückgenommene Anforderungen 3. Zeile: den untergenannten Staaten übergebene abschliessende Berichte								Gesamtzahl	
	Taxon								für die Zeit	seit Beginn
	BE	CH	DE	DK	FR	GB	NL	SE		
Agrostis canina L. (Velvet Bent/Agrostis des chiens/Hundsstrausgrass)	-	-	-	-	-	-		-	-	1
	-	-	-	-	-	-		-	-	0
	-	-	-	-	-	-		-	-	1
Agrostis stolonifera L. (Creeping Bent/Agrostide stolonifère/Flechtstrausgrass)	-	-	-	-	-	-		-	-	5
	-	-	-	-	-	-		-	-	3
	-	-	-	-	-	-		-	-	2
Agrostis tenuis Sibth. (Brown Top, Common Bent/Agrostide commune/Rotes Strausgrass)	-	-	0	-	-	0		-	0	31
	-	-	1	-	-	0		-	1	18
	-	-	0	-	-	1		-	1	7
Allium ascalonicum L. (Shallot/Echalote/Schalotte)	-	-	-	1	-	-		1	2	2
	-	-	-	0	-	-		0	0	0
	-	-	-	1	-	-		1	2	2
Alstroemeria L. (Alstroemeria/Alstroemère, Lis des Incas/Inkalilie, Belladonnalilie)	-	-	2	-	-	1		-	3	38
	-	-	0	-	-	0		-	0	0
	-	-	1	-	-	2		-	3	33
Anthurium Schott. (Anthurium/Schwanzblume, Flamingoblume)	-	-	0	-	-	-		-	0	21
	-	-	1	-	-	-		-	1	1
	-	-	0	-	-	-		-	0	17
Brassica oleracea L. convar. botrytis (L.) Alef. var. botrytis (Cauliflower/Chou-fleur/Blumenkohl)	1	-	-	-	-	-		-	1	1
	0	-	-	-	-	-		-	0	0
	0	-	-	-	-	-		-	0	0
Brassica oleracea L. convar. oleracea var. gemmifera DC. (Brussels Sprouts/Chou de Bruxelles/Rosenkohl)	-	-	-	-	-	-		-	-	1
	-	-	-	-	-	-		-	-	0
	-	-	-	-	-	-		-	-	1

STATISTICS ON COOPERATION IN EXAMINATION (period from July 1, 1980, to June 30, 1981)

NL Netherlands Pays-Bas Niederlande	1st line: reports requested by States hereunder 2nd line: requests withdrawn 3rd line: final reports transmitted to States hereunder								total	
	Taxon								for period	since beginning
	BE	CH	DE	DK	FR	GB	NL	SE		
Brassica rapa L. emend. Metzg. var. rapa (Turnip/Navet/Herbstrübe, Mairübe)	-	-	0	-	-	0		-	0	11
	-	-	0	-	-	1		-	1	3
	-	-	3	-	-	0		-	3	5
Cichorium intybus L. (Chicory/Chicorée, Endive/Wurzel-, Salatzichorie)	3	-	-	-	-	-		-	3	3
	0	-	-	-	-	-		-	0	0
	0	-	-	-	-	-		-	0	0
Cucumis sativus L. (Cucumber, Gherkin/ Concombre, Cornichon/Gurke)	-	-	-	-	-	-		1	1	2
	-	-	-	-	-	-		0	0	0
	-	-	-	-	-	-		1	1	2
Cynosurus cristatus L. (Crested Dog's Tail/ Crételle/Kammgras)	-	-	0	-	-	-		-	0	1
	-	-	1	-	-	-		-	1	1
	-	-	0	-	-	-		-	0	0
Dianthus caryophyllus L. (Carnation/Oeillet/ Nelke)	2	-	23	-	-	0		-	25	138
	0	-	1	-	-	2		-	3	21
	2	-	3	-	-	2		-	7	82
Festuca ovina L. sensu lato (Hard Fescue, Sheep's Fescue/Fétuque durette, Fétuque ovine/Schafsschwengel)	-	-	-	-	-	0		-	0	15
	-	-	-	-	-	1		-	1	7
	-	-	-	-	-	0		-	0	7
Festuca pratensis Huds. (Meadow Fescue/ Fétuque des prés/Wiesenschwengel)	1	-	-	-	-	-		-	1	1
	0	-	-	-	-	-		-	0	0
	0	-	-	-	-	-		-	0	0
Festuca rubra L. (Red Fescue, Creeping Fescue/Fétuque rouge/Rotschwengel)	-	-	-	-	-	-		-	-	13
	-	-	-	-	-	-		-	-	1
	-	-	-	-	-	-		-	-	11

STATISTIQUES SUR LA COOPERATION EN MATIERE D'EXAMEN (période du 1er juillet 1980 au 30 juin 1981)

NL <u>Netherlands</u> <u>Pays-Bas</u> <u>Niederlande</u>	<u>1ère ligne</u> : rapports demandés par les Etats ci-dessous <u>2e ligne</u> : demandes retirées <u>3e ligne</u> : rapports finals transmis aux Etats ci-dessous								total		
	Taxon	BE	CH	DE	DK	FR	GB	NL	SE	pour la période	depuis le début
Fragaria L. (Strawberry/Fraisier/Erdbeere)	- - -	2 0 2	- - -	- - -	- - -	- - -	- - -		- - -	2 0 2	11 0 11
Freesia Klatt (Freesia/Freesie)	- - -	- - -	- - -	- - -	- - -	- - -	- - -		- - -	- - -	19 0 19
Gerbera Cass. (Gerbera)	- - -	- - -	26 5 43	- - -	- - -	16 0 29	- - -		- - -	42 5 72	123 6 85
Gladiolus L. (Gladiolus/Glaïeul/Gladiole)	- - -	- - -	- - -	- - -	- - 1	0 0 1	- - -		- - -	0 0 1	18 0 17
Helleborus L. (Christmas Rose/Rose de Noël/ Schneerose, Christusrose)	- - -	- - -	- - -	- - -	- - -	- - -	- - -		- - -	- - -	1 0 1
Lactuca sativa L. (Lettuce/Laitue/Salat)	- - -	- - -	- - -	- - -	- - -	- - -	0 0 1		- - -	0 0 1	5 1 3
Lolium perenne L. (Perennial Ryegrass/ Ray-grass anglais/Deutsches Weidelgras)	6 1 2	- - -	- - -	- - -	- - -	- - -	- - -		- - -	6 1 2	32 3 19
Malus domestica Borkh. (Apple/Pommier/Apfel)	- - -	- - -	- - -	- - -	- - -	- - -	- - -		- - -	- - -	2 0 2



STATISTISCHE ANGABEN ÜBER DIE ZUSAMMENARBEIT BEI DER PRÜFUNG (für die Zeit vom 1. Juli 1980 bis zum 30. Juni 1981)

NL Netherlands Pays-Bas Niederlande	1. Zeile: durch die unten genannten Staaten angeforderte Berichte 2. Zeile: zurückgenommene Anforderungen 3. Zeile: den unten genannten Staaten übergebene abschliessende Berichte								Gesamtzahl	
	BE CH DE DK FR GB NL SE								für die Zeit	seit Beginn
Orchidaceae Juss. (Orchids/Orchidées/Orchideen)	-	-	7	-	4	0		-	11	30
	-	-	0	-	0	0		-	0	3
	-	-	6	-	7	1		-	14	18
Phaseolus coccineus L. (Runner Bean/Haricot d'Espagne/Prunkbohne)	-	-	-	-	-	-		-	-	1
	-	-	-	-	-	-		-	-	1
	-	-	-	-	-	-		-	-	0
Phaseolus vulgaris L. (French Bean/Haricot/Gartenbohne)	1	-	-	0	-	-		-	1	11
	0	-	-	0	-	-		-	0	0
	1	-	-	1	-	-		-	2	11
Phleum pratense L. (Timothy/Fléole des prés/Wiesenlieschgras)	2	-	-	-	-	-		-	2	5
	0	-	-	-	-	-		-	0	0
	1	-	-	-	-	-		-	1	4
Pisum sativum L. senso lato (Pea/Pois/Erbse)	-	-	-	-	-	0		-	0	13
	-	-	-	-	-	0		-	0	1
	-	-	-	-	-	1		-	1	12
Poa pratensis L. (Kentucky Bluegrass, Smooth-Stalked Meadow-Grass/Pâturin des prés/Wiesenrispengras)	3	-	-	-	1	1		-	5	69
	0	-	-	-	0	0		-	0	17
	3	-	-	-	0	3		-	6	46
Rosa L. (Rose/Rosier/Rose)	3	1	-	1	1	5		0	11	38
	1	0	-	0	0	0		0	1	2
	2	0	-	1	0	3		1	7	29
Scorzonera hispanica L. (Black Salsify/Scorsonère, Salsifis noir/Schwarzwurzel)	1	-	-	-	-	-		-	1	1
	0	-	-	-	-	-		-	0	0
	1	-	-	-	-	-		-	1	1

STATISTICS ON COOPERATION IN EXAMINATION (period from July 1, 1980, to June 30, 1981)

NL Netherlands Pays-Bas Niederlande	1st line: reports requested by States hereunder 2nd line: requests withdrawn 3rd line: final reports transmitted to States hereunder								total	
	Taxon								for period	since beginning
	BE	CH	DE	DK	FR	GB	NL	SE		
Secale cereale L. (Rye/Seigle/Roggen)	-	-	-	-	-	-		-	-	1
	-	-	-	-	-	-		-	-	0
	-	-	-	-	-	-		-	-	1
Solanum tuberosum L. (Potato/Pomme de terre/ Kartoffel)	1	1	-	1	14	-		-	17	88
	0	0	-	1	3	-		-	4	7
	13	1	-	1	14	-		-	29	65
Streptocarpus X hybridus Voss (Streptocarpus/ Drehfrucht)	-	-	13	0	-	-		-	13	47
	-	-	0	0	-	-		-	0	2
	-	-	23	6	-	-		-	29	30
Tulipa L. (Tulip/Tulipe/Tulpe)	-	-	-	-	-	-		-	-	2
	-	-	-	-	-	-		-	-	0
	-	-	-	-	-	-		-	-	2
Total/Gesamtzahl	24	4	71	3	36	7		2	147	801
	2	0	9	1	3	4		0	19	98
	25	3	79	10	51	14		3	185	546
Total (all States) / Total (ensemble des Etats / Gesamtzahl (alle Staaten)	56	42	107	69	118	35	110	16	553	3286
	4	0	19	10	8	4	17	10	72	360
	42	38	121	72	205	49	103	23	653	2086

## STATISTICS ON THE PROTECTION OF PLANT VARIETIES IN 1980\*

Chart I

Applications Filed and Titles of Protection (Special Titles,  
 Patents, Inventors' Certificates) issued in 1980;  
 Titles Having Ceased to be in Force in 1980;  
 Titles in Force on December 31, 1980

	Applications filed by			Titles issued to			Titles having ceased to be in force in 1980	Titles in force on December 31, 1980
	Resi- dents	Non- resi- dents	Total	Resi- dents	Non- resi- dents	Total		
Argentina	86	49	135	-	-	-		
Belgium	9	78	87	19	82	101	9	284
Bulgaria	41	-	41	16	-	16		
Denmark	35	91	126	19	90	109	42	428
France	404	50	454	187	19	206	85	963
Germany (Fed. Rep. of)	382	156	538	260	143	403	201	2210
Hungary	1	1	2	-	4	4	-	31
Israel	19	21	40	-	-	-	4	120
Netherlands	430	181	611	282	91	373	233	1912
New Zealand	27	4	31	43	-	43	7	98
Romania	97	-	97	6	-	6	-	62
South Africa	22	18	40	10	22	32	-	91
Soviet Union	94	-	94	94	-	94	-	2826
Spain	39	105	144	2	-	2	-	2
Sweden	18	24	42	22	14	36	11	172
Switzerland	13	49	62	-	3	3	-	20
United Kingdom	150	196	346	75	141	216	98	1006
United States of America	333	50	383	201	49	250	129	3064

\* Established on the basis of information supplied by the competent authorities of the various States. For the statistics of preceding years, see UPOV Newsletter Nos. 6, 12, 21 and 26.

Chart II

Applications Filed and Titles of Protection Issued  
to Non-Residents in 1980, Broken Down by Country of Origin

Country of origin Reporting country	Belgium	Canada	Denmark	France	German Democratic Republic	Germany (Federal Republic of)	Hungary	Italy	Netherlands	New Zealand	Sweden	Switzerland	United Kingdom	United States of America	Others*	Total
Argentina	-	-	-	-	-	-	-	-	34	-	-	-	-	15	-	49
	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Belgium	-	-	-	11	-	4	-	-	60	-	-	-	3	-	-	78
	-	-	-	5	-	6	-	-	67	-	-	-	4	-	-	82
Denmark	-	-	-	4	2	36	-	-	28	2	7	2	10	-	-	91
	-	-	-	3	-	38	-	-	33	-	9	-	6	1	-	90
France	-	-	-	-	-	5	-	3	20	-	-	-	21	1	-	50
	-	-	-	-	-	-	-	-	15	-	-	-	1	3	-	19
Germany (Fed. Rep. of)	1	-	2	69	7	-	-	-	53	-	10	-	14	-	-	156
	-	-	16	43	1	-	-	-	76	-	1	-	6	-	-	143
Hungary	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1	1
	-	-	-	4	-	-	-	-	-	-	-	-	-	-	-	4
Israel	-	-	-	6	-	2	-	-	1	-	-	-	7	5	-	21
	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Netherlands	2	2	44	-	1	79	-	2	-	1	4	2	8	27	9	181
	1	-	4	19	-	34	-	-	-	-	-	2	15	13	3	91
New Zealand	-	-	-	-	-	-	-	-	-	-	-	-	1	3	-	4
	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
South Africa	-	-	-	4	-	4	-	3	-	-	-	-	5	2	-	18
	-	-	-	6	-	1	-	-	6	-	-	-	-	7	2	22
Spain	-	-	-	41	-	14	3	9	12	-	2	-	12	-	12	105
	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Sweden	-	-	-	-	-	14	-	-	5	-	-	-	5	-	-	24
	-	-	3	1	-	7	-	-	3	-	-	-	-	-	-	14
Switzerland	-	-	-	16	-	25	-	-	6	-	2	-	-	-	-	49
	-	-	-	3	-	-	-	-	-	-	-	-	-	-	-	3
United Kingdom	2	-	9	46	3	60	1	-	56	4	5	-	-	8	2	196
	1	-	3	40	-	20	-	-	60	4	1	-	-	11	1	141
United States of America	-	1	1	3	-	17	-	-	12	3	-	2	8	-	3	50
	-	-	-	1	-	22	-	-	12	1	-	-	9	-	4	49

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

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

Hungary: Bulgaria 1/-  
Netherlands: Curaçao 8/3  
Japan 1/-  
South Africa: Zimbabwe -/2  
Spain: Austria 11/-  
South Africa 1/-

United Kingdom: British West Indies -/1  
Ireland 1/-  
Soviet Union 1/-  
United States of America: Colombia -/1  
Costa Rica 3/2  
Israel -/1

CALENDAR
----------

1984

UPOV Meetings

April 4 and 5	Administrative and Legal Committee
April 6	Consultative Committee
May 15 to 17 La Minière (France)	Technical Working Party on Automation and Computer Programs
June 11 to 15 Bet Dagan (Israel)	Technical Working Party for Vegetables
June 27 to 29 Lund (Sweden)	Technical Working Party for Agricultural Crops (Subgroups on June 26)
August 7 to 9 Hannover (Federal Republic of Germany)	Technical Working Party for Ornamental Plants and Forest Trees
September 26 to 28 Valencia (Spain)	Technical Working Party for Fruit Crops (Subgroup on September 25)
October 16	Consultative Committee
October 17 to 19	Council
November 6 and 7	Technical Committee
November 8 and 9	Administrative and Legal Committee

---

The International Union for the Protection of New Varieties of Plants (UPOV)--an international organization established by the International Convention for the Protection of New Varieties of Plants--is the international forum for States interested in plant variety protection. Its main objective is to promote the protection of the interests of plant breeders--for their benefit and for the benefit of agriculture and thus also of the community at large--in accordance with uniform and clearly defined principles.

"Plant Variety Protection" is a UPOV publication that reports on national and international events in its field of competence and in related areas. It is published in English only--although some items are trilingual (English, French and German)--at irregular intervals, usually at a rate of four issues a year. Subscription orders may be placed with:

The International Union for the Protection of New Varieties of Plants  
34, chemin des Colombettes, 1211 Geneva 20 (POB 18)  
(Telephone: (022) 999.111 - Telex: 22 376-OMPI)

The price per issue is 2 Swiss francs, to be settled on invoice by payment to our account, No. C8-763.163/0 at the Swiss Bank Corporation, Geneva, or by deduction from the subscriber's current account with the World Intellectual Property Organization (WIPO).