UPOV

NEWSLETTER

INTERNATIONALER VERBAND ZUM SCHUTZ VON PFLANZENZÜCHTUNGEN | UNION INTERNATIONALE POUR LA PROTECTION DES OBTENTIONS VÉGÉTALES | INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

No. 5 | May 1976 | Geneva

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INFORMATION FROM UPOV

Union for the Protection of New Varieties of Plants in 1975

Membership

At the end of 1975, the International Union for the Protection of New Varieties of Plants (UPOV) consisted, as in the preceding year, of the following member States: Denmark, France, Germany (Federal Republic of), Netherlands, Sweden, United Kingdom.

No new instrument of ratification or accession were deposited in the course of the year with respect to the International Convention for the Protection of New Varieties of Plants, of December 2, 1961 (hereinafter "the UPOV Convention").

The Additional Act of November 10, 1972, amending the UPOV Convention has not yet entered into force since, by the end of 1975, it had only been ratified by Sweden (on January 11, 1973), by Denmark (on February 8, 1974) and by France (on January 22, 1975).

Administrative Bodies

The *Council* held its annual session (ninth ordinary session) from October 7 to 10, 1975. In addition to the member States, two signatory non-member States (Belgium and Switzerland) were represented at the session, in an observer capacity. The session was also attended by observers from a number of other interested non-member States which had been invited, namely, Austria, Finland, Hungary, Ireland, Israel, Japan, New Zealand, Norway, Poland, South Africa, Spain and the United States of America. The work of the Council was prepared by the Consultative Committee in two sessions: the eleventh session, on March 5 and 6, 1975, and the twelfth session, on October 6 and 7, 1975. The Council took, *inter alia,* the following decisions:

(i) Mr. H. Skov (Denmark) was elected Vice-President of the Council of UPOV. He replaces Professor H. Esbo (Sweden).

(ii) New Chairmen were elected for the different Technical Working Parties: Mr. A.F. Kelly (United Kingdom) for the Technical Working Party for Agricultural Crops, Mr. M. Bischoff (Federal Republic of Germany) for the Technical Working Party for Forest Trees, Mr.T. Brossier (France) for the Technical Working Party for Fruit Crops, Mr. F. Schneider (Netherlands) for Technical Working Party for Ornamental Plants and Mr. T. Webster (United Kingdom) for the Technical Working Party for Vegetables.

(iii) The annual report and accounts for 1974 were approved and the program and budget for 1976 were established.

(iv) The UPOV Model Agreement for International Cooperation in the Testing of Varieties as prepared by the Committee of Experts on International Cooperation in Examination (see below) was approved. It will serve as a basis for bilateral agreements according to which one office carries out, in respect of certain genera or species, the technical examination work for the other office. Under the Model Agreement it is envisaged that one office also furnishes to the other test reports already available or under preparation relating to varieties of other genera or species. It is hoped that by concluding a number of bilateral agreements of this kind between offices of member States a multilateral cooperation within UPOV will be achieved which at a later stage might furthermore be institutionalized.

(v) The Council expressed its appreciation of the UPOV Newsletter as published – for the first time in 1975 – by the Office of the Union and asked for it to be given the broadest distribution possible. It decided that the Newsletter should, as at present, mainly contain items of information but should occasionally also include articles on the legal or technical questions which are of interest to UPOV member States and breeders.

The *Consultative Committee* took the necessary decisions for preparing the mission of a UPOV delegation to the United States of America and Canada in order to study, on the spot, the US systems for the protection of plant breeders' rights and to discuss with government authorities and professional

organizations in the United States and Canada the possibility of accession by those countries to the UPOV Convention. This mission took place from September 2 to 17, 1975. The delegation consisted of the President of the Council of UPOV, representatives of five of the six member States of UPOV and the Secretary-General and Vice Secretary-General of UPOV.

The Consultative Committee also discussed, among other topics, the possibility of protecting microorganisms under the UPOV Convention and the problem of indicating reference varieties in guidelines for the conduct of tests for distinctness, homogeneity and stability by trademarks.

Committees of Experts.

The *Committee of Experts on the Interpretation and Revision of the Convention* held its first session from February 25 to 28, 1975, and its second session from December 2 to 5, 1975. In both sessions the Committee considered proposals for a more flexible interpretation or revision of those Articles of the UPOV Convention which may constitute obstacles to the accession of further States to UPOV. These proposals were thoroughly discussed, also in the light of the outcome of the UPOV mission to the United States of America and Canada. The Committee will continue its work in 1976.

The *Committee of Experts on International Cooperation in Examination* held its second session from January 15 to 17, 1975, its third session from April 15 to 17, 1975, and its fourth session from November 4 to 5, 1975. During its second session, the Committee discussed the possibilities of international cooperation in the testing of varieties either by way of bilateral agreements or by a multilateral agreement. It finally agreed on a draft for a UPOV Model Agreement for International Cooperation in the Testing of Varieties which should form the basis for bilateral agreements between national authorities. During its third session, the Committee discussed this Draft Model Agreement and the question of cooperation in examination in general with representatives of international non-governmental organizations in the field of plant breeding and the seed trade. In its third and fourth sessions, the Committee had a first exchange of views on the harmonization of fees and on the harmonization of application forms, of technical questionnaires and of test reports. On April 17, 1975, it held a joint meeting with the Technical Steering Committee for the consideration of part of those subjects. During its fourth session, the Committee agreed on a list of genera and species in which the authorities of member States would indicate those genera and species for which they are ready to discuss with other authorities the conclusion of bilateral agreements concerning cooperation in examination, especially on the basis of the UPOV Model Agreement.

Technical Meetings

The *Technical Steering Committee* held its sixth session on April 17 and 18, 1975, and its seventh session on November 6 and 7, 1975. During its sixth session the Committee discussed, in a joint session with the Committee of Experts on International Cooperation in Examination, the possibilities of harmonizing application forms, forms for technical questionnaires and test reports. It also discussed the difficulties with respect to the assessing of colors as the color charts available at present seemed to be insufficient for the examination of plant varieties. During the seventh session, the Committee discussed methods for the examination of maize hybrids, the technical aspects of the UPOV mission to the United States of America and Canada, and, again, the harmonization of test reports and the problems in connection with the grouping of colors. With respect to the work of the Technical Working Parties, the Committee finally adopted the Test Guidelines for Carnations and Freesia, referred several test quidelines back to the Technical Working Parties, and also approved the transmittal of thirteen other draft test guidelines to the professional organizations for comments.

The *Technical Working Party for Agricultural Crops* held its fourth session at Cambridge (United Kingdom), from June 4 to 6, 1975, and discussed the different methods for the testing of grasses. The draft Test Guidelines for Rape, Turnip, Meadow Fescue and White Clover were finalized. Several workshops dealing mainly with the problems of testing barley, oats, maize and wheat were held, during which the draft Test Guidelines for Barley and Oats, as well as revised draft Test Guidelines for Wheat, were finalized.

The *Technical Working Party for Forest Trees* held an unofficial meeting at Hanover (Federal Republic of Germany) on August 19 and 20, 1975, during which it rediscussed the Test Guidelines for Poplar which had been submitted to the professional organizations for comments, started preparing draft Test Guidelines for Picea and rediscussed the problems connected with the protection of multiclone varieties.

The *Technical Working Party for Fruit Crops* held its sixth session at Bordeaux (France) from June 17 to 19, 1975, and completed the draft Test Guidelines for Cherries, Black Currants, European Plums and Raspberries. It further drafted technical questionnaires for the following species: apples, black currants, cherries, pears, European plums and strawberries.

The *Technical Working Party for Ornamental Plants* held its eighth session at Hornum (Denmark) from September 9 to 11, 1975, and established technical questionnaires for African violets, carnations, Elatior begonia, Euphorbia fulgens, freesia, pelargonium, poinsettia and roses. In addition, comments received from professional organizations on the draft Test Guidelines for Freesia, Carnations and Pelargonium were discussed and the draft Test Guidelines for Rhododendron were completed. The working Party also discussed the problems in connection with the testing of colors.

The *Technical Working Party for Vegetables* held its seventh session at Lund (Sweden) from May 28 to 30, 1975, and discussed the remarks of the professional organizations on the draft Test Guidelines for Garden Peas. The draft Test Guidelines for Cabbage, Carrots and Tomatoes were almost completed and technical questionnaires for garden peas, broad beans, French beans, runner beans and lettuce prepared.

The *Fee Harmonization Working Party* and the *Working Group on Variety Denominations* did not meet in 1975.

Relations with States and Organizations

The *President of the Council of UPOV* and the *Vice Secretary-General* attended several sessions of the International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL) held in Rome (Italy) from May 21 to 23, 1975.

The *Vice Secretary-General* attended the Congress of the International Federation of the Seed Trade (FIS) held in Poznan (Poland) from May 26 to 28, 1975, the meeting of the Committee on Novelty Protection of the International Association of Horticultural Producers (AIPH) held at Mannheim (Federal Republic of Germany) on October 15, 1975, and the Advisory Group meeting and the annual meeting of the Schemes for the Varietal Certification of Seed of the Organization for Economic Cooperation and Development (OECD) held in Paris from March 17 to 20, 1975.

The *Secretary-General* visited the authorities responsible for plant variety protection in France and the *Vice Secretary-General* visited the offices and some enterprises in Denmark and Sweden.

Publications

During 1975, the Office of the Union started the publication of a UPOV Newsletter and prepared and distributed the first three issues. The Office of the Union also prepared official translations of the Convention and the Additional Act in Dutch, Italian and Spanish, as required under Article 41 (3) of the Convention and Article VIII (2) of the Additional Act. French and German texts of the general information brochure were also published.

INFORMATION FROM INTERNATIONAL ORGANIZATIONS

International Federation of the Seed Trade (FIS)

Address by Mr. Pierre Chabrand, President of the French Plant Variety Protection Committee, at the FIS Mini Congress from May 25 to 28, 1975

*At the FIS Mini Congress held at Poznan (Poland) from May 25 to 28, 1975, Mr. Pierre Chabrand, President of the French Plant Variety Protection Committee, delivered an address which informed the participants on the international development in the field of patents and the conclusions that might be drawn from it for the international cooperation in the field of plant breeders' rights protection. Mr. Pierre Chabrand and FIS kindly gave the permission to reproduce this address, which has already been published in the FIS Bulletin No. 34, in this Newsletter. **

I am pleased and undoubtedly flattered to be called upon by your President to say a few words to your great Assembly. Not so much personally so, for I am ignorant of many things with which you are familiar, but because I felt that this invitation implied a wish for information or, as we say today, a wish to have an opening.

You are businessmen and scientists, often both, and I am a man versed in law, particularly in industrial property and copyright legislation. I value your gesture even more since I know how insufficiently in your eyes this discipline deals with the enormous problems with which you struggle. But it is a fact that although law often seems to be a check to the dynamic force of commerce it is also essential to safeguard the trade's existence.

Plant variety protection legislations have come late in the history of intellectual propriety rights. But you have not waited for them with too much impatience as you were and still are organised almost in a corporate way.

I am referring for example to the French "Caisse de Gestion des Licences Végétales" (Breeders' licence collecting office) and to its regulating and normative role. Today the Paris Convention exists, but its application is still in its initial stage and you wish to speed up the process it has initiated, i.e. at least this is what I believe if I take into account the opinions I hear in the Plant Variety Protection Committee whose Chairman I am. One of these opinions would do as an example and that is that last February one of the members of this Committee addressed to me without any further comment a newspaper article with the headline: "One simple patent for 16 countries. That means less loss of time, fewer application costs and a better protection granted to industrial property". This headline was not ambiguous, as its contents corresponded with my personal experience. I wish to discuss this idea with you. The journalist pointed out that when today someone wants to apply for a patent in Europe he must do so in eight countries, in eight languages, take into account eight legislations, eight scales of fees. He reported that some European countries did not grant any patents, that other granted them without any verification, that their time validity varied from 15 to 20 years, the application fees from 15 to 350 francs and the total renewal or maintenance fees from 500 to 25,000 francs.

You will agree that as far as you are concerned the situation is, although there exists a Convention of Paris, hardly better. Prospects may even be less bright, as to my knowledge, a common certificate is not being contemplated. However, there is no reason for despair. You should be aware of the fact that the attractive features of the recent developments in industrial propriety rights legislation have neither been achieved in one day, nor by one man and that also in this field all is not yet perfect. This adventure has

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* The translation into English has been kindly furnished by FIS.

started when the enthusiasm of the Rome Treaty still prevailed, but the first endeavour to achieve a common patent at which six States have aimed was wrecked in 1965. New efforts were made in 1969 at the request of France and this time these efforts were successful. Today there exist complete texts of an agreement, but mainly for reasons of infrastructure and costs these will only enter into force in a few years from now. In any case there will then be two new titles of protection: The *Community patent* and the *European patent* (21 countries).

The Munich agreement, signed in October 1973 by 14 States (no ratifications however) has as a matter of fact created a new title of industrial property which will be granted after technical examination by a European Office. This title based on one simple application will in each State be submitted to the rules of the national law as far as the rights granted and the conditions of ownership are concerned. This is the so-called *European patent.* In the EEC countries however, the patent is not governed by the national law concerned and has therefore a unitary character. It is referred to as the *Community patent.* However, there will probably be a provision (proposal by the UK) according to which the applicant will always have the possibility to make an exception to this rule and may decide that his title will retain its national character in the EEC countries.

Incidently I wish to point out to you that as in France the present patents have a time validity of 20 years, three titles will co-exist around the eighties until 1989: patents based on the law of 2nd November 1968, Community patents and European patents. You will agree with me that the simplification to which I have referred is at least for the near future looked upon with some reservation both by industry and legal people who have to know three legislations and their correlations.

There is still another approach to the international protection of industrial property which is less known to the general public, because it is less radical. I am referring to the *Cooperation Treaty of Washington* signed in 1970 (PCT – Patent Cooperation Treaty). Even though this treaty is essentially based on the ideas put forward by France at the Peace Conference in 1919, it is the result of a proposal by the United States of America to the Assembly of the Paris Union for Industrial Property (at present signed by 35 countries of which only 2 have ratified the Convention). We have witnessed a kind of speed race between the European Patent and the PCT, which has strengthened the zeal of its authors. At present the PCT seems to be asleep; only Senegal and Madagascar have ratified it. *

The economy of this system which aims at being worldwide is the following: the applicant has to make an international application which of course must satisfy certain requirements (in fact the average of the requirements of the national legislations). This application must be made with a national office and must specify a certain number of foreign countries in which protection is applied for. A copy of this application remains at the office at which the application has been made, another copy will be sent to Geneva to the Headquarters of the World Intellectual Property Organization (WIPO) which will address a copy of the application to each of the States concerned and these will examine it as a national application. Only one single international administrative body will be charged with the research of the priorities and will send its results to the national offices who are free in their decision or in other words are not tied by these results.

The Treaty also contains an optional chapter. In that chapter each State that is a party to that chapter binds itself to accept the conclusions of an international preliminary examination (patentability or not of an invention in the terms of certain provision of the Treaty). Several examination centres have been designated, such as the big national centres of Tokyo, Moscow, Washington, etc. It is a progressive, rather flexible, two level system.

I have given you from memory and strictly as an outline the new developments during the last few years in the field of industrial property, which are at the same time varied and considerable. To what extent could these developments inspire us in our work ? We must first be aware of the circumstance, but this is well-known, that the degree of integration of national legislations is indirectly proportional to the number of signatory States of conventions aiming at unification; therefore a choice must be made between either being few in number and in that case it is possible to go very far in abandoning one's own particular rules, or being numerous and then we must be satisfied with more modest successes. The three systems contemplated are in this respect instructive.

Next we must be aware that there will not be any progress without centralisation or at least standardization of applications and technical examinations. Separate examinations which are a source of expense and, under circumstances, confusion, must be abandoned. In this respect the creation of the

* This statement reflects the situation in May 1975. The situation has since changed, seven more instruments of ratification or accesion having been deposited.

European Patent Office has been an event that we may qualify as historical. You know that the problem was that of the valorisation of the invention (valorisation– give value to the title describing the invention). A patent without examination was a title inspiring little respect, but the examination must not take too much time, otherwise it will sterilize the title. The foundation of the European Office has raised numerous problems: recruiting examiners, forming the liaison with the International Patent Institute in The Hague, which is the "memory" of industrial property. It has also caused political implications: certain people were afraid of the influence the host country would have on the functioning of the organisation and of the advantage lawyers living in the country concerned would naturally have in that they would speak the country's language, etc...

We must finally be aware of the fact that simplification and harmonisation of procedures, the foundation of common organs have taken time. So, reformers had to be men of great knowledge, much good will and much perseverance. What could I, starting from this review, add to this ? That if you wish to make progress, which I believe you wish, you must be unanimous but above all make concrete proposals after you have defined your objectives. The road to unity by simplification will be long, but as all roads it will always be completed by steps. I know that Assinsel accomplishes a useful task in this respect. The Paris Convention exists and it is a good Convention, which does not mean, in my opinion, that it cannot be improved. The Union for the Protection of New Varieties of Plants (UPOV) must not be weakened nor even critisized too much. In this connection I refer to the quarrel raised by some quarters about denominations. Surely, we need common sense, but we must be exact in our reasoning. The denomination is the name of a variety, it must make it possible to distinguish the variety universally. Trade mark is something else, viz., the propriety of a man or a firm who can freely dispose of it.

This Union has, although it is imperfect, the fine and transitory excuse that it is young. You know however, that the government representatives are working, that the Committees of Experts are working hard to make certain modifications possible. The fact that it has been possible to bring the experts closer together is in itself a success. Help this research, develop further by supplying useful information, do not be avaricious with your suggestions. At this stage of my address I would like to give you an advice however, for I am accustomed to negotiations, difficult negotiations: Make sure that human relations are not disturbed. Take in your work as a starting point that the interests and arguments opposing yours are as valuable as your own interests and arguments. Be aware of the fact that there is a right moment to start dialogue and that untimely discussions are always negative.

I now wish to briefly report on what is done in this spirit of harmony by the French Protection Committee, which is not exemplary, but with which I am familiar. A special feature is that it is headed by a magistrate, i.e., an arbitrator and not a scientific authority. The Committee is composed of persons representing a large range of functions coming both of the private sector and of the INRA. In this Committee I have reached the greatest possible consensus for an energetic French cooperation at Geneva. Mr. André de Vilmorin and Mr. Victor Desprez are members of this Committee and since you know them, you can imagine that they have not refrained from drawing our attention to the necessity of harmonisation. We have tried to prepare the work of our representatives. We have discussed several times about a simplification of the filing of applications and a harmonisation of the fees. We are as it were a Chamber of consultation and of free expression of opinion. As far as examination is concerned, for instance, it has appeared necessary to us to propose that first of all the expressions " *important characteristic*" and "*stable characteristic*" should be thoroughly studied, that attention should be paid to collections and to standard varieties. It also seems to us that as far as the examination Centres are concerned various possibilities should be contemplated -— the designation of National Centres with international vocation (communication of files) – the constitution of International Centres around a national nucleus by stationing examiners of other countries there – the foundation of big international Centres.

Finally I would like to say, let us not be blind for all that is going on elsewhere, i.e., in the field of industrial property. But let us also remember that the object of an invention is better distinguishable than a new variety will ever be and that the two do not lend themselves to be marketed in the same way. In any case it is up to you to make an inventory of what you would like to see changed and to fix priorities.

INFORMATION FROM MEMBER STATES

United Kingdom: Appeal to the Plant Varieties and Seeds Tribunal

For the first time since the entry into force of the Plant Varieties and Seeds Act 1964 of the United Kingdom, a decision of the Controller of Plant Variety Rights has been contested and the matter has been laid before the Plant Varieties and Seeds Tribunal. The decision of the Tribunal might be of interest to the readers of this Newsletter and has, therefore, been reproduced in extenso hereunder.

THE PLANT VARIETIES AND SEEDS TRIBUNAL

APPEALS BY A/S L. DAEHNFELDT, ODENSE, DENMARK

PLANT VARIETIES AND SEEDS ACT 1964
(as amended by the European Communities Act 1972)

ITALIAN RYEGRASS VARIETY – PREGO

DECISION

In these proceedings A/S L. Daehnfeldt, P.O. Box 185, DK-5100, Odense, Denmark (Appellants) are appealing respectively against the refusal of the Agricultural Ministers (of England and Wales, Scotland and Northern Ireland) to add the Italian ryegrass variety PREGO (*Lolium multiflorum* Lam.) to the United Kingdom National List of grass varieties, and against the refusal of the Controller of Plant Variety Rights to grant plant breeders' rights in respect of that variety.

At the Hearing of the appeals on September 15th 1975 the Appellants were represented by Mr. H. Karlsen, assistant director of the Appellants. Mr. G.R.J. Robertson L.L.B., Solicitor, appeared on behalf of the Respondents, the Agricultural Ministers and the Controller.

References in this Decision to e.g. B/36 or B/28 signify the relevant numbered documents in Bundle B of The Tribunal papers.

Application for the grant of plant breeders' rights was filed on 15th December 1969. Following the introduction of the National List system on 1st July 1973 application to add the variety PREGO to the National List was made on 25th February 1974. In the Technical Questionnaire accompanying the application for the grant of rights it is stated that the variety PREGO is an Italian ryegrass (diploid) bred from a mass selection of single plants of Swedish, Dutch, German and Polish origin. Breeding took place at the Appellants' breeding station at Lundsgaard, near Odense, Denmark.

The Official Refusal to grant the present applications is contained in a letter dated 6th May 1975 from Miss E.V. Thornton (Deputy Controller of Plant Variety Rights) to the Appellants' agents, Messrs. Menzies, Dougal and Milligan of Edinburgh (B/23).

So far as is relevant the letter states as follows:

"I am directed by the Agricultural Ministers and the Controller of Plant Variety Rights to refer to the letters of 26th September 1974 (from the Appellants) making representations against the proposals to refuse to add the ryegrass variety PREGO to the National List and to refuse to grant Plant Breeders' Rights in the variety.

In considering the representations the testing authorities have examined the claims made by the applicant and they have not been able to reconcile these with their own findings. While an extra year's tests have indicated an acceptable difference between PREGO and LEDA DAEHNFELDT and TUR the authorities have been unable to distinguish PREGO from TIARA or VEJRUP MB.

The United Kingdom Seeds Executive at its meeting on the 27th March (1975) also gave full consideration to the representations and the report of the testing authorities, and were unanimous in their view that the proposal to refuse to add the variety to the National List should be upheld.

The Agricultural Ministers have now considered the representations in the light of the evidence they have from the testing authorities and the United Kingdom Seeds Executive, and I have to inform you that they have decided to give effect to their proposal to refuse the application to add the variety to the National List because it does not comply with the requirements for distinctiveness prescribed in Schedule 2 to the Seeds (National Lists of Varieties) Regulations 1973.

The Controller of Plant Variety Rights has also considered the representations in the light of the evidence before him and I have to inform you that he too has decided to give effect to his proposal to refuse the application for a grant of plant breeders' rights because the variety does not comply with the requirements prescribed in Schedule 2 Part II of the Plant Varieties and Seeds Act 1964."

The main issue in these appeals is whether the variety PREGO can be said to be sufficiently distinct from the Italian ryegrass varieties TIARA and VEJRUP MB (nationally listed within United Kingdom respectively in the names of Cebeco-Handelsraad and M. Brock, Odense) as to qualify for national listing and the grant of plant breeders' rights.

In order to qualify for entry in a National List, Schedule 2 to the Seeds Regulations 1973 sets out certain requirements as to distinctness, uniformity, stability, value for cultivation and use, all of which have to be satisfied. As regards distinctness the Regulations state that the plant variety "shall be clearly distinguishable, by one or more important morphological, physiological or other characteristics, from any other plant variety entered or submitted for entry in a National List..."

The corresponding distinctness requirement for the grant of plant breeders' rights is set out in Schedule 2 Part II of the 1964 Act as follows:

(1) The variety must be clearly distinguishable by one or more important morphological, physiological or other characteristics from any other variety whose existence is a matter of common knowledge at the time of the application.

(2) For the purposes of the foregoing sub-paragraph common knowledge may be established by reference to plant varieties already in cultivation or exploited for commercial purposes, or those included in a recognised commercial or botanical reference collection, or those of which there are precise descriptions in any publication.

It was not disputed by the Appellants that TIARA and VEJRUP MB were properly cited by the testing authorities in the United Kingdom for the purpose of considering the issue of distinctness.

It was the Appellants' case that PREGO had in fact been shown to be sufficiently distinct from TIARA and VEJRUP MB in two member countries of UPOV and the E.E.C. (namely, West Germany and Denmark) as to qualify for the grant of plant breeders' rights and national listing in those two countries.

No criticism was levelled at the technical work of the United Kingdom testing authorities or the correctness of the figures recorded under the United Kingdom tests.

However, Mr. Karlsen maintained that these appeals were by way of being a criticism of the interpretation and application of the particular UPOV rules governing tests on ryegrass varieties by the United Kingdom testing authorities. It was said that refusal in the United Kingdom might well imply that the West German and Danish authorities had come to their decision on a false basis. No argument was put forward by Mr. Karlsen to the effect that entry in official lists and/or the grant of rights in West Germany and Denmark made it obligatory on the United Kingdom authorities to grant corresponding rights in the United Kingdom under E.E.C. legislation or any other international provisions.

It is clear that the various requirements laid down by the United Kingdom legislature are to be interpreted in accordance with United Kingdom law and practice. Thus the UPOV rules, or more precisely "guidelines", relied upon by Mr. Karlsen and set out in B/31, do not have any statutory force in the United Kingdom and are in no way binding on the United Kingdom testing authorities, notwithstanding their otherwise strong persuasive effect.

Mr. Robertson, at the opening of his address, rightly drew our attention to the significance of the words "must", "shall", "clearly distinguishable" and "important" in the relevant United Kingdom rules and regulations. These words serve to emphasise the high measure of distinctness that must be shown for an applied for variety as contrasted with other known or listed varieties, The onus is upon the applicant to establish that his variety matches up to the relevant requirements. It is not enough simply to show a few minor, sporadic differences.

During the hearing of these appeals oral evidence was given by witnesses on behalf of the Agricultural Ministers and the Controller, and Mr. Karlsen himself answered questions under oath put to him by Mr. Robertson. All the witnesses together with Mr. Karlsen put in statements summarising their evidence. Inevitably some of the evidence overspilled from matters specifically relevant to distinctness to matters relevant to other requirements – e.g., uniformity, stability and value for cultivation and use. This was because the various tests carried out in the United Kingdom and elsewhere were not restricted to distinctness per se.

United Kingdom tests

Miss E.V. Thornton, Deputy Controller of Plant Variety Rights, related the history and development of the National List system and its administration. She also set out the rules governing the grant of rights under the 1964 Act and stated that tests for plant breeders' rights purposes are conducted at the same centres as for National List purposes.

Prior to 1st July 1973, the Index and Statutory Performance Trials provisions of the 1964 Act applied, inter alia, to ryegrass varieties, and before new varieties could be marketed in the United Kingdom they had to be submitted for:

(i) tests to ensure that they were distinct from all other varieties then on the Index, and

(ii) performance trials to enable the Agricultural Departments to publish performance reports.

The variety PREGO was entered for such tests and trials, but the variety was in fact exempted from the necessity of undergoing statutory performance trials as at the time of application it was already undergoing trials equivalent in scope and duration to the performance trials. When the National List system was introduced on 1st July 1973, the applicant was requested to submit a National List application, and this he did on 25th February 1974.

Distinctness, uniformity and stability (d.u.s.) tests on ryegrass varieties were undertaken at two centres, the National Institute of Agricultural Botany at Cambridge and the Plant Testing Station of the Department of Agriculture for Northern Ireland at Crossnacreevy. Value for cultivation and use (v.c.u.) trials (performance trials) were conducted at a larger number of centres.

Mr. R.H. Stewart, principal scientific officer in the Department of Agriculture for Northern Ireland, stated that seed from samples of PREGO submitted for tests was sown in each of the years 1970, 1971 and 1972 at Crossnacreevy.

Three years is the normal period for testing, but in the case of PREGO the Northern Ireland Department continued to test for a fourth year, and in fact results had recently come in of the 1975 testing – completing a cycle of five years' testing on this particular variety for d.u.s. criteria.

The test procedures carried out at Crossnacreevy are conveniently set out in Mr. Stewart's statement and were not challenged. He maintained that the Northern Ireland tests were more comprehensive than tests carried out in any of the other E.E.C. countries referred to in terms of the number of replications and the number of years' testing.

Dr. A. Zaleski, Head of the herbage section of the systematic botany branch of the National Institute of Agricultural Botany (N.I.A.B.) gave evidence about the d.u.s. tests carried out on the three official samples of PREGO at Cambridge during the growing seasons 1970/71, 1971/72 and 1972/73. These tests formed part of the common programme conducted at Cambridge by N.I.A.B. and at Crossnacreevy by the Department of Agriculture for Northern Ireland.

The seed sample supplied by the applicant in each year was received by N.I.A.B. and divided to provide material for the tests at both centres while a remainder was stored for subsequent use.

Following difficulties in determining a sufficiency of d.u.s. characteristics in PREGO compared with TIARA and VEJRUP MB following the three-year test period 1970/73, further tests were undertaken and recorded in 1973/74 and 1974/75. As in the case of Mr. Stewart's evidence the detailed procedures adopted at Cambridge are conveniently set out in Dr. Zaleski's statement.

Dr. P.S. Wellington, Director of N.I.A.B., stated that he has been responsible since the introduction of the National List legislation in 1973 for the work of the Systematic Botany Branch, which carries out tests in England and Wales to determine the d.u.s. of the material submitted for national listing. Dr. Wellington is also responsible for the work of the Trials Branch which carries out field trials for the assessment of v.c.u. criteria. The techniques adopted by the two branches vary considerably. The characters which are assessed for d.u.s. are indicated in the UPOV guidelines (B/31), which bears the date 7th November 1973. N.I.A.B., however, came out with their own guidelines in December 1968 and these, together with an indication of the technique to be applied in assessing the relevant characters, are set out in B/30.

Dr. Wellington stated that the important aspect of this technique is that it involves records for these characters being made on single spaced plants of each of the varieties being compared, so that each plant is looked at individually. By contrast the procedure involved in assessing v.c.u. set out in B/33, used by the Trials Branch in performance trials, involves a range of sites where a random sample of seed of a variety is sown at each site. The plants are then grown as a sward of grass and measurements are made by cutting the grass at different stages to simulate the production by the swards either when it is grazed by animals or when it is conserved as a feed during the winter for commercial production.

Significantly the character winterhardiness appears nowhere in B/30 or 31. This is considered an appropriate character for v.c.u. assessment, but is not relevant to d.u.s. assessment. We refer to this factor at this point since Mr. Karlsen was at pains to emphasise that in Denmark freezing tests had demonstrated that PREGO had considerably greater winterhardiness characteristics than VEJRUP MB. No comparative tests were made in Denmark between PREGO and TIARA, and no information on winterhardiness was available from West Germany.

It is clear from the evidence as a whole that procedures for evaluating winterhardiness have not crystallised sufficiently in the United Kingdom to enable firm conclusions to be reached.

Apart from cold temperatures which may induce certain results in laboratory conditions and different results in the field, it must be borne in mind that winters in the United Kingdom may not necessarily be cold, but may and do frequently involve harsh conditions provoked by long periods of heavy rainfall, sleet and high winds. Factors such as these are not easy to assimilate, and have not in fact been assimilated in any reliable test procedures to date.

In the result we feel that any claim put forward by the Appellants to an allowance of their appeals based on winterhardiness factors must be rejected.

The comparative d.u.s. results obtained from tests carried out at Crossnacreevy and Cambridge are set out in B/28 and 29 respectively. Evidence as to the statistical information to be deduced from these results was given by Mr. S.T.C. Weatherup, Principal Scientific Officer in the Biometrics Division of the Northern Ireland Department of Agriculture.

The Danish and West German tests

The evidence about these is scanty and uninformative. B/27 sets out various results obtained during the years 1971 to 1974 from tests carried out in Denmark between PREGO and VEJRUP MB. During the course of his address Mr. Karlsen made an application to put in additional figures relating to tests carried out in Denmark between PREGO and TIARA. This was not objected to by Mr. Robertson.

The only evidence available with respect to tests carried out in Germany is to be found at B/15, 17, 18 and 26.

On 26th April 1974, Dr. Zaleski wrote to Dr. Beuster, Hanover, stating his belief that PREGO was entered on the German list. He stated that United Kingdom tests so far had failed to distinguish PREGO from VEJRUP MB and TIARA and others, and sought information about possible test results in Germany. Dr. Beuster's reply tells us very little. It appears that no comparison was made between PREGO and VEJRUP MB in Germany.

The last column of B/26 relative to a comparison between PREGO and TIARA and another variety TUR (not now in issue) might indicate that different point differences are acceptable as valid for different characters. However, we have little or no information about the procedures adopted as we have in the case of the United Kingdom tests. Above all, the information available is not presented in the same way as in the case of the United Kingdom tests *and is without any indication of the level of statistical significance.* This latter omission, in our view, is of crucial importance. There is, accordingly, nothing in the information we have had on the Danish and German tests to make us question the validity of the results of the United Kingdom tests on d.u.s. We thus conclude that the mere presence of PREGO on the Danish and West German lists cannot of itself be a valid reason for regarding PREGO as satisfying the requirements of the United Kingdom legislation.

No criticism whatever of Danish or West German variety testing is to be inferred from this or any other comments made in this Decision. Such testing is wholly outside our competence and very largely outside our knowledge. We had for consideration only such fragmentary information of Danish and German origin as was presented to us.

Validity of U.K. test procedures and their significance

The word "important" appearing in the United Kingdom legislation can only mean in this context "important from the point of view of distinguishing clearly between varieties". We consider that for a variety characteristic to qualify as important in this context it must be one

(a) the assessment of which is practicable, that is to say, one which can be assessed by tests which do not involve disproportionate or unreasonable expenditure of effort, space or cost;

(b) which can be assessed at will, that is to say, its testing must not depend on a particular set of weather conditions which may occur only rarely;

(c) which is assessable by tests which give reasonably consistent and repeatable results in different years and at different stations in the United Kingdom, taking into account the fact that differences in locality and in weather conditions may affect the results.

Further, in the case of a cross-pollinated plant like Italian Ryegrass, in which there is a substantial amount of difference between individual plants of the same variety, and in which most of the differences between plants and between varieties are quantitative in nature, for a characteristic to be important in this sense it must also be one

(d) which can be assessed in such a way as to take into account the variation between individual plants of any one variety.

For quantitative characters a number of plants (60 in U.K., 50 minimum in UPOV guidelines) are chosen at random and measured, and the mean value used. This mean value is a sample mean only. With such relatively small samples the mean of one random sample may by chance differ widely from that of another sample of the same variety. The true variety mean is always unknown, since it could only be

obtained by measuring an infinite number of plants of the variety; hence of course an absolute difference between the true means of two different varieties cannot be obtained. There is, however, an accepted statistical technique, the analysis of variance, which, by comparing the variation within the sample with that between samples, allows the calculation of the probability of an observed difference between two sample means being a true difference, and not a false difference due only to chance. Absolute certainty is not obtainable, but a 99% probability is normally accepted as satisfactory. We should not normally regard a difference between two varieties which reached a statistical significance of only 95% probability as satisfying the "clearly distinguishable" requirement of U.K. legislation. Figures for sample means which are given without any information on statistical significance are logically uninterpretable, and no valid meaning can be attached to any differences which they may appear to show.

Taking (c) and (d) into account, we consider the convention used by the U.K. testing authorities to be abundantly satisfactory: this is that a difference between two varieties for a particular characteristic is regarded as valid if it reaches 99% probability in at least two tests out of three.

In explaining the significance of the summary of results of the U.K. tests (B/28 and 29) Dr. Zaleski stated that individual plant data are first analysed plot by plot and a list of maximum/minimum and mean values produced with values of standard deviations per plot which indicate the amount of variation among the recorded plants. The variety means per plot are then subject to a statistical analysis of variance to produce a measure of the standard error and least significant difference (LSD) which apply to the variety means over all six plots. These variety means and associated LSDs are given in the summary of results (B/28 and 29).

The criterion for assessment of distinctness adopted for herbage varieties in the United Kingdom is that there should be consistent significant differences at probability P – 0.01 (1% level) for at least one character in two out of the three years.

Comparisons between samples of PREGO and the varieties TIARA and VEJRUP MB produced no such consistent evidence at Cambridge or Northern Ireland over the whole period of testing.

It is perhaps significant to note the reaction of the Appellants to the difficulties being experienced in the United Kingdom in distinguishing between PREGO on the one hand and TIARA and VEJRUP MB on the other. Originally difficulties were also being experienced with varieties TUR and LEDA DAEHNFELDT.

Following two years of tests the Appellants were invited to submit comments, and on 28th June 1973 (B/11) the Appellants replied stating:

"TIARA is later in ear emergence than PREGO and it is more erect in angle than PREGO.

PREGO is a few days later in ear emergence than LEDA DAEHNFELDT and LEDA DAEHNFELDT is somewhat lighter in leaf colour than PREGO. PREGO is more leafy and winterhardy than LEDA DAEHNFELDT."

There were no comments on VEJRUP MB and nobody from the Appellants came over to this country to discuss the difficulties being experienced.

Following a further year's testing all data was re-examined, and while significant differences were established as against TUR and LEDA DAEHNFELDT, no significant differences were observable between PREGO and TIARA and VEJRUP MB.

Mr. Stewart, dealing with the United Kingdom criteria for distinctness, stated that before a herbage variety can be accepted as distinct it is important that consistent statistical differences between it and other known varieties should be established so that positive identification of a sample of seed of unknown or doubtful origin can be established with a high degree of certainty. In the tests carried out in Northern Ireland over five years no evidence emerged which would permit any positive identification of the variety PREGO from either the variety TIARA or the variety VEJRUP MB.

Mr. Stewart, in answer to questions put to him by Mr. Robertson, emphasised the importance attached to the repeatability of tests in the matter of establishing consistency, and again confirmed the

absence of any consistent significant difference between PREGO and the varieties TIARA and VEJRUP MB. He went on: "If I were presented with a sample purporting to be PREGO I could not, with the evidence that we have to date at any rate, pronounce judgment as to whether that variety was or was not PREGO."

It is unnecessary for us to consider further the detailed results of the United Kingdom tests. These were not challenged in any way by Mr. Karlsen. We are satisfied that the United Kingdom testing procedures for Italian Ryegrass were soundly structured for the purpose of determining the requirement of distinctness within the meaning of the Act, and we are further satisfied that the United Kingdom testing authorities were justified on the overall evidence available to them in refusing to accept that PREGO had established the requisite distinctness compared with the varieties TIARA and VEJRUP MB to qualify for national listing and the grant of rights in the United Kingdom.

The Appellants' case

The Appellants contended that, in applying the U.K. distinctness test figures, the small total range of variation within Italian Ryegrass should be taken into account, and, therefore, smaller intervarietal differences accepted for Italian Ryegrass than for other species. This involves a misconception of the meaning of the figures. To accept as valid smaller differences between the existing figures would be to accept a greater probability of false results due purely to chance, rather than to accept smaller true differences. It is possible that a test layout could be devised which would assess smaller differences significantly, but this must involve a substantial increase in the number of individual plants included in the tests. This we regard as impracticable, and, therefore, taking any characteristics showing only such smaller differences out of the "important" category. The further contention, to be inferred from some of the information presented, that numerical differences between sample means should be accepted providing that they are in the same sense over a number of years, without any reference to statistical significance, we regard as unsound for the reasons already stated.

We think it must be accepted that the number of varieties which can be validly distinguished within a kind of plant which shows a rather narrow range of total variation (viz. Italian Ryegrass), may be more limited than in other species.

The botanical characters which Mr. Karlsen claimed to be of importance in distinguishing PREGO from TIARA and VEJRUP MB were as follows:

(a) *Width of flag leaf*

Mr. Karlsen put in some late figures for tests undertaken in Denmark in the years 1973 and 1974 which he claimed showed a significant difference in width of flag leaf between PREGO and TIARA. No or no significant differences were recorded in corresponding Danish tests between PREGO and VEJRUP MB (see B/27), and no information is available from Germany. The United Kingdom tests showed that these differences were not significantly different statistically at the 1% level of significance.

(b) *Date of ear emergence*

A difference in ear emergence was shown in Denmark between PREGO and VEJRUP MB. Mr. Karlsen stated that the figures (see B/27) setting out the number of days as from 1st April showed one day's earlier ear emergence for VEJRUP MB than for PREGO and that the tendency had also been confirmed in the Cambridge tests for 1972, 1973 and 1974.

Mr. Karlsen stated that these were average figures for 50 or 60 plants in some replications, but accepted that he had no information on the statistical level of significance for this. The differences in the Cambridge tests in our view were not statistically significant.

(c) *Length of ear*

This character is not regarded as useful by the United Kingdom testing authorities because it does not show a consistent difference between varieties. A test was specifically carried out in the United Kingdom in 1975 and no significant differences were found between PREGO and the other two varieties.

(d) *Length of longest stem at full flowering*

No difference was recorded between PREGO and TIARA according to the German information (B/26). Danish information showed some difference between PREGO and VEJRUP MB but again without any indication of statistical significance. No United Kingdom figures are available since this character is not regarded as useful by the United Kingdom testing authorities, having also been abandoned by UPOV (see Dr. Zaleski's evidence).

(e) *Persistency*

Some differences in persistency were shown in trials undertaken in Scotland. Persistency is a complex characteristic, likely to be much affected by conditions, the testing of which is necessarily time-consuming. We could only recommend further tests if there was strong evidence available that these would give a clear distinction. Figures from Scotland (submitted very late for our consideration) for % ground cover in a second harvest year and again presented without statistical information, showed a difference of 11% between PREGO and VEJRUP MB which may be significant, but a difference of only 2% between PREGO and TIARA. It appears highly improbable that this latter difference could be significant. Bearing in mind all the other surrounding circumstances we cannot regard further testing as justified.

(f) *Dry matter yield*

This characteristic, although of great importance for performance testing, is not regarded as reliable in distinctness tests, since it is so much affected by conditions that it is unlikely to show consistent and significant differences (see Dr. Wellington's evidence). Trials carried out in Scotland where all three varieties were tested showed no statistically significant differences between them.

Having carefully considered all the submissions and documents put forward by Mr. Karlsen in support of the Appellants' case, and having given him all available latitude in view of the fact that he himself is not a breeder and was on his own presenting his case in what is to him an unfamiliar language, we are nevertheless of clear and unanimous opinion that the Appellants have failed to establish that Italian ryegrass variety PREGO is clearly distinguishable from either of the Italian ryegrass varieties TIARA or VEJRUP MB.

Accordingly these appeals fail.

We think that the Respondents, the Ministers and the Controller, are entitled to an award of costs, and in exercise of the powers conferred upon us under paragraph 9(1) of Schedule 4 to the 1964 Act we direct that the sum of L 450 be paid to them by the Appellants.

DATED

10 November 1975

JOHN BURRELL Q.C.
(Chairman)
K.C. VEAR M.Sc.
Alice M. Evans M.A. PhD.

PUBLICATIONS

Publications of the Office of the Union

The Guidelines for the Conduct of Tests for Distinctness, Homogeneity and Stability ("Test Guidelines") for Carnations (vegetatively propagated varieties) and Freesia (vegetatively propagated varieties) have been adopted and published. The test guidelines for the following species (in a trilingual--English, French and German--edition) and the General Introduction to the Guidelines for the Examination of Distinctness, Homogeneity and Stability of New Varieties of Plants--in English, French, or German--are available from the Office of the Union at a price of 2 Swiss francs per copy, including surface mail.

Document number	English	French	German
TG/1/1	General introduction	Introduction générale	Allgemeine Einführung
TG/2/1	Maize	Maïs	Mais
TG/3/1*	Wheat	Blé	Weizen
TG/4/1	Ryegrass	Ray-grass	Weidelgrass
TG/II/4	Red clover	Trèfle violet	Rotklee
TG/II/5	Lucerne	Luzerne	Luzerne
TG/7/1	Garden peas	Pois potager	Gemüseerbsen
TG/III/2	Broad beans	Fève	Puffbohnen
TG/III/4	Runner beans	Haricot d'Espagne	Prunkbohnen
TG/V/2	Euphorbia fulgens	Euphorbe	Korallenranke
TG/11/1	Roses	Rosier	Rosen
TG/12/1	French beans	Haricot	Bohnen
TG/13/1	Lettuce	Laitue	Salat
TG/14/1	Apples	Pommier	Apfel
TG/15/1	Pears	Poirier	Birne
TG/16/1	Rice	Riz	Reis
TG/17/1	African violet	Saintpaulia	Usambaraveilchen
TG/18/1	Elatior begonias	Begonia elatior	Elatior-Begonien
TG/23/2	Potatoes	Pomme de terre	Kartoffel
TG/24/2	Poinsettia	Poinsettia	Poinsettie
TG/25/2	Carnations	Oeillet	Nelken
TG/27/3	Freesia	Freesia	Freesie

* A revised edition is under preparation

Publication of legal texts

Chile: Extracts of the Decree having force of Law no. D.F.L. 3-70 of July 14, 1970, on the Research on, the Production, the Processing and the Trade of Seeds have been published in the French language in the November/December 1975 issue of "Protection des obtentions végétales" (Official gazette of the French Committee for the Protection of New Plant Varieties).

Romania: Law on Inventions and Innovations (No. 62 of October 30, 1974) published in the October 1975 issue of "Industrial Property"/"La Propriété industrielle". The following sections of the Law are of particular interest to plant breeders.

Section 8

The rights regarding inventions of Romanian natural and legal persons, as well as of foreigners residing in Romania, shall be acknowledged and protected in accordance with this Law.

Foreigners residing abroad as well as foreign legal persons shall enjoy the benefits of the provisions of this Law on the basis of international conventions to which the Socialist Republic of Romania is party or, where no such convention is applicable, on the basis of reciprocity.

Section 14

A patent shall be granted as follows:

(...)

(b) to State-owned socialist organizations for inventions relating to substances obtained by means of nuclear and chemical methods, to medicinal products, to methods for diagnosis and medical treatment, to disinfectants, to food and spices, as well as to new varieties of plants, strains of bacteria and fungi, new breeds of animals and silkworms, regardless of the conditions under which they were created;

Section 28

Research, experimentation, testing and use relating to new varieties of plants, cultures of bacteria, varieties of fungi and of new breeds of animals and silkworms shall take place within the time limits and subject to the conditions laid down in the special law.

Section 37

The authors of inventions used in the national economy shall receive honorary and material rewards of the following kinds: scientific titles, orders and medals, professional degrees, exceptional promotion to a position, prizes and other pecuniary rewards, all of which shall be established on the basis of the economic and social advantages calculated with reference to the utilization of the invention.

Pecuniary rewards shall be calculated for each invention separately, on the basis of rules approved by the Council of Ministers on a proposal from the National Council for Science and Technology, the Ministry of Finance and the Ministry of Labor.

The amount of the pecuniary reward that shall be paid for each invention shall be approved by the National Council for Science and Technology and the Ministry of Finance, on a proposal from the socialist organization which holds the patent, and taking into account the opinion of the central research institutes, academies of sciences or competent central body.

The payment shall be made by the socialist organization that uses the invention, from the savings effectively obtained as a consequence of using it, calculated yearly on the basis of the scales referred to in the second paragraph of this Article.

Section 38

The yearly pecuniary reward concerning an invention worked in the economy shall not exceed a maximum of three times the monthly remuneration carried by the post of senior scientific worker in the respective branch and shall be payable only up to a maximum period of five years.

The amount of the reward shall be the same regardless of the number of authors and payment shall be made only for the period within which the invention is effectively used.

Where several inventions attributable to the same author are being used, the yearly amount of the reward that shall be granted to him cannot exceed the amount mentioned in paragraph 1.

The authors of inventions which are put to use shall have the right to the rewards provided for in paragraph 1, independently of the prizes from which they can benefit in accordance with the legislation in force.

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LACLAVIERE (Bernard) — Marques de fabrique et dénomination des espèces et variétés de plantes cultivées.
in: CBI informations, 1974, no. 10, p. 12 - 15.

ROYON (René) — Marques de fabrique et dénomination des variétés de plantes cultivées.
in: CBI informations, 1975, no. 13, p. 3 - 6.

CALENDAR

1. UPOV Meetings 1976

May 5, Geneva, Committee of Experts on International Cooperation in Examination

May 6 and 7, Geneva, Technical Steering Committee

May 12 to 14, Melle (Belgium), Technical Working Party for Ornamental Plants

May 24 to 26, Tystofte (Denmark), Technical Working Party for Agricultural Crops

June 16 to 18, Hanover (Federal Republic of Germany), Technical Working Party for Fruit Crops

August 17 to 19, Humlebak (Denmark), Technical Working Party for Forest Trees

September 14 to 17, Geneva, Committee of Experts on the Interpretation and revision of the Convention, jointly with the Working Group on Variety Denominations

October 12 and 15, Geneva, Consultative Committee

October 13 to 15, Geneva, Council

November 15 to 17, Geneva, Committee of Experts on International Cooperation in Examination

November 18 and 19, Geneva, Technical Steering Committee

2. Non-Governmental Organizations

1976

May 21, Madrid (Spain), International Community of Breeders of Asexually Reproduced Ornamentals (CIOPORA), General Assembly

May 30 to June 2, Amsterdam (Netherlands), International Federation of the Seed Trade (FIS), Congress

June 3 and 4, Amsterdam (Netherlands), International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL), General Assembly

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