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N E W S L E T T E R

INTERNATIONALER VERBAND
ZUM SCHUTZ VON
PFLANZENZUCHTUNGEN

UNION INTERNATIONALE
POUR LA PROTECTION
DES OBTENTIONS VÉGÉTALES

INTERNATIONAL UNION
FOR THE PROTECTION OF
NEW VARIETIES OF PLANTS

No. 6

August 1976

Geneva

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INFORMATION FROM UPOV

Third Session of the Committee of Experts on the Interpretation and Revision of the Convention

The Committee of Experts on the Interpretation and Revision of the Convention held its third session from February 17 to 19, 1976, under the chairmanship of Mr. Skov (Denmark). All six member States of UPOV were represented. Of the non-member States invited, Belgium (signatory State), Hungary, Ireland, Japan, New Zealand, Poland, South Africa, Spain, Switzerland (signatory State) and the United States of America were represented by observers. The following international organizations were also represented by observers: International Association of Horticultural Producers (AIPH); International Association for the Protection of Industrial Property (AIPPI); International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL); International Community of Breeders of Asexually Reproduced Ornamentals (CIOPOPA); International Federation of the Seed Trade (FIS).

The greatest part of the session was devoted to the discussion of questions concerning the interpretation and revision of the Convention with the observer delegations.

The report on that session will be adopted by the Committee at its fourth session, to be held from September 14 to 17, 1976. The report on the first part of the session, which the observer delegations attended, will then be published in the Newsletter.

Fifth Session of the Committee of Experts on International Cooperation in Examination

The Committee of Experts on International Cooperation in Examination (hereinafter referred to as "the Committee") held its fifth session on May 5 and 6, 1976, under the chairmanship of Mr. J.I.C. Butler (Netherlands). The six member States of UPOV, as well as Belgium, South Africa, Spain and Switzerland, were represented.

The representatives of the member States reported on the state of bilateral agreements on cooperation in the examination of new varieties of plants based on the UPOV Model Agreement for International Cooperation in the Testing of Varieties adopted by the UPOV-Council at its ninth ordinary session, held in October 1975. In particular, the Netherlands and the United Kingdom were said to be on the point of concluding such agreements between them. More details on the agreements are given on page 6 of this issue. Other agreements were still being negotiated.

The Committee continued its work on the harmonization of application forms. The discussions were based on a draft harmonized application form for the grant of plant breeders' rights which had been sent in particular to the international non-governmental organizations in the field of plant breeding and the seed trade, and also on comments presented by the member States as well as by ASSINSEL. A draft harmonized application form for a variety denomination was also examined.

The Committee decided that both forms should constitute UPOV model forms which member States should use as a basis for their national forms when reissuing them. In the light of the discussions, new drafts have been prepared, which have been sent to all interested parties (States and international organizations) for comments. Final drafts would be prepared by correspondence and would be presented, together with the latest comments, to the Council.

The Committee continued the discussions on the harmonization of fees, an item which will be further studied at its next session, scheduled for November 16 and 17, 1976.

Concerning the list of offers for cooperation in examination, it was noted that the Federal Republic of Germany had made an offer for strawberry (*Fragaria L.*), which was not recorded in the list of UPOV Newsletter No. 4. A new offer was made by the delegation of Sweden in respect of timothy (*Phleum spp.*).

STATISTICS ON THE PROTECTION OF NEW VARIETIES OF PLANTS

CHART I: Applications filed and registrations granted;
Registrations in force at the end of the year.

Countries	Year	Applications filed by			Registrations granted to			Registrations in force at the end of the year
		Nationals and/or residents	Foreigners and/or non-residents	Total	Nationals and/or residents	Foreigners and/or non-residents	Total	
Denmark	1972	19	40	59	12	30	42	119
	1973	13	39	52	6	16	22	139
	1974	10	44	54	21	28	49	179
	1975	51	52	103	19	35	54	203
France	1972	417	180	597	0	0	0	0
	1973	111	22	133	26	1	27	26
	1974	101	15	116	169	59	228	252
	1975	154	29	183	114	29	149	394
Germany (Fed. Rep. of)	1972	291	49	340	89	29	118	1,286
	1973	334	98	432	105	24	129	1,307
	1974	338	115	453	164	46	210	1,450
	1975	491	210	701	151	52	203	1,543
Hungary	1972	24	10	34	1	8	9	9
	1973	1	2	3	1	1	2	2
	1974	1	7	7	4	4	8	19
	1975	0	0	0	0	0	0	17
Netherlands	1972	279	144	423	192	80	272	1,178
	1973	264	128	392	156	46	202	1,316
	1974	339	174	513	91	53	144	1,299
	1975	312	144	456	187	90	277	1,369
New Zealand	1972	-	-	-	-	-	-	-
	1973	-	-	-	-	-	-	-
	1974	-	-	-	-	-	-	-
	1975	7	0	7	0	0	0	0
South Africa	1972	16	2	18	0	0	0	4 ²
	1973	16	0	16	0	0	0	1
	1974	9	0	9	0	0	0	8
	1975	8	0	8	12	0	12	18
Sweden	1972	73	16	89	7	0	7	31
	1973	28	18	46	23	8	31	29
	1974	26	14	40	21	7	28	55
	1975	25	21	46	9	8	17	78
United Kingdom	1972	110	110	220	62	36	98	459
	1973	106	128	234	58	66	124	521
	1974	102	117	219	71	89	160	554
	1975	81	163	244	73	66	139	666
United States of America ³	1972	155	36	191	167	32	199	1,839
	1973	94	24	118	109	23	132	1,870
	1974	113	42	155	182	79	261	2,002
	1975	128	22	150	124	26	150	2,032
	1972	270	33	303	0	0	0	0
	1973	96	6	102	22	0	22	22
	1974	96	12	108	130	1	131	154
	1975	83	2	85	95	1	96	250

¹ The New Zealand Plant Varieties Office did not open until May 1, 1975. The statistics for 1975 relate to an eight months period.

² This figure concerns only registrations granted to nationals and/or residents.

³ The lines of figures above the two dotted lines refer to asexually propagated plants registered as plant patents under the Patent Act with the Patent Office; the lines of figures under the two dotted lines relate to sexually propagated plants registered as new plant varieties under the Plant Varieties Protection Act with the Department of Agriculture.

Chart II: Applications filed by and registrations granted to foreigners and/or non-residents during 1972, 1973, 1974 and 1975, broken down according to country of origin.

Country of Origin																		
Reporting Country	Year	Austria	Belgium	Canada	Denmark	France	German Dem. Rep.	Germany (Fed. Rep. of)	Israel	Netherlands	New Zealand	Norway	Sweden	Switzerland	United Kingdom	United States of America	**	Total
Denmark	1972	1	1	-	*	1	3	10	-	12	-	-	7	-	2	3	-	40
	1973	-	-	-	*	4	-	12	-	11	-	-	10	-	2	-	-	39
	1974	1	1	-	*	8	11	6	-	6	-	-	10	-	6	-	1	44
	1975	-	-	-	*	5	1	12	-	15	-	-	8	-	7	4	-	52
	1972	-	-	-	*	8	-	6	-	5	-	-	5	-	4	2	-	30
	1973	-	-	-	*	-	-	4	-	6	-	-	5	-	1	-	-	16
	1974	-	-	-	*	2	10	10	-	11	-	-	-	-	4	1	-	20
	1975	2	-	-	*	2	-	10	-	6	-	-	12	-	3	-	-	35
	1972	-	-	-	-	*	-	28	-	149	-	-	-	1	-	1	1	180
	1973	-	-	-	-	*	-	1	-	18	-	-	-	-	-	2	-	22
1974	-	-	-	-	-	-	-	-	15	-	-	-	-	-	-	-	15	
1975	-	-	-	-	-	-	-	-	25	-	-	-	1	-	-	-	29	
France	1972	-	-	-	-	*	-	-	-	-	-	-	-	-	-	-	-	-
	1973	-	-	-	-	*	-	1	-	-	-	-	-	-	-	-	-	1
	1974	-	-	-	-	-	-	8	-	48	-	-	-	-	1	2	-	59
	1975	-	-	-	-	-	-	4	-	24	-	-	-	-	-	-	-	29
	1972	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	1973	-	-	-	-	*	-	1	-	-	-	-	-	-	-	-	-	-
	1974	-	-	-	-	-	-	8	-	-	-	-	-	-	-	2	-	-
	1975	-	-	-	-	-	-	4	-	-	-	-	-	-	-	-	-	-
	1972	1	-	-	5	19	-	-	-	19	-	-	-	-	3	-	2	49
	1973	-	-	-	17	22	-	*	-	58	-	-	-	-	-	-	1	98
1974	-	-	-	24	30	-	-	-	41	-	-	8	1	7	1	3	115	
1975	-	1	-	12	42	-	-	-	49	-	-	9	-	96	1	-	210	
Germany (Fed. Rep. of)	1972	-	-	-	1	6	-	-	-	17	-	-	-	-	5	-	-	29
	1973	-	-	-	1	11	-	*	-	10	-	-	-	-	1	1	-	24
	1974	-	-	-	1	6	-	-	-	33	-	-	1	-	2	-	3	46
	1975	-	-	-	2	10	-	-	-	33	-	-	4	-	3	-	-	52
	1972	-	-	-	-	7	-	2	-	-	-	-	-	-	-	-	1	10
	1973	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	1974	-	-	-	-	6	-	-	1	-	-	-	-	-	-	-	-	7
	1975	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	1972	-	-	-	-	6	-	2	-	-	-	-	-	-	-	-	-	8
	1973	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
1974	-	-	-	-	3	-	-	1	-	-	-	-	-	-	-	-	4	
1975	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Netherlands	1972	-	1	-	1	31	7	29	1	*	-	7	2	17	18	30	-	144
	1973	-	1	-	3	20	1	30	-	*	-	2	3	11	48	7	2	128
	1974	-	8	-	2	40	8	35	-	-	-	2	12	13	29	19	6	174
	1975	-	2	1	2	37	6	30	-	-	-	1	2	14	20	16	13	144
	1972	1	5	-	6	23	4	26	1	*	-	-	2	-	9	2	1	80
	1973	-	3	-	3	7	1	13	-	*	-	-	1	2	10	3	3	46
	1974	-	-	1	1	13	-	18	-	-	-	-	2	-	7	11	-	53
	1975	-	1	-	-	16	2	17	1	-	-	-	1	2	43	7	-	90
	1972	-	-	-	2	5	-	5	-	4	-	-	*	-	-	-	-	16
	1973	-	-	-	2	13	-	2	-	1	-	-	-	-	-	-	-	18
1974	-	-	-	-	12	-	-	-	2	-	-	-	-	-	-	-	14	
1975	-	-	-	4	9	-	4	-	3	-	-	-	-	1	-	-	21	
Sweden	1972	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	1973	-	-	-	-	-	-	-	-	-	-	-	*	-	-	-	-	-
	1974	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	1975	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	1972	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	1973	-	-	-	1	1	-	5	-	1	-	-	*	-	-	-	-	8
1974	-	-	-	1	-	-	5	-	1	-	-	-	-	-	-	-	7	
1975	-	-	-	1	6	-	1	-	-	-	-	-	-	-	-	-	8	

Country of Origin	Year	Austria	Belgium	Canada	Denmark	France	German Dem. Rep.	Germany (Fed. Rep. of)	Israel	Netherlands	New Zealand	Norway	Sweden	Switzerland	United Kingdom	United States of America	Others **	Total
United Kingdom	1972	-	2	-	6	26	2	13	-	29	10	-	7	11		4	-	110
	1973	-	5	-	9	27	3	9	-	26	3	-	4	20	*	18	4	128
	1974	-	4	-	2	31	-	8	-	42	4	-	6	9		6	5	117
	1975	-	1	-	22	32	-	19	-	60	3	-	6	11		8	1	163
	1972	-	3	-	-	9	-	6	-	9	1	-	3	-		5	-	36
	1973	-	-	-	4	7	-	2	-	27	4	-	1	14	*	7	-	66
	1974	-	1	-	3	14	-	10	-	26	1	-	3	19		9	3	89
	1975	-	1	-	2	11	-	5	-	27	7	-	-	1		11	1	66
	1972	-	-	-	-	9	-	18	1	2	-	-	-	-	4		2	36
	1973	-	-	2	-	7	-	1	1	3	-	1	-	-	8	*	1	24
	1974	-	-	2	1	10	-	12	-	1	-	1	-	7	7		1	42
	1975	-	1	1	-	3	-	5	-	1	1	-	-	-	1		9	22
	1972	-	1	2	-	3	-	13	-	2	-	3	-	-	5		3	32
	1973	-	-	1	-	-	-	8	-	5	-	-	-	-	4	*	5	23
	1974	-	-	2	1	18	-	24	-	3	1	1	-	-	24		5	79
	1975	-	-	4	1	4	-	7	-	1	-	1	-	-	7		1	26
United States of America ¹	1972	-	-	3	-	-	-	2	-	20	-	-	1	-	7		-	33
	1973	-	-	-	1	-	-	1	-	1	-	-	1	-	2	*	-	6
	1974	-	-	-	-	-	-	-	-	11	-	-	1	-	-		-	12
	1975	-	-	-	-	-	-	-	-	-	-	-	-	-	-		-	-
	1972	-	-	-	-	-	-	-	-	-	-	-	-	-	-		-	-
	1973	-	-	-	-	-	-	-	-	-	-	-	-	-	-	*	-	-
	1974	-	-	-	-	-	-	-	-	-	-	-	-	-	1		-	1
	1975	-	-	-	-	-	-	-	-	1	-	-	-	-	-		-	1

General remark: For each reporting country, the lines of figures above the single dotted line refer to applications, whereas the lines of figures under the single dotted line refer to registrations granted.

* Figures relating to nationals and/or residents are recorded in Chart I.

¹ See footnote 3, Chart I.

** Detail (the figure before the slash refers to applications and the figure after the slash refers to registrations granted):

France: (1972): Luxembourg 1/-

Germany (Fed. Rep. of): (1972): Czechoslovakia 1/-; Hungary 1/-
(1973): Italy 1/-
(1974): South Africa -/3; Hungary 3/-

Hungary: (1972): Yugoslavia 1/-

Netherlands: (1972): Hungary -/1
(1973): Italy 1/2; Japan 1/-; Yugoslavia -/1
(1974): Italy 3/1; Japan 2/-; Poland 1/-
(1975): Italy 9/-; Japan 2/-; Poland 2/-

United Kingdom: (1974): Australia 2/2; Ireland 3/1

United States of America: the following figures refer to plant patents:

(1972): Iceland -/1; Ireland 1/2; Italy 1/-
(1973): Indonesia -/2; Ireland -/1; Italy 2/1
(1974): Australia -/1; Cyprus -/1; Ireland -/1; Italy 1/2
(1975): Australia 1/-; Costa Rica 6/-; Italy -/1; Japan 1/-;
South Africa 1/-

INFORMATION FROM MEMBER STATES

Netherlands and United Kingdom: Agreement on Cooperation in Examination

Two Agreements were concluded at the end of April 1976 between the Netherlands and the United Kingdom for cooperation in the examination of new plant varieties. They are based on the UPOV Model Agreement for International Cooperation in the Testing of Varieties.¹ Under these Agreements, the examining authorities of one country will carry out, on behalf of the authorities of the other country, the examination of new varieties of certain species on distinctness, homogeneity and stability which is undertaken before the decision is taken on the grant of plant breeders' rights or on the inclusion of such new varieties in the national list. The species which are concerned by these Agreements are given opposite.

INFORMATION FROM NON-MEMBER STATES

Italy: Publication of the Presidential Decree on the Protection of New Plant Varieties

The Presidential Decree of August 12, 1975, on the Protection of New Plant Varieties was published in the Gazzetta Ufficiale della Repubblica Italiana on April 26, 1976. As a consequence of Article 25 thereof, the Decree will enter into force by October 23, 1976. Some details on this Decree have been given in UPOV Newsletter No. 3.

South Africa: Plant Breeders' Rights Act 1976 and Plant Improvement Act 1976

On March 15, 1976, the Plant Breeders' Rights Act 1976, which replaces the Plant Breeders' Rights Act 1964 and the Plant Breeders' Rights Amendment Act 1969, was adopted. This Act will come into operation on a date to be fixed by the State President by proclamation in the Government Gazette of the Republic of South Africa. It will constitute the basis of possible accession by South Africa to the UPOV Convention. The Editorial Opinion of the South African periodical "Farmer's Weekly" of May 5, 1976, was devoted to that subject. It is reproduced hereunder, with the kind authorization of "Farmer's Weekly."

The Plant Breeders' Rights Act 1976 was completed by the Plant Improvement Act 1976, adopted on March 29, 1976. This Act provides for the registration of establishments dealing with propagating material, fixes the conditions under which propagating material may be sold and sets up a system of recognition (registration) of varieties and a system of certification of propagating material.

Editorial Opinion of Farmer's Weekly, May 5, 1976

The introduction of the Plant Breeders' Rights Act 1976 will play a vital role in improving and increasing yields of a wide range of food crops as well as creating much closer cooperation between the food-producing countries of the world.

[continued, page 8]

¹ Reproduced in English, French and German in UPOV Newsletter No. 4

1. Species whose varieties will be examined by the Netherlands/Espèces dont les variétés seront examinées par les Pays-Bas/
Arten deren Sorten durch die Niederlande geprüft werden

<u>Latin name</u>	<u>English</u>	<u>French</u>	<u>German</u>
Agrostis canina L. ¹	Velvet Bent	Agrostis des chiens	Hundsstraussgras
Agrostis gigantea Roth. ¹	Red Top (Black Bent)	Agrostide blanche, agrostide géante	Weisses Straussgras
Agrostis stolonifera L. ¹	Creeping Bent	Agrostide blanche, Agrostide stolonifère	Flechtstraussgras
Agrostis tenuis Sibth. ¹	Brown Top, Common Bent	Agrostide commune	Rotes Straussgras
Alstroemeria L.	Peruvian Lily	Alstromère, Lis des Incas	Inkalilie, Belladonnalilie
Dianthus caryophyllus L. (in glasshouses)	Carnation	Oeillet	Nelke
Freesia Klatt	Freesia	Freesia	Freesie
Hyacinthus orientalis L. ¹	Hyacinth	Jacinthe d'Orient	Hyazinthe
Poa Annua L. ¹	Annual Meadowgrass	Pâturin annuel	Einjähriges Rispengras
Poa compressa L. ¹	Canada Blue Grass, Flattened Meadow Grass	Pâturin comprimé	Flaches Rispengras
Poa nemoralis L. ¹	Wood Meadow Grass	Pâturin des bois	Hainrispengras
Poa palustris L. ¹	Swamp Meadow Grass	Pâturin des marais	Sumpfrispengras
Poa pratensis L. ¹	Kentucky Blue Grass, Smooth Stalked Meadow Grass	pâturin des prés	Wiesenrispengras
Poa trivialis L. ¹	Rough Stalked Meadow Grass	Pâturin commun	Gemeines Rispengras
Streptocarpus x hybridus Voss	Streptocarpus	Streptocarpus	Drehfrucht
Tulipa L. ¹	Tulip	Tulipe	Tulpe

2. Species whose varieties will be examined by the United Kingdom/Espèces dont les variétés seront examinées par le Royaume-Uni/
Arten deren Sorten durch das Vereinigte Königreich geprüft werden

Chrysanthemum morifolium Ram.	Chrysanthemum	Chrysanthème	Chrysantheme
Lolium multiflorum Lam.	Italian Ryegrass, Westerwold Ryegrass	Ray-grass d'Italie	Welsches Weidelgras, Italienisches Raygras
Malus Mill. (except ornamentals)	Apple (except ornamental varieties)	Pommier (sauf variétés ornamentales)	Apfel (ausser Ziersorten)
Medicago sativa L. ¹ and Medicago x varia Martyn ¹	Lucerne and Hybrid Lucerne	Luzerne cultivée et Luzerne hybride	Blaue Luzerne und Bastardluzerne
Rheum L. ¹	Rhubarb	Rhubarbe	Rhabarber
Trifolium pratense L. ¹⁻²	Red Clover	Trèfle violet	Rotklee

¹ Species not eligible for protection in the State receiving the examination reports at the time of the conclusion of the Agreements.

² Species not the subject of an offer of cooperation in examination by the examining authority.

The Bill makes provision whereby foreign plant breeders may also acquire plant breeders' rights in South Africa which will undoubtedly stimulate domestic research to a considerable extent.

The need for improved varieties is abundantly apparent. The recent world demand for cereals, spurred by population growth, has outstripped the capacity of farmers to expand supply. It has been estimated that world grain stocks are now down to less than 30 days of world consumption.

As the hungry millions demand food, so it becomes imperative that modern technology is used to its best possible advantage. The importance of improving the standards of livestock has been stressed time and time again. Equally, we must realise that it is just as important to raise the quality and yields of our maize, wheat, vegetables, fruit and other food crops.

The techniques involved in developing new varieties require substantial financial investment and, as most of the new varieties bred come from private enterprise, breeders here and overseas are not only entitled to recoup their costs but also to profit from their efforts to improve the productivity of plant varieties.

It is absolutely essential that new, improved plant varieties are made available in as many countries as possible. Plant breeders are, quite naturally, willing to co-operate providing their financial interests and rights are fully protected. And that is what the Bill provides.

The necessity to standardise on plant breeding resulted in an international conference on the subject and the establishment of the International Union for the Protection of New Plant Varieties, internationally known as UPOV. The UPOV Convention is accepted throughout the world as the most advanced guide-line on legislative protection of rights in new varieties.

Following the introduction of the Plant Breeders' Rights Act 1976 which was fully supported by the South African Agricultural Union and the South African Plant Breeders' Association, this country now becomes one of the leaders in this field of protective measures for plant breeders' rights. The breeder, be he South African or from overseas, now has the assurance that he will be able to reap the fruits of his labour.

And that, in turn, will provide the grower of maize, wheat, vegetables, fruit and so on of some exciting prospects of new varieties in the years to come.

PUBLICATIONS

Publication of Legal Texts

- Italy: Presidential Decree on the Protection of New Plant Varieties (No. 974 of August 12, 1975) in the June 1976 issue of Industrial Property / La Propriété industrielle.
- Switzerland: Law on the Protection of New Plant Varieties (of May 20, 1975) in the May 1976 issue of Industrial Property / La Propriété industrielle.

GENERAL STUDIES

SOME ASPECTS OF THE LEGAL PROTECTION OF PLANT VARIETIES IN THE SOVIET UNION*

by A.A. KOMISSAROV

Plant varieties should be treated in the same way as inventions as far as their legal protection is concerned. The non-exclusive character of titles of protection. Peculiarities arising from the specific nature of the subject of protection. What is meant by "protectable variety"? Denomination of claimed plant varieties. Legislative activity concerning protection of plant varieties should be continued.

New plant varieties are the most significant elements of technological progress in modern agriculture.¹ Increasing importance is consequently attached to their legal protection.

Experience acquired in the application of existing legal standards in the field of the protection of new plant varieties has shown that some of those standards need to be more fully developed, clarified and brought into line with present-day requirements. That is why there is a need for vigorous legislative activity in order to find a comprehensive solution to the legal problems involved, in the light of the urgent tasks laid down by the Party and the Government in the field of plant breeding in this country.

Of fundamental importance for the legal regulation of questions in this field is the Order No. 729 of the USSR Council of Ministers, dated September 12, 1968, concerning Measures for the Improvement of Seed Production of Cereal and Oil-Seed Varieties,² which assimilated new plant varieties to inventions for the purposes of legal protection. This principle was further developed in the Statute [on Discoveries, Inventions and Rationalization Proposals] issued in 1973.

As far as the legal consequences of assimilating plant varieties to inventions are concerned, there is not complete analogy. Plant varieties are not covered by all the standards and procedural guarantees contained in the 1973 Statute. For example, a special system is maintained for the examination and registration of plant varieties as subjects of the right in question; this system is conditioned by the specific characteristics of plant varieties and is radically different from the system of examination and registration of traditional technical solutions (devices, methods, substances). The distinguishing feature of creative breeding activities is that the breeder, making use largely of the chemical, biochemical, physical and physico-chemical processes underlying certain physiological effects, solves a comprehensive scientific and technical problem the final result of which is a high-quality biological material (material subject) suitable in its composition and characteristics for intensifying agricultural activity. The breeder's work thus clearly includes features of inventive activity which are expressed in the creation of new varieties of agricultural crops and the improvement of existing varieties.³

The provisions of the 1973 Statute contain only a general reference to the protectability of new varieties, but do not include any provision regarding situations arising in connection with their creation or their use. That is because the general system of law concerning inventions is somewhat peculiar in this respect although the procedure for examination of applications pursues the general aim of determining whether a protectable subject exists and of protecting the rights of both the applicant and the State.

* Reprint, with kind permission of publisher, from Voprosy izobretatelstva No. 12, 1975, page 8 to 12.

¹ This paper does not deal with the legal protection of new animal varieties.

² See "Resheniya partii i pravitelstva po khozyaistvennim voprosam (1968-69)," Moscow, Politizdat, 1970.

³ See V.R. Skripto: "Okhrana prav izobretatelei i ratsionalizatorov v SSSR," Moscow, Nauka, 1972, p. 17.

The economic significance of the results of breeders' creative activities brings them close to the traditional subject matter of the law on inventions,¹ although not so much so as to make the provisions of the Statute on inventions wholly applicable to plant varieties. The specific subject requires special regulation that will take account of the characteristics of nature and correspond to the general principles of the law on inventions.² That is why the legislator chose to cover the legal protection of plant varieties by means of special rules worked out in pursuance of the above-mentioned Statute.

Exclusive rights in a new variety registered in accordance with established procedure vest in the State, which enables State, cooperative and public organizations to make use of approved new varieties freely and without charge. In accordance with Section 22 of the Statute,³ there are two types of titles of protection which may be issued in respect of new varieties: an inventor's certificate and a certificate, both of which are non-exclusive. In addition, authorship is confirmed and statutory rights and privileges are granted to the author [breeder].

The fact that it is not possible to obtain a patent for a new variety is due to the need to safeguard the interests of public well-being, since the non-exclusive character of the title of protection ensures free use by the State of the particular subject of protection in the interests of the Socialist society.

The assimilation of plant varieties to inventions provides the basis for more accurate coverage of the parties' rights and obligations from the time of their creation to the moment of their utilization in the national economy. It also serves the purpose of placing the rights of breeders and those of authors of technical solutions on the same footing.

Breeders of plant varieties are not at present fully covered by the procedure for the settlement of disputes laid down for inventions. The only disputes subject to judicial consideration are those concerning the amounts, procedure and dates of payment of remuneration.⁴ Disputes concerning authorship come within the competence of the State Commission for the Testing of Agricultural Crop Varieties, under the USSR Ministry of Agriculture. Objections and complaints relating to the issue of titles of protection are considered by the USSR Ministry of Agriculture.

¹ See "Voprosy izobretatelstva," 1969, No. 1, p. 14.

² See "Der Neuerer," 1971, No. 6, Appendix B.

³ Editor's Note:

Section 22 of the Statute reads as follows:

"22. Inventors' certificates shall be granted for new varieties and hybrids of agricultural crops and other cultivated plants, new breeds of farm animals and poultry--their highly productive stock, crossbreds and descending lines--new breeds of fur-bearing animals and new species of mulberry silkworms.

"These results achieved through selection shall be treated in the same way as inventions as far as their legal protection is concerned. Improvements in varieties of agricultural crops and other cultivated plants, in breeds of farm animals and poultry, in breeds of fur-bearing animals and in species of mulberry silkworms shall be the subject of certificates.

"The grant of the inventors' certificates and the certificates to the breeders (or selectors) and the enterprises, organizations and institutions in which the said results of selection were obtained shall be made by the USSR Ministry of Agriculture but inventors' certificates shall be granted only after the results have been registered with the State Committee for Inventions and Discoveries of the USSR Council of Ministers.

"The USSR Ministry of Agriculture shall, in the prescribed manner, determine the novelty and usefulness of the said results, examine objections and appeals concerning the grant of inventors' certificates and certificates for such results, decide questions of the utilization of these results, assess the remuneration and pay such remuneration from the fund especially allocated for these purposes in accordance with regulations to be adopted by the USSR Ministry of Agriculture in agreement with the State Committee for Inventions and Discoveries of the USSR Council of Ministers and with the USSR Ministry of Finance."

⁴ See Provisional Instruction concerning Payment of Remuneration and Calculation of Savings Achieved through the Development and Introduction of Agricultural Crop Varieties and Hybrids (paragraph 18), dated August 8, 1969.

Such a procedure is not conducive to the rapid and clear settlement of questions concerning breeders' rights. It has already been noted in literature on the subject that "instead of concentrating entirely on the determination of the novelty and usefulness of plant varieties, which is its proper responsibility, the State Commission for the Testing of Crop Varieties also deals with the establishment (adjudication) of authorship, the settlement of disputes regarding authorship, the determination of coauthorship and the establishment of the degree of participation of each breeder in the development of a variety."¹ These are clearly not its functions and they are in contradiction to the basic principles governing the organization of examination and the protection of applicant's rights in the field of inventions.

The procedural guarantees for the protection of breeders' rights seem to be in need of improvement. Since plant varieties are assimilated to inventions as far as their legal protection is concerned, we feel that disputes relating to the authorship of these varieties should be brought within the competence of the courts.

One of the major gaps in the legal protection of varieties is the absence in statutory provisions of a definition of the concept of "protectable variety." The concept of "variety" is very common in scientific literature on plant cultivation, seed production and plant breeding. "The concept of the agricultural plant variety is one of the basic concepts in the theory and practice of plant breeding."²

In specialized literature, the concept of "plant variety" is defined in its botanical, genetic and agricultural aspects. The first two of these relate primarily to scientific research, and the third to agricultural practice. Without going into a detailed analysis of the existing definition, it may simply be observed that it is of great significance for the extension of legal protection to plant varieties.

However, since there has for a long time been no uniform meaning in specialized literature for the concept of "variety,"³ the practice adopted for examination was to all intents and purposes the only criterion for determining the requirements to be met by varieties and their protectability.

In our view, for a biological form to be the subject of protection it must come within the concept of "variety," that is to say, it must possess the relevant morphological and physiological characteristics, must be stable and must be homogeneous in its reproduction (the last two of these requirements are already applied to varieties in the course of plant testing).

It would be useful to establish standards determining what products resulting from breeding processes may be the subject of legal protection, namely: new varieties, clones, populations, hybrids, etc. It is only in these conditions that it will be possible to create a clear legal basis for dealing with questions connected with the grant of protection for new varieties, since the biological (seed-growing) concept of the "variety" must take precedence over and be implicit in the legal concept of the "protectable variety."

Under Section 22 of the 1973 Statute, novelty and usefulness are requirements to be met by new varieties. Before the adoption of the Statute, novelty was determined on the basis of usefulness, by establishing the economically valuable characteristics of a variety.⁴ However, it is doubtful whether the continued application of such an approach is appropriate, because novelty and usefulness are separate criteria of protectability, which should be studied in the light of the requirements peculiar to each of them.

¹ See V.A. Dozortsev: "Okhrana selektsionnikh dostizhenii v SSSR," TsNIPI, Series I, Izobretatelskoe i patentnoe pravo, 1969, p. 93.

² See "Selektsia i semenovodstvo," 1948, No. 10, p. 39.

³ As agriculture develops and the quantity of new types of crop plants grows, the need for a scientific definition of the term "variety" becomes apparent. At present, a definition of the term is contained in the form of a draft standard in the Recommendations for the Use of Terms and Definitions in Agricultural Seed Development, Moscow, "Kolos," 1972.

⁴ See the Regulations concerning the Procedure for Including New Varieties in State Testing, paragraph 3, "Kolos," 1972.

The following considerations on the extension of protection to a variety would also seem to be significant: "The variety must also possess essential differences compared with previous varieties."¹ This conception derives from the requirements applied to determine the patentability of inventions, although the characteristics of the subject matter will no doubt also have their own specific features. The fact of using this criterion for the grant of legal protection is not in question. Nevertheless, it should be noted that essential differences will also be evident in the characteristics of varieties the combination of which or the importance of one of which gives the plant new qualities.

The introduction of the criterion of "essential differences" will make it possible to assess the level of development in plant breeding.

Thus, a variety may be considered new if it differs in one important morphological or physiological characteristic from previous varieties whose existence was a matter of common knowledge (used, filed, tested) at the time of filing the application for protection. A variety is comparatively homogeneous if the plants are identical in their characteristics. A variety is stable if it retains its essential genetically conditioned characteristics at the end of each cycle of reproduction or multiplication. This allows the conclusion to be drawn that a protectable variety must possess the following characteristics: novelty, comparative homogeneity, stability and usefulness.

At present there is no criterion permitting a dividing line to be drawn between a "new" variety and an "improved" variety. This question is not clarified sufficiently in legal literature to allow controversies arising in connection with the determination of biological plant forms or their inclusion in a particular category to be settled in specific terms.² According to Section 22 of the Statute, both new and improved varieties should fulfill the general requirements for protectability. The biological connection between a new and an improved variety can really be observed only in the use of biological and other characteristics of existing initial seed material, on the basis of its comprehensive improvement in the process of breeding. There is a formal legal connection between the two since they are used independently of each other in production, in contrast to the category of additional inventions (technical solutions). Since the exclusive right to the use of new varieties is vested in the State, the legislator, by introducing a separate legal category for the "improved variety," allows organizations the free use of material derived from breeding activities for scientific and production purposes and provides legal protection for the results of such activities.

However, the fact that a protectable variety has been used may serve as the starting point for creating a right in respect of separating and placing biological forms in the category of "improved varieties." Moreover, in practice it may happen that further work on the improvement of the variety is conducted by the same group of authors [breeders] as that to which an inventor's certificate has been issued.

Where there is a valid title of protection, the legality of the protection of improved varieties by means of certificates is beyond any doubt. For valid reasons, a variety loses its characteristics (homogeneity, stability) and degenerates in the process of reproduction, so that it is no longer a protectable subject, since production no longer yields the result in respect of which the title of protection was issued. This indicates the need for statutory provisions governing the period of validity of titles of protection according to the type of crop and the circumstances resulting in the cancellation of such titles.³ In addition, the speedy provision of protection for new varieties will give greater incentives to breeders to strive for the constant development and improvement of biological plant forms.

¹ See "Voprosy izobretatelstva," 1974, No. 9, p. 51.

² Consequently, the proposal to settle the problem by doing away with the "improved variety" category (see, for example, V.A. Dozortsev, *op. cit.*, p. 87) calls for further careful consideration. For instance, legislation in capitalist countries, and in particular Article 5 of the International Convention for the Protection of New Varieties of Plants (1961), forbids those concerned to use varieties in order to produce new forms (protected, registered) by means of their repeated use in the breeding process; in other words, the exclusive right restricts the use of valuable initial material for scientific purposes directed towards the improvement of existing varieties. The Socialist State, on the contrary, is interested in using such results for scientific purposes.

³ An analysis of industrially developed countries' legislation on the protection of new varieties shows that these requirements are objective and fundamental in providing protection for the specific subject covered by law.

In our opinion, when a comparison is made between new and improved varieties (in the case of assessment of their protectability), the requirement in respect of "essential differences" should be stipulated only for the improved characteristics of a pre-existing variety (protected, registered). Special attention must be devoted here to the criterion of usefulness since the fundamental characteristics of the pre-existing variety will normally be repeated.

According to Section 22 of the 1973 Statute, plants eligible for protection in accordance with this procedure will include not only agricultural crops but also other cultivated plants.¹ The earlier legislation protected only agricultural crops, which serve the purpose of satisfying the State's specific economic needs.

It may thus be concluded that the legal basis has been created for expanding the list of protectable crops in view of the valid reasons for doing so and in the light of the State's interest in protecting other biological plant forms. The right to extend or to reduce the range of protected crops lies, in our opinion, with the USSR Ministry of Agriculture, which may amend the list at its discretion in agreement with the parties concerned.² It would seem that legislation to that effect would help to normalize the process of including crops among those eligible for obtaining protection.

It is very noticeable that it is still the practice to establish titles of protection without any claims in respect of the new variety. As in the case of the protection of inventions, the scope of the breeder's protection has to be determined on the basis of the claims of the new variety. Particularly so because the description has no legal effect since the details it contains are of a purely informative character. These details can enable a specialist to distinguish the variety covered by one application from another. By the production or reproduction of the subject of protection is meant its cultivation with the same characteristics as the variety in question; by virtue of their legal significance the claims should guarantee that result.

Since new varieties are at present assimilated to inventions as far as their legal protection is concerned, research relating to them should be conducted in accordance with the general requirements worked out through practical experience in the protection of inventions, which means that requirements for protectability should relate only to characteristics coming within the scope of legal protection. Consequently, the only subjects that can be recognized as protectable are those whose characteristic features, as indicated in the claims, remain stable in the process of production or reproduction. We therefore believe that D. Vilmosz is correct in his assertion that "... in industrial property protection practice, the criteria of protectability (novelty, homogeneity, and stability) are applicable only to those characteristics of a variety which are reflected in the claims."³ For the same reason, it is impossible to agree with S.G. Mikhailov's contention when he links the desirability and necessity of establishing a claim only with "... the production of the variety for which protection has been requested on the basis of the claim."⁴ He fails to appreciate the special purpose of claims for new varieties, which is basically to identify an existing material subject.⁵ Obviously claims cannot be stated in exactly the same way for plant varieties as for inventions. Special rules will have to be introduced. In drawing up rules for the establishment of claims, however, guidance will have to be sought from the practice followed for the protection of inventions (and in particular microorganisms). In other words, the characteristics of the plant variety must be so selected as to constitute only essential features not found in combination in other varieties. Since the new variety normally differs from a known variety in one essential feature characterizing it (in form, growth or other qualities) the claims will vary. At the same time, the claim must clearly define the subject of protection in accordance with its description.

¹ By cultivated plants is meant biological plant forms produced on the territory of the USSR.

² For example, the Minister of Agriculture of the German Democratic Republic enjoys similar rights under the Order concerning the Legal Protection of New Plant Varieties, dated August 22, 1972.

³ See "Szabadalmi kozlony es vedjegyzetesito," 1972, No. 1. p. 9.

⁴ See S.G. Mikhailov: "Osushchestvlenie i zashchita prav avtorov selektsionnikh dostizhenii v SSSR," Degree thesis, p. 112.

⁵ See E.I. Mamiofa: "Okhrana izobretenii i tekhnicheskii progress," p. 159.

We also consider that the question of denominations of varieties should be examined. Practical experience has shown that long, complex and incomprehensible names, particularly those containing a great many symbols, hyphens and numbers, are difficult to pronounce and produce confusion when they have to be recorded in the State Register. Increasing attention is being devoted both in the USSR and abroad to problems in connection with the nomenclature of plant varieties. A detailed study is being made of the possibility of standardizing the classification, evaluation, description and denomination of varieties. An International Code of Plant Variety Nomenclature has been produced and widely welcomed.¹ Nowadays, unless the general principles and rules it contains are observed there is no way of ensuring clear legal guarantees concerning, for example, the denomination of varieties. Consequently, examination in respect of variety denominations must take account of terms applied in other countries. There should be statutory provisions to ensure that new varieties are given denominations corresponding to international requirements, which will be of great value for export purposes.

Attention is also drawn to a proposal for the amendment of the 1961 Convention for the Protection of New Varieties of Plants which specifies that in the course of examination the applicant should first give the variety a number² and that the denomination of the variety should be communicated only at the final stage. This would make it considerably simpler for the applicant to choose a denomination and for the authority to check it.

The legal assimilation of plant varieties to inventions creates the conditions for a wide interpretation of the principles of the law on inventions and in particular for clarification of the extent to which Section 7 of the Statute³ is as effective for new varieties as for the subject of inventions. Assimilation as such does not entail any need to apply the rule laid down in Section 7 of the Statute to foreign nationals, since the existing differences in protection are of a fundamental nature. According to the specific character of the protection of new varieties in the USSR, a foreign national cannot apply for a patent, but merely for an inventor's certificate, in common with Soviet citizens.

In view of the specific nature of the subjects concerned, the legal system concerning new varieties is governed by Section 22 of the Statute, as well as by instructions approved by the USSR Ministry of Agriculture. As already mentioned, inventors' certificates are issued by the same Ministry. Consequently, it is also competent for the issue of titles of protection for new varieties to foreign nationals. However, applications for inventors' certificates received from foreign nationals through the USSR Chamber of Commerce and Industry are returned unexamined by the Ministry of Agriculture.

¹ See "Mezhsdunarodni kodeks nomenklatury kulturnykh rastenii," 1969 (Leningrad, Nauka, 1974).

² See "Szabadalmi kozlony es vedjegyzetesito," 1970, No. 2.

³ Editor's Note:

Section 7 of the Statute reads as follows:

"7. Foreign nationals who are the authors of inventions and rationalization proposals as well as their successors in title (including legal entities) shall enjoy the rights provided in this Statute and other legislative instruments of the Soviet Union and the Union Republics on the same terms as citizens (or legal entities) of the USSR.

"Foreign nationals who are the authors of discoveries and their heirs shall enjoy the rights provided in this Statute and other legislative instruments of the Soviet Union and the Union Republics on the same terms as citizens of the USSR where a discovery is made in coauthorship with a Soviet citizen or in the course of work in an enterprise, organization or institution situated on the territory of the USSR.

"In the case of foreign nationals living abroad and legal entities permanently located abroad, matters relating to the grant of inventors' certificates or patents for inventions as well as to the maintenance in force of patents shall be dealt with through the USSR Chamber of Commerce and Industry."

With the increasing volume of supplies of new selected materials and the growing use of new Soviet varieties in other countries, there is a need for special rules governing the transmittal and use of these subjects of legal protection abroad. It is equally important to uphold the principle of cooperation with other countries by granting foreign nationals the right to obtain protection in accordance with the conditions laid down by national legislation.

This system would promote mutual collaboration in the protection of new varieties and would develop relations for such purposes with the countries concerned through bilateral or multilateral agreements. In the light of what has been said, there is a need for appropriate legislation to solve the problems involved.

In that way it would be possible to give fuller implementation to Order No. 560 of the USSR Council of Ministers dated June 30, 1964, concerning Measures for the Improvement of Invention and Rationalization Activities in Agriculture,¹ as regards its provisions relating to the selection and patenting abroad of new plant varieties with a view to selling licenses, by means of a number of specific measures for the safeguarding of State interests in the exportation of seed stock to countries where legal protection is provided.

We consider that such vital questions, among others, as the establishment of priority and authorship (or coauthorship) and the procedure for granting rights in new varieties, need to be further clarified and improved.

In improving the legal standards, it must be borne in mind that biological science and the development of new plant varieties are becoming increasingly important in the context of the scientific and technological revolution. A great deal of serious work has to be done in drawing up legislation on the various aspects of the creative work performed by breeders and in working out a single enactment that will cover all questions relating to the legal protection of new plant varieties.

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PROCEDURE FOR OBTAINING LEGAL PROTECTION FOR VARIETIES
OF AGRICULTURAL CROPS IN THE SOVIET UNION*

by A.D. KIKAVA

Under Order No. 729 of the USSR Council of Ministers dated September 12, 1968, plant varieties shall be treated in the same way as inventions as far as their legal protection is concerned². The Statute on Discoveries, Inventions and Rationalization Proposals issued in 1973 provides that the grant of inventors' certificates in respect of a new variety and certificates for an improved existing variety shall be made by the USSR Ministry of Agriculture (inventors' certificates shall be granted following their registration with the State Committee for Inventions and Discoveries of the USSR Council of Ministers). These titles of protection shall be granted to authors as well as to applicant organizations (experimental, breeding and other institutions and enterprises) producing new varieties after State testing of the variety and determination of its area of application.

For a variety to be tested by the State authorities the following documents must be submitted to the State Commission for the Testing of Agricultural Crop Varieties under the USSR Ministry of Agriculture:

request for the variety to be included in the State testing;

a description of the variety in the manner laid down by the State commission;

a copy of the decision of the scientific council of a breeding institution and, in the case of regional varieties as well as varieties developed by individual ex-

¹ SP SSSR, 1964, No. 12, Article 79, paragraph 2.

² Decisions by the Party and the Government on Economic Questions (1968-1969), Moscow, Politizdat, 1970.

* Reprint, with kind permission of publisher, from Voprosy izobretatelstva No. 12, 1975, page 36 to 37

perimental breeders, a petition by the regional agricultural inspectorate or ministry (these bodies also certify the description of the variety). If the said bodies arrive at a negative finding, the variety may not be included in State testing;

the findings regarding the desirability of including the variety in State testing arrived at by the head of inspectorate of the State Commission for the area in which the breeding institution is situated and to whom the above documents are sent at the time as they are sent to the State Commission (these findings are advisory, not binding

samples of seeds, fruits, plants or parts thereof; photographs or colored drawings of the various parts of plants.

Persons who have performed creative breeding work for the development of varieties the selection of pairs for hybridization and their crossing, the selection of promising hybrid seedlings (or new species of mulberry silkworms), the development of high-quality clones (bud mutations) for fruit crops, grapes, etc., and who have pursued such work to the stage of providing a variety for State testing, are recognized as authors.

After approval of a new variety which has been developed for a specified area of application for the first time, the State Commission for the Testing of Agricultural Crop Varieties under the USSR Ministry of Agriculture notifies applicants of the year from which and the districts (Republics) in which it is intended to use the variety, and proposes the filing of an application.

An application for an inventor's certificate or for a certificate for an improved variety must be filed before October 1 of the current year and must contain the following documents:

a request for the grant of an inventor's certificate or a certificate for an improved variety;

the author's personal data form;

the institution's data form;

a copy of the decision of the scientific council of the institution, confirming authorship, with an indication of the percentage of participation by each breeder.

Notices concerning requests received for the grant of such certificates are published in the following technical journals: "Selektsia i semenovodstvo," "Kartofel i ovoshchi," "Sadovodstvo" and "Tsvetovodstvo," not later than one month before they are examined by the State Commission in plenary session. Persons having any claim in connection with requests concerning a new variety may submit a petition accompanied by the necessary documentary evidence for recognition of their authorship of a new or improved variety to the State Commission within one month from the date of such publication. In the latter case, the State Commission requests the scientific council of the applicant institution to examine the petition before the State Commission meets in plenary session. Otherwise, consideration of the request for the grant of an inventor's certificate or a certificate for an improved variety is deferred until the following year.

All persons and applicant institutions concerned are notified of the date of consideration of the requests by the plenary session of the State Commission not later than 15 days in advance. If the persons concerned or the representatives of the applicant institutions fail to attend the plenary session and if no request has been made in writing for deferment of consideration of the requests, they are considered in their absence.

The decision to grant or refuse to grant an inventor's certificate for a new variety or a certificate for an improved variety is taken by the majority of the votes cast by the members of the State Commission present at the plenary session. It is then recorded and communicated, within one month, to the persons and to the applicant institution concerned. An appeal may be lodged against refusal to grant an inventor's certificate not later than two months after the decision. The appeal is submitted to the Minister of Agriculture of the USSR. Upon expiry of the above-mentioned period, the decision is submitted for approval to the Minister of Agriculture of the USSR.

Inventors' certificates and certificates are established by the State Commission within one year. Each inventor's certificate is accompanied by a description stating the essential characteristics of the variety (morphological, biological and economically valuable features).

After recording in the New Plants Variety Register by the State Committee for Inventions and Discoveries of the USSR Council of Ministers, inventors' certificates are sent to the breeders and experimental breeding institutions.

Certificates for improved varieties are registered by the USSR Ministry of Agriculture.

An author who has obtained an inventor's certificate or a certificate for an improved variety is entitled to a remuneration and persons assisting in the utilization or introduction into production of a new or improved variety are entitled to a bonus.

The amounts of remuneration and of bonuses as well as the procedure for payment are laid down by the USSR Ministry of Agriculture. Payment is made from the fund specially allocated for these purposes in accordance with regulations approved by the USSR Ministry of Agriculture in agreement with the State Committee for Inventions and Discoveries of the USSR Council of Ministers and the USSR Ministry of Finance.

The right to obtain an inventor's certificate or a certificate for an improved variety and the right to remuneration are transferable by inheritance in accordance with the provisions of the law in force.

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Short description of contents (by the editor):

The combination of a certain number of characteristics and properties forms the description or the "fingerprint" of a variety. This book deals with the assessment of these criteria, describing them and evaluating their importance for the identification of a variety. It is intended to constitute a reference work and a guide to plant breeding, but it is also useful for all those who deal in general with plant variety questions, whether it be in the field of examination of varieties or of seed certification or of the seed trade. Finally, the facts and findings on the subject of varieties contained in this book are also a source of information for practitioners in agriculture and for agricultural educational establishments. The inter-relation of the examination of varieties and the seed trade at the international level has been taken into consideration by including synoptical tables of characteristics in which the states of expression of these characteristics have been recorded in German, English and French.

CALENDAR

1. UPOV Meetings

1976

August 17 to 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 16	Geneva, Committee of Experts on International Cooperation in Examination
November 17 and 18	Geneva, Technical Steering Committee

1977

May 10 to 12	Technical Working Party for Fruit Crops (place to be proposed later)
May 24 to 26	Hanover (Federal Republic of Germany), Technical Working Party for Agricultural Crops
June 7 to 9	Wageningen (Netherlands), Technical Working Party for Ornamental Plants

2. Non-Governmental Organizations

1977

April 20	Budapest, (Hungary), International Community of Breeders of Asexually Reproduced Ornamentals, International Colloquium
May 25 to 28	Monterey, California, USA, International Association of Plant Breeders for the Protection of Plant Varieties (ASSINSEL), Annual Meetings; and International Federation of the Seed Trade (FIS), Mini Congress.

Headquarters

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