



## Colloque Anniversaire du COV

Le cadre communautaire consolide ce mécanisme  
de propriété intellectuelle: analyse européenne

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# BUNDESSORTENAMT

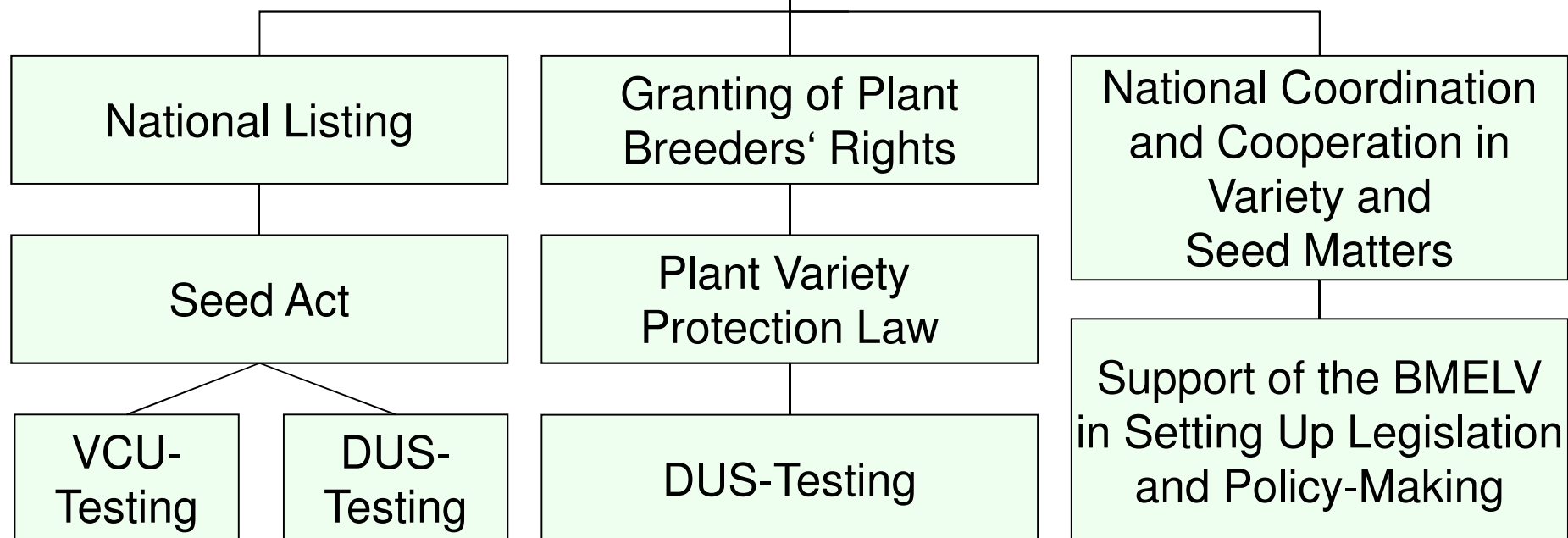
## Federal Plant Variety Office

Independent federal authority under the  
jurisdiction of the Federal Ministry of Food,  
Agriculture and Consumer Protection



# BUNDESSORTENAMT Federal Plant Variety Office

## Tasks and Responsibilities





## **Community Frame for Plant Variety Protection – the historical background in the early 90's**

- common activities to create and set up the European Single Market,
- the existing possibility for european-wide marketing of seed of varieties listed in only one Member State,
- 10 individual national PBR systems.



## **Community Frame for Plant Variety Protection – the legal background**

- based on the 1991 UPOV Convention
- laid down in Council Regulation (EC) No. 2100/94
- administered by the Community Plant Variety Office (CPVO)

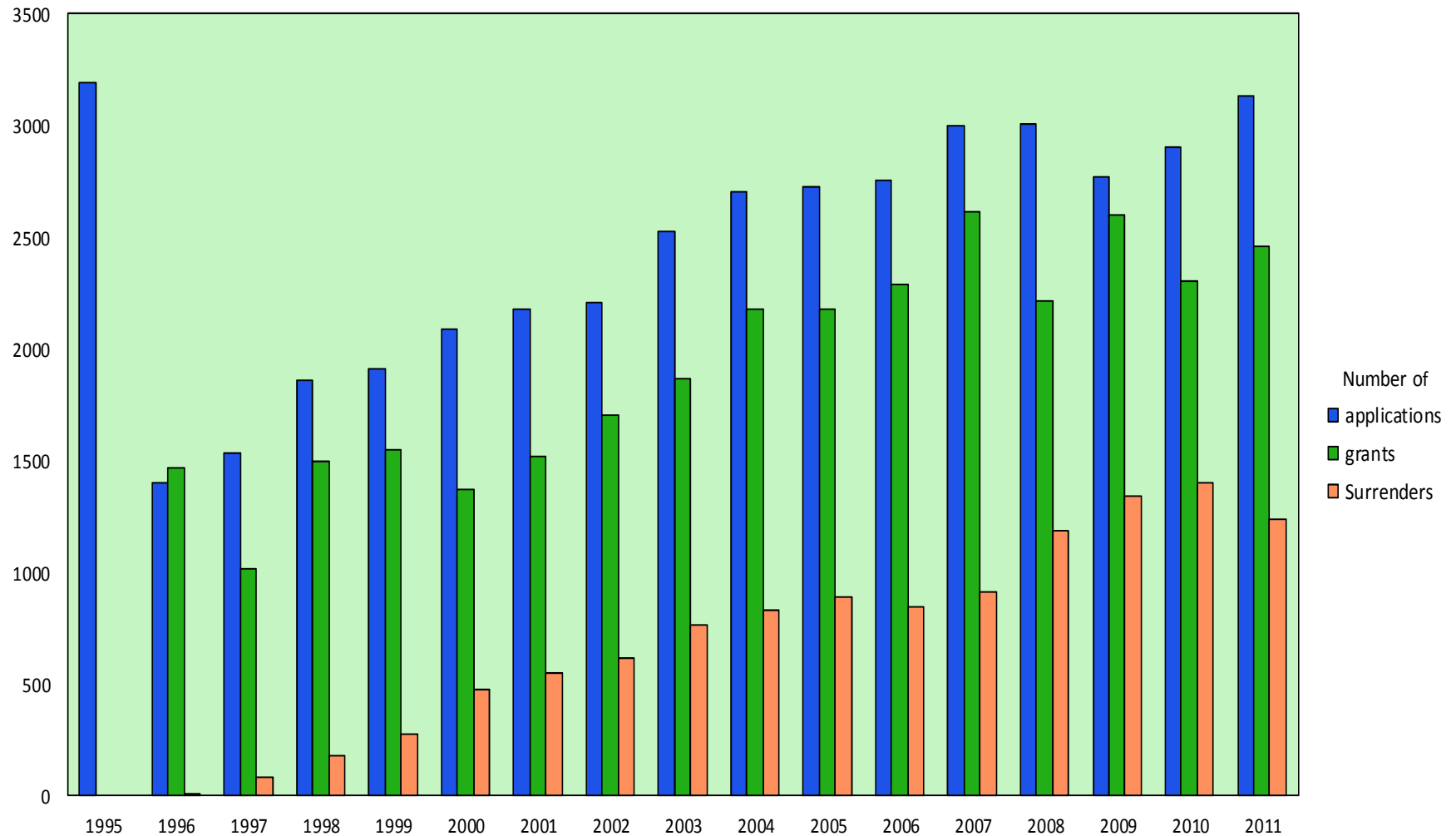


## **Important elements of Council Regulation (EC) 2100/94 of 27 July 1994 on Community Plant variety rights**

- Co-existence and correspondence of systems on national and Community level,
- independent and self-financed Community Agency supervised by an Administrative Council,
- full integration of Member States and their Examination Offices.



## CPVO: Plant Breeders' Rights





The Community System  
consolidates the national mechanism  
of Plant Variety Protection

True or false?



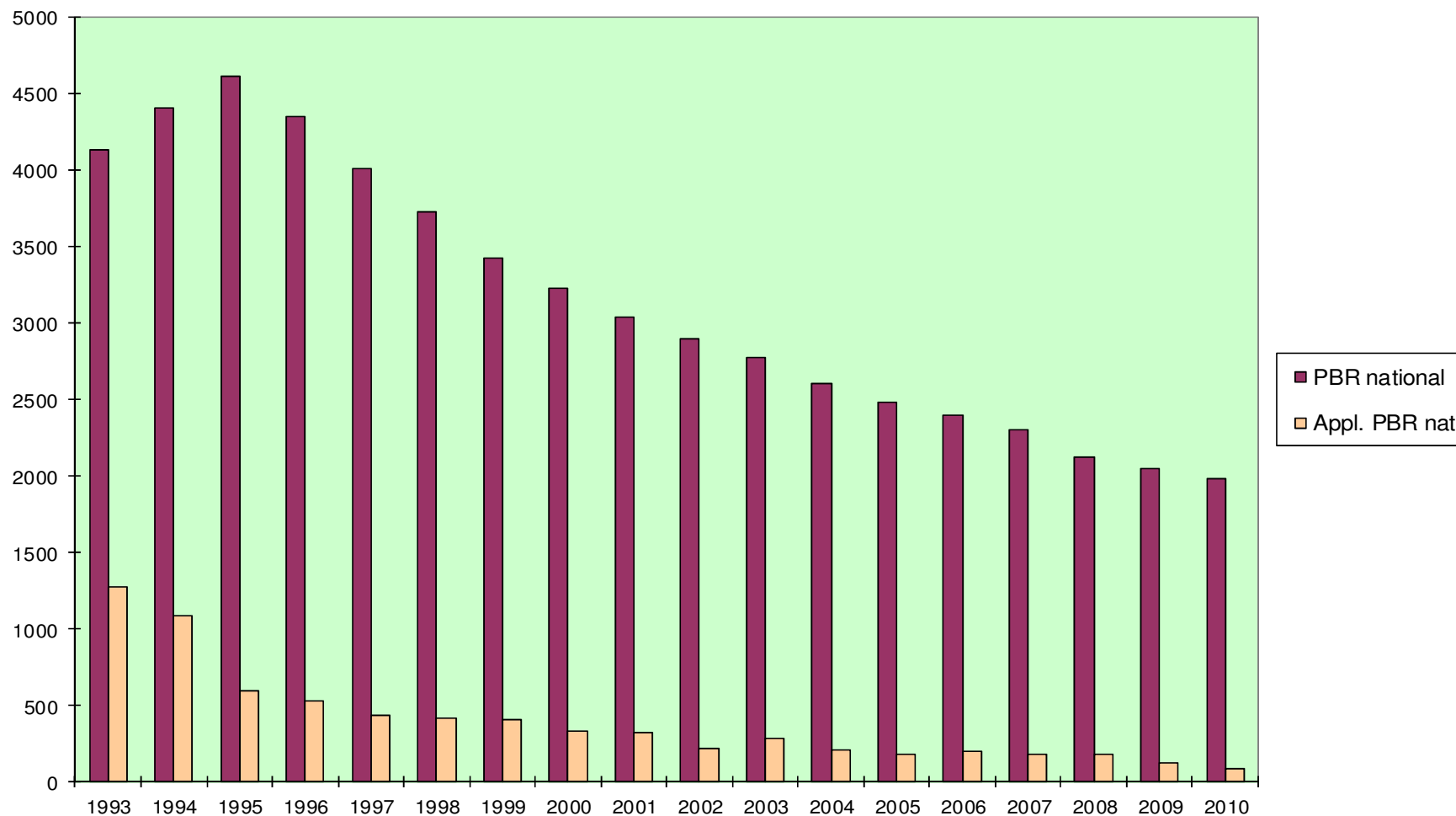


**Which are the benefits,  
which is the impact  
of the Community System for**

- national authorities,
- for the breeding industry,
- for the agricultural and horticultural business?

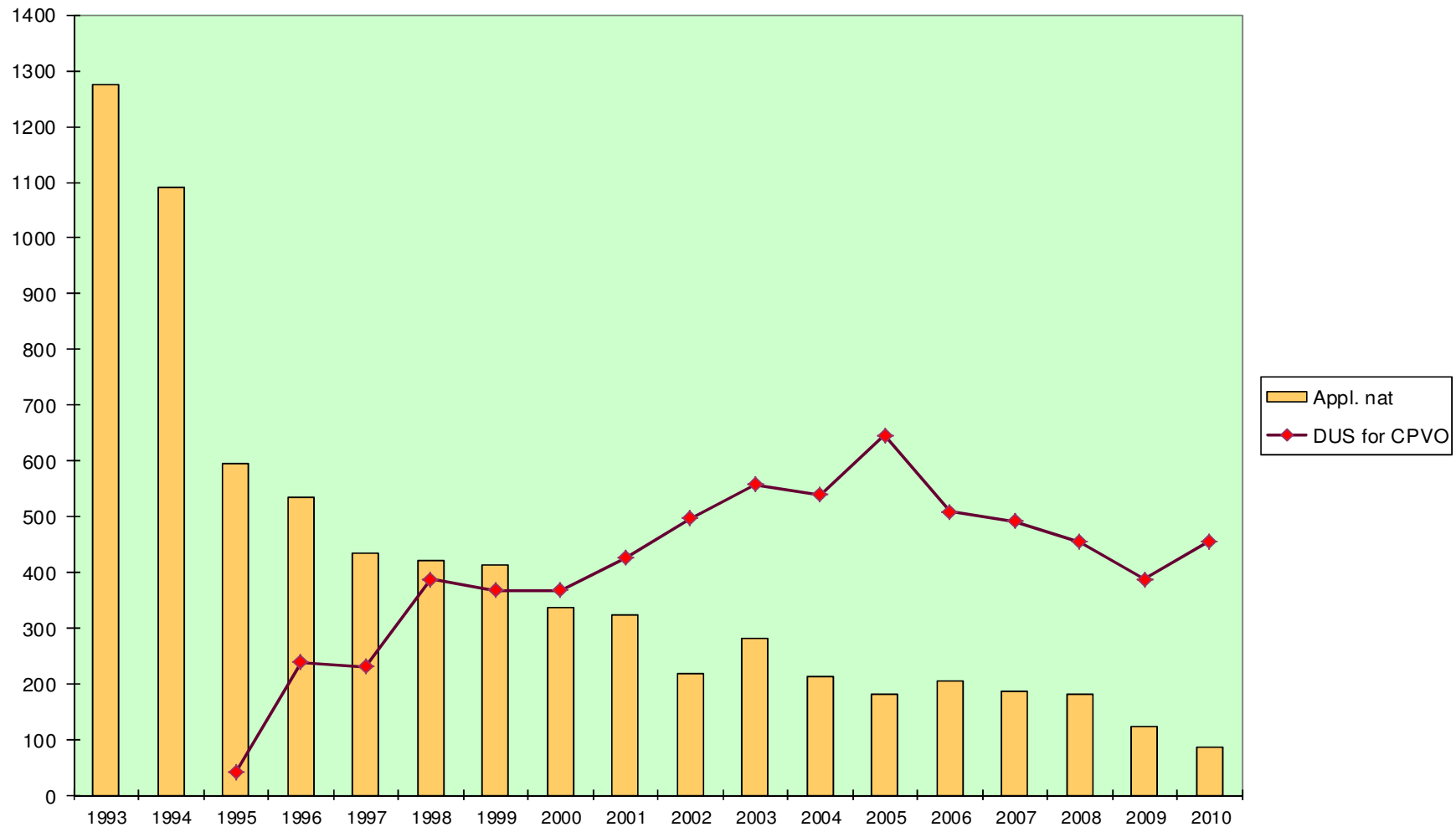


## National PBRs and applications for PBR





## Applications for national PBR, DUS tests on behalf of CPVO





## **Impacts and benefits for the national authorities**

- less PBR applications and granted rights,
- compensation by DUS tests for the CPVO,
- constantly growing cooperation within Europe.

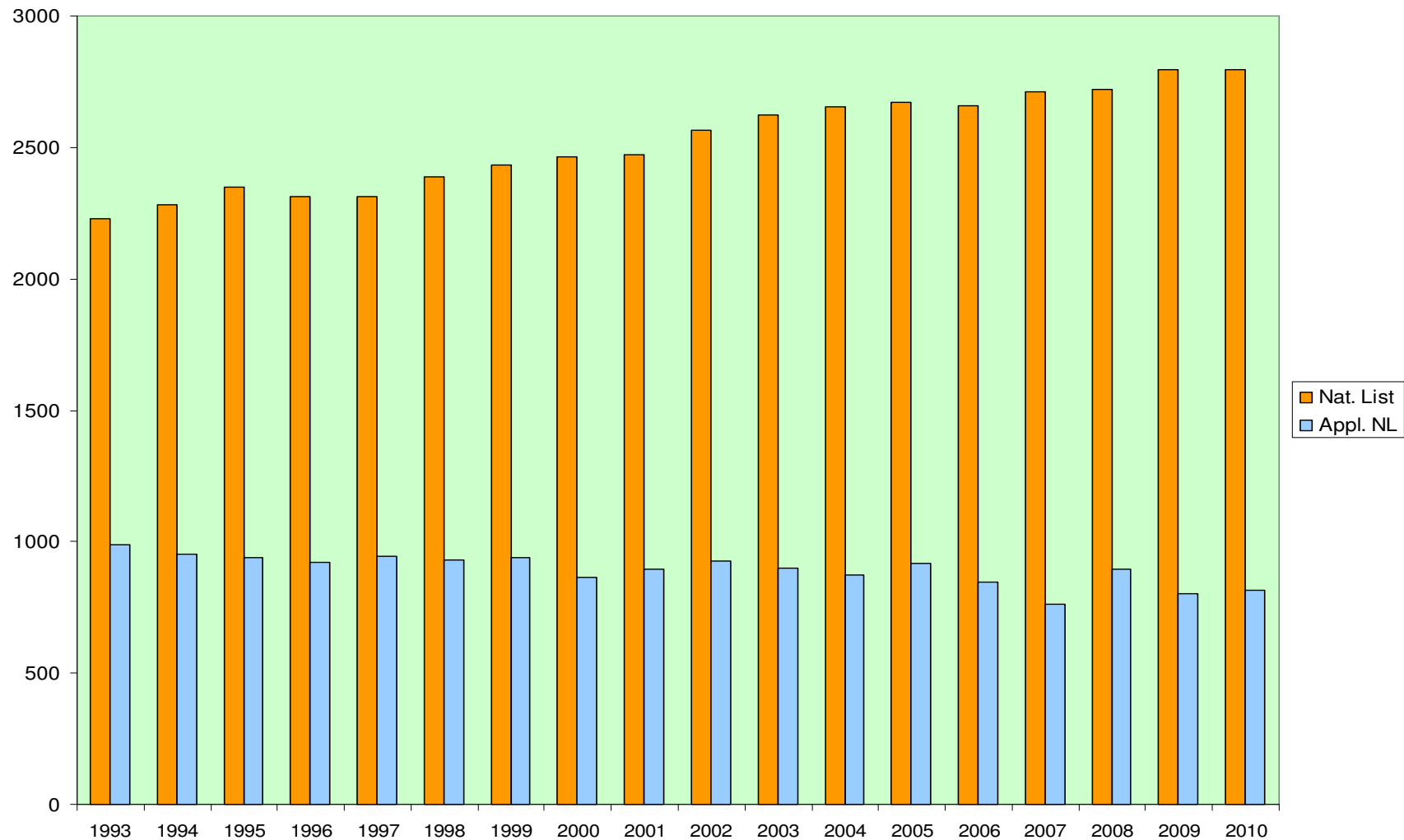


## **Impacts and benefits for the breeders**

- one title for the whole of Europe,
- lower financial and administrative burden,
- higher incentives and capacities  
for breeding activities.



## National List: Listed Varieties and Applications for NL





## **Impacts and benefits for the agricultural and horticultural business**

- Wide choice of varieties,
  - for reasonable prices,
  - of high quality,
  - for all desires and needs.



## Conclusions and Outlook

The expectations of the CPVR System for breeders, users and the national economies have been fulfilled.

The successful implementation of the system has been realised by the close cooperation between the CPVO and national partners and (for agricultural and vegetable species) based on the Seed Directives.

New challenges and developments can only be tackled in mutual action bilaterally and multilaterally between EU bodies, Member States and third parties.





## **Final Remarks**

The CPVR System is supporting the national systems and vice versa.

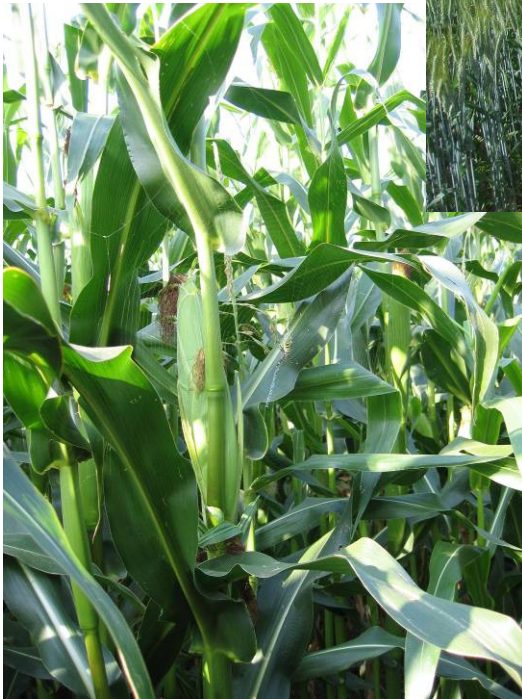
National systems will retain their importance and relevance but have to be aware of changing conditions.



Bundessortenamt



Merci beaucoup



Thank you



Vielen Dank