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UPOV

INTERNATIONALER VERBAND
ZUM SCHUTZ VON
PFLANZENZÜCHTUNGEN

UNION INTERNATIONALE
POUR LA PROTECTION
DES OBTENTIONS VÉGÉTALES

INTERNATIONAL UNION
FOR THE PROTECTION OF
NEW PLANT VARIETIES

COUNCIL
Fifth Session
Geneva, October 14 and 15, 1971

RULES OF PROCEDURE FOR THE EXCHANGE
OF VARIETY DENOMINATIONS

Report by the Secretay General

This document contains a proposal for the adoption of Provisional Rules of Procedure for the Exchange of Variety Denominations and for the approval of their implementation.

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1. Article 13(6) of the Convention for the Protection of New Varieties of Plants provides for the exchange of variety denominations, the communication of objections to proposed denominations and the notification of member States of the Paris Union for the Protection of Industrial Property through the Secretariat of UPOV.
2. In view of the great amount of work and the high costs involved for the Secretariat, the Working Group on Variety Denominations proposed to the Council, in Draft Report UPOV/C/IV/14, that the exchange should take place directly between the national authorities without the assistance of the Secretariat and that the notification of member States of the Paris Union for the Protection of Industrial Property should be omitted at present.
3. The Working Group requested the Secretariat to work out a detailed proposal on the procedure for exchange and proposed to the Council that this exchange should start as soon as possible.
4. The Council accepted unanimously the proposals of the Working Group (see paragraph 68 of the Report of the meeting (UPOV/C/IV/17)).
5. After the meeting of the Council, the Secretariat prepared a draft working paper on the exchange of variety denominations. On February 1, 1971, this paper was discussed by a consultative group of experts, and on the basis of the discussion the Secretariat prepared a new draft of Provisional Rules of Procedure for the Exchange of Plant Variety Denominations. The Draft was submitted to the Working Group on Variety Denominations which, at its sixth meeting held in Geneva, on May 4 and 5, 1971, adopted the Draft for submission to the Council.
6. The Draft is contained in document UPOV/C/V/9.
7. In accordance with the decision of the Council that the exchange should start as soon as possible (see paragraphs 3 and 4 above) the representatives of the member States attending the sixth meeting of the Working Group on Variety Denominations agreed to implement the Draft Rules as soon as possible and before their adoption by the Council.

8. The Council is invited:
- (i) to adopt the Draft as Provisional Rules of Procedure for the Exchange of Variety Denominations, and
 - (ii) to approve the decision of the member States to implement these rules before their adoption by the Council.

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