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UPOV

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INTERNATIONALER VERBAND
ZUM SCHUTZ VON
PFLANZENZÜCHTUNGEN

UNION INTERNATIONALE
POUR LA PROTECTION
DES OBTENTIONS VÉGÉTALES

INTERNATIONAL UNION
FOR THE PROTECTION OF
NEW PLANT VARIETIES

COUNCIL

Seventh Ordinary Session

Geneva, October 10 to 12, 1973

VARIETY DENOMINATIONS

Report by the Secretary General

1. By letter of September 24, 1973, the Secretariat has received the text of a Resolution adopted in Malmö (Sweden) on May 24, 1973, by the Executive Committee of FIS (Fédération Internationale du Commerce des Semences) concerning variety denominations. The text of the Resolution is contained in the Annex to this document.

2. The Council is invited to take note of the Resolution.

/Annex follows/

Fédération Internationale du Commerce des Semences

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Nr.73-077

R E S O L U T I O N

on the problem of Variety Denominations, based on the International Convention for the Protection of New Plant Varieties of 1961 adopted by the Executive Committee of F.I.S. at its meeting of 24th May 1973 at Malmö (Sweden), after discussions in the Sections and the Council of F.I.S.,

The Executive Committee of the International Seed Trade Federation

- whereas the International Seed Trade Federation (F.I.S.) has laid down its reasoned point of view on the Provisional Guidelines on Variety Denominations of U.P.O.V. in a declaration nr.72-085
- whereas F.I.S. has been heard at a meeting organised by U.P.O.V. on 6th December 1972 in Geneva
- whereas there was among the professional organisations a complete unanimity of view on the deficiencies in the Guidelines referred to above
- whereas there are serious doubts in our organisation as to whether the representatives of U.P.O.V. member-states are fully aware of the serious implications to which official adoption of these guidelines or slightly modified ones not meeting the requirements of the seed industry may lead
- whereas F.I.S. has been informed of a motion on this matter adopted on 22nd May 1973, also at Malmö by ASSINSEL which it fully endorses
- whereas F.I.S. feels that the example given in this resolution pertaining to maize is very clear, but should not be understood so that the problem would be less important for other species

has passed the following resolution

- to bring to the attention of the U.P.O.V. and to the national authorities concerned that the whole concept of breeders' rights is jeopardized by the perseverance with which the authorities represented in U.P.O.V. try to annihilate procedures applied and proved to be valid in practice for many years

- to inform U.P.O.V. and the authorities that the Executive Committee of F.I.S. is seriously concerned about these developments (and - although this is a subject in itself - the often prohibitive fees) through which elements are being introduced that are based on official seed regulation considerations. The Committee opposes any efforts to alter the original basic concepts of this just system which is only to protect the intellectual property in the seed industry and supports any efforts to expand this sound international system for protection of the rights of the developers on their new plant varieties
- to warn U.P.O.V. and the authorities of the great danger of turning away from breeders' rights legislation more seed industry members since the International Seed Industry is definitely not in need of more international seed regulation.

Malmö, 24th May 1973

The Executive Committee of F.I.S.:

Angel Anós, Messrs.Cusesa, Spain
Dr.Carl-Ernst Büchting, Kleinwanzlebener Saatzucht AG, Fed.Rep.of Germany
Victor Desprez, Messrs.Fl.Desprez, France
Louis van Engelen, van Engelen Zaden B.V., Netherlands
Wilfrid S.Holliwell, The Holliwell Seed & Grain Co.Ltd., United Kingdom
Robert Jacobsen, D.L.F., Denmark
Dr.Rudy Jordan, Kirchhoff & Co.(Pty) Ltd., Rep.of South Africa
Georges Le Clair, Comptoir des Semences Svalöf, Belgium
Niccolò Morelli, Morelli Vasco e Fizli s.n.c., Italy
John C.Paterson, Pyne, Gould, Guinness Ltd., New Zealand
Fred Rohmert, Keystone Seed Co., U.S.A.
Simon J.Sluis, Royal Sluis, Netherlands
Tib Szego, Tib Szego Associates, Canada
Widar Weibull, W.Weibull A.B., Sweden
Ernst Zimmerli, Eric Schweizer Samen AG, Switzerland
Kenneth Christensen, (Honorary President), Northrup, King & Co., U.S.A.
André de Vilmorin, (Honorary President), G.N.I.S., France

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