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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

ADMINISTRATIVE AND LEGAL COMMITTEE

Eleventh Session
Geneva, April 26 and 27, 1983

UPOV RECOMMENDATIONS ON VARIETY DENOMINATIONS

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TRANSLITERATION AND TRANSLATION OF DENOMINATIONS

Document prepared by the Office of the Union

1. By letter dated March 23, 1983, Mr. F. Schneider, Secretary of the International Commission for the Nomenclature of Cultivated Plants, proposed that the following amendments be made in the text of the UPOV Recommendations on Variety Denominations, in view of the practice that is usual in the horticultural circles and has been reflected in Article 32 of the Code of Nomenclature for Cultivated Plants:

- Second paragraph of the introduction: Add the following sentence: "The expression 'the same variety denomination' includes transliterations and literal translations."

The expression concerned is to be found in the following phrase: "The Council underlines that the main purpose of the rules laid down in Article 13 is to ensure that, as far as possible, any protected variety is designated in all member States by the same variety denomination."

- Recommendation 7.1): Add the underlined words: "A designation identical or similar to a designation or to the transliteration or the translation of a designation under which a variety of the same or a related botanical species has been made known or officially registered or under which material of that variety has been marketed is not suitable, because it is liable to cause confusion or to mislead."

2. The advantage of that proposal lies according to Mr. Schneider in the fact that denominations that are unreadable by reason of the script used in the original language or difficult to pronounce in other languages would be less frequently replaced by true synonyms. The consequence thereof is that proposed denominations should not be identical or similar to the transliteration or the translation of an existing cultivar name.

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