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UPOV

CAJ/XII/6

ORIGINAL: French

DATE: August 18, 1983

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANT

GENEVA

ADMINISTRATIVE AND LEGAL COMMITTEE

Twelfth Session

Geneva, November 7 and 8, 1983

UPOV RECOMMENDATIONS ON VARIETY DENOMINATIONS

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RE-USE OF OLD DENOMINATIONS

Document prepared by the Office of the Union

The annex to this document contains the correspondence exchanged between the Plant Breeders' Rights Council of the Netherlands and Mr. A.C. Leslie, Registration Officer, The Royal Horticultural Society's Garden, Wisley, Woking, Surrey (United Kingdom), concerning re-use of old denominations. This issue is dealt with in Recommendation 7(2) of the draft UPOV Recommendations on Variety Denominations. The Delegation of the Netherlands has asked that this issue be tabled before the twelfth session of the Administrative and Legal Committee.

[Annexe follows]

CAJ/XII/6

ANNEX

RAAD VOOR HET KWEKERSRECHT

Adres : Nudestraat 11
 Postbus 104
 6700 AC Wageningen
 08370 - 19031
 Telefoon : 198113

The Royal Horticultural Society's Garden
 Wisley, Woking,
 Surrey GU23 6QB
 United Kingdom

Document : 0-2-1983 ACL/JAC
 Onderwerp :

Document kenmerk : AP/VD/352/ANJ 537
 ANJ 545

Datum : 8-3-1983

Our objections to the
 proposed denominations
 Bianca and Firefly

Dear Mr. Leslie,

We thank you very much for your letter of 10 February 1983
 and inform you as follows.

When we checked the above mentioned proposals we also met
 the conflicting names of the carnation varieties Bianca
 of J. Keynes c. 1860 and Firefly of Douglas 1939. The
 Board is, however, of the opinion that re-use of these names
 does not cause confusion for the average grower, as so far
 we know those very old varieties are not commercialized
 since a very long time.

We hope that after this explanation you agree with our
 view, otherwise we are accessible to your comments c.q.
 additional information.

The Secretary,

K.A. Fikkert
 (Ass. Secretary).

c.c. CAJ



All communications should be
 addressed to "The Director."

ACL/MJK/

Mr. K.A. Fikkert,
 Raad voor het kwekersrecht,
 Postbus 104,
 6700 AC Wageningen,
 Holland.

Dear Mr. Fikkert,

The Royal Horticultural Society's Garden,
 Wisley, Woking,
 Surrey. GU23 6QB
 Tel. GUILDFORD 224234

18th March, 1983

PLANT VARIETY RIGHTS- CARNATIONS

Thank you for your letter of 8th March, 1983 concerning the proposed
 carnation names 'Bianca' and 'Firefly'. I regret that as International
 Registration Authority for this group, we cannot condone the re-use of
 these names under any circumstances.

No names are ever erased from the International Register and thus
 every time a name is duplicated it introduces uncertainty as to its
 application when met with in the literatures or on labels, etc. It means that
 each time these names have to be further qualified with a date, a raiser's name
 or a description. It is our object to prevent this sort of confusion.

There is also, as you are no doubt aware, an increasing interest in
 garden history and a determined attempt to search for old garden plants. It is
 therefore possible that the older uses of these names may become of
 practical consequence again and even if not the names are still to be found in
 the literature of the period. The concept of the 'average grower' in this respect
 is really of no consequence. We have to take account of all potential users
 of names in the group and who can possibly tell whether what may be exceptional
 today will not be the commonplace of tomorrow? There are plenty of unused names
 and I am sure the raisers will have no trouble finding new ones.

Under the International Code it is left to the discretion of an IRA to allow
 re-use of names. Except in the most exceptional circumstances (usually an unreleased
 stock being entirely destroyed) we do not permit re-use. It is our hope that
 this decision will be followed by all PVR organisations.

Yours sincerely,

Alan C. Leslie
 Dr. A.C. Leslie
 Registration Officer

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