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UPOV

TC/XXIV/4

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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

TECHNICAL COMMITTEE

Twenty-Fourth Session
Geneva, October 20 and 21, 1988

PROPOSALS FOR CHANGES IN THE UPOV MODEL FORMS

FOR A REPORT ON TECHNICAL EXAMINATION,
FOR AN INTERIM REPORT ON THE EXAMINATION OF A VARIETY,
AND FOR A REQUEST FOR EXAMINATION RESULTS

Document prepared by the Office of the Union

1. The present version of the UPOV Model Report on Technical Examination was last revised in 1986 at the twenty-second session of the Technical Committee. At that time, only the Variety Description Form was revised, the report itself (the first page) remained unchanged.
2. At the twenty-third session of the Technical Committee, it was proposed to align the first part of that report on the first part of the revised Variety Description Form (see document TC/XXIII/6, paragraphs 30 and 31). Mr. Baltjes (Netherlands) was asked to prepare a first proposal for revision for discussion by the Technical Working Parties at their sessions in 1988. The proposal from Mr. Baltjes is reproduced in document TWV/XXI/15.
3. The Technical Working Parties studied the above document at their sessions in 1988 and recommended to the Technical Committee to keep the first part of the Model as close as possible to that of the revised Model for the UPOV Variety Description Form, but to make several changes:
 - (i) The Report on Technical Examination should contain additional information on the agent and the breeder and should not contain information on the date of the UPOV Test Guidelines document or that of the national Test Guidelines.

(ii) The layout of the form for the report as well as for the variety description should be amended to provide a separate line for each item and all items should be presented in such a way that their was one column for the questions and a separate column for the answers.

(iii) Subitem 10 should be more aligned on the wording of the UPOV Convention (e.g. the word "clearly" should be inserted before "distinguishable").

(See documents TWA/XVII/9 Prov., paragraph 5(ii), TWF/XIX/11 Prov., paragraph 8, TWO/XXI/16 Prov., paragraph 9, and TWV/XXI/23 Prov., paragraph 10.)

4. The TWV further proposed considering whether items 7, 8, 9 could be combined with 10(a), 10(b) and 10(c), respectively, under the heading "Conclusion" and the heading "Results of the Technical Examination" could be deleted.

5. The TWC proposed that the changes mentioned under paragraph 3(ii) should also be applied to the "UPOV Model Form for the Interim Report on the Examination of a Variety" and to the "UPOV Model Form for the Request for Examination Results." These two UPOV models should furthermore be made easier to handle by including the required information on one page and not two pages as at present. The TWC considered that the above proposals facilitated readability and printing by computer and therefore recommended to the Technical Committee that it consider them favorably at the same time (see document TWC/VI/12 Prov., paragraphs 58 and 59).

6. The Office of the Union has prepared drafts on the basis of the above proposals and has aligned the various drafts on each other. They are reproduced as Annexes I (Draft for a revised UPOV Model Form for a Report on Technical Examination), Annex II (Draft for a revised UPOV Model Form for the Interim Report on the Examination of a Variety) and Annex III (Draft for a revised UPOV Model Form for the Request for Examination Results) to this document. The Annexes IV, V and VI contain the three above-mentioned Model Forms in their current versions for the convenience of the reader.

[Six Annexes follow]

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ANNEX I

Reference of testing authority

Breeder's reference

Requesting Authority

Reference of Requesting Authority

Application number

Date of application in Requesting State

Applicant (name and address)

Agent (name and address)

UPOV REPORT ON TECHNICAL EXAMINATION

Botanical name of taxon

Common name of taxon

Variety denomination

Breeder (name and address)

Testing authority

Testing place

Period of testing 19.. to 19.....

Date and place of issue of document

RESULTS OF THE TECHNICAL EXAMINATION(a) Report on Distinctness:(b) Report on Homogeneity:(c) Report on Stability:CONCLUSIONConclusion of the reporting authority on the basis of the results of the technical examination:

(a) The variety

- is clearly distinguishable from any other variety []
- is not clearly distinguishable from all varieties whose existence is known to us. []

(b) The variety

- is sufficiently homogeneous, []
- is not sufficiently homogeneous, []

having regard to the particular features of its sexual reproduction or vegetative propagation

(c) The variety

- is stable, []
- is not stable, []

in its essential characteristics.

In the case of a positive conclusion, a description of the variety is given as annex to this report.

Signature:

Reference of testing authority
 Breeder's reference
 Application number
 Applicant (name and address)

UPOV VARIETY DESCRIPTION FORM

Botanical name of taxon
 Common name of taxon
 Variety denomination
 Date and document number of UPOV
 Test Guidelines
 Date and/or document number of
 national test guidelines
 Testing authority
 Testing place
 Period of testing 19.. to 19.....
 Date and place of issue of document

UPOV No.	National No.	Characteristics	States of Expression	Note	Remarks
A.	<u>Group:</u>	(if characteristics of Chapter B are used for grouping, they are marked with a G in that chapter)			

Reference of testing authority

UPOV No.	National No.	CHARACTERISTICS	STATES OF EXPRESSION	NOTE	REMARKS
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B. Characteristics Included in the UPOV Test Guidelines or National Test Guidelines:C. Similar Varieties and Differences in Relation to Those Varieties:Denomination of Varieties:Differences:D. Additional Information:Additional Data:Remarks:

Explanatory Notes to the UPOV Variety Description Form:

- General: The reference number of the testing authority should be repeated on each page of the report.
- Ad Chapter A: Only information on the group to which the variety belonged should be given or information on groupings other than by characteristics listed in Chapter B. Grouping by characteristics mentioned in Chapter B should be indicated simply by marking the respective characteristic in Chapter B with the letter "G" before the number of the characteristic.
- Ad Chapter B:
- (i) All characteristics of the UPOV Test Guidelines should be reproduced, including those which are not applicable and those which have not been recorded. Those not applicable should be marked "not applicable," those not recorded, "not recorded".
 - (ii) The asterisks from the UPOV Test Guidelines should be repeated on the form.
 - (iii) Additional national characteristics should not be placed after the UPOV characteristics, but in their natural sequence, as the main purpose of the form is still for national use. They do not need to be specially marked as they are sufficiently identified by the national number.
 - (iv) The list contains only a small column for brief remarks or for a reference to lengthier remarks which should be reproduced in a footnote.
- Ad Chapter C: Only those characteristics that show sufficient differences to establish distinctness should be given. Information on differences between two varieties should always contain the states of expression with their notes for both varieties; if possible, in columns if more varieties are mentioned.

[Annex II follows]

ANNEX II

Reference of testing authority

Breeder's reference

Requesting Authority

Reference of Requesting Authority

Application number

Date of application in requesting State

Applicant (name and address)

Agent (Name and address)

UPOV INTERIM REPORT ON TECHNICAL EXAMINATION

Botanical name of taxon

Common name of taxon

Variety denomination

Breeder (name and address)

Testing authority

Testing place

Period of testing 19.. to 19.....

Date and place of issue of document

GENERAL INFORMATION

- No plant material received []
- Requirements for plant material not met []
- Test failed,
Observations: []

RESULTS OF THE EXAMINATION

- No remarks []
- Remarks: []

The final examination report will be forwarded
by (approximate date)

Note: The above interim report does not prejudice
the final report.

Signature:

ANNEX III

Reference of testing authority
 Breeder's reference
 Requesting Authority
 Reference of Requesting Authority
 Application number
 Date of application in requesting State
 Applicant (name and address)
 Agent (Name and address)

UPOV REQUEST FOR EXAMINATION RESULTS

Botanical name of taxon
 Common name of taxon
 Variety denomination
 Breeder (name and address)
 Testing authority
 Testing place
 Period of testing 19.. to 19.....
 Date and place of issue of document

We should be grateful to receive the report on the examination of the above-mentioned variety. It will be needed for an application

- for protection []
- for registration in the list of varieties []

A copy of the technical questionnaire filled in by the breeder is attached. According to our information prior application(s) for the same variety has (have) been made in

.....
 Date: Signature:

ANSWER TO THE ABOVE REQUEST

The examination of the above-mentioned variety

- has already been completed
- has been in progress since/for (date/approximate time) []
- will be undertaken as from (approximate date) []
 on the basis of an application or a request already submitted
- will be undertaken as from (approximate date) []
 on the basis of your request

The examination report

- is enclosed. Please make a remittance of []
- will be forwarded by (approximate date) []
- The costs are expected to amount to

Special requirements:

Remarks:

Date: Signature:

UPOV MODEL FOR A REPORT ON TECHNICAL EXAMINATION

Requesting authority	Application No.
Reporting authority	Reference No.

GENERAL INFORMATION

1. <u>species</u> (common and Latin name):	2. <u>date of application</u> (in requesting State):
3. <u>applicant</u> (name and address):	
4. <u>proposed denomination</u> :	<u>breeders reference</u> :
5. <u>testing station</u> :	6. <u>site(s) and year(s) of tests</u> :

RESULTS OF THE TECHNICAL EXAMINATION

(add further sheets if necessary)

7. <u>report on distinctness</u> :
8. <u>report on homogeneity</u> :
9. <u>report on stability</u> :

CONCLUSION

<p>10. <u>Conclusion of the reporting authority on the basis of the results of the technical examination:</u></p> <p>(a) The variety</p> <p><input type="checkbox"/> is distinguishable from any other variety, <input type="checkbox"/> is not distinguishable from all varieties, whose existence is known to us.</p> <p>(b) The variety</p> <p><input type="checkbox"/> is sufficiently homogeneous, <input type="checkbox"/> is not sufficiently homogeneous, having regard to the particular features of its sexual reproduction or vegetative propagation.</p> <p>(c) The variety</p> <p><input type="checkbox"/> is stable <input type="checkbox"/> is not stable in its essential characteristics.</p> <p>In the case of a positive conclusion, a description of the variety is given in an annex to this report.</p>

Place and date: Signature:

.....
Reference of testing authority

.....
Breeder's reference

.....
Application number

.....
Applicant (name and address)

UPOV VARIETY DESCRIPTION FORM

.....
Botanical name of taxon

.....
Testing authority

.....
Common name of taxon

.....
Testing place

.....
Variety denomination

19.. to 19..
.....
Period of testing

.....
Date and document number of UPOV
Test Guidelines

.....
Date of issue of document

.....
Date and/or document number of
national test guidelines

UPOV No.	National No.	CHARACTERISTICS	STATES OF EXPRESSION	NOTE	REMARKS
-------------	-----------------	-----------------	----------------------	------	---------

A. Group: (if characteristics of Chapter B are used for grouping, they are marked with a G in that chapter)

B. Characteristics Included in the UPOV Test Guidelines or National Test Guidelines:

.....
Reference of testing authority

C. Similar Varieties and Differences in Relation to Those Varieties:

<u>Denomination of Varieties:</u>	<u>Differences</u>
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D. Additional Information:

Additional Data:

Remarks:

Explanatory Notes to the UPOV Variety Description Form:General:

(i) The reference number of the testing authority should be repeated on each page of the report.

(ii) For further information a specimen completed form is reproduced in the Appendix to this Annex.

Ad Chapter A:

Only information on the group to which the variety belonged should be indicated or information on groupings done according to means other than by characteristics listed in Chapter B. Grouping done according to characteristics mentioned in Chapter B should be indicated only by marking the respective characteristic in Chapter B with the letter "G" before the number of the characteristic.

Ad Chapter B:

(i) All characteristics of the UPOV Test Guidelines should be reproduced including those which were not applicable and those which had not been recorded. Those not applicable should receive the mention "not applicable," those not recorded the mention "not recorded."

(ii) The asterisks from the UPOV Test Guidelines should be repeated on the form.

(iii) Additional national characteristics should not be placed after the UPOV characteristics, but in the natural sequence, as the main purpose of the form would still be for national use. They do not need to be given a special mark as they are sufficiently identified by the national number.

(iv) The list contains only a small column for brief remarks or for a reference to lengthier remarks which should be reproduced in a footnote.

Ad Chapter C:

Only those characteristics should be indicated that show sufficient differences to establish distinctness. Information on differences between two varieties should always contain the states of expression with their notes for both varieties, if possible indicated in columns if more varieties are mentioned.

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ANNEX V

UPOV MODEL FORM FOR THE INTERIM REPORT ON THE EXAMINATION OF A VARIETY
 FORMULAIRE TYPE DE L'UPOV POUR LE RAPPORT INTERIMAIRE SUR L'EXAMEN D'UNE VARIETE
 UPOV-MUSTERFORMBLATT FÜR ZWISCHENBERICHTE ÜBER DIE PRÜFUNG EINER SORTE

Requesting authority Autorité qui a demandé l'examen Beauftragende Behörde	Application number Numéro de la demande Anmeldenummer
Reporting authority Autorité qui a effectué l'examen Berichtende Behörde	Reference number Numéro de référence Bezugsnummer

1. Species (common and Latin name)
Espèce (nom commun et nom latin)
Art (landesübliche und botanische Bezeichnung)

2. Proposed denomination/Breeder's reference
Dénomination proposée/Référence de l'obtenteur
Vorgeschlagene Sortenbezeichnung/Anmeldebezeichnung

3. Testing station Station d'examen Prüfungsstation	4. Site(s) and year of tests Lieu(x) et année d'examen Prüfungsort(e) und -jahr
---	---

5. No plant material received/Pas de matériel végétal reçu/
Kein Pflanzenmaterial eingegangen

6. Requirements for plant material not met/Conditions requises pour
le matériel végétal non respectées/Pflanzenmaterial entsprach
nicht den Voraussetzungen

7. Tests failed/Les essais ont échoué/Prüfungen fehlgeschlagen

Observations/Bemerkungen:

8. Results of the examination/Résultats de l'examen/Ergebnisse der Prüfung

No remarks/Pas de remarques/Keine Bemerkungen

Remarks/Remarques/Bemerkungen

The final examination report will be forwarded on/in (approximate date)
Le rapport d'examen final vous sera envoyé le/dans (date approximative)
Der endgültige Prüfungsbericht wird übermittelt werden am/im (ungefährer Zeitpunkt)

Note: The above interim report does not prejudge the final report.

Note: Le rapport intérimaire ci-dessus ne préjuge pas du rapport final.

Bemerkung: Der vorstehende Zwischenbericht greift dem abschliessenden Bericht nicht vor.

Place and date/Lieu et date/Ort und Datum

Signature/Unterschrift:

[Annex VI follows]

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ANNEX VI

UPOV Model Form for the Request of Examination Results

Subject: International Cooperation in the Testing of Varieties

Species: common name :
 Latin name :
 Breeder's reference :
 Proposed denomination :
 Applicant :
 Breeder (if different from applicant) :
 Filing date (requesting country) :
 Application number (requesting country) :

We would be grateful to receive the report on the examination of the above-mentioned variety.

Information in our possession:

Prior applications	Filing (State-date)	Application number	Stage	Denomination or breeder's reference
Plant breeders' rights				
Official variety list				

An application for protection
 for registration in the list of varieties
 has been made in our country for this variety.

The description submitted at the time of the application is included.

Please fill in the reverse side of this form and return two copies. The third copy is intended for your files.

Date

Signature

To the requesting authority

Subject: Information on the variety mentioned on the front of this form

The examination of the variety

- has already been completed
- has been in progress since/for (date/approximate time)
- will be undertaken as from (approximate date)
on the basis of an application or a request already submitted
- will be undertaken as from (approximate date)
on the basis of your request

The examination report

- is enclosed. Please make a remittance of
- will be forwarded on/in (approximate date).
The costs are expected to amount to

Special requirements

Remarks

Date

Signature