

Annual report 2002

Community Plant Variety Office



Community Plant
Variety Office



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1. INTRODUCTION BY BART KIEWIET, PRESIDENT OF THE CPVO



• **The state of the Community plant variety rights system**

As the statistics in this annual report show, the number of applications in 2002 rose compared with the previous year. The Office received 2 223 applications. This high number — the budgetary forecast was based on a total of 2 000 applications — is one of the reasons that the accounts of the report year show a surplus of around EUR 1.1 million. More applications result in higher income out of application fees. Another reason for the positive financial outcome is that the lifetime of protected varieties, which generate by means of the annual fees an important part of the income of the Office, is much longer than foreseen when the level of these fees was established.

Not only higher income than expected was responsible for the windfall. Expenditure related to most of the budget lines was considerably lower than budgeted.

During the report year the following subjects demanded, apart from the routine activities, the special attention of the members of the CPVO staff: modification of the fee system, preparation of the EU enlargement, implementation of the CPVO subsidy scheme, preparation of a new financial regulation, and drafting of test protocols.

• **Modification of the fee system**

The main elements of the system as proposed are:

- The level of the application fees will be kept at EUR 900.
- The examination fees will cover 85 % of the costs related to the execution of DUS tests on behalf of the Office.
- A flat rate annual fee, one tariff for protected varieties of all species whatever their age, will be introduced to cover the costs of the Community system which are not covered out of the other fees.
- In order to reduce the financial reserve of the Office, the level of both the examination fee and the annual fee will be fixed during a period of three years at a lower than their structural level.

Representatives of the breeders' organisations have expressed their consent regarding the philosophy behind the proposals. The Commission is in favour of modifying the CPVO fees regulation along the lines proposed by the Administrative Council.





The 'Hôtel Bordeaux-Montrieux', premises of the CPVO in Angers

- **EU enlargement**

On different levels the Office has prepared the accession of 10 new Member States to the Community plant variety rights system.

The Administrative Council invited representatives of the candidate States to participate in part of its meeting organised in June 2002 in Vienna. On this occasion a presentation of the Office was given.

Members of the staff of the Office participated in an assessment initiated by the European Commission covering, amongst other things, the national plant variety rights systems and the technical infrastructure for the testing of varieties in the candidate countries. On the basis of this assessment the Office will formulate a proposal as concerns the inclusion of examination offices of these States in the network of examination offices working on its behalf.

Legal issues related to the enlargement of the Community plant variety rights (CPVR) system have been discussed by members of the staff of the CPVO with breeders' representatives and the Commission services.

- **The CPVO subsidy scheme**

In its meeting of March 2002 the Administrative Council established the conditions for the participation by the Office in the costs of research and development projects and in the costs related to the maintenance of reference collections.

The CPVO received several requests for a subsidy in the framework of this subsidy scheme. Following the advice of the competent internal committee of the Office and external advisors, a financial contribution was not granted to any of the projects presented. The reasons for the refusals were diverse. Some of the proposals were not well developed; some were related to fundamental research, others were lacking a form of coordination with existing projects in other EU States. Since it was the first year that the scheme was in force it was to be expected that its application would encounter some problems. The balance of this year is nevertheless disappointing for all parties concerned. This year's experience can anyhow be qualified as part of a learning process for the Office as well as for the applicants. In order to avoid a repetition of this year's situation the Office has established guidelines for the submission of subsidy requests. I expect that the applications in 2003 will be more successful than those received this year.

- **A new financial regulation**

In 2002 a new Council regulation applicable to the general budget of the European Communities was adopted. Some new elements in the regulation are: the suppression of the financial control function, the creation of an internal audit function and the rein-

forcement of the role of the European Parliament as the budgetary authority of the agencies receiving a subsidy out of the general budget.

Due to its self-financing character the regulation is not directly applicable to the CPVO. This means that the European Parliament has no direct responsibility in respect of the financial management of the Office. Its Administrative Council continues to be the budgetary authority of the CPVO. Other elements, such as the creation of an internal audit function, have nevertheless to be implemented in a new financial regulation for the Office. The Administrative Council has decided that, if the Commission's internal auditor is not in a position to play this role also in respect of the Office, this function will be externalised.

- **Test protocols**

The technical examinations performed on behalf of the Office have to follow test protocols adopted by the Administrative Council. These protocols are based on the test guidelines established in the framework of the International Union for the Protection of New Varieties of Plants (UPOV) but adapted to the specific needs of the Community plant variety rights system. Recent legislation of the Commission obliges the Member States to take into account the characteristics listed in the relevant CPVO protocols, when testing varieties for inclusion in the agricultural and vegetable common catalogues.

It remains to thank all those who have contributed to the performance of the CPVO for their efforts.

Bart Kiewiet
President of the CPVO



2. FOREWORD BY CARLOS PEREIRA GODINHO CHAIRMAN OF THE ADMINISTRATIVE COUNCIL



I would like to start this introduction with some brief words of acknowledgement, and heartfelt appreciation, of the great dedication and spirit of service shown by the President, the heads of unit and all who have worked at the CPVO in 2002. The Community plant variety rights system owes much of its success to all these people. The result of their efforts is partly reflected in the rising number of applications submitted to the CPVO every year, and in the more than 8 000 varieties now protected by the system.

Of the year's main events, I would like to single out the following:

- The CPVO's preparatory work for the implementation of the system for which it is responsible in the future Member States: this initiative is of immense interest, not only in terms of the institution's administration and internal functioning, but also in terms of the consequences of enlargement for present and future users of the system.
- Many protocols for technical examinations have been prepared and adopted: these protocols currently cover quite a significant range of the species most important to the CPVO's work. These carefully drafted documents form a cornerstone, not only of the Community system, but also within the various Member States to study the distinctness, uniformity and stability of new varieties of certain agricultural vegetables species. Still in the technical field, I think it worth highlighting the Administrative Council's decision giving the green light to exploratory work for the future creation of a database for checking variety denominations. Once operational, this will certainly be a very useful tool for the CPVO, the various national registry services and users.
- Another matter, certainly very important to the functioning of the entire system, was the Administrative Council's decision to propose an amendment to the fees regulation. Indeed, it has had a great impact on all users. The purpose of this measure was to make the system more accessible to all possible users, and to reduce the CPVO's reserves accumulated during the initial stage of implementation and consolidation of the system. The guiding principle is to popularise the Community plant variety rights system allowing access to it and enjoyment of its advantages for as many interested parties as possible. The CPVO, especially its Administrative Council, has adhered quite closely to this principle, making the necessary adjustments as far as possible. This has helped make the Community plant variety rights system more attractive — economically and otherwise.
- The decision by CPVO's Administrative Council to hold an annual meeting with associations representing plant breeders at Community level was taken at the motion of the ESA (European Seed Association). The underlying idea is to forge and promote contacts between the Administrative Council and the CPVO's users. It is an initiative that appears highly appropriate and useful to the system's future and to the ongoing effort to improve the services provided by the CPVO.





Pelargonium DUS trials

- Lastly, I would mention another event that, as such, might have attracted less attention. Nevertheless, it is highly relevant to the functioning of this institution. I refer to the appointment of Mrs Winkler as Chairman (renewed in office following a competition) and Mr Millett as alternate to the Chairman of the CPVO Board of Appeal. I would like to thank them both, on behalf of the Administrative Council, for their willingness to hold these offices, and I wish them every success in the important mission entrusted to them.

Finally, I would like to thank my fellow members of the Administrative Council for the excellent work they have done and for their personal commitment, without which this Council could not have responded properly to the various requests submitted to it.

Carlos Pereira Godinho

Chairman of the Administrative Council



3. THE COMMUNITY PLANT VARIETY RIGHTS SYSTEM

On 27 April 1995 the substantive and procedural parts of Council Regulation (EC) No 2100/94 ('the Basic Regulation') came into force introducing a Community plant variety rights system. Prior to that date, a breeder seeking protection for a new variety in the whole of the territory of the European Union was obliged to make separate applications in each individual Member State. Now, on the basis of a single application to the Community Plant Variety Office ('the Office'), a breeder may be granted protection guaranteeing him exclusive exploitation rights for his variety throughout the EU.

The new system is not intended to replace or even harmonise national systems but rather to exist alongside them as an alternative; indeed, it is not possible for the owner of a variety simultaneously to exploit a Community plant variety right (CPVR) and a national right or patent in relation to that variety. Where a CPVR already exists in relation to a variety, any national right or patent granted for that variety will be ineffective. Where a CPVR is granted in relation to a variety for which a national right or patent has already been granted, the national right or patent is rendered ineffective for the duration of the CPVR.

On receipt of an application for a CPVR, the Office must establish that the variety is novel and that it satisfies the criteria of distinctness, uniformity and stability (DUS). The Office may arrange for a technical examination to determine DUS, to be carried out by the competent offices in Member States or by other appropriate agencies outside the European Union. In order to avoid unnecessary duplication of work, where such a technical examination is being, or has already been, carried out in relation to a variety for official purposes, the Office may, subject to certain conditions, accept the results of that examination.

Anyone may lodge an objection to the grant of a CPVR with the Office, in writing and within specified time limits. The grounds for objection are restricted to allegations either that the conditions laid down in Articles 7 to 11 of the Basic Regulation are not met (distinctness, uniformity, stability, novelty or entitlement), or that the proposed variety denomination is unsuitable due to one of the impediments listed in Article 63. Objectors become parties to the application proceedings and are entitled to access to relevant documents.

Except in two specific instances where a direct action against a decision of the Office may be brought before the European Court of Justice, a right of appeal against such a decision lies with a Board of Appeal consisting of a chairman, appointed by the Council, and two other members selected by the chairman from a list compiled by the Administrative Council. The addressee of a decision, or another person to whom its content is of direct and individual concern, may appeal against it. After examining the appeal the Board may exercise any power within the competence of the Office or remit the case to the Office which is bound by the Board's decision. Actions may be brought before the European Court of Justice against decisions of the Board.





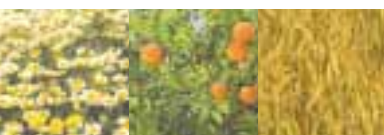
Alstroemeria DUS trials

Lilium DUS trials

The table in the Annex gives the number of notice(s) of appeal lodged with the CPVO since the beginning and the decisions reached by the Board of Appeal.

Once granted, the duration of a CPVR is 25 years, or 30 years in the case of potato, vine and tree varieties. These periods may be extended by legislation for a further five years in relation to specific genera or species. The effect of a CPVR is that certain specified activities in relation to variety constituents or harvested material of the newly protected variety require the prior authorisation of the holder of the right, which authorisation may be made subject to conditions and limitations. Infringement of a CPVR entitles the holder of the right to commence civil proceedings against the perpetrator of the infringement.

Registers, open to public inspection, contain details of all applications received, and all CPVRs granted, by the Office. Every two months, the Office publishes its *Gazette of the Community Plant Variety Office* which also provides this information, as well as other material.



4. THE ADMINISTRATIVE COUNCIL

The Office is supervised by an Administrative Council comprising a representative from each Member State and one from the European Commission and their alternates.

The Administrative Council monitors the activities of the Office. In particular it is responsible for examining the management report of the President, adopting the budget of the Office, and granting discharge to the President in respect of its implementation. In addition, it may provide advice, establish rules on working methods within the Office and issue protocols on technical examinations, committees of the Office and general matters.

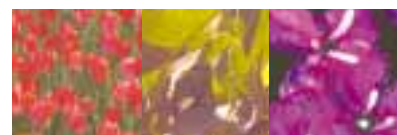
The Administrative Council met four times in 2002, on 26 and 27 March, 17 and 18 June, 5 September, and 30 and 31 October. The session on 17 and 18 June was held in Vienna at the invitation of the Austrian authorities following the reorganisation of the various national food inspection organisations into a single agency, and the election of the new Austrian Vice-President, Heinz-Peter Zach. The Vienna session ended with an extraordinary meeting attended by representatives from all candidate countries.

The accounts for the financial year 2001 and the preliminary draft budget for 2003 were presented at the **meeting held on 26 and 27 March**. The members of the Administrative Council granted discharge to the President of the CPVO to implement the budget for 2000. They also adopted the guidelines on the co-financing by the CPVO of costs associated with maintaining reference collections and the guidelines on subsidies for research and development projects granted by the CPVO.

Finally, several important matters were discussed at the meeting, including:

- the future financing of technical examinations. Here, the members of the Administrative Council agreed that annual fees should play a key role in reducing the CPVO's reserves;
- revision of the implementing rules for the CPVO's financial regulation;
- the vacancy notice to be published by the European Commission in the Official Journal for the appointment of the Chairman of the CPVO's Board of Appeal and his alternate;
- the possibility, on a provisional basis, of organisations of breeders attending some of the Administrative Council's spring meetings.
- the CPVO's technical protocols for the following agricultural and vegetable species: barley, durum wheat, potato, wheat, asparagus, Brussels sprouts, carrot, corn salad, cucumber/gherkin, endive, melon, pepper, radish, spinach, sprouting broccoli.

Finally, a number of technical problems were also discussed, including the appointment of new examination centres, the technical verification of protected varieties, DUS testing of genetically modified varieties and a revision of the list of technical liaison officers.





The members of the Administrative Council of the CPVO at the meeting in Vienna

At the **meeting held in Vienna on 17 and 18 June**, the Administrative Council analysed the various models for implementing a new fee system with the aim of reducing the CPVO's reserve. The members of the Administrative Council adopted a model aimed at reducing reserves by a total of EUR 5 million by the end of a transitional three-year period. This model sets a flat-rate annual fee of +/- EUR 300 during the transitional period and +/- EUR 435 after that period. The members of the Administrative Council also adopted a revision of the implementing rules for the CPVO's Financial Regulation.

The members of the Administrative Council present at the **meeting in Brussels on 5 September** voted unanimously to adopt the draft amending budget for 2002. The Administrative Council also delivered its opinion on the two lists of candidates for appointment/renewal of the mandate of Chairman of the CPVO's Board of Appeal and his alternate.

Given the necessary increase in staff numbers at the CPVO in the near future, the Administrative Council agreed in principle to provide extra space to house the Technical Unit. The Office will follow up the unsolicited offer it made to the owner of an apartment located in the building currently housing the Technical Unit.

At the **meeting held on 30 and 31 October**, the members of the Administrative Council adopted the following items:

- the second amending budget for 2002;
- the draft budget for 2003;
- the CPVO's technical protocols for the following agricultural and ornamental species: rye, sunflower, osteospermum, geranium, alstroemeria, begonia, carnations, exacum, gerbera, gladioli, kalanchoe, lily, rose, statice, tulip and weigela;
- the appointment of the examination offices proposed for new species;
- a change in the flat-rate annual fee, which now totals EUR 300 for a transitional three-year period;
- a number of changes to the guidelines on variety denominations adopted in April 2000.

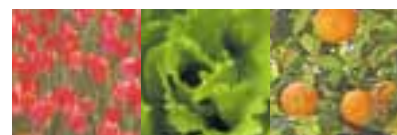
Following an amendment to the European Commission's Financial Regulation and the abolition of the post of in-house auditor, the Administrative Council granted EUR 50 000 under the 2003 budget to acquire the services of an external auditing firm.

The Administrative Council also deferred the final date for submitting research projects and maintaining reference collections to 1 March 2003. It gave its support to a study on the implementation of a centralised database for verifying variety denominations.



MEMBERS OF THE ADMINISTRATIVE COUNCIL IN 2002CHAIRMAN OF THE ADMINISTRATIVE COUNCIL**Mr C. Pereira Godinho** (Portugal)MEMBERS OF THE ADMINISTRATIVE COUNCIL

Belgium	Mrs C. Vanslebrouck Mrs F. Bedoret (alternate)
Denmark	Mr H.-J. Andersen Mrs M. Buus (alternate)
Germany	Mr U. Von Kroecher Mr H.-W. Rutz (alternate)
Greece	Mr M. Gavras Mr T. Kastrissios (alternate) (until July 2002) Mr E. Zagilis (from August 2002)
Spain	Mr M. Fernandez de Gorostiza Mr L. Salaices (alternate)
France	Mr B. Mathon Ms N. Bustin (alternate)
Ireland	Mr J. Carvill Mr G. Rennick (alternate)
Italy	Mrs G. Morelli Gradi Mr P. Mainolfi (alternate)
Luxembourg	Mr C. Conter Mr M. Weyland (alternate)
The Netherlands	Mr G. van Der Lely Mr C. van Winden (alternate)
Austria	Mr H.-P. Zach (Vice-Chairman) Mr J. Hinterholzer (alternate)
Portugal	Mr C. Pereira Godinho (Chairman) Mrs M.-T. Carrilho (alternate)
Finland	Mr A. Vuori Vacant
Sweden	Mr G. Karltorp Mrs M. Sjöblom (alternate)
United Kingdom	Mrs H. Hamilton Mr J. Dix (alternate)
European Commission	Mr R. Coleman Mr D. Obst (until June 2002)



5. STAFF OF THE CPVO

In December 2002 the Office comprised 11 officials, 17 temporary agents and two auxiliary agents. Eleven nationalities from the European Union's Member States were represented.

• Organisation of the Office

Under the general direction of its President, the Office is organised internally in two principal units and support services dealing with legal, personnel and IT matters.

- **The Technical Unit**, the principal tasks of which are the following: general coordination of the various technical sectors of the Community plant variety rights system; reception and checking of applications for protection; organisation of technical examinations and technical reports; organisation of variety denomination examinations; preparation for granting of rights; production of official technical publications; relations with applicants, national offices and the sector's international organisations; active participation in international committees of technical experts; and cooperation in the development of technical analyses and studies intended to improve the system.
- **The Finance and Administration Unit** is active in two areas:
 - *Administrative section*: awarding of contracts for goods, services or works in compliance with Community procedures; conclusion, administration and management of contracts; organisation of Community publications; administration, management and monitoring of the Office's inventory of movable property and buildings; administration or requirements in logistical, office automation, computing and operational resources with a view to ensuring the smooth functioning of the Office;
 - *Financial section*: commitment, validation, authorisation and payment of expenditure, and in particular that relating to technical matters; recovery of revenue, mainly relating to fees; reimbursement of undue sums; administration of the Office's bank accounts, reserve funds and cash; maintenance of the budget and



Calluna DUS trials



Hydrangea DUS trials

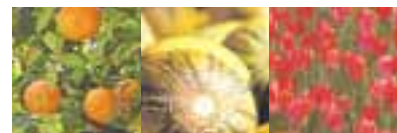
general accounting and preparation of budgets and financial documents; management of the fees system.

— The legal support service furnishes legal advice to the President and other members of the Office staff in the first place on matters related to the Community plant variety rights system, but also on questions of an administrative nature. The service provides legal interpretations and opinions and also draws up draft legislation. It actively participates in various CPVO committees including the so-called decision committees and the Consultative Committee on Purchases and Contracts, thus ensuring that Community procedures and legislation are respected. It is responsible for the administration of objections to applications for CPVRs and for organising sessions of the Office's board of appeal.

- **The personnel support service** deals with the administration and management of the Office's human resources; recruitment, training, reimbursement of expenses relating to the Office's Administrative Council meetings, missions and technical experts' meetings.
- **The IT team** was set up in the second half of 1998. It ensures that the Office runs smoothly in computing terms. Its tasks include: analysis of the Office's hardware and software requirements; design, development and installation of new programs specific to the Office, such as PVR (plant variety rights), SI2 (budget accounting system), a specific invoicing system and a system for administering charge accounts; installation of standard programs; maintenance of the computer installation and its administration; the computer system's security; the help desk; inter-institutional cooperation in computing.

- **Financial control**

Finally, the functions of financial controller are performed by the European Commission's Directorate-General for Financial Control.



ORGANISATIONAL FLOW

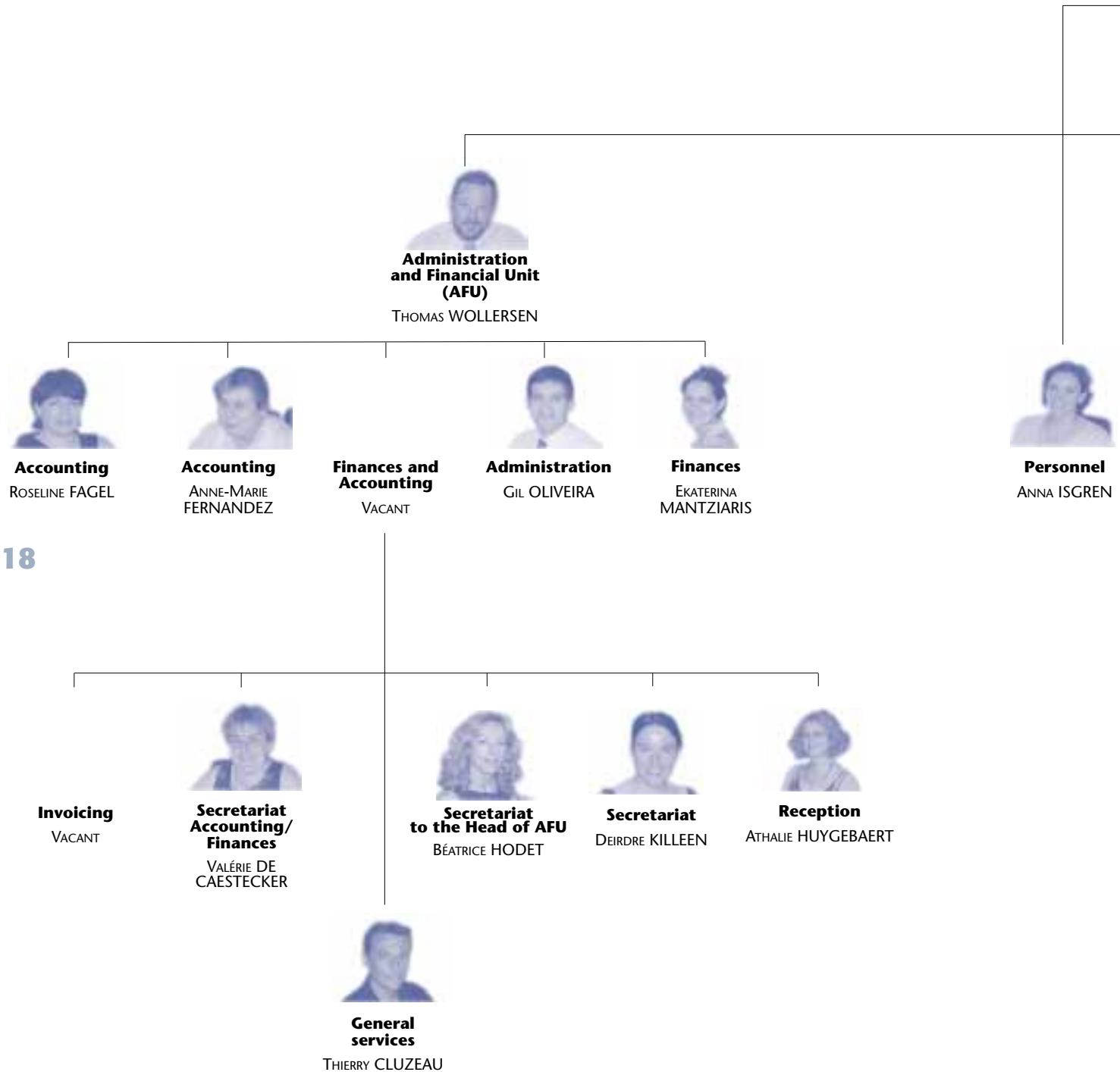
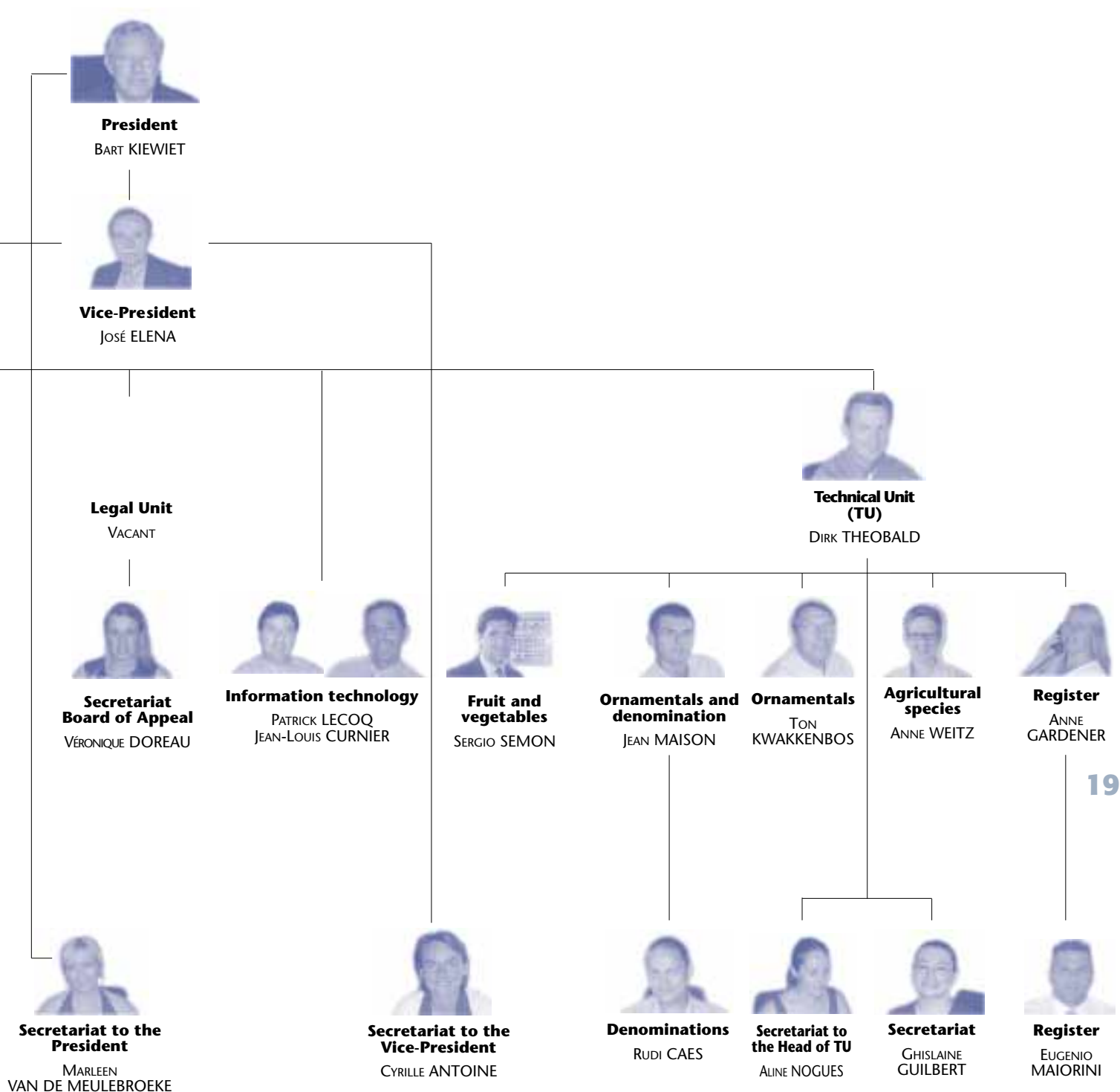


CHART OF THE CPVO 2002(*)



(*) The above organisational flow chart comprises those members of the CPVO employed as officials and temporary agents on 31 December 2002.



6. IMPLEMENTATION OF THE 2002 BUDGET AND FINANCIAL ANALYSIS

Revenue

The Office's revenue basically comprises various fees paid by applicants for and holders of Community plant variety rights and revenue from interest on bank accounts. The total revenue collected in 2002 was EUR 9 240 060.12, and revenue still outstanding amounted to EUR 130 124.95.

The principal types of revenue collected in 2002 are broken down as follows:

- **Fees**

Fees received in 2002 totalled EUR 8 563 536. This amount was divided up as follows: EUR 1 954 700 for application fees, EUR 1 462 992 for examination fees, EUR 127 800 for report fees, EUR 4 879 200 for annual fees, EUR 38 700 for surcharges, EUR 38 700 for sales of reports, EUR 25 500 for appeal fees and EUR 35 944 for miscellaneous fees.

- **Interest on bank accounts**

EUR 615 153.44 was collected in interest on the Office's current accounts.

- **Other revenue**

EUR 93 372.73 was recorded as a debt receivable from the Office for Official Publications of the European Communities for proceeds from the sale of the Office's Official Gazette.

EUR 61 370.68 was earned in 2002 under miscellaneous revenue, mostly from French and Danish VAT refunds.

Expenditure

The total amount for recorded expenditure and appropriation carryovers was EUR 8 238 973.21.

- **Staff expenditure**

The total amount of staff expenditure, including appropriation carryovers, was EUR 2 832 256.55. Under the items relating to the calculation of salaries, an average of 80–90 % of the amount provided for in the budget was utilised, except for the item for auxiliary staff, of which approximately 57 % was utilised.



Pot plants, of different species

Grafting of roses

- **Expenditure on buildings and movable property and miscellaneous operating expenditure**

The total amount for this expenditure was EUR 733 037.75, comprising EUR 570 300.34 in recorded expenditure and EUR 162 737.41 in appropriation carryovers.

- **Operational expenditure**

The total amount for this expenditure was EUR 4 673 678.91, comprising EUR 974 930.81 in recorded expenditure and EUR 3 698 678.10 in appropriation carryovers.

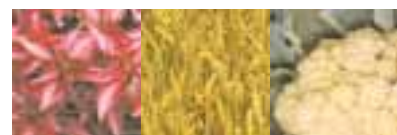
Out-turn for the financial year and accumulated reserve fund

The net budget out-turn for the year is the difference between revenue and expenditure, including appropriation carryovers during the year and cancelled appropriation carryovers during the previous year that were not utilised.

(in euro)

Out-turn for the year 2002	998 537.27	Total
Cancelled appropriation carryovers from the previous year	1 949 477.56	2 948 014.83
Out-turn for the previous year	11 028 828.02	
Out-turn to be brought forward		14 092 948.82

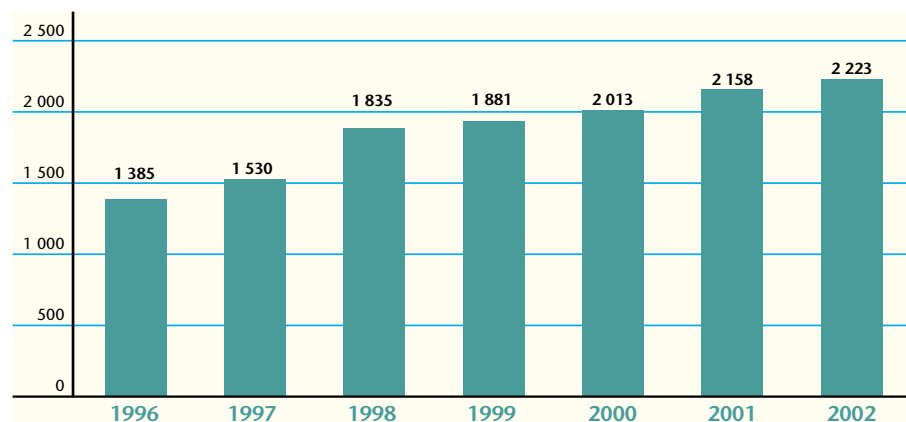
The reserve fund was therefore **EUR 13 976 842.85** at 31 December 2002.



7. DEVELOPMENTS IN THE **TECHNICAL SECTOR**

Applications for Community plant variety rights

In 2002 the Office received 2 223 applications for Community plant variety rights. As illustrated in Graph 1, this represents again an increase (+ 3.1 %) compared to the previous year (2001).



GRAPH 1 — EVOLUTION OF THE ANNUAL NUMBER OF APPLICATIONS FOR COMMUNITY PLANT VARIETY RIGHTS (1996–2002)

Ornamental varieties as illustrated in Graph 2 are on the highest increase compared to all the rest of the species.

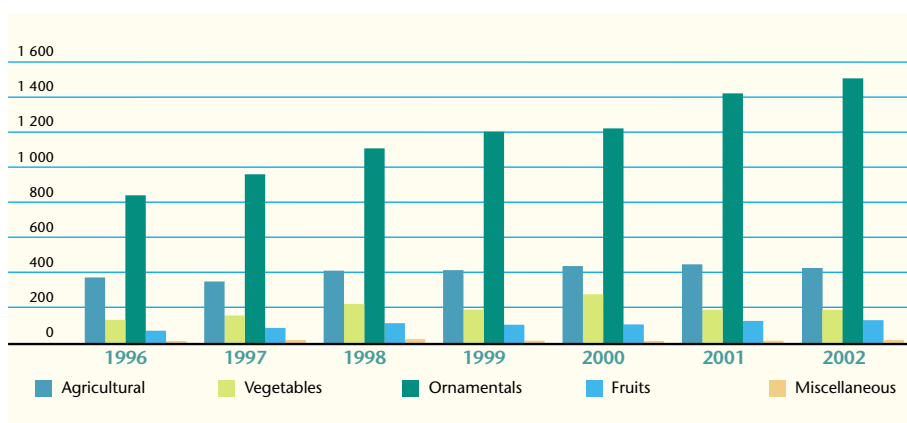
The sectors for agricultural species and vegetable species were slightly on the decrease. The year 2002 saw an increase of fruit varieties.



Pea DUS trials

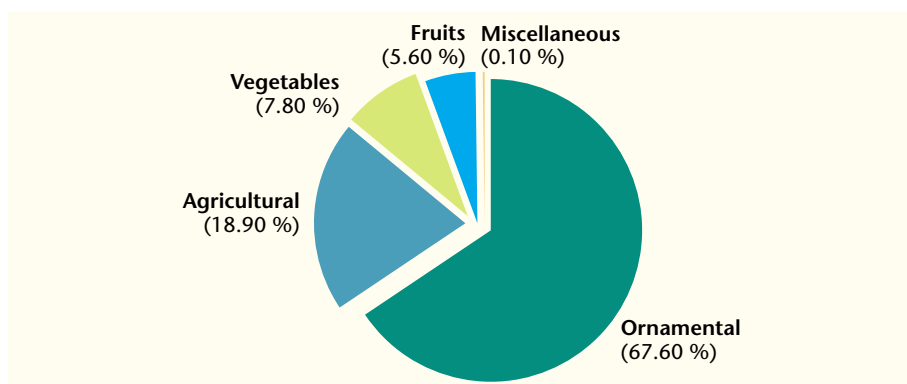


Management of grapevine DUS trials



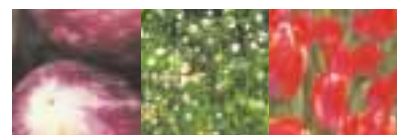
GRAPH 2 — EVOLUTION OF RECEIVED APPLICATIONS PER CROP SECTOR, 1996–2002

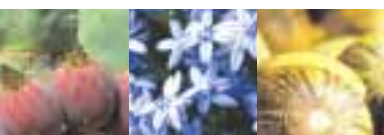
The shares of the main crop sectors show that applications for ornamental varieties represented 67.6 % of all applications.



GRAPH 3 — PERCENTAGE OF APPLICATIONS RECEIVED ACCORDING TO EACH CROP SECTOR IN 2002

The main species for each crop sector are indicated in the following table.





Ornamental species	
<i>Rosa L.</i>	182
<i>Chrysanthemum</i>	181
<i>Impatiens-New Guinea-Hybrids</i>	72
<i>Petunia Juss.</i>	69
<i>Lilium L.</i>	60
Agricultural species	
<i>Zea mays L.</i>	144
<i>Triticum aestivum L. emend. Fiori et Paol.</i>	61
<i>Solanum tuberosum L.</i>	44
<i>Hordeum vulgare L. sensu lato</i>	40
<i>Brassica napus L.</i>	29
Vegetable species	
<i>Lactuca sativa L.</i>	53
<i>Pisum sativum L.</i>	28
<i>Phaseolus vulgaris L.</i>	20
<i>Lycopersicon lycopersic. (L.)Karst.ex.Farw.</i>	15
Fruit species	
<i>Prunus persica (L.) Batsch</i>	35
<i>Malus Mill.</i>	26
<i>Fragaria x ananassa Duch.</i>	13
<i>Prunus armeniaca L.</i>	10
Miscellaneous	
<i>Humulus lupulus L.</i>	1

The total number of different botanical taxa for which the Office has received applications since 1995 went up to 801 in 2001.

The origin of the applications in 2002 is indicated in the following table. Almost 44 % of EU applications originate from the Netherlands, followed by Germany 21.6 %, and France 13.6 %. It should also be mentioned that applicants based in non-EU countries filed more than 19 % of the total number of applications.

European Union	
Netherlands	790
Germany	389
France	244
Denmark	100
United Kingdom	94
Italy	65
Belgium	46
Spain	45
Sweden	14
Greece	10
Austria	2
Total	1 799

Third countries	
United States	267
Australia	43
New Zealand	34
Others	30
Japan	22
Israel	18
Switzerland	10
Total	424



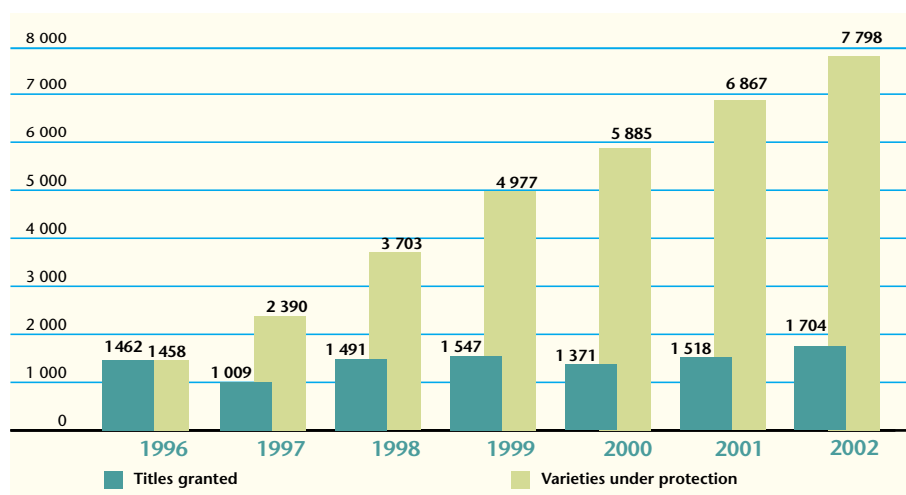
Hosta collection

Lilium DUS trials

Grants of protection

In 2002 the Office granted 1 704 titles for Community plant variety rights. A detailed list of all protected varieties (status at 31 December 2002) is published in the separate Annex to this annual report.

On 31 December 2002, almost 7 800 Community plant variety rights were in force. The table hereafter shows the number of Community titles granted for each year from 1996 to 2002 and illustrates the continuous increase of varieties under protection within the Community system.



GRAPH 4 — COMMUNITY TITLES GRANTED PER YEAR, 1996–2002

Relation with examination offices

Technical examinations

In 2002 the CPVO initiated 1 295 technical examinations to be carried out by the different examination offices working on behalf of the Office. A detailed list of examination offices is to be found under the chapter 'Examination offices'.





Annual meeting with the examination offices

During the sixth annual meeting with the examination offices the main topics discussed were:

- the implementation of a system of closing dates for applications;
- questions related to reference collections and standard samples;
- the interpretation of common knowledge of inbred lines;
- various aspects in the organisation of technical examinations;
- information to be provided in case of negative reports;
- the use of additional characteristics under the CPVO system;
- technical verification issues.

Furthermore the new fees regulation was presented as well as the recent developments concerning the meetings of the Expert Group of Variety Denominations.

In addition to the technical experts from the EU Member States, all countries that are candidates for accession to the EU were invited by the CPVO to attend the meeting as well as representatives of Switzerland and Norway, and officials of the European Commission, UPOV and the Office.

Expert meetings

In the framework of the preparation of draft technical protocols for DUS testing, the Office invited experts from the Member States who carry out technical examinations on behalf of the CPVO to various crop sector related technical meetings. In 2002, the following meetings were held:

- agricultural experts: the draft protocols discussed were oats, rye, triticale, sunflower, pea and a first exchange about a future technical protocol for oilseed rape;
- vegetable experts: the draft protocols discussed were asparagus, Brussels sprouts, carrot, cornsalad, cucumber, endive, melon, pepper, radish, spinach and broccoli;
- fruit experts: the draft protocols discussed were apple, pear, strawberry and peach;
- ornamental experts (two meetings): the draft protocols discussed were *Lilium*, *Tulip*, *Carnation*, *Kalanchoë*, *Elatior Begonia*, *Osteospermum*, *Weigela*, *Exacum*, *Rose*, *Alstroemeria*, *Gladiolus*, *Limonium*, *Fuchsia*, *New Guinea Impatiens*, *Bouvardia*, *Celosia*, *Anthurium*, *Freesia*, *Guzmania*, *Spathiphyllum* and *Zantedeschia*. Furthermore preparations for general technical questionnaires for the following ornamental crop groups have been finalised: cut flowers, pot plants, perennials and woody ornamentals.

Furthermore, a group of experts in the field of variety denominations met several times in 2002.

In March 2001, the Administrative Council of the Office advised establishing an expert group in order to study various issues concerning variety denominations. This expert group met once in 2001, and twice in the first semester of 2002. The findings of the expert group, which were presented to an enlarged group of experts of the 15 EU Member States in September 2002, are the following:

- (a) proposal for modification of the guidelines as adopted by the Administrative Council in 2000;
- (b) recommendation for the Office to develop a centralised database for the purpose of checking proposed variety denominations;
- (c) development of an Internet mechanism for the limited circulation of CPVO opinions in respect of variety denominations.

These conclusions were endorsed by the Administrative Council of the Office at the end of October 2002.

For the centralised database project, an approach in three steps has been adopted by the Administrative Council. It was agreed that a first phase of study would consist of a more detailed technical definition of the project and would involve consultation of denomination experts (users) and discussions with IT experts. A first meeting between denomination experts took place in December 2002. The aim is to present a report of this study phase to the Administrative Council at their autumn 2003 meeting.

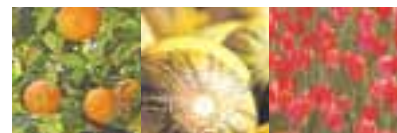
Introduction of closing dates for applications

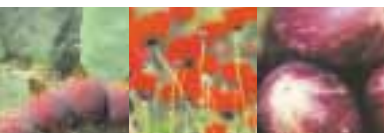
In November 2002 the Office published for the first time a special issue of the Official Gazette, the so-called S2 issue, introducing the CPVO requirements concerning the closing dates for applications and for the submission of plant material. This special issue is updated regularly in the CPVO Official Gazette; moreover, each autumn a consolidated version of S2 is to be published.

New species procedures

In cases where the Office receives applications for varieties of species for which no applications for Community plant variety rights have been filed to date, a so-called new species procedure is launched with the aim to prepare a proposal to the CPVO's Administrative Council. It is the Administrative Council's responsibility to entrust an examination office with the undertaking for the testing of distinctness, uniformity and stability of the candidate varieties. Within the new species procedure, examination offices are invited to express their interest in the conduct of the technical examination of the new species.

In 2002, four new species procedures were initiated by the Office, which encompassed proposals for testing varieties in 47 new species.





8. CONTACTS WITH EXTERNAL ORGANISATIONS

Meetings with professional organisations

In accordance with its policy of maintaining frequent contact with stakeholders, the CPVO organised several meetings with professional organisations.

In order to prepare its participation in the spring 2003 Administrative Council meeting, representatives of the European Seed Associations (ESA) and the International Community of Breeders of Asexually-reproduced Ornamentals and fruit (CIOPORA) attended a meeting in Angers with the Chairman and Vice-Chairman of the Administrative Council and the President and Vice-President of the Office.

- **CIOPORA**

In November 2002, a meeting with CIOPORA took place in Amsterdam, the Netherlands, at the occasion of the Hortifair. The main topic of discussion was the future testing system of varieties of poinsettia infected by phytoplasma.

- **ESA**

In September 2002 a meeting was held in Geneva between the Chairman of the Administrative Council and his deputy, the President and Vice-President of the CPVO on one side and representatives of ESA on the other side to discuss issues of common interest.

- **Fleuroselect Convention/ISF Ornamental Committee**

In connection with the Fleuroselect Convention during July 2002 in Egmond-aan-Zee, the Netherlands, a meeting of the International Seed Federation (ISF) Ornamental Committee was organised. The Office was invited to participate. The main topics were subjects related to seed propagated ornamentals.

Contacts with UPOV

In 1997 the European Communities formally decided to join the International Union for the Protection of New Varieties of Plants (UPOV). Following the procedure established in the 1991 Convention, at the request of the European Commission the Council of the European Union gave positive advice on the conformity of the EU regulation with the provisions of the Convention. Pending to deposit their instrument of accession, the Communities have an observer status. The CPVO participates in UPOV activities since 1996.



Vicia faba DUS trials



Greenhouse rose for cutflower production

CPVO officials regularly attend and actively participate in the meetings of the bodies and committees of the Union:

- UPOV Council,
- Legal and Administrative Committee,
- Technical Committee,
- Technical working parties:
 - Agricultural crops,
 - Vegetables,
 - Fruits crops,
 - Ornamental plants and forest trees,
- Working Group on Biochemical and Molecular Techniques (BMT) and its specialised subgroups,
- Enlarged Editorial Committee.

The Vice Secretary-General of UPOV participates in most of the meetings of the CPVO Administrative Council. Senior officials of the UPOV office also attend on a regular basis expert meetings or working groups organised by the CPVO dealing with technical and legal aspects of common interest to both organisations.

In several regions of the world covered by UPOV, like Latin America and Africa, there is an emergent interest to know the details, experience and results relating to plant variety rights systems with a regional scope. The CPVO frequently provides speakers for seminars organised by UPOV.

Experts of the CPVO participated in the subgroup meetings under the umbrella of the UPOV-BMT group (biochemical and molecular techniques). In 2002, the subgroup meetings took place in connection with the technical working party meetings. In connection with the vegetable working party (TWV), the BMT subgroup dealt with mushroom species, with presentations being made by experts from Japan and the Netherlands. Since the agricultural working party (TWA) took place in Brazil, species of interest for the subgroup were soybean and sugarcane. One aim of the discussions was to identify the most suitable application model for a possible future use of molecular techniques amongst those modalities defined by the UPOV Review group. The subsequent step consisted in the approach to exchange applied techniques and results obtained with a view to harmonise and set up technical protocols of the methods used.





Working group with representatives of the CPVO and the candidate Member States of the European Union

Contacts with the African Intellectual Property Organisation – OAPI

OAPI, an intergovernmental organisation based in Yaoundé (Cameroon), works on the implementation of the Bangui Convention that has established a regional plant breeders' right (PBR) system. Consequently it is particularly interested in the experience gained by the CPVO running the Community system.

The President of the Office has signed, with the Director-General of OAPI, a Memorandum of Understanding setting up the framework for future cooperation.

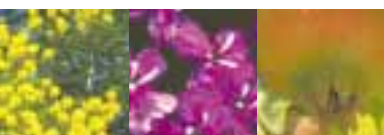
As a launching cooperation activity two OAPI senior officials followed a short training course in the CPVO premises in Angers. The priority areas covered were those specially relevant for the implementation of a regional system: organisation, procedures, financing, legal and technical aspects.

Participation in international fairs

The CPVO continues to attend international fairs in order to inform participants about the Community system. The Office is either present with a stand on its own or it shares a stand with the national examination office where the fair takes place.

In 2002, the following fairs were attended:

- Internationale Pflanzenmesse (IPM) at Essen, Germany (ornamentals, trees and shrubs) in a joint stand with Bundessortenamt, Germany;
- Salon du végétal at Angers (mainly ornamentals, vegetables, trees and shrubs);
- DLG Feldtage at Regensburg (agriculture) in a joint stand with Bundessortenamt, Germany.



Other contacts

The CPVO maintains regular external contacts by participating in meetings organised by the European Commission:

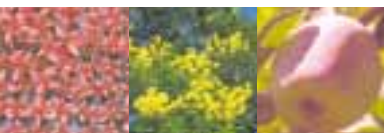
Directorate-General for Health and Safety: standing committees on seeds, expert working groups, EU comparative trials;

Directorate-General for Agriculture: regulatory committees on geographical indications and designations of origin.

In addition, other activities can be mentioned, such as:

- EU agencies: the Translation Centre Administrative Council meeting; the Steering Group of the SI2 Common Support Service;
- OECD International Seed Schemes annual meeting;
- 18th Pan-American Seed Seminar. Expert panel on enforcement of PBRs;
- As a preparation for the integration of the EU enlargement candidates in the CPVR system, evaluation missions to the Czech Republic, Slovakia and Slovenia.





9. RELATIONSHIP WITH EC INSTITUTIONS

European Commission

- **Standing Committee meetings**

The Standing Committee on 'Seeds and propagating material for agriculture, horticulture and forestry' meets regularly in Brussels and the Office attended these meetings when the subject was of relevance for the Community plant variety rights system.

Of particular interest for the CPVO throughout the year 2002 was the work in view of amendments of Commission Directives 72/168/EEC and 72/180/EEC concerning the characteristics and minimum conditions for examining varieties. Furthermore the Commission activities under Commission Regulation (EC) No 930/2000 establishing rules as to the suitability of variety denominations were closely followed by the CPVO.

- **Community comparative trials**

The CPVO attended comparative trials whenever possible; in 2002 the trials visited by the relevant experts of the Office were those for shallots and seed propagated ornamentals, both organised in Roelofarendsveen, the Netherlands.

- Shallots: Two separate visits were held. Besides examining the usual rationale of conformity of plant material in the marketplace to the varieties listed in the common catalogue, the visits also discussed the divergent opinion on the status of seed propagated material of shallots and its differentiation to onions.
- Seed propagated ornamentals: samples of *Lobelia*, *Petunia* and *Lathyrus* originating from eight EU Member States were tested. Attention was given in particular to seed-borne diseases and composition of mixed samples.

- **Enlargement**

The Office joined the advisory missions organised by the Technical Assistance Information Exchange Office of the European Commission (TAIEX) to the candidate countries. These visits started in winter 2002. The aim was to study the national lists with a view to the possible integration of these varieties into the common catalogue after accession. The intention of the Office's participation was to collect and evaluate DUS testing systems and all the relevant information with a view to the possible inclusion in the future of the candidate countries' official testing institutes as examination offices in the CPVR system. In 2002 the CPVO visited the Czech Republic, Slovenia and Slovakia. Visits to other countries will follow in 2003.



Garden roses DUS trials



Fuchsia DUS trials

European Parliament

The legislation establishing and governing the Office does not provide a formal role for the European Parliament in the way that the equivalent legislation of many other satellite agencies does. Since the Office is self-financing and consequently receives no subsidy from the Commission, the European Parliament does not exercise even indirect influence over the financial affairs of the Office through its powers in relation to the Commission's budget.

Nevertheless, drafts of the budget and accounts are sent to the European Parliament for comment. The financial situation of the Office is referred to in the reports of the Parliamentary committee on the budgets of the satellite agencies. The President of the Office is invited to participate in the annual meetings of the Parliament's rapporteur with representatives of the agencies.

Court of Auditors

Pursuant to Article 111 of the Basic Regulation, the Court of Auditors examines the accounts of the total revenue and expenditure of the Office for the preceding year in accordance with relevant provisions applicable to the general budget of the European Communities. The Administrative Council awaits the outcome of this examination before giving a discharge to the President in respect of implementation of the budget.



10. ENFORCEMENT OF COMMUNITY PLANT VARIETY RIGHTS

INTRODUCTION

Infringements of intellectual property rights is a growing phenomenon which in many occasions has international dimensions. The lack of tools to combat infringements will lead to a loss of confidence in intellectual property rights. This would in turn lead to fewer innovative initiatives and slow down the technological development. It is thus very important that holders of intellectual property rights are given the necessary tools to fight against illegal use of their property. This is certainly the case for holders of Community plant variety rights. This section summarises the rights and remedies afforded to breeders under Community law. For a more extensive description we invite you to visit the CPVO website www.cpvo.eu.int, under 'CPVO papers'.

LEGAL FRAMEWORK

Exclusive rights and derogations

Plant variety rights

The scope of Community plant variety rights is to a high degree similar to other intellectual property rights even though there are some differences due to the specific nature of plant variety rights. The scope of rights is mentioned in Article 13(2) of Council Regulation (EC) No 2100/94 ⁽¹⁾ ('the Basic Regulation') ⁽²⁾ and includes the exclusive right for the holder to produce and reproduce, condition for the purpose of propagation, sell, market, import and export to the Community and stocking. In addition to acts effected in relation to the protected variety itself, acts effected in relation to essentially derived varieties, other indistinct varieties and hybrid varieties dependent on the protected variety for their production may also constitute infringements (Article 13(2) read in conjunction with Article 13(5)).

Variety denomination

Any person who offers or disposes of to others for commercial purposes material of a protected variety must use the variety denomination designated for that variety (Article 17(1)). If a trademark, trade name or similar indication is associated with the designated denomination, this denomination must be easily recognisable as such (Article

⁽¹⁾ Council Regulation (EC) No 2100/94 of 27 July 1994 on Community plant variety rights, OJ L 227, p. 1, 1.9.1994.

⁽²⁾ Articles mentioned are articles in the Basic Regulation if nothing else is indicated.





Impatiens DUS trials

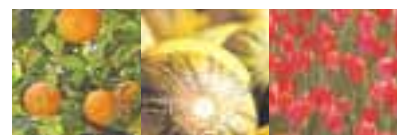
17(2)). A holder of a CPVR may bring an action for an injunction or compensation, or both, against any person who contravenes Article 17(1) or (2) or uses the variety denomination of a protected variety or a designation that may be confused with it.

Breach of contract

The holder of a CPVR may bring an action for infringement of his CPVR against a person enjoying contractual exploitation rights who contravenes a limitation or condition attached to those rights (Article 27(2)).

Derogations

There are important derogations in Articles 14 to 16. Article 14 sets out the terms for the so-called agricultural exemption allowing farmers to use farm-saved seed for certain varieties without the consent of the holder, as long as the farmer pays a reasonable remuneration. Article 15 excludes from the exclusive acts done for non-commercial purposes and breeding for the purpose of discovering and developing other varieties (the breeders exemption) and Article 16 specifies the exhaustion of Community plant variety rights.



Civil claims, infringements and jurisdiction

Jurisdiction and rules of procedure

Under Community law, there is no common legal system in place as regards infringement procedures for plant variety rights. However, the Basic Regulation provides some basic conditions regarding civil claims, infringements and jurisdiction (Articles 94 to 107). These rules together with the Lugano Convention ensure that there will always be a competent court to deal with infringements of Community plant variety rights (Article 101). The procedures in such proceedings are governed by national law. Article 103 provides that, where jurisdiction lies with national courts, the rules of procedure of the relevant State governing the same type of action relating to corresponding national property rights shall apply.

Article 105 requires a national court or other body hearing an action relating to a Community plant variety right to treat the right as valid. This provision underlines the fact that only the Office is competent with regard to the nullification or cancellation of a Community plant variety right.



Civil sanctions

Article 94(1)(a) provides that the holder of a CPVR may bring an action for an injunction or compensation, or both, against any person who, without being entitled to do so, is in breach of the abovementioned provisions. This applies even if the infringer acted in good faith without being aware of the fact that the variety in question was a protected one.

Injunctions are either interlocutory (interim) or perpetual. A perpetual injunction is granted only after the plaintiff has finally established his right and the actual or threatened infringement of it by the defendant. An interlocutory injunction may be granted at any time after the plaintiff has asked the court to do so if the requirements are fulfilled. An interlocutory injunction may in some cases be granted by the court without first hearing the defendant, if there is urgency or a likelihood that informing the defendant could risk that evidence is destroyed. Interlocutory injunctions ordering the defendant not to continue an infringing action until the trial of the issue is finally settled is a rapid and relatively cheap way of achieving temporary redress. In fact, parties to infringement procedures frequently treat the outcome of the interlocutory injunction proceedings as settling the matter in dispute.

Article 107 provides that Member States shall take all appropriate measures to ensure that the same provisions are made applicable to penalise infringements of Community plant rights as apply to the matter of infringements of corresponding national rights. Accordingly, even though the Basic Regulation is silent as regards the sanction of seizure and destruction of infringing material, a holder of a Community plant variety right may ask a national court for such a remedy if such a remedy is provided for under national law.

Compensation

The Basic Regulation states that the holder has a right to a reasonable compensation in case there is an infringement of his rights (Article 94(1)). As mentioned above, this is the case even if the infringer was in good faith. However, if it is established that the infringement was carried out intentionally or negligently, the infringer shall be liable to compensate the holder of the CPVR for any further damage resulting from the act of infringement. In cases of slight negligence, such claims may be reduced according to the degree of such slight negligence, but not however to the extent that they are less than the advantage derived therefrom by the person who committed the infringement (Article 94 (2)).

The agricultural exemption gives farmers the right to use farm-saved seed without the consent of the breeder of the variety in question. However, the farmer must pay the holder an equitable remuneration which shall be sensibly lower than the amount charged for the licensed product (Article 14(3)). If the parties cannot agree upon the level of the remuneration, such remuneration should be 50 % of the amounts charged for the licensed production of propagating material (Article 5 of Council Regulation (EC) No 1768/95 ⁽³⁾). However, if a farmer has repeatedly and intentionally not complied with this obligation, the holder can ask the court to order the infringer to pay for further damages (as mentioned in Article 94(2) of the Basic Regulation). Such damages shall cover at least a lump sum calculated on the basis of quadruple the average amount charged for the licensed production of a corresponding quantity of

⁽³⁾ Council Regulation (EC) No 1768/95 of 24 July 1995 implementing rules on the agricultural exemption provided for in Article 14(3) of Council Regulation (EC) No 2100/94 on Community plant variety rights, OJ L 173/14, 25.7.1995.

propagating material, without prejudice to compensation for any higher damage (Article 18 of Council Regulation (EC) No 1768/95).

The Basic Regulation does not set up the way how damages should be calculated. This will be decided under national law. As regards the calculation of damages, there are mainly three principles used in the Member States: (i) compensation for the actual losses suffered, (ii) a request for handing over the profits made by the infringer, and (iii) payment of the royalties which would have been due if the infringer had requested authorisation to use the right. In many Member States, the holder may choose between the options.

Criminal sanctions

The Basic Regulation does not deal with criminal sanctions. As mentioned above, Article 107 provides that Member States shall take all appropriate measures to ensure that the same provisions are made applicable to penalise infringements of Community plant rights as apply to the matter of infringements of corresponding national rights. This implies that a criminal sanction under national plant variety law would also apply to Community plant variety rights.

Provisional protection and limitation periods

Article 95 provides that the holder of a Community plant variety right may require reasonable compensation from any person who has, in the time between publication of the application for a Community plant variety right and grant thereof, effected an act that he would be prohibited from performing subsequent thereto.

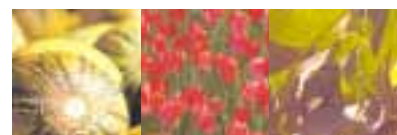
Article 96 stipulates that claims shall be time barred after three years from the time at which the Community plant variety right has finally been granted and the holder has knowledge of the act and of the identity of the party liable or, in the absence of such knowledge, after 30 years from the termination of the act concerned.

OTHER COMMUNITY INITIATIVES

Council Regulation (EC) No 3295/94

On 22 December 1994 the Council adopted Council Regulation (EC) No 3295/94 laying down the conditions for the intervention of the customs authorities and the measures to be taken by the competent authorities with regard to counterfeit or pirated goods. One of the main objectives of the regulation is to make it easier for holders of intellectual property rights to hinder such goods as far as possible from being placed on the market and to set up an appropriate procedure enabling the customs authorities to act in a way that such infringements can be properly enforced.

The regulation does not comprise plant variety rights yet, but the Commission has recently proposed a new regulation replacing Council Regulation (EC) No 3295/94. The proposal refers specifically to plant variety rights. If adopted by the Council, the regulation would thus extend the scope of the regulation to plant variety rights.



Proposal for a directive on measures and procedures to ensure the enforcement of intellectual property rights

The Commission has presented a proposal for a directive on the enforcement of intellectual property rights. Plant variety right protection is comprised by the proposal.

The directive will establish general principles that will need to be implemented in national legislation. The directive includes almost all aspects of enforcement such as provisions on evidence, evidence protection measures, right of information, provisional measures, precautionary measures, recall of goods, removal from the channels of commerce, destruction of goods, preventive measures, damages, legal costs, and provisions under criminal law. The objective is to ensure that intellectual property rights are enforced in an equivalent fashion throughout the Community but within the existing national frameworks.

SUMMARY

The Community plant variety system provides for a strong protection coupled with well-balanced exemptions. The relevant legislation also provides that a holder of a Community plant variety right may bring actions asking for remedies such as injunctions and compensations in national courts of the EU. These elements provide a strong foundation on which protection can be enforced. However, the value of the rights will depend on how well equipped the national laws are with sufficient tools to remedy infringements. The mentioned initiatives of the Commission will put pressure on Member States to ensure effective enforcement systems in national legislation.



11. EXAMINATION OFFICES UNDERTAKING DUS TESTING ON BEHALF OF THE CPVO DURING 2002

Botanical taxon	Country	Examination office	Testing station
<i>Acer palmatum</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Actinidia Lindl.</i>	IT	Istituto sperimentale per la frutticoltura	Istituto sperimentale per la frutticoltura, Roma
<i>Agapanthus L'Herit</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Agastache clays. ex. Gronov.</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Agastache mexicana (H.B.K.) Lint. et Epling</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Aglaonema Schott.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Agrostis stolonifera L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Ajania pacifica Bremer et Humphries</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Allium cepa L. var. ascalonicum</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Allium porrum L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Allium sativum L.</i>	ES	OEWW	INIA, Aranjuez
<i>Alstroemeria L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Amaryllis L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Angelica L.</i>	FR	GEVES	GEVES, Brion
<i>Anthurium Scherzerianum Schott</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Anthurium-Andreanum-Hybrids</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Antirrhinum majus L.</i>	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Apium graveolens L. var. dulce (Mill.) Pers</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Ardisia crenata Sims</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Argyranthemum frutescens (L.) Schultz Bip.</i>	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Asimina triloba (L.) Dunal</i>	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Aster L.</i>	IL	Israel Plant Breeders Rights Testing Unit	Israel Plant Breeders Rights Testing Unit, Bet Dagan
<i>Aster novi-belgii L.</i>	IL	Israel Plant Breeders Rights Testing Unit	Israel Plant Breeders Rights Testing Unit, Bet Dagan
<i>Astragalus boeticus L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Astrantia major ssp. Involucrata Koch.</i>	UK	Plant Variety Rights Office	NIAB, Cambridge

Botanical taxon	Country	Examination office	Testing station
<i>Athyrium niponicum</i> (Mett.) <i>Hance</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Beaucarnea</i> Lem.	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Begonia</i> L.	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Begonia Tuberhybrida-Grp.</i>	BE	Ministère des affaires économiques	Centrum voor landbouwkundig onderzoek, Gent
<i>Begonia-Elatior-Hybrids</i>	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Beta vulgaris</i> L. ssp. <i>vulgaris</i> var. <i>altissima</i> Döll	SE	Statens Utsädeskontroll	Statens Utsädeskontroll, Svalöf
B <i>Betula pendula</i> Roth	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Brachyscome</i> Cass.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Bracteantha bracteata</i> <i>Anderb. and Haegi</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) Alef. var. <i>cymosa</i> Duch.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) Alef. var. <i>botrytis</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Brassica oleracea</i> L. convar. <i>oleracea</i> var. <i>gemmifera</i> DC	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Brassica oleracea</i> L. var. <i>capitata</i> l. f. <i>alba</i> DC	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Brassica oleracea</i> L. var. <i>gongyloides</i> L.	DE	Bundessortenamt	Bundessortenamt, Rethmar
<i>Brassica oleracea</i> L. var. <i>sabauda</i> L.	UK	Plant Variety Rights Office	Scottish Agricultural Science Agency, Edinburgh
<i>Buxus microphylla</i> Siebold et Zucc.	DE	Bundessortenamt	Bundessortenamt, Rethmar
<i>Calibrachoa</i>	DE	Bundessortenamt	Bundessortenamt, Marquardt
<i>Calluna vulgaris</i> (L.) Hull	DE	Bundessortenamt	Bundessortenamt, Rethmar
<i>Campanula carpatica</i> Jacq.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Campanula</i> L.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Campanula</i> L. x <i>haylodgensis</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Campanula punctata</i> Lam.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Campanula takesimana</i> Nakai	UK	Plant Variety Rights Office	NIAB, Cambridge
C <i>Cannabis sativa</i> L.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Capparis spinosa</i> L.	DE	Bundessortenamt	Bundessortenamt, Rethmar
<i>Capsicum annuum</i> L.	FR	GEVES	GEVES, Cavailon
<i>Capsicum annuum</i> L.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Ceanothus</i> L.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Celosia</i> L.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Christia vespertilionis</i> (L.f.) Backh.f.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Chrysanthemum</i>	UK	Plant Variety Rights Office	NIAB, Cambridge

Botanical taxon	Country	Examination office	Testing station
<i>Cichorium endivia L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Cichorium intybus L. partim</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Citrus L.</i>	ES	OEVV	IVIA, Valencia
<i>Clematis L.</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Clematis x cartmanii</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Clerodendrum L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Coprosma J.R. et G. Forst.</i>	DK	Danish Ministry of Agriculture and Fisheries	Research Centre Aarslev, Afdeling for prydplanter
<i>Coreopsis L.</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Coreopsis rosea</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Cortaderia selloana (Schult. et Schult.f.) Asch. et Graebn.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Cosmos atrosanguineus (Hook.) Voss</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Ctenanthe oppenheimiana (E. Morr.) K. Schum</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Cucumis melo L.</i>	FR	GEVES	GEVES, Cavaillon
<i>Cucumis melo L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Cucumis sativus L.</i>	FR	GEVES	GEVES, Cavaillon
<i>Cucumis sativus L.</i>	ES	OEVV	INIA, Valencia
<i>Cucumis sativus L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Curcuma L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Cydonia oblonga Mill.</i>	DE	Bundessortenamt	Bundessortenamt, Wurzen
<i>Cynara scolymus L.</i>	FR	GEVES	GEVES, Cavaillon
<i>Daboecia cantabrica (Huds.) K. Koch</i>	DE	Bundessortenamt	Bundessortenamt, Rethmar
<i>Dahlia Cav.</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Daucus carota L.</i>	FR	GEVES	GEVES, Brion
D <i>Daucus carota L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Delphinium L.</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Dianthus caryophyllus L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Diascia barberae</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Diascia Link et Otto</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Echinacea purpurea (L.)</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Erica x darleyensis</i>	DE	Bundessortenamt	Bundessortenamt, Rethmar
<i>Eruca sativa Mill.</i>	FR	GEVES	GEVES, Cavaillon
<i>Erysimum L.</i>	DE	Bundessortenamt	Bundessortenamt, Marquardt
<i>Euphorbia erythraeae (A. Berger) N. E. Br.</i>	DE	Bundessortenamt	Bundessortenamt, Hannover
E <i>Euphorbia fulgens Karw. ex Klotsch</i>	DK	Danish Ministry of Agriculture and Fisheries	Research Centre Aarslev, Afdeling for prydplanter
<i>Euphorbia L.</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Euphorbia millii Des Moul.</i>	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Ficus benjamina L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen

Botanical taxon	Country	Examination office	Testing station
<i>Ficus elastica</i> Roxb.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Fragaria x ananassa</i> Duch.	DE	Bundessortenamt	Bundessortenamt, Wurzen
<i>Fragaria x ananassa</i> Duch.	FR	GEVES	GEVES, Brion
<i>Fragaria x ananassa</i> Duch.	PT	Instituto de proteccao da producao agro-alimentar	Instituto de proteccao da producao agro-alimentar, Escaupim
<i>Fuchsia</i> L.	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Gardenia jasminoides</i> Ellis	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Gaura lindheimeri</i> Engelm. et A. Gray	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Gazania</i> Gaertn.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Geranium</i> L.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Gerbera</i> L.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Gladiolus</i> L.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Guzmania Ruiz et Pav.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Hebe Comm ex. Juss.</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Helianthus annuus</i> L.	FR	GEVES	GEVES, Le Magneraud
<i>Helianthus annuus</i> L.	ES	OEVV	INIA, Sevilla
<i>Helleborus</i> L.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Heuchera</i> L.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Heucherella</i> Wehrh.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Hibiscus</i> L.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Hibiscus rosa-sinensis</i> L.	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Hippeastrum</i> Herb.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Hosta</i> Tratt.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Hydrangea macrophylla</i> (Thunb. ex Murr.)	FR	GEVES	GEVES, Brion
<i>Hypericum androsaemum</i> L.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Ilex verticillata</i> (L.) A. Gray	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Impatiens walleriana</i> Hook.	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Impatiens-New-Guinea-Hybrids</i>	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Jasminum polyanthum</i> Franch.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Kalanchoë Adans.</i>	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Kalanchoë blossfeldiana</i> v. Poelln	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Kalanchoë manginii</i> Hamet et Perr. de la Bâthie	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Lactuca sativa</i> L.	FR	GEVES	GEVES, Brion
<i>Lactuca sativa</i> L.	ES	OEVV	INIA, Valencia
<i>Lactuca sativa</i> L.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Lantana camara</i> L.	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Lantana</i> L.	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Lavandula angustifolia</i> Mill.	FR	GEVES	GEVES, Cavailon
<i>Lavandula stoechas</i> L.	FR	GEVES	GEVES, Cavailon

Botanical taxon	Country	Examination office	Testing station
<i>Lavatera L.</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Ligustrum japonicum Thunb.</i>	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Lilium L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Limonium L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Limonium Mill. Statice L.p.p.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Limonium sinuatum (L.) Mill.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Liquidambar styraciflua L.</i>	DE	Bundessortenamt	Bundessortenamt, Scharnhorst
<i>Lobelia L.</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Lonicera caerulea L.</i>	DE	Bundessortenamt	Bundessortenamt, Marquardt
<i>Lonicera L.</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Lycopersicon lycopersicum (L.) Karst. ex. Farw.</i>	FR	GEVES	GEVES, Cavaillon
<i>Lycopersicon lycopersicum (L.) Karst. ex. Farw.</i>	ES	OEVI	INIA, Valencia
<i>Lycopersicon lycopersicum (L.) Karst. ex. Farw.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Lysimachia clethroides Duby</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Lysimachia L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Lysimachia fortunei Maxim.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Malus Mill.</i>	DE	Bundessortenamt	Bundessortenamt, Wurzen
M <i>Malus Mill.</i>	UK	Plant Variety Rights Office	Imperial College National fruit collections, Brogdale
<i>Malus Mill.</i>	FR	GEVES	INRA, Angers
<i>Monopsis unidentata (Ait.f.) F.E. Kimmer</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Myosotis alpestris</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Myrtus communis L.</i>	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Narcissus bulbocodium L.</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
N <i>Narcissus L.</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Nemesia Vent.</i>	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Neoregelia L.B.Sm.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Nephrolepis Schott</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Ocimum basilicum L.</i>	DE	Bundessortenamt	Bundessortenamt, Bamberg
O <i>Oenothera L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Ornithogalum L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Osteospermum ecklonis (DC.) Norl.</i>	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Paeonia L.</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Papaver orientale</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
P <i>Passiflora L.</i>	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Passiflora violácea Vell.</i>	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Pastinaca sativa L.</i>	UK	Plant Variety Rights Office	Scottish Agricultural Science Agency, Edinburgh
<i>Pelargonium L'Hérit. ex Ait.</i>	DE	Bundessortenamt	Bundessortenamt, Hannover

Botanical taxon	Country	Examination office	Testing station
<i>Pelargonium grandiflorum</i> Willd.	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Pelargonium peltatum</i> (L.) L'Herit. ex.Ait.	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Pelargonium peltatum</i> x <i>pelargonium zonale</i> hybrids	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Pelargonium zonale</i> (L.) L'Herit. ex Ait.	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Penstemon heterophyllus</i> Lindl.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Persicaria</i> (L.) Mill.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Petunia</i> Juss.	DE	Bundessortenamt	Bundessortenamt, Marquardt
<i>Phalaenopsis</i> Bl.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Phaseolus vulgaris</i> L.	DE	Bundessortenamt	Bundessortenamt, Rethmar
<i>Phaseolus vulgaris</i> L.	FR	GEVES	GEVES, Brion
<i>Phaseolus vulgaris</i> L.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Phlox drummondii</i> Hook.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Phlox-Paniculata-Hybrids</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Phygelius</i> E. Mey. ex Benth.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Picea abies</i> (L.) Karst	DE	Bundessortenamt	Bundessortenamt, Scharnhorst
<i>Pieris japonica</i>	DE	Bundessortenamt	Bundessortenamt, Rethmar
<i>Pisum sativum</i> L. <i>sensu lato</i>	DK	Danish Ministry of Agriculture and Fisheries	Afdeling for Sortsafproving, Tystofte
<i>Pisum sativum</i> L. <i>sensu lato</i>	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Plectranthus</i> L'Hérit.	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Plectranthus ornatus</i>	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Plectranthus saccatus</i> Benth.	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Poa arachnifera</i> Torr. X <i>Poa pratensis</i> L.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Pogonatherum paniceum</i> (P. Beauv.) Hach.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Populus</i> L.	DE	Bundessortenamt	Bundessortenamt, Scharnhorst
<i>Primula</i> L.	DE	Bundessortenamt	Bundessortenamt, Marquardt
<i>Prunus amygdalus</i> Batsch x <i>Prunus persica</i> Batsch	ES	OEVV	DGA, Zaragoza
<i>Prunus armeniaca</i> L.	FR	GEVES	INRA, Avignon
<i>Prunus avium</i> (L.) L.	FR	GEVES	INRA, Bordeaux-Aquitaine
<i>Prunus domestica</i> L.	DE	Bundessortenamt	Bundessortenamt, Marquardt
<i>Prunus persica</i> (L.) Batsch	ES	OEVV	DGA, Zaragoza
<i>Prunus persica</i> (L.) Batsch	FR	GEVES	INRA, Avignon
<i>Prunus persica</i> (L.) Batsch	IT	Istituto sperimentale per la frutticoltura	Istituto sperimentale per la frutticoltura, Roma
<i>Prunus salicina</i> Lindl.	FR	GEVES	INRA, Avignon
<i>Prunus salicina</i> Lindl.	IT	Istituto sperimentale per la frutticoltura	Istituto sperimentale per la frutticoltura, Roma
<i>Pulmonaria</i> L.	UK	Plant Variety Rights Office	NIAB, Cambridge

Botanical taxon	Country	Examination office	Testing station
<i>Pyrus communis</i> L.	DE	Bundessortenamt	Bundessortenamt, Wurzen
<i>Pyrus communis</i> L.	UK	Plant Variety Rights Office	Imperial College national fruit collections, Brogdale
<i>Pyrus communis</i> L.	FR	GEVES	INRA, Angers
<i>Pyrus pyrifolia</i> (Burm f.) Nakai var. <i>culta</i> (Mak.) Nakai	FR	GEVES	INRA, Angers
<i>Ranunculus asiaticus</i> L.	DK	Danish Ministry of Agriculture and Fisheries	Research Centre Aarslev, Afdeling for prydplanter
<i>Ranunculus</i> L.	DK	Danish Ministry of Agriculture and Fisheries	Research Centre Aarslev, Afdeling for prydplanter
R <i>Raphanus sativus</i> L. var. <i>radicola</i> Pers.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Rhipsalidopsis</i> Br. et R.	DK	Danish Ministry of Agriculture and Fisheries	Research Centre Aarslev, Afdeling for prydplanter
<i>Rhododendron</i> L.	DE	Bundessortenamt	Bundessortenamt, Rethmar
<i>Rhododendron obtusum</i> x (Lindl.) Planch.	DE	Bundessortenamt	Bundessortenamt, Rethmar
<i>Rhododendron-Simsii</i> -Hybrids	DE	Bundessortenamt	Bundessortenamt, Rethmar
<i>Ribes nigrum</i> L.	DE	Bundessortenamt	Bundessortenamt, Wurzen
<i>Rosa</i> L.	DE	Bundessortenamt	Bundessortenamt, Rethmar
<i>Rosa</i> L.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Rosa</i> L.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Rubus idaeus</i> L.	DE	Bundessortenamt	Bundessortenamt, Wurzen
<i>Saintpaulia</i> H. Wendl.	DE	Bundessortenamt	Bundessortenamt, Hannover
S <i>Salix</i> L.	DE	Bundessortenamt	Bundessortenamt, Scharnhorst
<i>Salvia nemorosa</i> L.	DE	Bundessortenamt	Bundessortenamt, Scharnhorst
<i>Salvia nemorosa</i> L.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Sanvitalia</i> Lam.	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Scabiosa atropurpurea</i> L.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Scabiosa</i> L.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Scaevola aemula</i> L.	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Scaevola saligna</i> G. Forst.	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Schefflera arboricola</i> (Hayata) Hayata	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Schefflera heptaphylla</i> (L.) Frodin	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Schlumbergera</i> Hybrids	DK	Danish Ministry of Agriculture and Fisheries	Research Centre Aarslev, Afdeling for prydplanter
<i>Schlumbergera</i> Lem.	DK	Danish Ministry of Agriculture and Fisheries	Research Centre Aarslev, Afdeling for prydplanter
<i>Scutellaria</i> L.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Sedum telephium</i> L.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Senecio</i> L.	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Sinapis alba</i> L.	FR	GEVES	GEVES, Le Magneraud
<i>Solanum tuberosum</i> L.	DE	Bundessortenamt	Bundessortenamt, Rethmar

Botanical taxon	Country	Examination office	Testing station
<i>Solanum tuberosum</i> L.	ES	OEV	GV, Vitoria
<i>Solanum tuberosum</i> L.	UK	Plant Variety Rights Office	Scottish agricultural science agency, Edinburgh
<i>Sorbaria sorbifolia</i> (L.) A. Braun	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Sorbus</i> L.	DE	Bundessortenamt	Bundessortenamt, Rethmar
<i>Spinacea oleracea</i> L.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Spiraea nipponica</i> Maxim.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Streptocarpus</i> Lindl.	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Stromanthe sanguinea</i> (Hook) Sond.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Sutera</i> Roth	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Tacca chantrieri</i> André	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Thunbergia</i> Retz.	DE	Bundessortenamt	Bundessortenamt, Hannover
T <i>Thymus</i> L.	FR	GEVES	GEVES, Cavailon
<i>Tiarella</i> L.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Tibouchina urvilleana</i> (DC) Cogn.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Tilia cordata</i> Mill.	DE	Bundessortenamt	Bundessortenamt, Scharnhorst
<i>Torenia</i> L.	DE	Bundessortenamt	Bundessortenamt, Hannover
<i>Trachelium</i> L.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Triticum aestivum</i> L. emend. Fiori et Paol.	DK	Danish Ministry of Agriculture and Fisheries	Afdeling for Sortsafprovning, Tystoffe
<i>Triticum aestivum</i> L. emend. Fiori et Paol.	DE	Bundessortenamt	Bundessortenamt, Rethmar
<i>Triticum aestivum</i> L. emend. Fiori et Paol.	FR	GEVES	GEVES, Le Magneraud
<i>Triticum durum</i> Desf.	FR	GEVES	GEVES, Le Magneraud
<i>Triticum durum</i> Desf.	ES	OEVV	INIA, Aranjuez
<i>Tulipa</i> L.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Valerianella locusta</i> L. & V. <i>eriocarpa</i> Desv.	FR	GEVES	GEVES, Cavailon
<i>Verbascum</i> L.	UK	Plant Variety Rights Office	NIAB, Cambridge
V <i>Verbena</i> L.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Veronica</i> L.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Veronica peduncularis</i> M. B.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Vinca</i> L.	UK	Plant Variety Rights Office	NIAB, Cambridge
<i>Vitis</i> L.	DE	Bundessortenamt	Bundessortenamt, Hassloch
<i>Vitis</i> L.	IT	Istituto sperimentale per la viticoltura	Istituto sperimentale per la viticoltura, Conegliano
W <i>Vriesea</i> Lindl.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Wisteria frutescens</i>	DE	Bundessortenamt	Bundessortenamt, Rethmar
Z <i>Zantedeschia</i> Spreng.	NL	Raad v/h Kwekersrecht	PRI/CGN, Wageningen
<i>Zea mays</i> L.	DE	Bundessortenamt	Bundessortenamt, Hassloch
<i>Zea mays</i> L.	FR	GEVES	GEVES, Le Magneraud

Botanical taxon	Country	Examination office	Testing station
<i>Zea mays L.</i>	ES	OEV	INIA, Sevilla
<i>Zinnia L.</i>	UK	Plant Variety Rights Office	NIAB, Cambridge



12. ANNEX (BOARD OF APPEAL)

NOTICES OF APPEAL RECEIVED AT THE CPVO AND DECISIONS REACHED BY THE BOARD OF APPEAL SINCE THE START OF ITS ACTIVITIES

Number of notices of appeal received at the CPVO	Reasons to appeal	Number of decisions reached by the Board of Appeal	Decision number and date	Publication date in the Official Gazette of the CPVO
1996				
0	n.a.	0	n.a.	n.a.
1997				
2	Variety denomination and novelty	0	n.a.	n.a.
1998				
2	Variety denomination and novelty	0	n.a.	n.a.
1999				
2	Distinctness and novelty	1	A 2/98 of 14.9.1999	15.4.2000
2000				
5	Distinctness (1), Article 55(4) of the Basic Regulation (BR) (3), non-payment of annual fees (1)	2	A 1/99 of 25.1.2000 A 2/99 of 19.5.2000 (interim decision)	15.4.2000 15.8.2000
2001				
1	Article 8 of BR (1)	2	A 2/00 of 27.3.2001 A 4/00 of 6.12.2001	15.6.2000 15.4.2002
2002				
35	Non-payment of annual fees (25), distinctness (8), Article 11 of BR (1), Article 55 of BR (1)	1	A5/00 of 28.5.2002	15.8.2002
n.a.: non-applicable.				

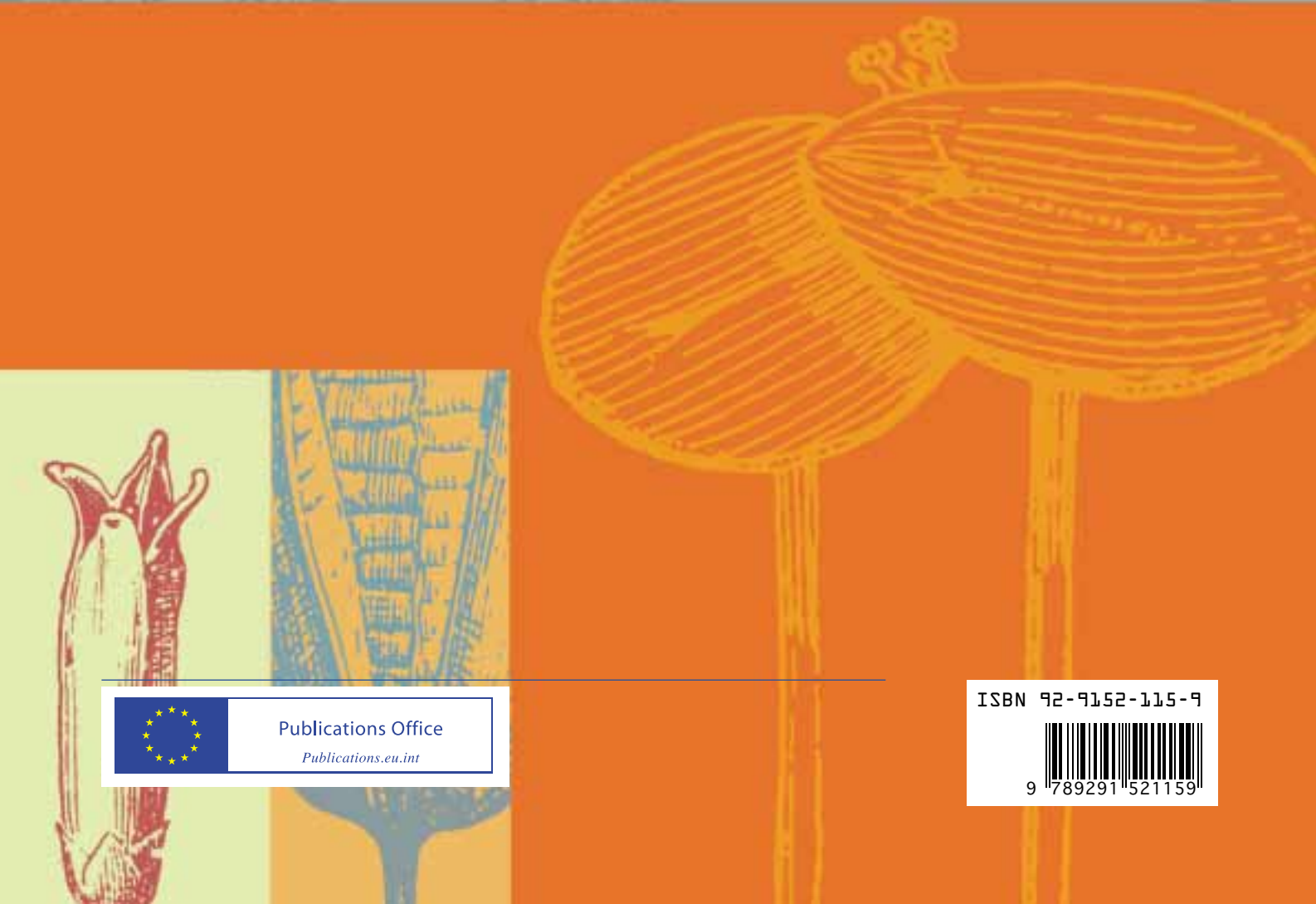
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