



**NEW ZEALAND
INTELLECTUAL
PROPERTY OFFICE**
Plant Variety Rights

New Zealand

Plant Variety Rights

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I. GENERAL INFORMATION

I.A CLOSING DATES – NOTICE TO BREEDERS ENTERING VARIETIES IN CENTRAL DUS TRIALS

CONDUCTED BY THE PVR OFFICE

You will need to meet the following deadline in order to have your variety included in the central trials to be established in 2021 –

Clover	Make application by 14 January 2021
Grasses	Make application by 1 February 2021
Roses	Make application by 31 March 2021
Winter and Alternate Cereals	Make application by 15 April 2021

I.B PVR OFFICE MOVING TO A NEW LOCATION

The PVR Office will be moving at the end of January 2021 from the current MBIE Wordsworth St, Sydenham location to MBIE, Cashel St, central Christchurch. Existing postal address and direct contact mobile and email for PVR Examiners will be unchanged.

I.C STAFF CHANGES

Jacquie Broadhead and Scott Gregan started in their positions as PVR Examiners in mid-October. The two new Examiners provide a wider opportunity to review genus and species examination responsibilities and to increase in house specialist expertise.

Contact details

For Jacquie	mobile	+64 21 842 574	jacquie.broadhead@pvr.govt.nz
For Scott	mobile	+64 21 827 574	scott.gregan@pvr.govt.nz

I.D APPLICATIONS AND GRANTS 2019/20

During the financial year ended 30 June 2020, 87 applications for plant variety rights were accepted (22% decrease on the previous year), 98 grants were issued (12% increase on the previous year) and 100 grants were terminated (24 % increase on the previous year). At 30 June 2020 there were 1286 valid grants, a small decrease on the previous year. Application numbers are relatively stable; however the trend of a slow decline continues.

I. E QUALITY MANAGEMENT FOR DUS TESTING

A Quality Management system for DUS testing has been introduced. The Intellectual Property Office of New Zealand is ISO 9001:2018 accredited and provides an overall Quality Management system for examination however there was no specific system for DUS testing. Guidance was sought from other authorities with experience and a model was developed for the NZ situation. The first Audit was

successfully carried out for the testing of apples, peaches and plums in late 2019 and the second for certain agricultural species in winter 2020.

I. F DELAYS IN TESTING AND EXAMINATION

National restrictions caused by the global pandemic created a number of difficulties for technical work throughout 2020. Completion of testing for varieties of potato and for some fruit species was delayed in the first part of the year which has resulted in disruption to the usual examination timetable, with Right decisions made much later in 2020 than usual. The peak of national restrictions coincided with the planting and establishment of trials for a number of agricultural species. It was fortunate that these activities were eventually permitted to continue, successfully completed, with no significant consequences.

I. G VIRTUAL UPOV MEETINGS IN 2020

Along with many other international organisations, UPOV held all its meetings virtually. PVRO maintained active involvement despite sessions being outside normal working hours, in the middle of the night. Virtual meetings do provide the possibility of greater participation and Examiners took the opportunity to take part in sessions relevant to their work areas. Exposure to UPOV meetings, particularly the Technical Working Parties, provides training and development not available elsewhere.

I. H NEW ZEALAND RESIDENT USE OF UPOV PRISMA

PRISMA, the UPOV electronic application tool, is increasingly being used by breeders worldwide, including for New Zealand applications. It had not been anticipated that PRISMA would be used for New Zealand applications by New Zealand resident applicants. This has resulted in the situation where the application fee paid via PRISMA is insufficient due to the payment excluding the GST component. The application cannot be accepted until the complete application is paid, requiring the New Zealand resident applicant to be invoiced separately for the GST. This situation is now under review and a solution worked on. Until otherwise advised, New Zealand resident applicants using PRISMA for New Zealand applications, should be aware that the application cannot be accepted until the separate IPONZ invoice for the GST has been paid.