



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 2023 –

Winter and Alternate Cereals Make application by 15 April 2023

Spring Cereals and Peas Make application by 15 July 2023

Grass endophytes Make application by 1 July 2023

I.B Plant Variety Rights ACT 2022 and Plant Variety Rights Regulations 2022

The Act came into force on 24 January 2023 with the exception of subpart 3 of Part 5, which relates to PVR applications involving taonga species. This part of the Act will not be brought into force before 18 November 2023. All applications made after the 24 January 2023 will be under the new law.

It is important to note that any applications for Plant Variety Rights made prior to 24 January 2023 will be examined, tested, and granted (if made) under the Plant Variety Rights Act 1987. In addition, all existing grants (made before 24 January 2023) will remain under the Plant Variety Rights Act 1987.

The Plant Variety Rights Regulations 2022 include a new fee schedule applicable to all applications under the new law. The fees payable comprise the application fee at application, the examination fee towards the end of the examination period and a trial fee dependent on testing arrangement and plant species. Further information regarding fees is available at [Plant Variety Rights fees | Intellectual Property Office of New Zealand \(iponz.govt.nz\)](https://www.iponz.govt.nz/plant-variety-rights-fees)

The examination and trial fees payable for applications made prior to 24 January 2023 will continue under the Plant Variety Rights Fee Schedule 2002 and have not changed.

I.C Plant Variety Rights Economic and Public Good Impact Study

The Plant Variety Rights Economic and Public Good Impact study is now close to determining who will carry out the study and a final decision will be made in the near future. The objective of the study is to provide a comprehensive picture of usage of PVR in New Zealand and the associated costs and benefits. The results of the study will be a significant contributor to the next fees review scheduled for 2024.

I.D PVR TECHNICAL FOCUS GROUP

The annual meeting of the Technical Focus Group will take place in mid-2023. The location and date have yet to be confirmed however late winter in Canterbury is probable.

This meeting is the formal mechanism used by PVRO to communicate and engage with plant breeders and user sectors. This is an opportunity for PVRO to inform users on developments and for users to inform PVRO of relevant matters. Representative participants are invited from all crop sectors. If you have a general concern regarding any aspect of the scheme and wish to participate this year, please contact Chris Barnaby chris.barnaby@pvr.govt.nz

I.E CYCLONE DAMAGE TO VARIETY COLLECTIONS IN HAWKES BAY

As reported widely, Cyclone Gabrielle caused extensive devastation to agriculture and horticulture in the Eastern North Island. The impact was severe for many and PVRO/IPONZ express all those effected good wishes and encouragement for their recovery. PVRO also experienced damage to pip and stonefruit variety collections located in Havelock North, held in collaboration with Plant and Food Research. Varieties under evaluation in the current 2022/23 season were completed to a greater extent, however it has not yet been determined if there will be delays to any grant decisions expected for 2024. The variety collection has lost trees, however the extent of tree and variety loss has yet to be fully determined. There will be a full review carried out later this year.

I.F A NEW VICE SECRETARY GENERAL OF THE INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS (UPOV)

A major change in leadership will occur with the departure of long serving Vice Secretary General Peter Button. His combined service to UPOV is twenty-three years, with twelve as Vice Secretary General. The new Vice Secretary General will be Yolande Huerta Casado, currently the UPOV Senior Legal Counsellor. This change will formally take place just prior to the usual UPOV sessions in late October this year.