



**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 2026 –

Winter and Alternate Cereals Make application by 15 April 2026

Spring Cereals and Peas Make application by 15 July 2026

I.B. AUTHORISATION OF AGENT

Should there be the need to change the agent and provide authorisation, it is requested that the authorisation of agent used is consistent with the legislation the variety is protected under. The PVR authorisation of agent form available on the website is intended for use with varieties protected under the Plant Variety Rights Act 2022. If the variety is granted under the Plant Variety Rights Act 1987, then an appropriate form is recommended.

I.C. IDENTIFYING APPLICATIONS AND GRANTS

The application acceptance letter provides two means to officially identify the application. The application number which is the alpha numeric code and the online system number. The three-letter prefix of the application number identifies the genus or crop common name the variety belongs to, in many, but not all cases. The online system number is important during application for identification in the system. If the variety is granted, the online system number becomes the Grant Number. It is recommended that both forms of identification are used for any correspondence with IPONZ.

I.D. ANNUAL MEETING OF THE PVR TECHNICAL FOCUS GROUP

The annual meeting of the Technical Focus Group will take place at Zespri International, 400 Maunganui Rd, Mount Maunganui on Thursday 20 August 2026.

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. INTERNATIONAL COMMUNITY OF BREEDERS OF ASEXUALLY REPRODUCED ORNAMENTAL AND FRUIT VARIETIES (CIOPORA) VISITS NEW ZEALAND

Dr Edgar Krieger Director General met with PVR IPONZ on 12 January 2026 in Christchurch and then with MBIE policy staff in Wellington on 13 January. The discussions covered several plant variety protection topics, including possible changes to the existing Act and more broadly trends in international plant breeding. CIOPORA is an international organisation that supports and represents the interests of breeders of ornamental and fruit varieties at an international and national level.

I.F PLANT VARIETY PROTECTION OFFICE, MINISTRY OF AGRICULTURE, FORESTRY AND FISHERIES, JAPAN VISITS NEW ZEALAND

PVR IPONZ Christchurch hosted a visit from Ms Minori Hagiwara, Director of International Affairs, on 5-6th March 2026. The visit to New Zealand was part of UPOV and the Government of Japan working together to promote innovation for farmers and growers. Ms Hagiwara spent the following week in Northland and Bay of Plenty with Māori kiwifruit growers where protected kiwifruit varieties are providing new opportunities and benefits.

I.G UPOV MATTERS: THE SCOPE OF THE BREEDER'S RIGHT AND EXHAUSTION

The expert study on harvested material and unauthorised use of propagating material was released earlier this year and is now the subject of discussion by the working group. The findings of the study will form the basis for a revision of the UPOV Explanatory Note.

Key findings:

1. Authorisation by the breeder is the core requirement. Any use of propagating material of a protected variety without the breeder's consent qualifies as unauthorised use. This makes clear that unauthorised use does not relate to the legal status of the propagating material used in a territory.
2. Reasonable opportunity to exercise the right is assessed not only on legal grounds but also on practical and technical feasibility. This is particularly relevant when propagating material of a variety is used in jurisdictions where the breeder holds no protection.
3. The scope of the Right is territorial. If unauthorised propagating material is used offshore, and the resulting harvested material subsequently enters the breeder's market, the protection framework applies in the territory where the variety is protected.
4. The breeder's right is comprehensive, but should be exercised in the right place, only once and at the earliest viable stage, ideally the time of propagation.

The complete study is available at

https://www.upov.int/edocs/mdocs/upov/en/wg_hrv_9/wg_hrv_9_2.pdf