



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

New Zealand

Plant Variety Rights

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## GENERAL INFORMATION

### 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 2019 –

Clover	Make application by 14 January 2019
Grasses	Make application by 1 February 2019
Roses	Make application by 31 March 2019
Winter and Alternate Cereals	Make application by 15 April 2019

#### TECHNICAL QUESTIONNAIRE UPDATE ON THE WEBSITE

The technical questionnaire for wheat has been revised and updated.

<https://www.iponz.govt.nz/assets/pdf/PVR/Technical-questionnaires/wheat-FINAL-2018.pdf>

#### APPLICATIONS AND GRANTS

During the financial year ended 30 June 2018, 121 applications for plant variety rights were accepted (7% decrease on the previous year), 79 grants were issued (21% decrease on the previous year) and 72 grants were terminated (30 % decrease on the previous year). At 30 June 2018 there were 1306 valid grants, a small increase on the previous year. Application numbers are stable with low annual fluctuation.

#### SURRENDER VERSUS CANCELLATION OF A GRANT

The on line system provides for notification that an annual renewal for a grant is due and payment can be made. Some variety owners, having decided that they wish to surrender the Right, do not make payment, knowing that the Right will be automatically cancelled in due course.

The practical outcome of the owner surrendering or PVRO officially cancelling the Right is the same, but should be recognised that surrendering a Right is a voluntary action by the variety owner where cancellation is an official action under the Plant Variety Rights Act 1987 resulting from the non-payment of the annual renewal fee.

For the situation where a variety owner does not wish to maintain a variety Right, it is recommended that the Right be surrendered using the on line system and the cancellation process not be used by default. The cancellation of a Grant is published and may give a negative impression of that breeder or owner.

## THE NEW ZEALAND ADDRESS FOR SERVICE

Section 5 (1) (c) of the Plant Variety Rights Act 1987 requires that there be an address for service for each application (being an address within New Zealand). This remains a requirement under the on line system. The address for service and New Zealand contact is important, particularly with respect to practical technical matters, promoting efficient communication regarding access to plant material and growing trial organisation.

## UPOV APPLICATION TOOL NOW NAMED **PRISMA**

PRISMA is developing all the time, more PVP Offices are joining and it is expanding to cover a greater number of plant species. The latest information is available at

<https://www.upov.int/upovprisma/en/index.html>