



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

New Zealand

Plant Variety Rights

Journal

No. 155 – July to September 2018

Published: 1 October 2018

www.pvr.govt.nz

ISSN 1175-0413

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 2019 –

Summer-sown Forage Brassicas Make application by 1 January 2019.

Clover Make application by 15 January 2019

Grasses Make application by 1 February 2019

I.B HOLIDAY CLOSING OF THE PLANT VARIETY RIGHTS OFFICE

The Plant Variety Rights Office will close at end of business on Monday, 24 December 2018 and re-open on Thursday, 3 January 2019.

I.C PLANT VARIETY RIGHTS ACT (1987) REVIEW

Public consultation is now open on a review of the Plant Variety Rights (PVR) Act 1987 to ensure that the PVR Act is fit-for-purpose going forward.

The plant breeding industry has changed significantly over the last 30 years. Although a review of the PVR Act 1987 was first initiated in the early 2000s, it was put on hold in anticipation of the release of the Waitangi Tribunal's Wai 262 report, which made a number of recommendations affecting the PVR regime. It was further delayed by international negotiations in the Trans-Pacific Partnership Agreement, which has since morphed into the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP).

Under the CPTPP, New Zealand is now required within three years to modernise the PVR regime to be consistent with the updated international agreement on plant variety rights (UPOV 91). This review is therefore necessary to ensure that the PVR Act is fit-for-purpose going forward.

The consultation period will run from 17 September to 21 December 2018 and includes regional hui for engagement with Māori, as well as public and industry meetings around New Zealand.

For further information see <https://www.mbie.govt.nz/info-services/business/intellectual-property/plant-variety-rights/review/issues-paper>

I.D PUBLICATION OF VARIETY DENOMINATIONS

One of the criteria for grant is that every variety must have a suitable variety denomination, proposed by the breeder and approved by the authority. The Plant Variety Rights Regulations 1988 Section 8(d) requires that every denomination that has been proposed for a variety be published in the quarterly Plant Variety Rights Journal. This requirement ensures public exposure and provides for the opportunity for anyone to lodge an objection or otherwise comment. The minimum length of time for any possible public comment is three months.

To avoid any possibility of a variety not having an accepted denomination, but otherwise eligible for a grant, it is recommended that a denomination be proposed at the earliest opportunity. Leaving the denomination proposal to the last minute will only prolong the application and result in a delayed grant date.

I.E ADDITION OF TECHNICAL QUESTIONNAIRES TO THE WEBSITE

The website contains the most regularly used technical questionnaires covering the genera for which the most applications are made. This website list comprises a part of the total number of technical questionnaires held by PVRO. If you make applications more than once or twice a year for varieties belonging to a genera without a website technical questionnaire, contact PVRO and the technical questionnaire may be added.