



**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 2020 –

Clover	Make application by 14 January 2020
Grasses	Make application by 1 February 2020
Roses	Make application by 31 March 2020
Winter and Alternate Cereals	Make application by 15 April 2020

### I.B PVR ACT REVIEW

The review of the Plant Variety Rights Act 1987 continues with an Options Paper released for public consultation in July 2019 and the Cabinet agreeing to make changes to the PVR Act in November 2019. The objective is for a Bill to be introduced to Parliament by mid-2020 and a new regime in place by late 2021.

The parallel work regarding the PVR administrative and regulation review continues. The objective is to progress Regulation changes following the same timetable as for the PVR Act review. Elements that do not have any legislative implications can be progressed independently of the PVR Act review process and include potential website changes and functions carried out by or associated with the online system.

### I.C PVR REGISTER DATABASE AND THE PVR JOURNAL

The [New Zealand Plant Variety Rights register](#) is a database of all PVRs that have been applied for in New Zealand, and is the official record of granted, surrendered, cancelled and expired Rights. It can be used to search for protected varieties in which you may have an interest, and lets you search according to criteria such as botanical or common name, variety denomination, filing dates and/or ownership. You can use a register search to see all the protected varieties in a particular genus or species, or all the varieties under one owner or breeder, for example.

If you want to discover what new rights have been granted, the [Plant Variety Rights Journal](#) is a quarterly publication that contains notices of all new applications. This Journal can be used to quickly review grants and other decisions or changes to New Zealand protected varieties that have occurred in the last three months. The Journal has two parts: a General Information document (you are reading this now), and the online publication on the IPONZ website. To more effectively use the Journal, it is recommended that you be aware of the system case number (or grant number, if granted) for the variety in which you may be interested.

Using the Plant Variety Rights Journal, you can monitor PVR applications, application lapses, grant decisions and cancellation, surrender or expiration of grants and variety denomination proposals. The General Information sections also provide application closing dates for certain species, formal objections to granted varieties, some international PVR information, or new developments in New Zealand's Plant Variety Rights Regime. This Journal releases information that IPONZ and PVRO are required to publish under the [Plant Variety Rights Act 1987](#).

When you create a login account on the IPONZ website to apply for Plant Variety Rights in New Zealand, this login account will also allow you to view the records of your PVR cases and manage your PVR applications. You may find more information about what you can do with a login account in the [Support section of the IPONZ website](#).

More information on Plant Variety Rights is available on the Intellectual Property Office of New Zealand (IPONZ) website at <https://www.iponz.govt.nz/about-ip/pvr/>. This includes information on application timeframes, practice guidelines, and technical questionnaires. The website also hosts the Plant Variety Rights register and quarterly Plant Variety Rights Journal.

#### I.D APPLICATIONS AND GRANTS

During the financial year ended 30 June 2019, 111 applications for plant variety rights were accepted (9% decrease on the previous year), 86 grants were issued (8% increase on the previous year) and 77 grants were terminated (8 % increase on the previous year). At 30 June 2019 there were 1310 valid grants, a small increase on the previous year. Application numbers are stable; however the trend of a slow decline is noted in recent years.

#### I. E THE NEW ZEALAND ADDRESS FOR SERVICE

The Regulatory Systems (Economic Development) Amendment Bill (No, 2) was enacted on 13 November 2019 and included a provision which allows for a PVR application to have an address for service in New Zealand or Australia.

Please note that if an Australian address for service is used, a New Zealand-based contact may be requested for the organisation of growing trials and related variety testing matters.

#### I. F UPOV APPLICATION TOOL **PRISMA**

PRISMA continues to develop providing greater coverage of PVP authorities and expanding the number of plant species. The latest information is available at <https://www.upov.int/upovprisma/en/index.html>

From 1 January 2020 the usage will no longer be without charge and UPOV will introduce a charge of 90 Swiss Francs per variety application.

#### I. G NEW MEMBER OF UPOV

Egypt became the 76<sup>th</sup> member of the International Union for the Protection of New Varieties of Plants (UPOV) on 1 December 2019.