



# PLANT BREEDER`S RIGHTS

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- Biological intensification of agriculture by planting of new varieties
- Plant breeding - „the Queen of the plant production“
- genetic backgroun of variety creates 30 – 60% of yield and quality of production



# Legislative background in SR

- Act No. 132/1989 Coll.Laws. on  
Protection of Rights of New Plant  
varieties and Animal Breeds

- Ammended by Act No. 22/1996 Coll. –  
accpetance of 1991 UPOV Convention,
- protection of all genera and species of plants

- does not protect any industrially produced  
micro-organisms, biotechnological producers  
and products obtained by the help of the same  
which are patentable



# UPOV – International Union for the Protection of New Varieties of Plants

- 1991 UPOV Convention–
- basis for creation of national PBR systems
- Technical Guidelines for DUS testing
  - UPOV has created TGs for 230 plant species
  - UPOV member states protect varieties for more than 2 010 plant species



# The goal of SK national PBR system

## Confirmation for the Title Holder :

- breeding of new plant variety
- the name of protected variety
- the holder/owner of the Title
- his right for marketing the variety
- duration of PBR



The right to exploit the variety in market should be applied to following:

- production or multiplication of planting material (seeds) of protected variety
- treatment for the purpose of multiplication
- offer for sale
- sale or other form of marketing
- export, import
- storage for mentioned purposes
- production of products from protected variety



# Criteria for granting of Title

## Technical Criteria:

- distinctness
- uniformity
- stability
- DUS tests – provides CCTIA (ÚKSÚP)
- 16 testing stations network
- for 50 plant species
- international collaboration in DUS testing



# Formal criteria

- novelty
- suitable variety denomination
- comply with administrative requirements and payment of requested fees
- Acceptance of applications and checking of formal criteria – Ministry in Agriculture of the Slovak Republic





# PBR in Slovak Republic

Keystones are active breeding subjects:

- field crops – 10 breeders
- vegetables – 5 breeders
- fruits – 4 breeders
- wine – 2 breeders



# Applications and granted Titles

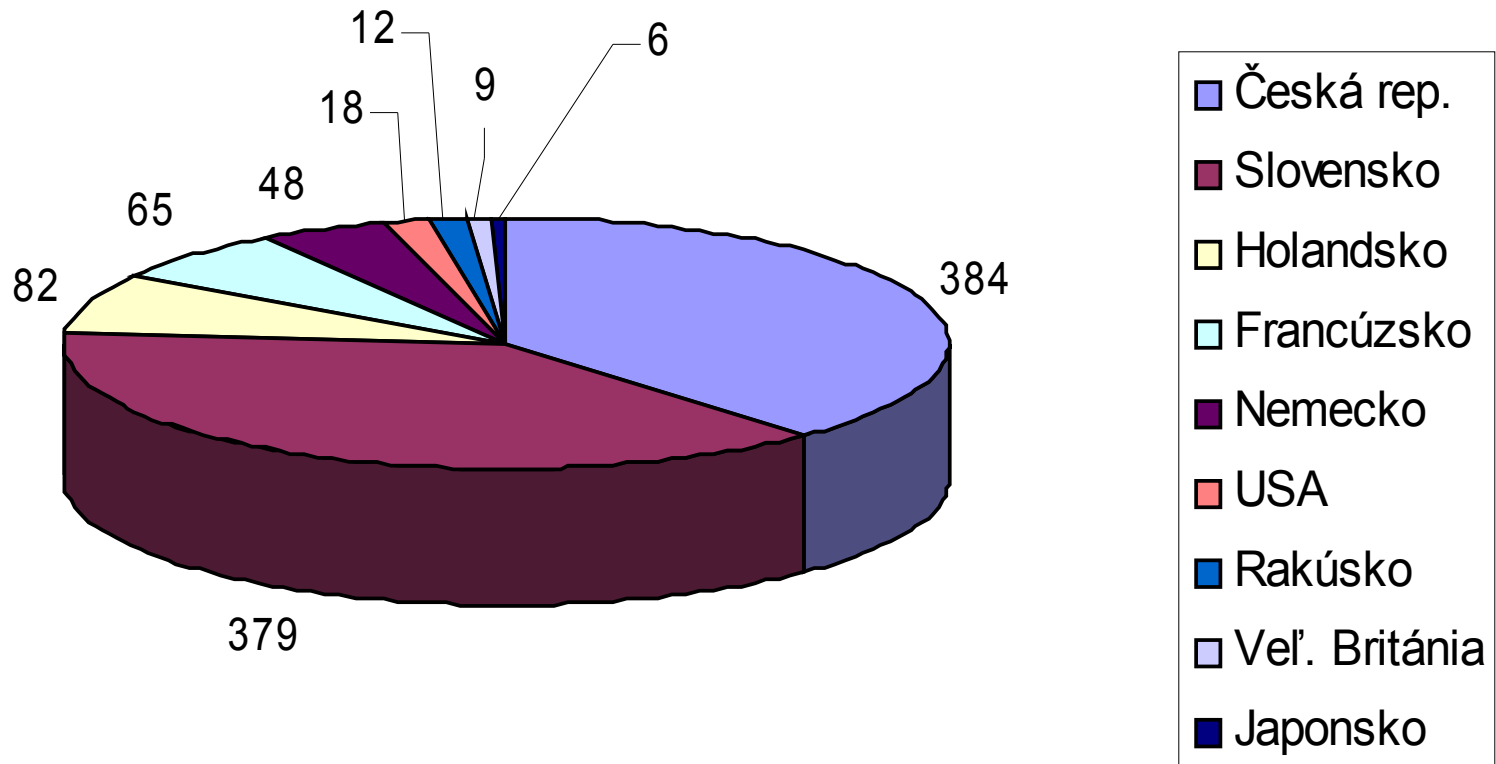
- by the end of 2006 – 1 107 applications
- Titles granted – 499
- withdrawn, rejected – 327
- in the testing process – 281 varieties

# Numbers of applications

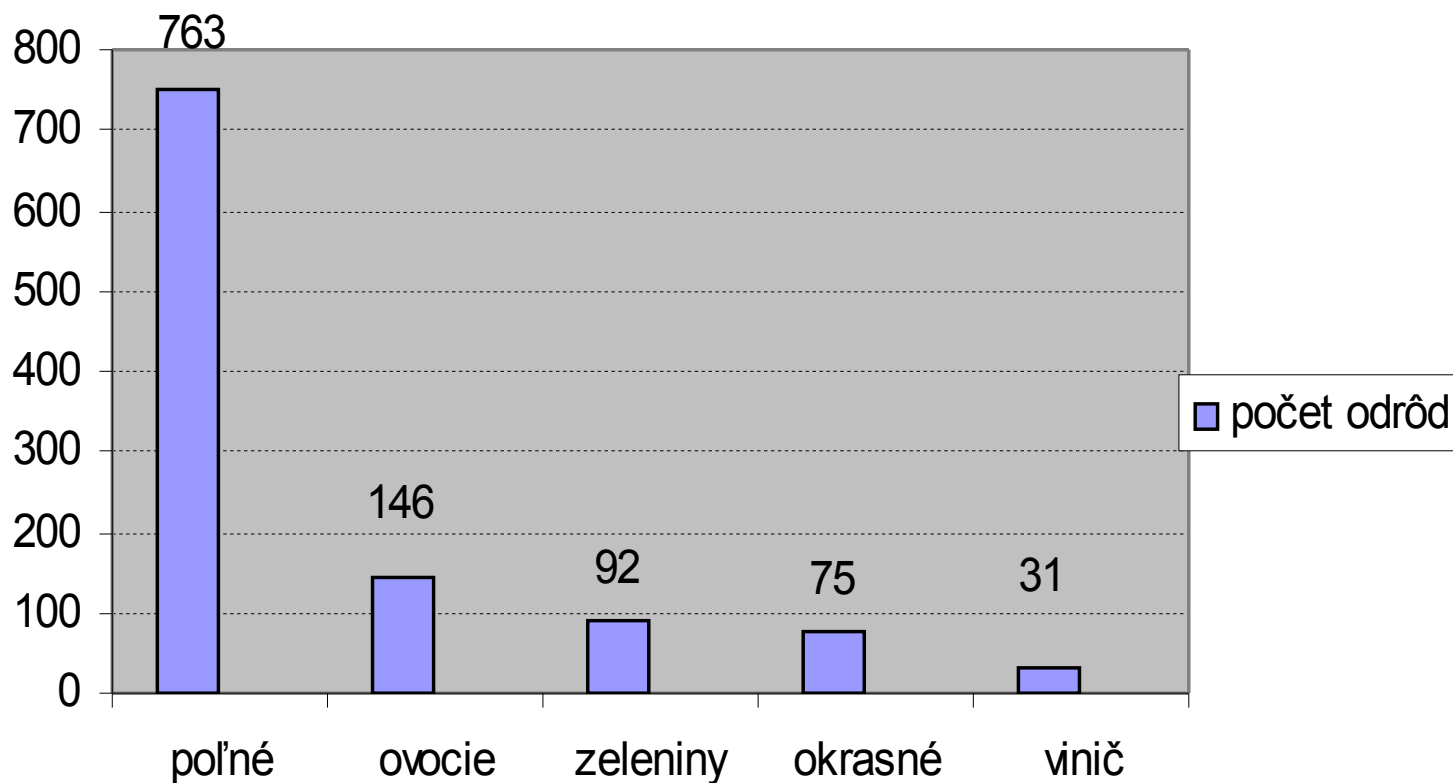


# Origin of applications

prihlášky podľa krajiny pôvodu



# Numbers of applications - groups of crops





# Decrease of applications No.

varieties suitable for Slovak territory  
are already protected

- decrease of state subsidies and support of breeding
- limited breeding potential
- national PBR systems used for local varieties and their exploitation in local market
- impact of EU:
  - preferred EU PBR system throughout CPVO
  - territorial validity in whole EU



## CPVO – Community Plant Variety Office

established in 1995 in Angers, F

- legislative basis : Council Regulation (EC) 2100/94
- provides European system of PBR
- by system of one application, one testing, one decision
- with territorial scope and enforcement in the whole EU



. . . How beautiful are DUS tests in  
CCTIA, Slovakia





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more information available:

- CPVO: [www.cpvo.europa.eu](http://www.cpvo.europa.eu)
- UPOV: [www.upov.int](http://www.upov.int)