



CPVO · OCVV

Community Plant Variety Office
Office Communautaire des Variétés Végétales

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NOTE

Consequences of the UK referendum on EU membership on CPVO activities

On 23 June, the United Kingdom (UK) voted to leave the European Union (EU). In order to do this, it must invoke Article 50 of the Lisbon Treaty, which will allow the UK to start the formal and legal process of leaving the EU. Article 50 places a two year time limit on the leave negotiations, unless the European Council and the member states unanimously decide to extend this period.

The exact process of leaving the EU is uncertain as Article 50, which was introduced in the Treaty of the EU in 2009, has never been used. The British Prime Minister, Ms May, has indicated that she will not invoke Article 50 before the end of 2016, and the media is speculating that it may even take longer.

The referendum result will have implications for the EU agencies, and consequently for the CPVO's activities. Quite understandably, a myriad of questions are being put to the CPVO by its stakeholders and collaborators. Will existing titles still be valid in the UK following the Brexit? And will titles granted by the CPVO post-Brexit be valid in the UK?

The impact of the UK's departure on the EU plant variety rights (PVR) system will largely depend on the relationship that the UK now seeks with the EU. The CPVO is closely following developments with regard to the UK government's negotiations with the EU, as future schemes of CPVR collaboration between the EU and the UK will be wholly subject to these negotiations.

The CPVO believes that it is important that a user-friendly solution is found which will not add to unnecessary administrative work for EU breeders seeking protection in the UK, and UK breeders seeking protection at EU level. The Office will work closely with the European Commission as it confirms the arrangements for the UK's future relationship with the EU, but at this stage there are few clear answers.

The CPVO remains wholeheartedly committed to working with its EU partners, but also to cooperating with the UK based on its chosen path. Whatever the outcome of the negotiations, the CPVO will work with the European Commission to ensure it continues to deliver high quality PVR services to breeders in the EU and the UK alike.