

SEMINAR ON THE ENFORCEMENT OF PLANT VARIETY RIGHTS

25 May 2011, HAMBURG

Venue:

InterContinental Hotels and Resorts
Fontenay, 10
20354 HAMBURG (Germany)



CPVO

Community Plant Variety Office

DRAFT AGENDA OF THE SEMINAR



OPENING

(MEETING ROOM : "BALLSAAL" – Ground Floor)

8.30-9.30	Registration and coffee in the 'Ballsaal Foyer'
9.30-9.40	OPENING ADDRESS <i>by Mr. Udo von Kröcher, President of the Bundessortenamt and Chairman of the Administrative Council of the CPVO</i>
9.40-9.50	WELCOME <i>by Mr. Bart Kiewiet, President of the CPVO</i>



SESSION I - LEGAL ASPECTS (MEETING ROOM : "BALLSAAL")

Objectives of this session :

The objective of Session I is to give presentations that will serve as a platform for the coming session and discussions. Community legislation and national legislations will be presented. Breeders will explain in more concrete terms the difficulties they meet when enforcing their rights. A presentation will also be made on some of the technical specifics that characterize the PVR system. This will be followed by a presentation of the technical tools available to identify protected varieties.

9.50-12.30	Chair : <i>Mr. Udo von Kröcher, President of the Bundessortenamt and Chairman of the Administrative Council of the CPVO</i>
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9.50-10.20	The breeding industry in the Region – <i>Mr. Bert Scholte, Technical Director of ESA and Mr. Jürgen Grunewaldt, Secretary, and Mrs. Friederike von Rundstedt, President, of CIOFORA Deutschland e.V.</i>
10.20-10.40	Community Legislation on PVR - <i>Mr. Bart Kiewiet, President of the CPVO</i>
10.40-11.00	Community legislation on the enforcement of PVRs: Basic Regulation, Directive on enforcement, customs regulation - <i>Mr. Martin Ekvad, Head of legal affairs, CPVO.</i>
11.00-11.20	Practical tools to overcome infringement – the example of the vegetable seed sector - <i>Mrs. Marian Suelmann, Lawyer, Rijk Zwaan NL</i>
11.20-11.40	COFFEE BREAK (in 'Ballsaal Foyer')
11.40-12.00	Identification of protected material - <i>Mrs. Helle Jørgsholm , Attorney-at-Law, WTC Advokaterne and Mr. Lars Henriksen, PLA International ApS</i>
12.00-12.20	Customs activities - <i>Mrs. Yvonne Dörfler, Bundesfinanzdirektion Südost</i>
12.20-13.00	QUESTIONS AND ANSWERS
13.00-14.30	BUFFET-LUNCH served in 'Signatures Restaurant'



SESSION II – WORKSHOPS ON ENFORCEMENT

Objectives of this session:

The objective of Session II is to go more into the depth of specific problems identified in Session I. The aim of this session is to focus on problems encountered when enforcing plant variety rights in the agriculture, ornamental and fruit sectors. There will be two workshops in parallel, one concerning the agricultural sector and one concerning the ornamental and fruit sectors.

**A - WORKSHOP ON ENFORCEMENT IN THE AGRICULTURAL SECTOR
(MEETING ROOM: "BALLSAAL")**

14.30-16.30	Chair : <i>Mr. Bart Kiewiet, President of the CPVO</i>
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14.30-14.45	Chairman's introduction - Community provisions on the agricultural exemption – Follow-up of the Working Group on Farm Saved Seed
14.45-15.00	Comments on the conclusions of the Farm Saved Seed Working Group - <i>Mr. Bert Scholte, Technical Director ESA</i>
15.00-15.15	Comments on the conclusions of the Farm Saved Seed Working Group - <i>Mr. Thor Kofoed, COPA-COGECA</i>
15.15 – 15.30	QUESTIONS AND ANSWERS
15.30-15.50	COFFEE BREAK (in 'Ballsaal Foyer')
15.50-16.10	<p>Various aspects of enforcement in the seed sector - <i>Mr. Klaus von Gierke, Partner Norton Rose LLP</i></p> <ul style="list-style-type: none"> • Claims for injunctive relief and for damages • Variety identification • Experiences with recent amendments to legislation related to enforcement • Claims in regard to cuttings of protected multiplying material
16.10-16.30	QUESTIONS AND ANSWERS



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**B - WORKSHOP ON ENFORCEMENT IN THE ORNAMENTALS AND FRUITS SECTORS
(MEETING ROOM: IC LOUNGE – 10th floor)**

14.30-16.30	Chair : <i>Mr. Gerhard Deneken, Head of Department, Danish Plant Directorate</i>
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14.30-14.40	Chairman's introduction
14.40-15.00	Point of view of breeders - <i>Mr. Edgar Krieger, Secretary General CIOPORA</i>
15.00-15.20	Point of view of Producers - <i>Mrs. Mia Hopperus Buma, AIPH, Secretary Committee for novelty protection</i>
15.20 – 15.40	COFFEE BREAK (in 'Ballsaal Foyer')
15.40-16.00	Point of view of Auctions - <i>Mrs. Mia Hopperus Buma, freelance lawyer and legal advisor of FloraHolland on Plant Variety Rights.</i>
16.00-16.20	Point of view of trade - <i>Mr. Marc van der Ven, Lawyer and Legal Advisor of one of the main fruit trade companies</i>
16.20-16.30	QUESTIONS AND ANSWERS



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▶ SESSION III – CONCLUSIONS (MEETING ROOM: « BALLSAAL »)

16.45-17.30	Chair : <i>Mr. Bart Kiewiet, President of the CPVO</i>
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16.45-16.55	Summary of the workshop in the Agricultural sector - <i>Mr. Bart Kiewiet, President of the CPVO</i>
16.55 – 17.05	Summary of the workshop in the Ornamental and Fruit sectors - <i>Mr. Gerhard Deneken, Head of Department Danish Plant Directorate</i>
17.05 – 17.30	PANEL DISCUSSION AND CONCLUSIONS
17.45	COCKTAIL offered by the CPVO (in 'Ballsaal Foyer')