



European Union

Community Plant Variety Office

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NEW SPECIES IN THE COMMUNITY PLANT VARIETY RIGHTS SYSTEM

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Introduction

The Community plant variety rights system has been in existence since 1 September 1994, when Council regulation (EC) 2100/94 came into force. Since that date it has been possible to apply for Community plant variety rights for varieties of all botanical genera and species including, *inter alia*, hybrids between genera or species. In this context, a 'variety' is defined as a plant grouping within a single botanical taxon of the lowest known rank that can be:

- defined by the expression of the characteristics that results from a given genotype or combination of genotypes,
- distinguished from any other plant grouping by the expression of at least one of the said characteristics and
- considered as a unit with regard to its suitability for being propagated unchanged.

Rights shall be granted for varieties that are:

- distinct,
- uniform,
- stable and
- new

Since the Community Plant Variety Office (CPVO) began operating in mid 1995, over 12.000 applications for more than 500 species have been filed. Around 60% of all applications are for ornamental varieties.



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New species

The CPVO has received applications for over 400 different ornamental hybrid groups, species and genera. The interest of some ornamental breeders is to search for new plant species, new varieties of which can be developed. For the CPVO a 'new species' is a species for which no Community application has been filed previously and for which, therefore, no collaboration with an examination office has yet begun. In 2000, the CPVO received applications for about 50 new species of ornamentals.

In principle, the CPVO considers any variety selected from botanical material as capable of protection provided that it is distinct from other commonly known botanical material in the form of a variety and it is uniform and stable.

Technical examination

In order to entrust an examination office with responsibility for a new species, an inventory is sent to the examination offices of the 15 member states three or four times per year.

An examination office is entrusted with such responsibility by the Administrative Council of the CPVO on the basis of the following criteria:

- its experience of the species in question (or related species or related crop groups);
- its willingness to perform the trial;
- the geographical origin of the application;
- the existence of bilateral contracts between member states;

In cases where no examination office is available within the European Union (EU), the Office has the possibility to collaborate with agencies outside the EU.



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New ornamental species/genera for which one or more Community applications were filed in the year 2000:

SPECIES	SPECIES
<i>Abies mariésii</i> Mast.	<i>Leucadendron</i>
<i>Adenanthos</i>	<i>Leycesteria formosa</i>
<i>Ajania pacifica</i> (Nakai) Bremer et Humphries	<i>Microsorium</i> Link
<i>Ananas</i> spp (3 varieties)	<i>Myrtus communis</i> L.
<i>Angelonia</i> Humb. Et Bonpl.	<i>Nepenthes</i> L.
<i>Anisodonthea capensis</i> (L.) D.M. Bates	<i>Nierembergia</i> Ruiz et Pav.
<i>Aster</i>	<i>Nolana</i> L. ex L. f.
<i>Aster novi-belgii</i> L. (potplant)	<i>Oenothera</i> L.
<i>Baccharis halimifolia</i> L.	<i>Ornithogalum</i> L.
<i>Bacopa</i> Aubl.	<i>Papaver rhoeas</i> L.
<i>Callisia elegans</i> Alex.ex H.E. Moore	<i>Passiflora violacea</i> Vell.
<i>Catharanthus roseus</i> (L.) G. Don	<i>Pennisetum orientale</i> L.C. Rich.
<i>Chlorophytum comosum</i> (Thunb.) Jacques	<i>Physalis alkekengi</i> L.
<i>Cryptocoryne wendtii</i> de Wit	<i>Pittosporum tenuifolium</i> Soland. Ex Geartn.
<i>Digitalis purpurea</i> L.	<i>Plectranthus</i>
<i>Dodecathion</i> L.	<i>Pleiblastus variegatus</i> (Sieb. Ex. Miq.) Mak.
<i>Evolvulus glomeratus</i> Nees et Mart.	<i>Prostanthera</i> Labill.
<i>Fuchsia-Hybriden</i>	<i>Sanvitalia</i> Lam.
<i>Gardenia jasminoides</i> Ellis	<i>Sinningia</i> Nees.
<i>Gaura lindheimeri</i> Engelm. Et A. Grey	<i>Solanum diflorum</i> Vell.
<i>Ginkgo biloba</i> L.	<i>Stromanthe sanguinea</i> (Hook.) Sond.
<i>Globularia</i> L.	<i>Sutera cordata</i> Roth
<i>Gysophyla</i>	<i>Tacca integrifolia</i> Ker-Gawl.
<i>Itea virginica</i> L.	<i>Taxodium distichum</i> (L.) L.C.Rich.
<i>Ixodia</i>	<i>Tibouchina urvilleana</i> (DC.) Cogn.