

Notes on the completion of the application form

GENERAL

Please print the form or type online the information to be filled in the form. It is important to fill in all fields of the form, if not applicable, please state so. Mandatory fields or sections are marked with an asterisk (*).

Please fill in for the whole document never using capital letters, except in the cases strictly provided where an initial capital is necessary (e.g. at the beginning of the sentence, first letter of forename and surname, etc.).

The following notes refer to the numbering of the points in the Application Form:

POINT 01 - Applicant(s)

The natural person duly authorized to represent a legal person should be the person legally entitled to act on behalf of the legal person and whose signature is binding on the legal person.

POINT 02 – Procedural representative

Where a procedural representative is mandatory (applicants not having a domicile, seat or establishment within the territory of the European Union), the procedural representative may not be an employee of the applicant. If the appointment of a procedural representative is not mandatory in your case, you may nevertheless appoint one. The person appointed may not be an employee. You may make use of the Office's form "Designation of a Procedural Representative". Please note that this form needs to be signed by the person duly authorized by the applicant.

POINT 03 – Botanical taxon

Please indicate the botanical taxon of the candidate variety in full Latin name of the genus, species or subspecies to which the variety belongs.

Please indicate also the common name of the botanical taxon as above.

POINT 04 – Designation of the variety

It is recommended, but not mandatory, to submit a proposal for a variety denomination at the time of application. If it is not provided at that time, it should be submitted as soon as possible thereafter using the online 'My denominations' menu in [MyPVR](#).

A proposal for a variety denomination must be filed with the Office before the final results of the technical examination are received. However, a provisional designation (breeder's reference) must be submitted at the time of application.

Please note that the CPVO is adapting the format of variety denominations to align more closely with the International Code of Nomenclature of Cultivated Plants (ICNCP).

In practice, each word of a variety denomination must start with a capital letter, except where linguistic custom demands otherwise. Words following a hyphen should generally begin with a lowercase letter, unless they are proper nouns, articles, conjunctions, or prepositions (except when they are the first word of the epithet). Sequences of letters and numbers that are pronounced individually should be written in uppercase. Where such sequences are combined with another pronounceable element, they must be distinct, separated by a space. Sequences of letters forming a pronounceable word without a recognised meaning may also be written in uppercase, particularly where the denomination forms part of a series in which the word is already in capitals. We kindly ask you to follow this format in both the online and paper application forms, as well as in the "Proposal for a variety denomination" form, which should preferably be submitted via [MyPVR](#). Where this is not possible, you may alternatively submit it by email at cpvo@cpvo.europa.eu.

POINT 05 – Breeder(s)

If the person of the breeder is not the same as the person of the applicant:

- either the breeder **is** an employee and the entitlement to the Community plant variety right must be determined in accordance with the national law applicable to the employment relationship, details of the national law must be given.
- either the breeder **is not** an employee, the relevant documentary evidence referred to below should be attached.

If the applicant and the original breeder are different persons, please note that the necessary documentary evidence as to how the entitlement got vested in the applicant has to be attached. It can be provided as a copy of the original.

Please note that should the copy of the original deed leave a doubt, the Office would require an original paper deed of assignment or a certified copy thereof.

POINT 06 – Details of all other applications for plant variety rights (including previous CPVO applications), patents or official variety lists concerning this variety made in a member state of the EU or outside the EU

All prior applications made for the same variety with other authorities even with the CPVO (in case of re-filing) are concerned.

Please fill in all columns (if applicable). The information provided under this point might enable applicants to save some costs (take-over instead of technical examination).

Please note that:

For the "Country" column should be entered using the following [ISO](#) codes:

EU member states:

AT = Austria	EE = Estonia	IE = Ireland	PL = Poland
BE = Belgium	EL = Greece	IT = Italy	PT = Portugal
BG = Bulgaria	ES = Spain	LV = Latvia	RO = Romania
CY = Cyprus	FI = Finland	LT = Lithuania	SE = Sweden
CZ = Czech Republic	FR = France	LU = Luxembourg	SI = Slovenia
DE = Germany	HR = Croatia	MT = Malta	SK = Slovakia
DK = Denmark	HU = Hungary	NL = Netherlands	

On 29th July 2005, the European Union became a [UPOV](#) member.

UPOV member states non-EU members:

OAPI = African Intellectual Property Organization	EG = Egypt	PA = Panama
AL = Albania	GE = Georgia	PE = Peru
AM = Armenia	GH = Ghana	PY = Paraguay
AR = Argentina	IL = Israel	RS = Serbia
AU = Australia	IS = Iceland	RU = Russian Federation
AZ = Azerbaijan	JO = Jordan	SG = Singapore
BA = Bosnia and Herzegovina	JP = Japan	TN = Tunisia
BO = Bolivia	KE = Kenya	TR = Turkey
BR = Brazil	KG = Kyrgyzstan	TT = Trinidad and Tobago
BY = Belarus	KR = Republic of Korea	TZ = United Republic of Tanzania
CA = Canada	MA = Morocco	UA = Ukraine
CH = Switzerland	MD = Republic of Moldova	UK = United Kingdom
CL = Chile	ME = Montenegro	US = United States of America
CN = China	MK = North Macedonia	UY = Uruguay
CO = Colombia	MX = Mexico	UZ = Uzbekistan
CR = Costa Rica	NG = Nigeria	VC = Saint Vincent and the Grenadines
DO = Dominican Republic	NI = Nicaragua	VN = Vietnam
EC = Ecuador	NO = Norway	ZA = South Africa
	NZ = New Zealand	
	OM = Oman	

"Filing Authority": you may indicate the authority by using the relevant abbreviation, e.g.:

INOV = *Instance Nationale des Obtentions Végétales* / FR
BSA = *Bundessortenamt* / DE
PVRO = *Plant Variety Rights Office* / UK
RvP = *Raad voor Plantenrassen* / NL, etc.

"Application date" should be written in DAY/MONTH/YEAR format e.g. 02.05.2023 = second of May 2023.

Please indicate the date of the application, not the date of the granting or listing or patenting of the variety.

06.02.02: List of other applications

You can download a list of other procedures in a pdf format.



POINT 07 - Priority

A claim for priority must be based on the earliest previous application for a property right, filed by you or your predecessor in title, in a Member State of the EU or in a Member of UPOV.

In order to qualify for a right of priority, this earliest previous application must have been filed within the 12 months prior to this application and must still exist.

Please note that copies of the previous application, certified by the responsible authority, must be received by the Office within 3 months of the date of application. In order to join the forms supporting your claim for priority, please append the document in section 07.03 "Priority documents".

POINT 08 – Novelty

Please tick the box 'yes' or 'no' of **all three questions** 08.01, 08.02 and 08.03. If the question 08.03 is not applicable, please state so. In the case of a 'yes', please specify the exact date and country. The indication of a year only, e.g. "2025", is not sufficient.

A CPVR can only be granted if the variety is novel. The variety will not be novel if it has been sold, or otherwise disposed of, or with the breeder's consent:

- within the European Union earlier than one year before the date of application;
- outside the European Union earlier than four (4) years or, in the case of trees and vines six (6) years, prior to the date of application.

The applicant is expected to have taken reasonable precautions to ensure that sales or comparable disposals have not taken place earlier than allowed.

The following types of disposal of material of the variety will not damage novelty:

- Disposals to an official body for statutory purposes, or to others on the basis of a legal relationship, solely for production, reproduction, multiplication, conditioning or storage, provided that the breeder preserves the exclusive right of disposal and that no further disposal is made to others.
- Disposals of material which has been produced from plants grown for experimental purposes or for the purpose of breeding, or discovering and developing, other varieties and which is not used for further reproduction or multiplication, unless reference is made to the variety for purposes of that disposal.
- Disposals due to, or in consequence of, the fact that the breeder has displayed the variety at an official or officially recognized exhibition.

Please be informed that the first disposal information provided in the application form amount to a declaration. If you were to request the Office to amend said information, you would need to fulfil the conditions for entries in the Registers and such requests must be made in writing accompanied by supporting documents.

POINT 09 – Language

Please note that both for communication in the proceedings with the Office and for the certificate issued in the event of the grant of a Community Plant Variety Right, the selected language can be chosen amongst the 24 official languages of the EU.

POINT 10 - Application fee

The application fee of €450 should be transferred to the bank account of the Office.

Payment should be made **prior** to or **on** the date on which the application is filed.

A formal debit note will be available on [MyPVR](#) within 2 working days.

When you make the bank transfer order, please specify the Online Application Code (e.g., A2025XXXXX) in the bank transfer details.

You can send an email to CpvoBank@cpvo.europa.eu with the list of Online Application IDs if there are several. You can attach your bank proof of payment or send it by email to the above-mentioned address.

Please be informed that the Office will not allocate a definitive application date when the payment has not reached the Office bank account or if the payment has not been identified by the Office due to incomplete information.

Any attached document under items 10.01 Application fee will be treated as confidential.

POINT 11 - Attached document(s)

Please indicate which documents are enclosed to the application.

POINT 12 – General remark

Please feel free to add any additional information that could help to process the file in relation to the application. The additional remarks can be linked either to technical, administrative or financial matters.

