



CPVO

Community Plant Variety Office

The implementation of a regional plant variety right system

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Lunch Seminar on "15 years of supranational cooperation in plant variety protection:
the European experience"
21 10 2011 - Geneva

The Community Plant Variety Rights System

- The system
- Organisation
- Enforcement
- Statistics



Why a Community system?

The creation of a pvp system covering the territory of the EU Member States:

- saves time and money of breeders;
- facilitated the creation of a single European market for plant varieties.



Characteristics of the European system

- **One** application
- **One** procedure
- **One** technical examination
- **One** decision
- **One** valid right covering the territory of the 27 Member States of the European Union



Characteristics of the European system

- The Community PBR system co-exists with the National PBR systems of 23 EU member States. The applicant's choice: National or Community Rights
- The Community protection cannot be combined with national PBR or patent protection



ORGANISATION

The CPVO

- is an independent organ of the European Union
- has an independent legal status
- is financed out of fees paid by the users of the system

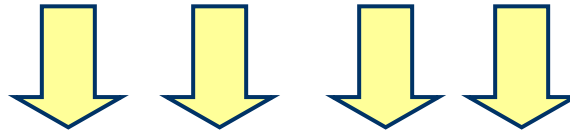
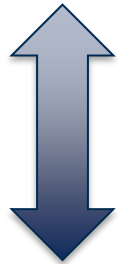


**ADMINISTRATIVE
COUNCIL**

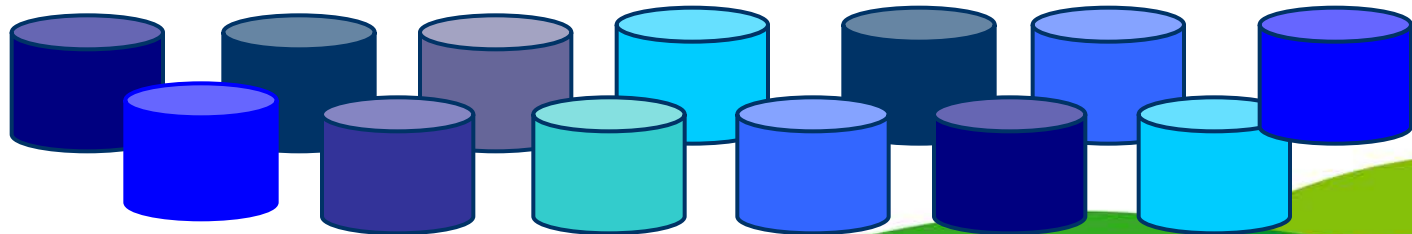
**Court of Justice
General Court**

Board of Appeal

CPVO



**EXAMINATIONS OFFICES IN THE
MEMBER STATES**



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CPVO FUNDING

- Under the terms of the basic Regulation, the Community Plant Variety Office is self-financing.
- It must administer the system without financial support from the general European Union budget.
- The CPVO receives revenue from fees.
- Due to the number of applications received and rights granted, the Office has been able to meet the requirement of financial self-sufficiency.



Fees in the Community system

- Application fee: 900 Euro
- Examination fee: 1200 – 2000 Euro
(per cycle of DUS test)
- Take over fee: 240 Euro
- Annual fee: 300 Euro



THE EXAMINATION OFFICES

The CPVO has not created its own technical infrastructure.

Technical examination to confirm DUS is carried out by the Examination Offices entrusted by the Administrative Council.



Network of locations of the CPVO DUS tests

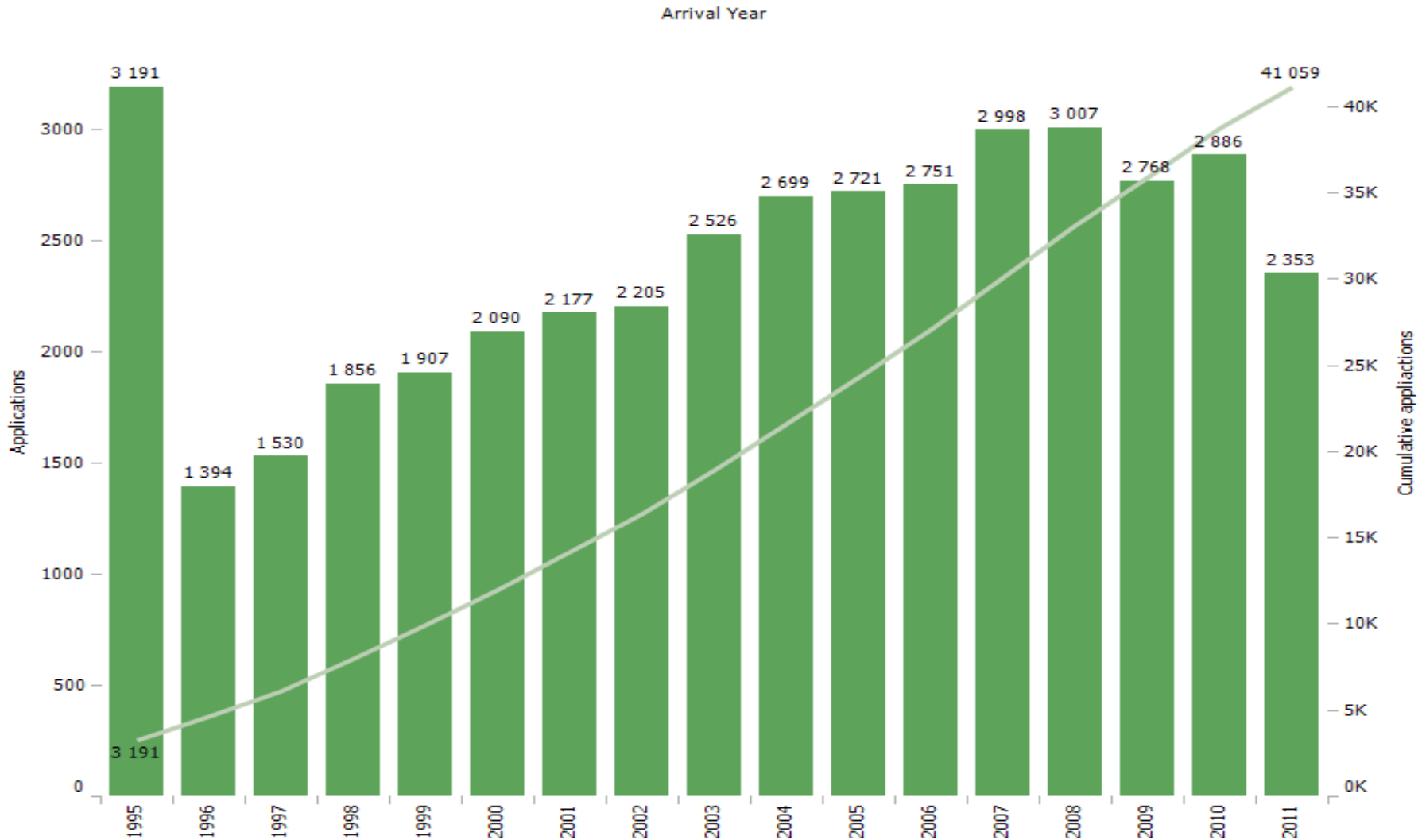


ENFORCEMENT

- The right holders enforce the rights
- Legislator must create the necessary legislative environment
- National courts competent to hear infringement cases

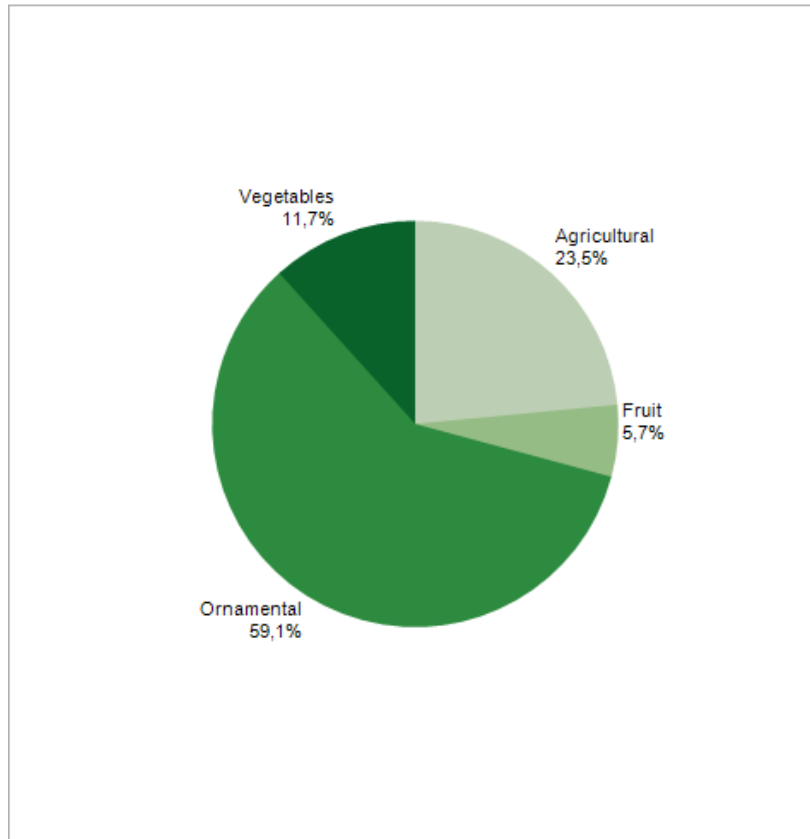


CPVO Applications per year

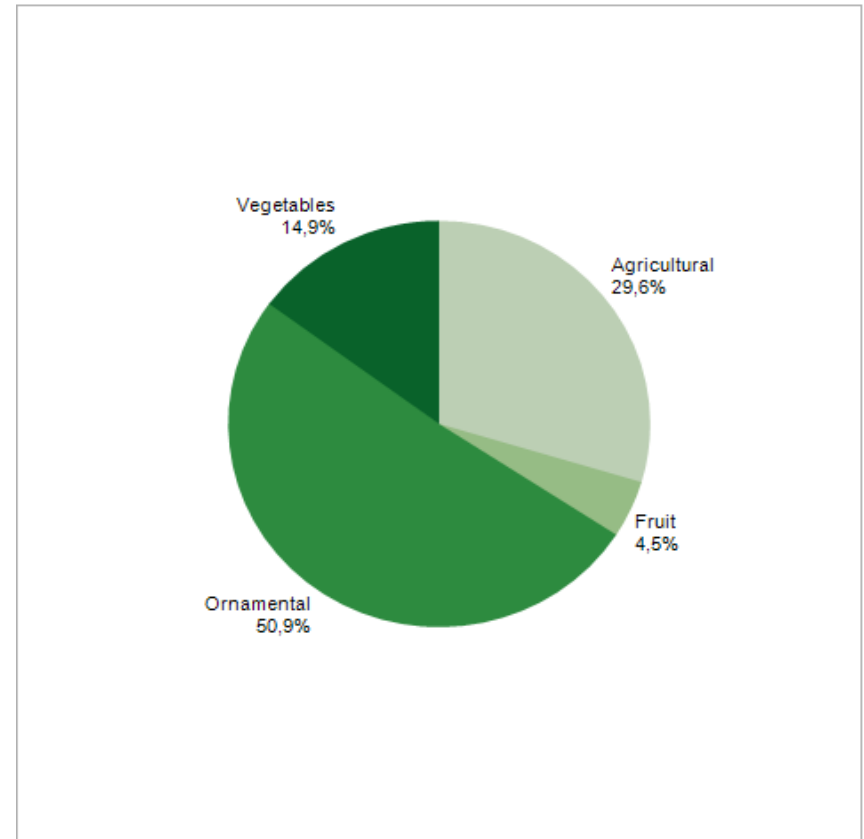


Total Applications by crop sector

Total number of applications 1995 to 2011 : 41 059



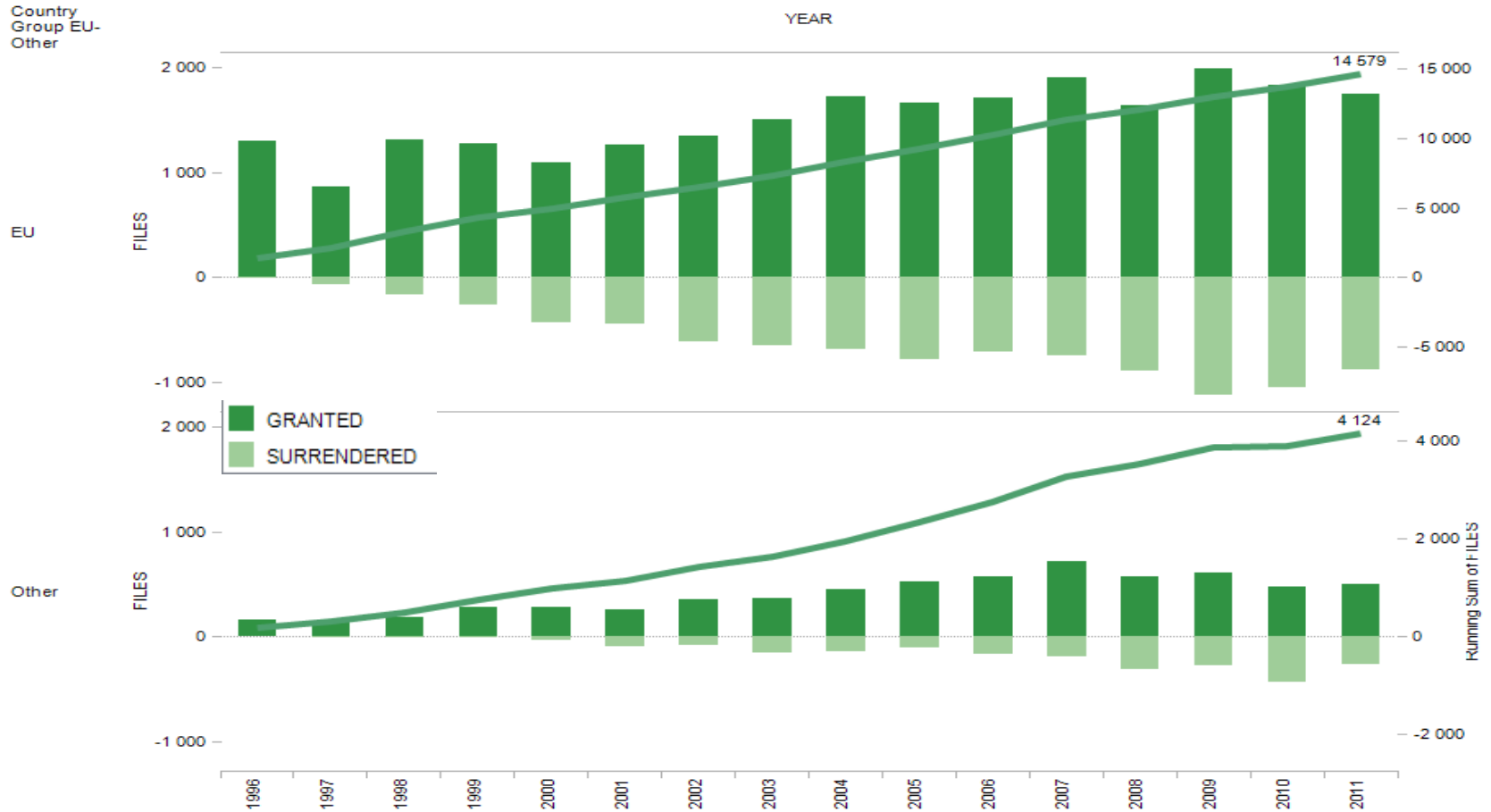
Total number of applications 2011 : 2 353



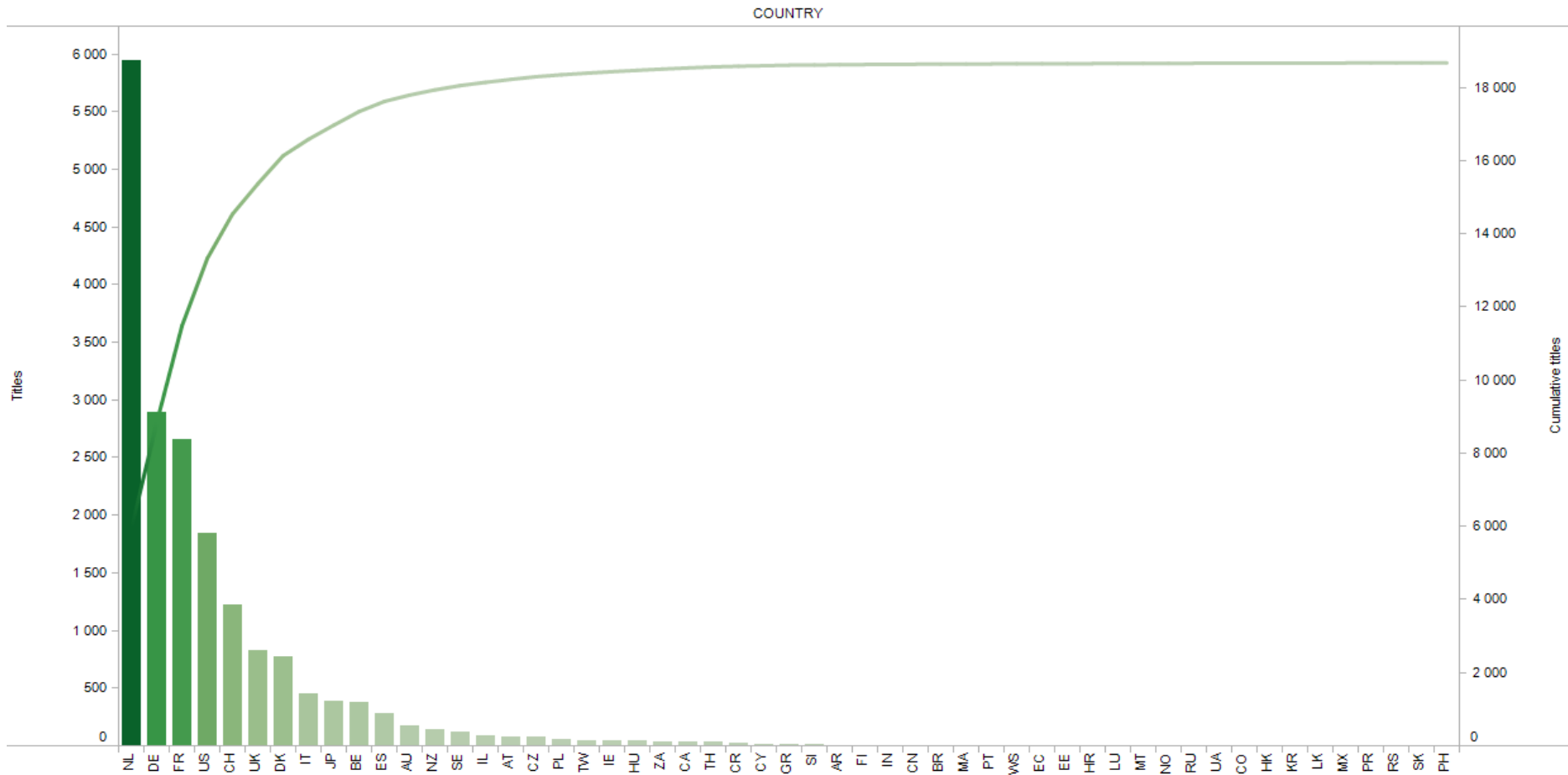
Titles in Force

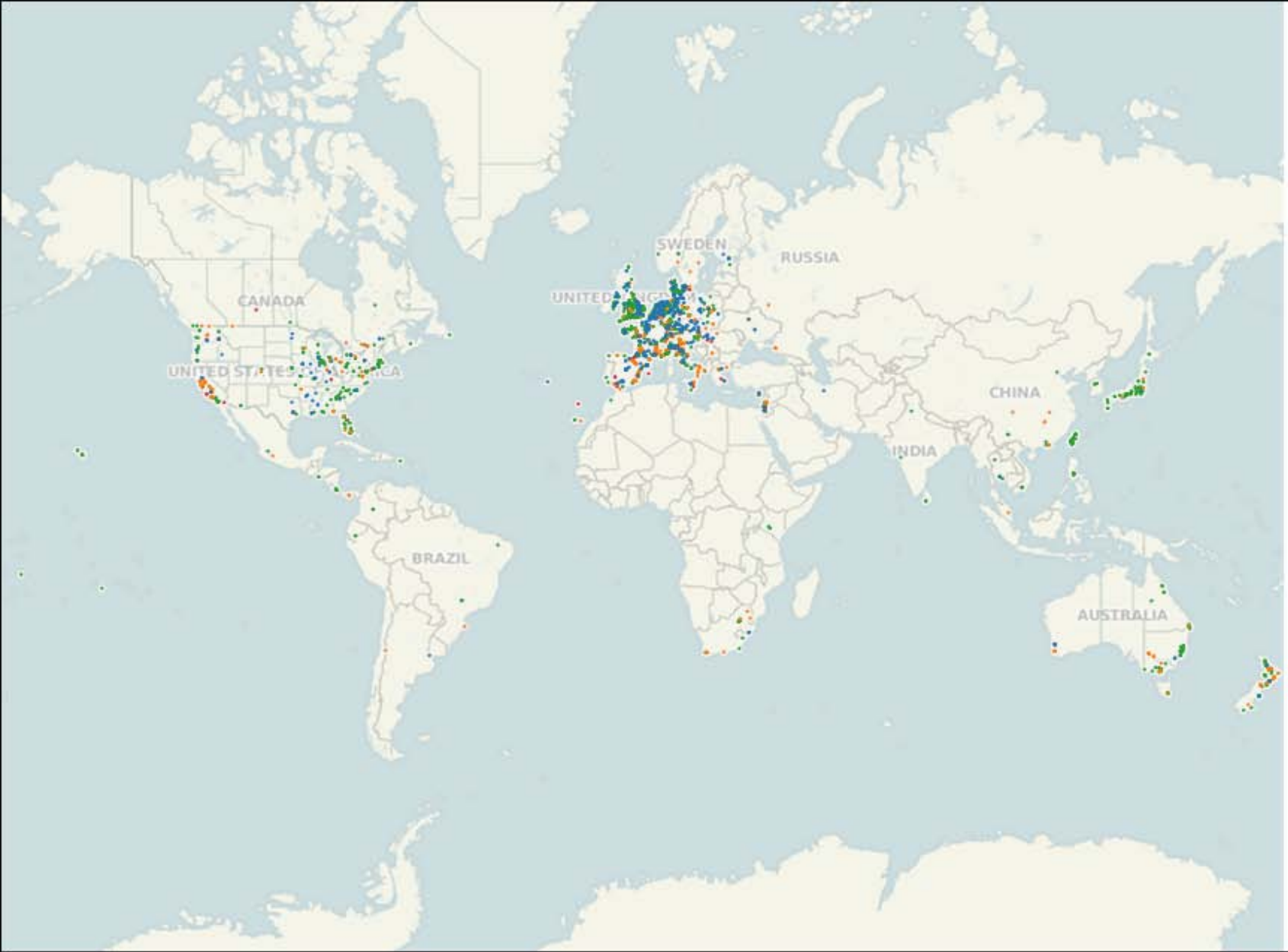


Titles and Surrenders by country group



Titles by country





- CROP
- Agricultural
 - Fruit
 - Ornamental
 - Vegetables

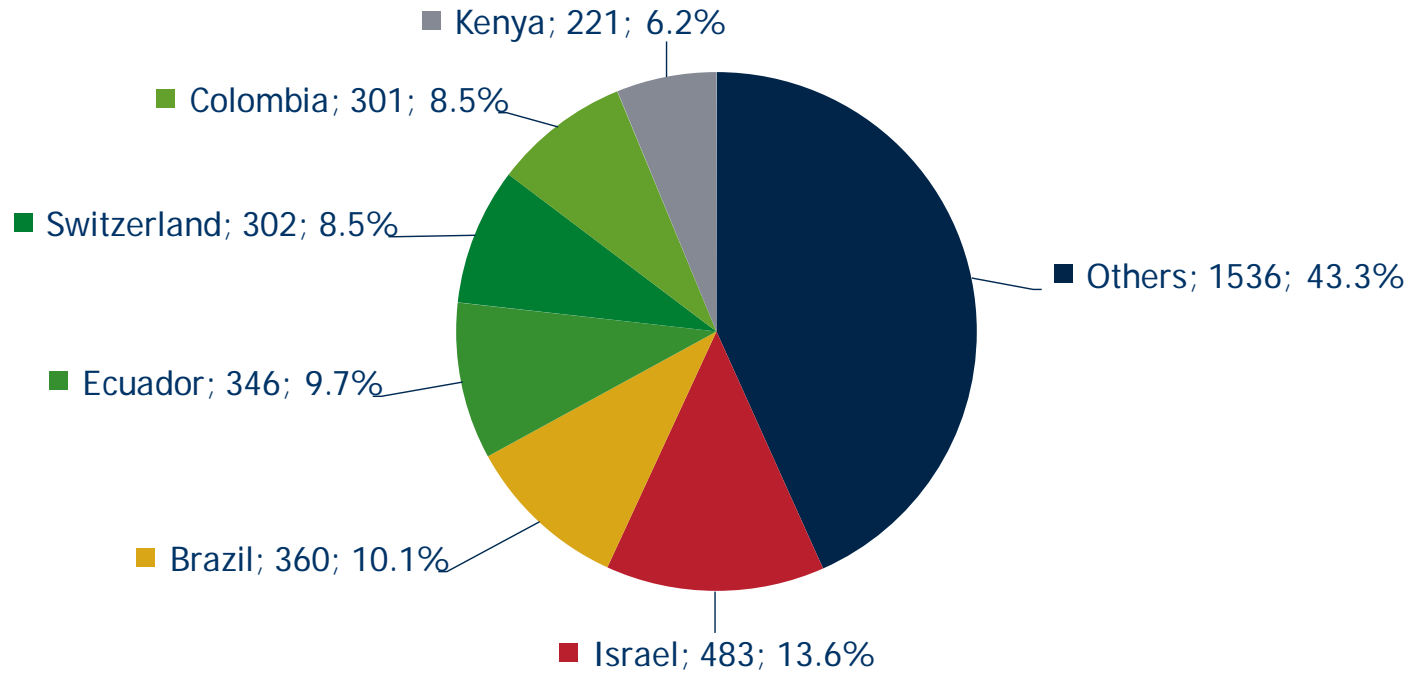
Fees from clients per crop sector



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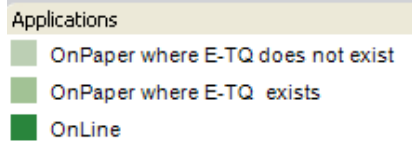
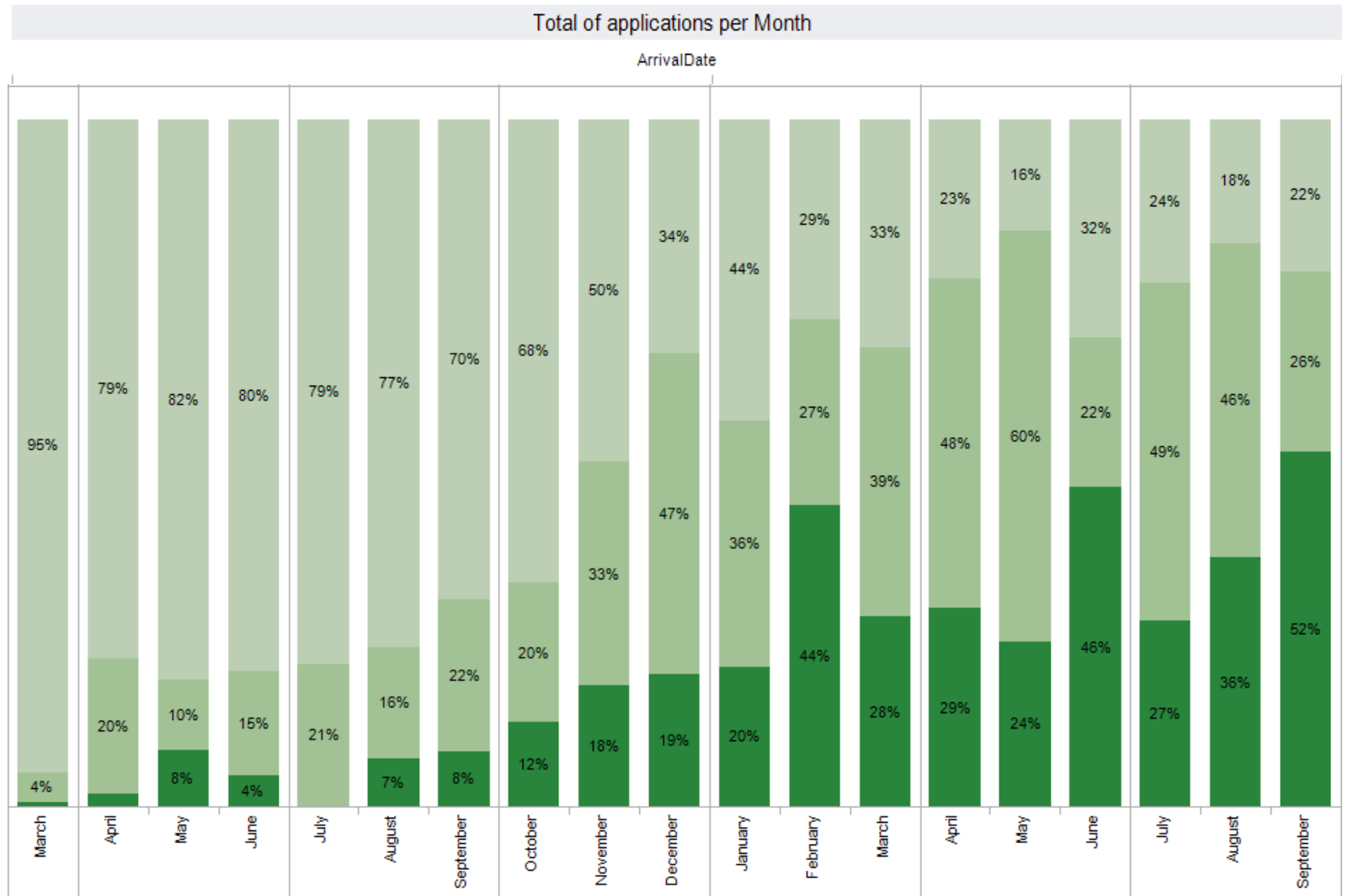
Sales of D.U.S. reports to national authorities since 1998 Number and percentages at 12/09/2011



3604 sales of DUS reports in total



Online Applications per month



FINAL REMARKS

- Efficiencies in the application procedure for applicants
- Less administration for national authorities
- Close co-operation on a technical level
 - Technical work is harmonised
 - Denominations
 - IT tools
- Challenges in enforcement



THANK YOU FOR YOUR ATTENTION

