



CPVO • OCVV

Community Plant Variety Office
Office Communautaire des Variétés Végétales

Angers, 19/02/2019

Information to applicants and holders on certain consequences on Brexit

The United Kingdom submitted on 29 March 2017 the notification of its intention to withdraw from the Union pursuant to Article 50 of the Treaty on European Union. This means that, unless a ratified withdrawal agreement establishes another date, all Union primary and secondary law will cease to apply to the United Kingdom from 30 March 2019, 00:00h (CET) ('the withdrawal date'). The United Kingdom will then become a 'third country'.

The UK Department for Environment Food & Rural Affairs has informed the CPVO that if there is no deal agreed upon by the UK and the EU on 29 March 2019

*"All varieties with a Community plant variety right granted by **29 January 2019** will be (sic !) continue to be protected in the UK by giving them rights under UK legislation. No action will be required by right holders."*

Only UK authorities can give binding answers to questions on how this policy will be implemented (helpline@defra.qsi.gov.uk, www.gov.uk/defra).

However, as the CPVO understands, in case of the no-deal scenario this means that in order to ensure that protection is afforded in the UK for varieties which have been granted Community plant variety rights as from **29 January 2019**, a new application to the competent UK authority must be made. Holders of Community plant variety rights granted before **29 January 2019** will be given UK plant variety rights without the need for a new application in the UK.

If a deal is agreed, the content of the deal will determine the consequences for applicants and holders of Community plant variety rights and UK rights.

Disclaimer: this does not represent the view of the EU Commission.