



CPVO

Community Plant Variety Office

The advantages of the EU CPVR System under UPOV 1991

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PV protection in the EU: legal framework



The role of the CPVO



The system is run by the
**Community Plant Variety
Office (CPVO)**

Agency of the EU operational
since 1995 and currently based
in Angers, France.

Mission Statement:

***‘To deliver and promote an
efficient Intellectual Property
Rights system that supports the
creation of new plant varieties for
the benefit of Society’***





Advantages of cooperation

- **Technical cooperation with Member States**
 - Drafting of technical protocols
 - DUS tests
- **IT cooperation**
 - Online applications
 - Databases
 - Sharing documents
- **Variety denominations**
 - Common database
 - CPVO provides advisory service on suitability of denominations to EU National Offices

Benefits of a regional PVP system

Organisational reasons: breeders



- 1 application for several countries
- 1 fee payment for several countries
- Easier prosecution (e.g. online filing, no need to claim priority in every country)
- Easier research (e.g. same denomination: VarietyFinder)





Organisational reasons: PA

- Efficient centralised decision taking process
- Less administrative burden for national authorities
- Easier coordination among national authorities
- Single interlocutor for stakeholders (including breeders associations)
- Centralised training
- Harmonization of practices
- Additional income for national authorities





Economic reasons: breeders

- Reasonable application and annual fees compared to the territorial extent of protection
- Management of the right costs (e.g. cancellation proceedings fees, appeals fees)
- Legal and professional representation costs
- Number of employees to be involved in prosecution activities





Economic reasons: PA

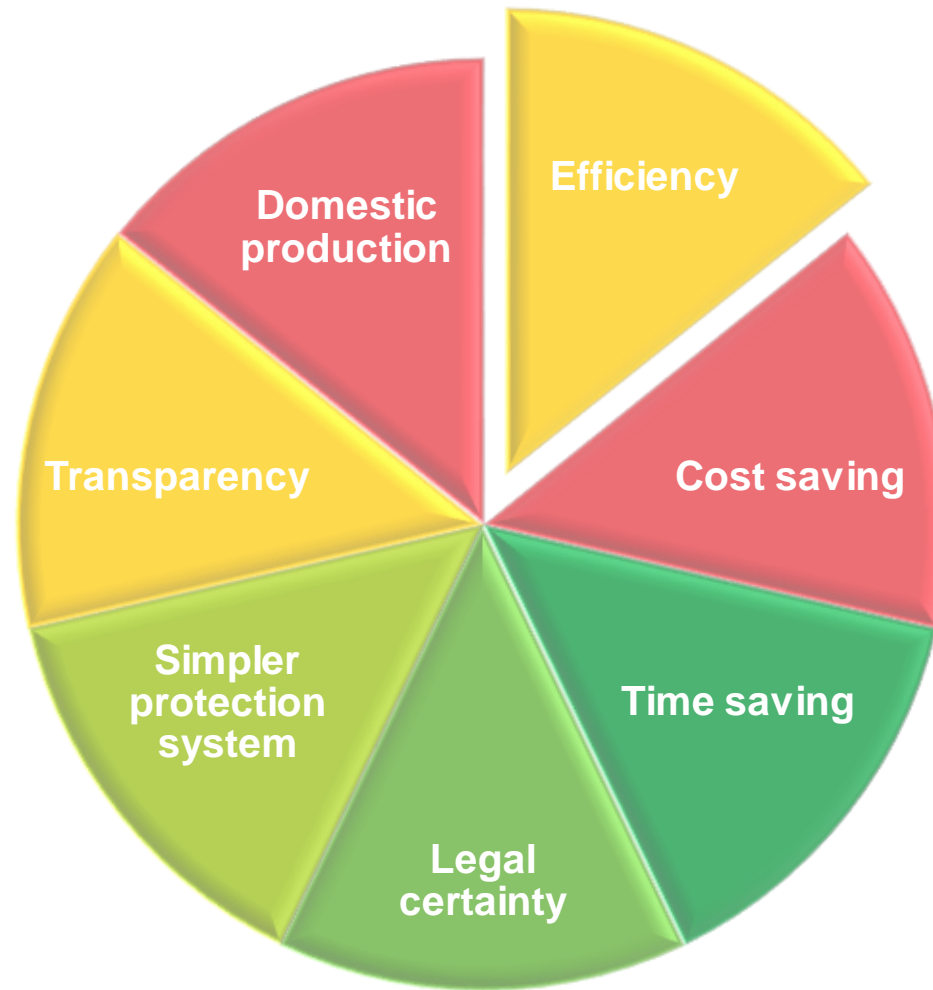
- A better coordination and harmonized practices mean reduction of costs for national authorities
- Development of common tools (e.g. database and other IT tools)
- Access to information
- Training costs



Legal reasons

- Legal certainty
- Defendable and predictable decisions
- Single decision center on the validity of the right
- Cross-border litigation

Final Remarks





CPVO

Community Plant Variety Office

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