



Community Plant
Variety Office

Annual report 1997

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It can be accessed through the Europa server (<http://europa.eu.int>).

Cataloguing data can be found at the end of this publication.

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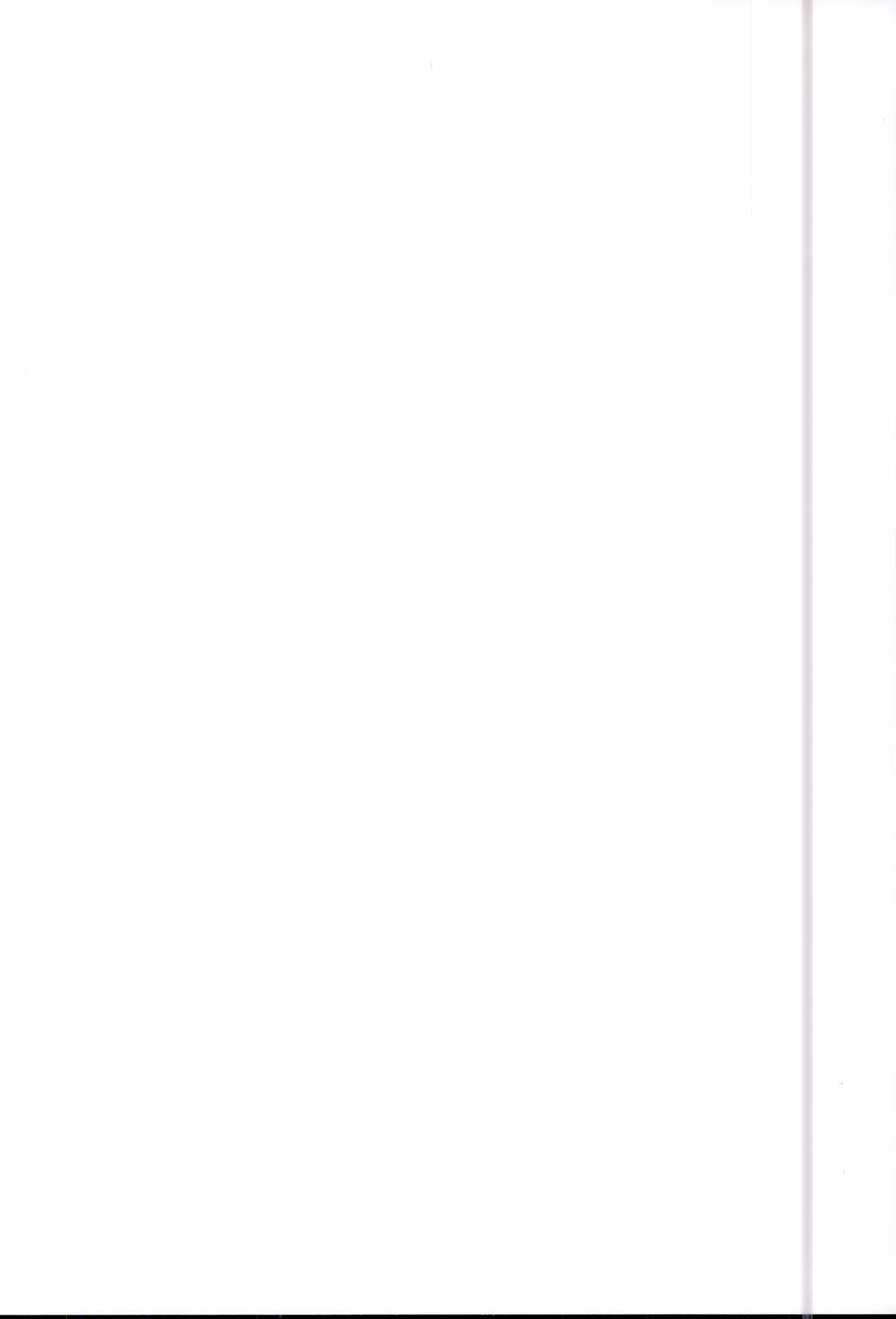
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**INTRODUCTION BY
BART KIEWIET,
PRESIDENT OF THE CPVO**



The year 1997 was a memorable one in the as yet short life of the Community Plant Variety Office. Firstly, in March, José Elena took up the post of vice-president, to which he was appointed in December 1996. I very much welcome his arrival. His considerable knowledge of all aspects of the plant variety rights system, the result of many years of experience in this sector, clearly means that he will be a valuable asset to the Community Plant Variety Office.

A sad event was the death of the Danish member of the Administrative Council, Flemming Espenhain, on 18 July 1997. Mr Espenhain, who was for many years a very active representative of his country in the International Union for the Protection of New Varieties of Plants (UPOV) and in the European Union, contributed in many ways to the Community plant variety protection system. The CPVO will miss his sound advice and his friendship.

An event which had a considerable impact on the operation of the Office during the year under review was the move to Angers. The choice of the capital of Anjou as the seat of the Office was made on 6 December 1996 at an intergovernmental meeting of representatives of the 15 Member States of the European Union. At least eight cities had been put forward as possible homes for the Office. Whilst it would be premature to reach any definitive conclusion on this decision, from experience so far I would go so far as to say that Angers was a wise choice.

It is a medium-sized town and easily accessible by various forms of public transport, including high-speed rail links, and by air, which is useful given the number of foreign visitors the Office receives. Cooperation with the local authorities is excellent. The city offers many facilities of a sporting and cultural nature. All this, plus the 'douceur Angévaine' and the beautiful countryside roundabout ensured that the staff of the Office soon felt at home.

I am rather proud of the fact that this major operation, which affected staff in both their professional and their personal lives, had little detrimental effect on the core business of the Office — the processing of applications for plant variety rights and the concomitant financial and administrative work. The staff of the Office turned in an excellent performance in this regard.



Partly on account of the move to Angers, the necessary recruitment of new staff was delayed. It was to some extent possible to plug the gaps with agency staff. The aim now is to ensure that the Office is brought up to strength in the course of 1998.

The number of applications was considerably higher in 1997 than in 1996, proving that the industry finds the idea of plant variety rights at European level an attractive

proposition and that it has confidence in the work of the Office staff.

My conclusion is that 1997, whilst a challenging year for the Community Plant Variety Office, was nevertheless a good one.

FOREWORD

BY LOUIS VAN EYLEN,

CHAIRMAN OF THE ADMINISTRATIVE COUNCIL



I should like to begin with a few words in memory of the late Danish member of the Administrative Council, Flemming Espenhain. The Administrative Council and all those involved in the Community plant variety rights system would like to take this opportunity to pay tribute to him for his key contribution to the creation of the system.

The decision to choose Angers as the permanent seat for the Community Plant Variety Office came as a surprise. Many had felt that achieving a unanimous decision on the choice of seat would be a long, drawn-out affair. This proved not to be the case. The fact that a decision on this matter was taken at all is perhaps even more important than the choice of Angers as the location. This decision, together with the appointment of José Elena as vice-president, marked the end of the Community Office's start-up phase.

A word should also be said in praise of the Office's staff for their endeavours in ensuring that the removal to Angers passed off smoothly. The lack of space in Brussels made a rapid transfer to the new premises in France essential. The Administrative Council therefore unanimously approved the ambitious timetable proposed by the Office's president.

It was with considerable pleasure that I accepted my reappointment as chairman of the Administrative Council at its first meeting in Angers. With the assistance of the new deputy chairman, David Boreham, I hope to be able to continue to administer this important body effectively. In my position as chairman, I should like to express my thanks to Ms Morelli Gradi for her important contribution, as deputy chairman, to meetings of the Administrative Council throughout the first years of the Office's existence.

At their meeting in December, members of the Administrative Council were able to make the acquaintance of a number of local and regional dignitaries, including the prefect of Maine-et-Loire, the president of the Conseil Général of the department and the Mayor of Angers. The personal contact with these officials confirmed their commitment to ensuring the smooth operation of the Office.

By way of a conclusion, it gives me great pleasure to see that the Community plant variety rights system is still on course. The number of applications continues to rise. For its part, the Administrative Council shall do everything in its power to ensure that the infrastructure on which the activities of the Community Office depend is exploited to the full.



THE COMMUNITY PLANT VARIETY RIGHTS SYSTEM

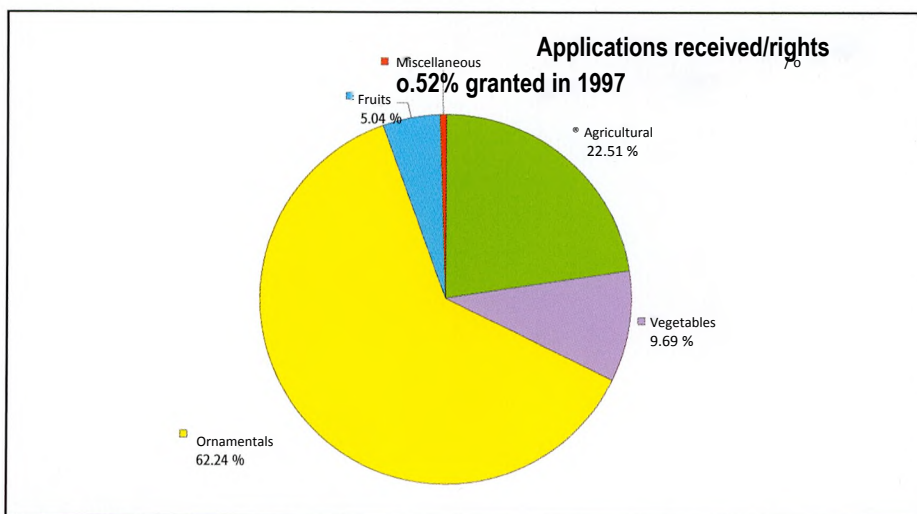


On 27 April 1995 the substantive and procedural parts of Council Regulation (EC) No 2100/94 ('the basic regulation') came into force introducing a Community plant variety protection system. Prior to that date, a breeder seeking protection for a new variety in the whole of the territory of the European Union was obliged to make separate applications in each individual Member State. Now, on the basis of a single application to the Community Plant Variety Office ('the Office'), a breeder may be granted

protection guaranteeing him exclusive exploitation rights for his variety throughout the EU.

The new system is not intended to replace or even harmonise national systems but rather to exist alongside them as an alternative; indeed, it is not possible for the owner of a variety to hold both a Community plant variety right (CPVR) and a national right simultaneously in relation to that variety. Similarly, a CPVR cannot coexist with a patent. Where a CPVR already exists in relation to a variety, any national right or patent granted for that variety will be ineffective. Where a CPVR is granted in relation to a variety for which a national right or patent has already been granted, the national right or patent is suspended for the duration of the CPVR.

On receipt of an application for a CPVR, the Office must establish that the variety is novel and that it satisfies the criteria of distinctness, uniformity and stability (DUS). The Office may arrange for a technical examination to confirm DUS to be carried out by the competent offices in Member States or by other appropriate agencies outside the European Community. In order to avoid unnecessary duplication of work, where such a technical examination has already been carried out in relation to a variety for official purposes, the Office may, subject to certain conditions, accept the results of that examination.



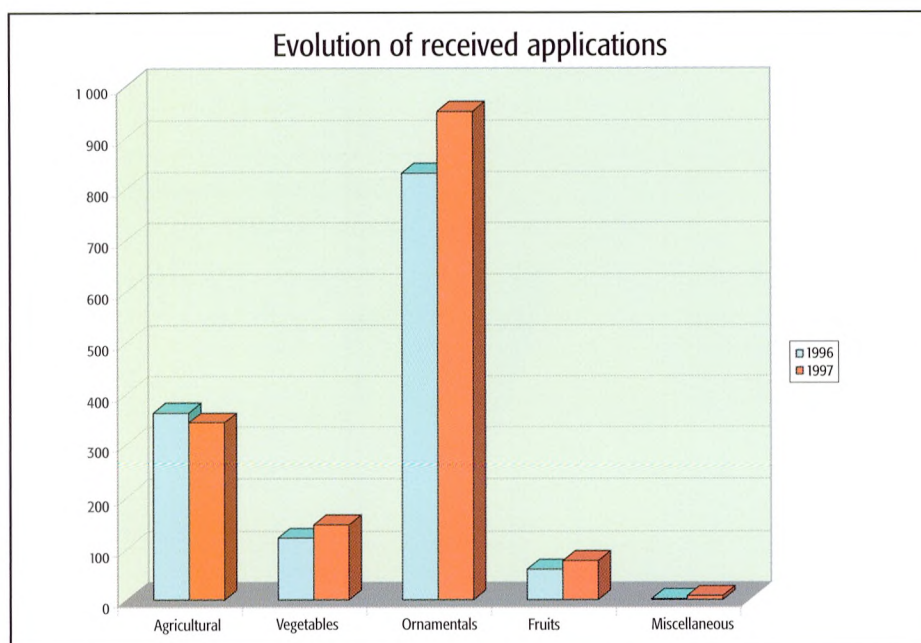
	Agricultural	Vegetables	Ornamentals	Fruits	Miscellaneous
1997	344	148	951	77	8

Anyone may lodge an objection to the grant of a CPVR with the Office, in writing and within specified time limits. The grounds for objection are restricted to allegations either that the conditions laid down in Articles 7 to 11 of the basic regulation are not met (distinctness, uniformity, stability, novelty, or entitlement), or that the proposed variety denomination is unsuitable due to one of the impediments listed in Article 63. Objectors become parties to the application proceedings and are entitled to access the relevant documents.

Except in two specific instances where a direct action against a decision of the Office may be brought before the European Court of Justice, a right of appeal against such decisions lies with a board of appeal consisting of a chairman, appointed by the Council, and two other members selected by the chairman from a list compiled by the Council. The addressee of a decision, or another person, to whom its content is of direct and individual concern, may appeal against it. After examining the appeal, the board may exercise any power within the competence of the Office or remit the case to the Office, which is bound by the board's decision. Actions may be brought before the European Court of Justice against decisions of the board.

Once granted, the duration of a CPVR is 25 years, or 30 years in the case of potato, vine and tree varieties. These periods may be extended by legislation for a further five years in relation to specific genera or species. The effect of a CPVR is that certain specified activities in relation to variety constituents or harvested material of the newly protected variety require the prior authorisation of the holder of the right. This authorisation may be made subject to conditions and limitations. Infringement of a CPVR entitles the holder of the right to commence civil proceedings against the perpetrator of the infringement.

Registers, open to public inspection, contain details of all applications received, and all CPVRs granted by the Office. Every two months, the Office publishes its *Gazette of the Community Plant Variety Office* which also provides this information, as well as other material.



	Agricultural	Vegetables	Ornamentals	Fruits	Miscellaneous
1996	364	121	831	60	2
1997	344	148	951	77	8

THE ADMINISTRATIVE COUNCIL

The Administrative Council met four times in 1997.

○ At its first meeting, which was held on 20 March, the Administrative Council:

- approved the implementation of the 1996 budget and took note of the preliminary draft budget for 1998;
- approved the proposal by the Office to appoint an administrator and assistant administrator of imprest accounts, in view of the Office's relatively small number of staff and the legal requirements relating to signatures and the separation of powers;
- decided to set up six committees within the CPVO in accordance with Article 35(2) of the basic regulation.

The Office informed the Council:

- that a new draft financial regulation had been sent to the Court of Auditors and to DGs XIX and XX for opinion. On receipt of their comments, the draft could be submitted to the Administrative Council. It would then also be possible to appoint a financial controller who, in the Commission's view, should be a member of its own staff;
 - of DG VI's intention to make arrangements for the repayment of the subsidy of ECU 300 000 granted by the European Commission to enable the Office to begin its work, and asked the Council to incorporate a heading into the 1997 budget for this purpose;
 - of the need for an exchange of information on variety denominations between the CPVO and the UPOV Member States before definitive directives were introduced;
 - of the work being jointly undertaken with a team of experts to develop a theoretical model defining the various factors influencing the calculation of the costs of the DUS tests.
- However, the 'in-out' principle would have to be observed until such time as a cost calculation has been formally approved by the Administrative Council. This principle does not apply to the costs of the tests on *Euphorbia pulcherrima*, under test in Denmark.



○ A second meeting of the Administrative Council was held on 12 June.

In his report to the Administrative Council, the president of the CPVO informed members that the preparations for the move to Angers were well under way and confirmed the subsidy of FRF 10 million granted by the French authorities in order to purchase a permanent building in Angers. He also emphasised that, with regard to the new financial regulation submitted to the two DGs and the Court of Auditors for comment (see previous meeting), the Office was now just waiting for a reply from the Court of Auditors before submitting the draft to the Administrative Council.

The Office presented to the Council:

- the amended 1997 budget (amendments to personnel expenses and repayment of the subsidy of ECU 300 000), which was approved by the Council after discussion;

- its proposal regarding the directives on variety denominations. This proposal was not put to the vote; many Member States were unable to support the project as a whole. It was nevertheless suggested that these rules might form the basis for the examination of variety denominations until a compromise had been adopted.

Since not all the participating countries had yet completed the experimental calculations necessary to arrive at a method for calculating the costs of the DUS tests, it was therefore impossible to submit a proposal to the Council for approval.

O A third meeting was held on 8 and 9 October.

This meeting of the Council was honoured by the presence of Mr Barry Greengrass, Vice-President of the UPOV, on the second day of the meeting.

The Administrative Council:

- approved (by 14 votes to 1) the two budget transfers proposed in the 1997 budget that would be necessary as a result of the move;
- approved (also by 14 votes to 1) the composition of the Advisory Committee on Procurements and Contracts (CCAM) proposed by the Office;
- approved, after amendment, the draft of the 1996 annual report of the CPVO;
- elected Mr Louis Van Eylen (B) as chairman of the Administrative Council for the period 21 October 1997 to 20 October 2000 and Mr David Boreham (UK) as deputy chairman for the same period.

In addition, the Administrative Council:

- noted that the removal of the Office to Angers with effect from 1 August had not caused any delays in processing the files;
- noted that the 1995 and 1996 reports of the Court of Auditors were generally encouraging. They approved the suggestions made by the Office in order to meet the various criticisms raised;
- shared the concerns expressed by the Office regarding the Tappin report (EP). The members concluded that any 'profits' made by the Office should not be used to increase the EC's general budget but that, once operational status had been attained, it would be preferable to consider reducing the fees payable to the Office;
- confirmed its intention to ensure application of the 'in-out' principle until such time as the cost calculations had been formally approved. Members stressed the need to act swiftly to develop harmonised methods for calculating the costs of the DUS tests. The participating countries were asked to supply the necessary data at an early date;
- gave its assent to the use of the results of technical examinations carried out, for official reasons, by third country UPOV members at the customary (UPOV) rates;
- declared itself in favour of the Office's participation in the Council working group dealing with the draft directive on the legal protection of biotechnological inventions;
- supported the proposal by the Office to set up a legal working group made up of representatives of the CPVO and of some Member States in order to examine in detail the legislation governing the functioning of the CPVO. Other Member States could also participate in this group if necessary.



O The final meeting was held on 17 and 18 December.

On 17 December, the meeting was honoured by the presence of representatives of French local and regional authorities, including Mr Jean Monnier, Mayor of Angers, Mr Bernard Hagelsteen, Prefect of Maine-et-Loire, and Mr André Lardeux, President of the Maine-et-Loire General Council.

At its meeting, the Administrative Council:

- unanimously approved the draft budget for 1998;
- appointed the financial controller of the Commission to serve as financial controller of the Office by 14 votes in favour and one abstention.

The Council was invited to express its opinion on the proposal by the Commission to amend Article 5 of Regulation (EC) No 1768/95 on farm seeds. The Council voted in favour of this proposal by a majority (with one vote against and five abstentions). It called upon the Office to carry out, in collaboration with the Commission, a study of the practical aspects of the collection of the payments to be made to breeders for the use of farm seeds. The results of this study were to be reported at a subsequent Council meeting.

The Council discussed the Commission proposal, published in the *Official Journal of the European Communities* in November, amending the basic regulation and proposing that any surplus of income over expenditure in the course of a financial year be credited to the EC general budget under 'other sources of income'. The members favoured the approach whereby the surplus would be held in reserve until such time as it was felt appropriate to approach the Commission to request that it introduce a reduction in the fees paid by the applicants and holders of rights. It was agreed that the Office should prepare as soon as possible an analysis of the practical consequences of the Commission's proposal for its operation.

Finally, the Office informed the Council:

- of its decision not to identify genetically modified varieties at the time of their publication in the official gazette;
- of its decision, after consideration of the replies received from the national offices and the other institutions, to arrange for the examination of proposed variety denominations to be carried out on behalf of the Office by the following bodies: the GEVES for agricultural species and fruit trees, the NAKG for vegetable species, the Bundessortenamt for fruit, and the CPRO-DLO and Bundessortenamt for ornamentals.

Chairman of the Administrative Council: Mr Louis Van Eylen (B)

Members of the Administrative Council

BELGIUM

Mr L. Van Eylen
Mrs F. Bedoret

DENMARK

Mr F. Espenhain
(died 18 July 1997)
Mrs G. Tarp

GERMANY

Mr W. Däschner
Mr R. Eisner

GREECE

Mr M. Gavras
Mr T. Kastrissios

SPAIN

Mr Artolachipi
Mr R. Lopez De Haro

FRANCE

Mr A. Perrin
Ms N. Bustin

IRELAND

Mr J. Carvill
Mr I. Byrne

ITALY

Mrs G. Morelli Gradi
Mr P. Mainolfi

LUXEMBOURG

Mr M. Weyland
Mr C. Conter

NETHERLANDS

Mr G. Van Der Lely
Mr C. Van Winden

AUSTRIA

Mr H. Etz
Mr R. Hron

PORTUGAL

Mr T. Ribeiro Correa
Mr C. Pereira Godinho

FINLAND

Mr O. Rekola
Mr A. Vuori

SWEDEN

Mr K. Öster
Mrs U. Hansson

UNITED KINGDOM

Mr D. Boreham
Mrs K. Fox

COMMISSION

Mr F. Mansito
Mr D. Obst

ANGERS,



THE OFFICE'S NEW SEAT

The majority of the Office's staff moved to Angers (France) in the second half of 1997, following the unanimous decision taken on 6 December 1996 by the representatives of the governments of the Member States to establish the permanent seat of the Office there.

To enable the Office to operate with minimum delay in the new location, a first team arrived in Angers with the task of ensuring that operations were up and running by 1 August 1997; they were joined by a second team in September, once the Office's activities in Brussels had been wound down.

The move to Angers was not done in a day. Various arrangements had to be made as regards management and administration, in particular:

- organising numerous missions to Angers, to find new premises which met the needs of the Office, as well as the logistical preparations necessary before the Office could start work;
- keeping the staff and their families informed and motivated to make the move, throughout the transition period;
- making the necessary modifications to individual contracts;
- recruiting additional staff locally, plus, as and when necessary, temporary agency staff;
- helping with the organisation of families' removals;
- ensuring the application of the protocol on the privileges and immunities of the European Communities and negotiating with the French authorities on administrative documents.

In addition, the families of members of staff received support from both the local French authorities and the Office itself to help them settle in France.

ORGANISATION OF THE CPVO

Presidency and vice-presidency of the Office

The president of the Office, Mr Bart Kiewiet, of Dutch nationality, took office on 1 August 1996. The reason for this was that the Council of the European Union appointed Mr Elena Rossello, of Spanish nationality, to the vice-presidency of the CPVO for a period of five years on the basis of the list of official candidates for the post put forward by the European Commission on 15 April 1996, after having obtained the opinion of the Administrative Council of the Office and the president of the Office.

Chairmanship and vice-chairmanship of the Administrative Council of the Office

At its meeting on 8 and 9 October 1997, the Administrative Council of the Office, whose chairman and vice-chairman were coming to the end of their terms of office, held elections to fill these two positions. Mr Van Eylen, of Belgian nationality, was re-elected as chairman of the Administrative Council of the CPVO, while Mr Boreham, of British nationality, was elected vice-chairman.

Under the overall control of the president and vice-president, the internal organisation of the Office is as follows:



The **Technical Unit** is responsible for the administrative and technical management of the Community plant variety protection system. Its main tasks are as follows: acceptance and checking of applications for protection; organisation of technical examinations and site inspections; administration of the register; production of official technical publications; and relations with applicants, the national offices and international bodies active within the sector.

The **Administrative and Financial Unit** is responsible for the management of the Office in three sectors.

- Administrative sector: awarding of contracts for goods, services and works in compliance with Community procedures; administration and management of contracts; organisation of Community publications; administration and management of the Office's movable and immovable property; administration of requirements and of all logistical office technology, computing and operational resources.
- Financial sector: commitment, validation, authorisation and payment of expenses, in particular those relating to technical aspects; collection of revenue, especially revenue from fees; keeping of

accounts; drawing-up of budgets and financial documents (budgetary accounts, balance sheet, administrative accounts and financial analyses).

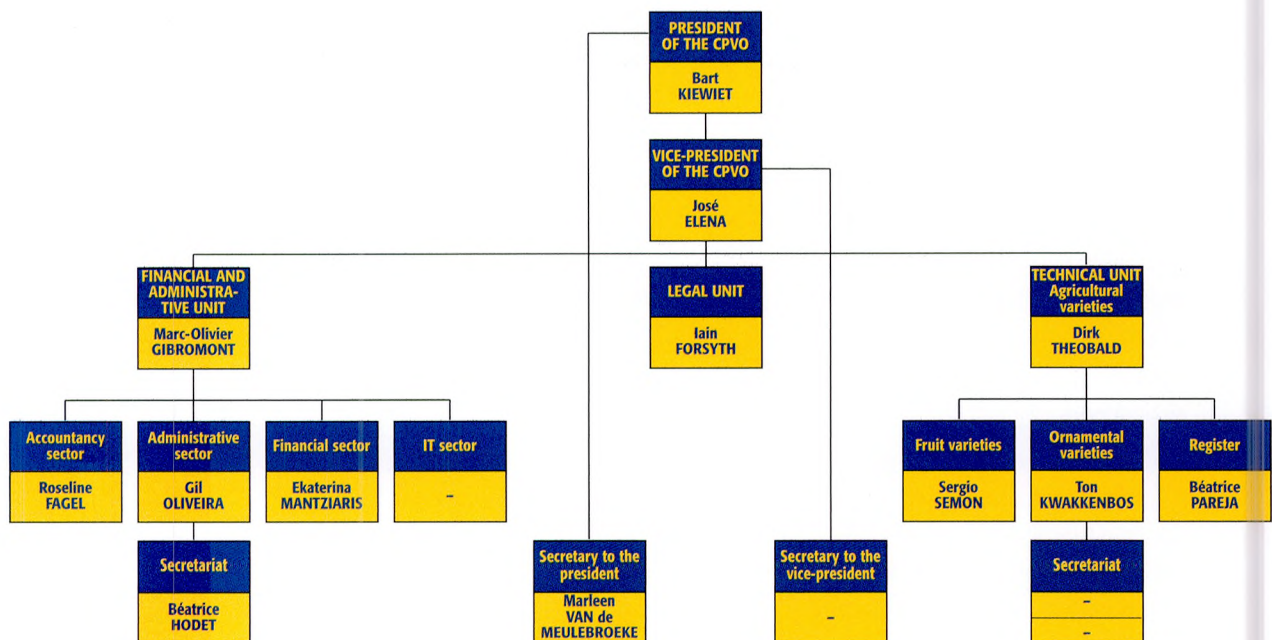
- Human resources: recruitment, administration (contracts, administration of wages, implementation of the administrative regulations) and management (management of careers and reviews) of the Office's human resources; management relating to the status of the members of the board of appeal of the Office; training.

The **Legal Unit** advises the president and other units of the Office, mainly on technical questions but also on other administrative issues. The unit is responsible for preparing legal interpretations and pleadings, and prepares draft legislation. It participates actively in committees responsible for technical decisions, various expert meetings, and the Advisory Committee on Procurements and Contracts, ensuring proper compliance with Community procedures. The unit is in charge of dealing with contentious cases, organising the sessions of the board of appeal of the Office, etc.

It also furnishes an appropriate response to any legal question put to the Office by any third party directly affected by the Office's activities.

ORGANISATION CHART OF THE CPVO 0

1997



(*) The above organisation chart is based on those members of staff of the CPVO employed as Community agents (temporary or auxiliary agents) on 31 December 1997.



THE FINANCIAL SITUATION

Financially, 1997 proved to be an atypical year for the CPVO; its relocation to France gave rise to numerous exceptional expenditure items.

During the first stage of its start-up phase (in Brussels in mid-1995 to mid-1997), the Office had committed itself only to basic, limited and cautious expenses, as regards both administration and human resources.

In the course of the second stage, the installation of the Office at Plateaux du Maine in Angers, numerous exceptional expenditure items arose relating to the cost of relocation and installation.

Furthermore, during this same period, additional administrative expenses were incurred relating to the acquisition of technical reports from the national offices; this expenditure in turn was offset by income relating to the same functions (see below).

There is one further item of exceptional expenditure for this period, relating to the repayment of the Community subsidy of ECU 300 000 granted to the Office in 1995 to cover its initial start-up costs.

On the revenue side, in addition to the usual receipts of application and examination fees, the CPVO received in 1997 income from applicants relating to the technical reports it acquired from the national offices, and revenue from the renewal fees received in all cases in which a title of protection had been granted (in particular, renewal of fees overdue from 1996).

One final special feature must be noted: all expenses incurred in France include value added tax (VAT). Since the Office is exempt from VAT it will be able, following a specific approach made to the French authorities, to reclaim the sums in question. This fact therefore needs to be taken into account when reading the financial results for 1997.

1997 budgetary implementation and financial analysis

O Income

The income received by the CPVO essentially comprises various fees payable by applicants for Community protection for a plant variety, proceeds from the sale of the Office's official publications, and interest earned on bank accounts. Total income received in 1997 amounted to precisely ECU 4 164 639.94.

The main income items were as follows.

• **Fees**

Fees received in 1997 totalled ECU 3 958 581.63, and are divided up as follows: application fees, ECU 1 599 630.63; examination fees, ECU 636 850; report fees, ECU 248 900; renewal fees, ECU 1 464 400; and other fees, ECU 8 801. This figure is equivalent to 81.07 % of the budget estimates for income from fees.

• **Bank account interest**

Total interest received in 1997 on the Office's bank accounts amounted to ECU 206 058.31. This sum does not include the interest received for December 1997, which will be credited to the 1998 budget year.

The average net rate paid on accounts in ecu was 4.2 %/o, while the rate on accounts held in local currencies varied between 2.8 and 3 %/o.

© **Expenditure**

As mentioned above, the relocation of the Office to Angers necessitated numerous capital expenditure, some relating to its human resources requirements and some to the administrative, computer and office technology infrastructure. Such expenditure will continue to be incurred throughout 1998.

The grand total of expenditure incurred in 1997 (including credits carried forward) was ECU 3 129 949.35.

The main categories of expenditure were as follows.

• **Staff costs**

The removal of the Office to Angers had a major impact on staff costs. In particular, various relocation and foreign-residence allowances had to be paid to a number of staff members.

The staff costs category also includes expenses for personnel on assignment, and costs relating to the Translation Centre in Luxembourg.

These expenses totalled ECU 1 441 722.77.

• **Buildings and ongoing administrative expenses**

These expenses related to the renting of the offices initially occupied in Brussels, costs resulting from the occupation of the temporary premises in Angers, and the Office's removal costs.

The sum payable in rent for the temporary building was borne by the City Hall of Angers and will be deducted from the City's contribution to the aid of FRF 10 000 000 granted by the French local authorities for the Office's installation in Angers.

Expenses for computer supplies and office equipment have also been taken into account, although some of them were carried forward to 1998.

The total for these expenses amounted to ECU 454 221.78.

• **(Technical) operating expenses**

The majority of the technical examination costs in 1997 was charged against the credits carried forward from the 1996 financial year, in view of the time lag between the point when the technical examination procedure is started (when the fee is received) and the point when the Office receives the final invoice for the examination (a period of more than a year). However,

unused credits carried forward from 1996 to 1997 were cancelled as of the end of 1997.

Expenditure relating to examinations organised in 1996 will therefore have to be settled out of the 1998 credits.

Furthermore, during this same period, additional expenses were incurred relating to the acquisition of technical reports from the national offices; this expenditure in turn was offset by income relating to the same functions (see above).

The expenditure category for administrative expenses also includes expenditure relating to the Office's official publications (official gazette and annual report). A carry-over was implemented here to cover certain expenditure not yet invoiced.

This operating expense totalled ECU 934 004.81.

© Carry-overs

Automatic carry-overs in 1997 totalled ECU 916 425.93. Nearly 80 % of this sum was accounted for by credits carried over in the context of operating expenses, and related to the technical examinations organised in 1997 and applications for technical reports made in 1997 which will be invoiced when they have been completed.

• Value added tax

As mentioned above, any purchase made in France is subject to VAT. This tax can be claimed back from the competent French authorities and will constitute financial revenue for subsequent financial years. The maximum total that can be claimed back amounts to FRF 269 082.57.



• Reserve fund

The positive balance for the 1997 financial year amounted to ECU 1 245 597.57. This balance will be added to the accumulated surplus from previous financial years (1995 and 1996).

In December 1997, the CPVO's accumulated reserve fund amounted to ECU 5 131 031.

• Discharge of the president of the Office

Pursuant to Article 111 of Council Regulation (EC) No 2100/94, the Administrative Council, having taken note of the opinion of the Court of Auditors on the accounts showing the total expenditure and revenue of the Office for the 1997 financial year, gave a discharge to the president of the Office for the implementation of the budget for that financial year at its meeting on 16 and 17 December 1998.

• 1998 budget

At its meeting on 17 and 18 December 1997, the Administrative Council adopted the Office's 1998 budget, which estimates total revenue at ECU 9.2 million (a figure which includes the ECU 3.9 million available surplus from the previous financial year) and balancing expenditure which can be broken down as follows: human resources, ECU 3.1 million; buildings, equipment and administrative expenditure, ECU 1.6 million; operating expenditure, ECU 1.9 million; other expenditure (specifically 'contingency reserve'), ECU 2.6 million.

DEVELOPMENTS IN RESPECT OF INFORMATION TECHNOLOGY

In the initial phase (1995 and 1996), very simple IT equipment was used to facilitate the Office's technical, financial and administrative tasks.

The 'PVR' database, software based on FoxPro, was designed as a technical support and installed in several isolated PCs of the Technical Unit.

To face the needs of the Financial and Administrative Unit, a software Expert/M was used for the general ledger and a special predetermined structure based on Excel for the budgetary accountancy.

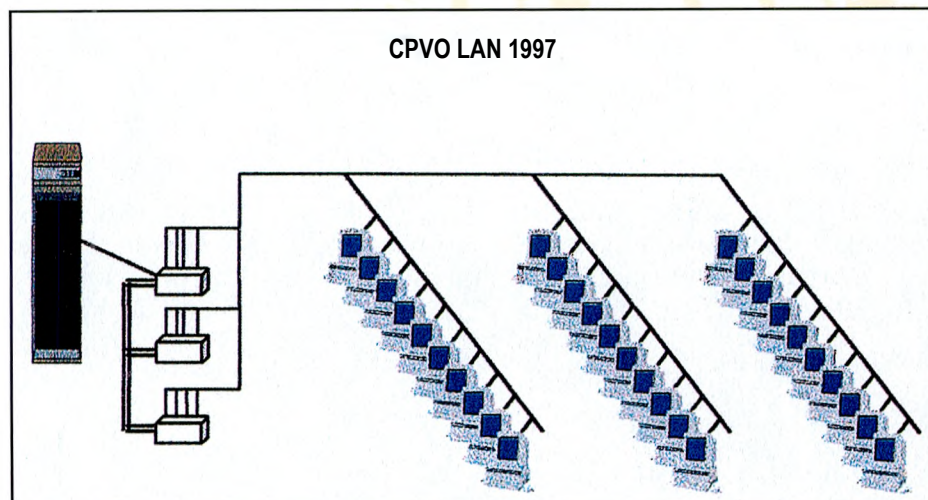
In 1997, after the Office's launching period, the work on information technology developed as follows.

O Consolidation of the information processing system needed for the functioning of the CPVO:

- registration and granting procedure (FoxPro) — PVR database;
- financial and budgetary management (Expert/M and Excel);
- development of software used to inject the invoicing data in the general ledger.

O Search for more effective tools on hardware and software;

- development of a local area network (LAN) including all PCs sharing the PVR database. After moving to the definitive premises in Angers, a more effective LAN with a server was set up, connecting 15 users;
- requisition of more powerful PCs;
- a detailed analysis of the procedure of granting CPVR was made by a special working group inside the Technical Unit, with the aim to develop new special software and a database;
- the CPVO participated, together with other EU agencies, in a common effort to find good and adequate software for the budgetary accountancy. Contacts with the Commission (DG XIX) to explore the possibility to use Sincoml and other actions were undertaken. The request of the Court of Auditors to have an effective and secure IT tool for the accountancy was considered with high priority by the CPVO.





○ To face the difficulties of moving from Brussels to Angers with a minimum of problems and interruption of the service in the IT network, an improved network, that was fully operational on 1 August, was installed in the new premises.

© To organise and integrate the CPVO, an IT service that can give adequate answers to the increasing demands for computerisation, recruitment of an IT agent: before, all IT tasks had to be fulfilled by external consultants.

CONTACTS WITH **PROFESSIONAL ORGANISATIONS**

On 20 May 1997 the CPVO held a meeting with Comasso in Brussels, akin to the one held on 9 July 1997 by the CPVO with Ciopora in The Hague (Netherlands).

The said organisations were informed on the situation of the CPVO in general and in particular of the financial situation. The Office provided detailed figures on the number of applications and the number of Community titles granted.

The CPVO took note of the wish to reconsider the level of the fees. Furthermore, possible participation of breeders in meetings of the CPVO with representatives of the examination offices was discussed.

In respect of the procedure for the future elaboration of technical guidelines, the Office made clear its intention to follow similar principles as followed by UPOV: involvement of breeders at an early stage in expert groups and sending of final drafts to professional organisations for comments.

It was agreed that a meeting of the CPVO with Comasso and Ciopora should be organised at least once a year.



CONTACTS WITH NATIONAL EXPERTS



On 4 and 5 November 1997 the CPVO organised its first annual meeting with representatives of examination offices in Angers. Experts from 14 different Member States and a representative of the European Commission attended this meeting.

Procedural aspects in view of the DUS testing of varieties on behalf of the CPVO were discussed. In particular the

organisation of the testing, the exchange of information, aspects in respect of the maintenance of reference collections as well as the reporting of results were considered.

Furthermore, the CPVO presented its ideas in respect of a future system for the checking of variety denominations.

It was agreed that such a meeting would be organised every year.

Apart from the general meeting, the Office had the following contacts with technical experts and examination offices to discuss specific subjects:

- January 1997: Meeting with Danish experts in Copenhagen to discuss the DUS testing of varieties of *Poinsettias*.
- February 1997: Meeting with NAKG in Brussels.
- March 1997: PBR Office Bet Dagan, Israel: DUS testing of *Cypsophyla* and *Aster*.
- April 1997: Bundessortenamt Hannover, Germany: DUS testing of seed propagated *Viola*.
- May 1997: Visit of the testing station of the Bundessortenamt in Hafloch.
- July 1997: Meeting with PVRO and NIAB in Cambridge.
- July 1997: Meeting with Spanish experts in Seville to discuss DUS testing of rice, cotton, sunflower and maize.
- December 1997: Meeting in Angers with rose experts testing roses on behalf of the CPVO.

Main topics: centralisation of testing and exchange of data between examination offices.

THE RELATIONSHIP OF THE CPVO WITH OTHER EC INSTITUTIONS

Article 30 of the basic regulation states that the Office shall be a body of the Community and shall have legal personality. Although it is clear from various provisions of the basic regulation that the Office enjoys a considerable degree of independence within the overall framework of the Community, it does of course have dealings, both formal and informal, with other institutions.

The Council

As the basic regulation is a Council instrument, any amendment thereto must be made by that body. The Council is also responsible for the appointment (and dismissal) of the president and vice-president of the Office and exercises disciplinary authority over them.



The Commission

The rules implementing the basic regulation in accordance with Article 115 thereof (relating essentially to proceedings before the Office, the agricultural exemption and the fees payable to the Office) are Commission instruments.

Under Article 44 of the basic regulation, the Commission is entrusted with the control of the legality of those acts of the president in respect of which Community law does not provide for such control by another body, and the acts of the Administrative Council relating to the budget of the Office.

Working relations with the Commission are numerous and diverse. As regards the core business of the Office, the main point of contact is Directorate-General VI (Agriculture). The Commission representatives on the Administrative Council are drawn from this Directorate-General, which is thus kept abreast of contacts between the Office and other Directorates-General. In particular, there are frequent dealings with Directorates-General IX (Personnel and Administration), XIX (Budgets) and XX (Financial Control).



The Office is maintaining contact with Directorate-General XII (Science, Research and Development) to ensure involvement in the evaluation of projects submitted for financial support which relate to the Office's sphere of activity.



The Office regularly liaises with the Secretariat General on horizontal issues relating to all satellite bodies of the Community.

The Court of Auditors

Pursuant to Article 111 of the basic regulation, the Court of Auditors examines the accounts of the total revenue and expenditure of the Office for the preceding year in accordance with relevant provisions applicable to the general budget of the European Communities. The Administrative Council awaits the outcome of this examination before giving a discharge to the president in respect of the implementation of the budget.

The European Parliament

The legislation establishing and governing the Office does not provide a formal role for the European Parliament in the way that the equivalent legislation of many other satellite agencies does. Since the Office is self-financing and consequently receives no subsidy from the Commission, the European Parliament does not exercise influence over the financial affairs of the Office through its powers in relation to the Commission's budget.

Nevertheless, drafts of the budget and accounts are sent to the European Parliament for comment. The financial situation of the Office is referred to in the reports of the parliamentary committee on the budgets of the satellite agencies. The president of the Office is invited to participate in the annual meetings of the Parliament's rapporteur with representatives of the agencies.

Others

The Office also makes considerable use of the services of the Translation Centre for Bodies of the European Union and the Office for Official Publications of the European Communities.

THE FOLLOWING EXAMINATION OFFICES AND THE RELEVANT TESTING STATIONS WERE WORKING IN 1997 ON BEHALF OF THE **CPVO**

Plant species	Contract partner	Testing station
<i>Abelia</i>	Plant Variety Rights Office (UK)	NIAB, Cambridge
<i>Aeschynantus</i> Jack	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Aglaonema</i> Schott.	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Allium cepa</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Allium porrum</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Allium sativum</i>	SGSPV (E)	SGSPV, Aranjuez
<i>Alstroemeria</i> L.	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Amaranthus</i> (seed)	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Anigozanthos</i>	Plant Variety Rights Office (UK)	NIAB, Cambridge
<i>Anthurium</i> Schott, (pot)	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Antirrhinum</i> L.	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Argyranthemum</i>	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Aster</i> L.	ARO/ISR	
<i>Begonia elatior</i>	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Beta vulgaris</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Beta vulgaris</i>	Statens Växsortsnämnd (S)	Solna
<i>Blechnum</i> L.	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Brassica napus</i>	GEVES (F)	GEVES, La Minière
<i>Brassica napus</i>	Bundessortenamt (D)	Bundessortenamt, Scharnhorst
<i>Brassica oleracea alba</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Brassica oleracea botrytis</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Brassica oleracea cymosa</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Brassica oleracea sabauda</i>	Plant Variety Rights Office (UK)	SASA, Edinburgh
<i>Brassica carinata</i> Braun	Bundessortenamt (D)	Bundessortenamt, Rethmar
<i>Bromeliaceae</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Calathea</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Camelia</i>	Plant Variety Rights Office (UK)	NIAB, Cambridge
<i>Campanula carpatica</i>	Plant Variety Rights Office (UK)	NIAB, Cambridge
<i>Chamaecyparis</i>	Plant Variety Rights Office (UK)	NIAB, Cambridge
<i>Chrysanthemum</i>	Plant Variety Rights Office (UK)	NIAB, Cambridge
<i>Cichorium endiva</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Cichorium intybus</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Citrus</i> L.	SGSPV (E)	IVIA, Valencia

Plant species	Contract partner	Testing station
<i>Clematis</i>	Plant Variety Rights Office (UK)	NIAB, Cambridge
<i>Cordylone</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Cucumis melo</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Cucumis sativus</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Cupressus glabra</i>	GEVES (F)	GEVES, La Minière
<i>Cupressus macrocarpa Hartw.</i>	GEVES (F)	GEVES, La Minière
<i>Cynara L.</i>	GEVES (F)	GEVES, Cavaillon
<i>Dahlia</i>	Plant Variety Rights Office (UK)	NIAB, Cambridge
<i>Daucus carota</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Delphinium</i>	Plant Variety Rights Office (UK)	NIAB, Cambridge
<i>Dianthus L.</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Diascia</i>	Plant Variety Rights Office (UK)	NIAB, Cambridge
<i>Dieffenbachia Schott.</i>	GEVES (F)	GEVES, La Minière
<i>Echinodorus</i>	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Erica x darleyensis</i>	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Euonymus L.</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Euphorbia fulgens</i>	RCA (DK)	
<i>Euphorbia millii</i>	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Euphorbia pulcherrima</i>	RCA (DK)	
<i>Ficus</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Fuchsia</i>	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Foeniculum vulgare</i>	Bundessortenamt (D)	Bundessortenamt, Rethmar
<i>Fragaria L.</i>	Bundessortenamt (D)	Bundessortenamt, Wurzen
<i>Fragaria L.</i>	Cenarve (P)	CENARVE, Escaroupim
<i>Geranium</i>	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Gerbera</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Gladiolus</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Gloxinia</i>	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Guzmania</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Gypsophilla</i>	ARO/ISR	
<i>Hedera helix</i>	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Helenium (veg)</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Helianthus annuus</i>	GEVES (F)	GEVES, La Minière
<i>Helleborus L.</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Heuchera</i>	Plant Variety Rights Office (UK)	NIAB, Cambridge
<i>Hosta</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Hydranthea L.</i>	GEVES (F)	GEVES, La Minière
<i>Hypericum</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen

Plant species

Contract partner

Testing station

<i>Impatiens</i> New Guinea hybrid	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Impatiens walleriana</i> Hook (veg.)	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Iris</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Ixora</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Kalanchoe</i> 'Adans.	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Kohleria</i>	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Lactuca sativa</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Lavandula Stoechas</i> L.	GEVES (F)	GEVES, La Minière
<i>Lilium</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Lobelia</i> (seed)	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Lonicera</i> L.	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Lycopersicum lycopersicon</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Malus</i> Mill	GEVES (F)	IN RA, Angers
<i>Malus</i> Mill	Bundessortenamt (D)	Bundessortenamt, Wurzen
<i>Malus</i> Mill	Plant Variety Rights Office (UK)	National Fruit Collections, Brogdale
<i>Narcissus cyclamineus</i>	Plant Variety Rights Office (UK)	NIAB, Cambridge
<i>Nemesia</i>	Plant Variety Rights Office (UK)	NIAB, Cambridge
<i>Ocimum basilicum</i>	Bundessortenamt (D)	Bundessortenamt, Bamberg
<i>Oryza sativa</i>	SGSPV (E)	SGSPV, Sevilla
<i>Osteospermum</i> L.	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Pelargonium</i>	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Pentas</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Petroselinum crispum</i>	Bundessortenamt (D)	Bundessortenamt, Bamberg
<i>Petunia</i> L.	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Phalaenopsis</i> Bl.	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Phaseolus coccineus</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Phaseolus vulgaris</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Phlox drumondii</i> (seed)	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Pisum sativum</i>	Bundessortenamt (D)	Bundessortenamt, Rethmar
<i>Pisum sativum</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Prunus armeniaca</i>	GEVES (F)	IN RA, Avignon
<i>Prunus cerasifera</i>	SGSPV (E)	DGA, Zaragoza
<i>Prunus domestica</i>	Bundessortenamt (D)	Bundessortenamt, Marquardt
<i>Prunus insititia</i>	SGSPV (E)	DGA, Zaragoza
<i>Prunus persica</i>	GEVES (F)	INRA, Bordeaux
<i>Prunus persica</i>	SGSPV (E)	DGA, Zaragoza
<i>Pteris/Blechnum</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen

Plant species**Contract partner****Testing station**

<i>Rhaphanus sativus</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Rhipalidopsis</i>	RCA (DK)	
<i>Rhododendron</i> (pot plant)	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Rhododendron simsii</i>	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Ribes uva-crispa</i>	Bundessortenamt (D)	Bundessortenamt, Wurzen
<i>Rosa</i> (cutflower: greenhouse)	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Rosa</i> (garden)	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Rosa</i> (garden)	GEVES (F)	GEVES, La Minière
<i>Rosa</i> (garden)	Plant Variety Rights Office (UK)	NIAB, Cambridge
<i>Rosa</i> (pot plant)	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Rubus idaeus</i>	Bundessortenamt (D)	Bundessortenamt, Wurzen
<i>Saintpaulia ionantha</i> (veg.)	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Salix</i>	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Schefflera</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Sinningia</i>	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Solanum melongena</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Solanum rantonnetii</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Solanum tuberosum</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Solidago</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Spathiphyllum Schott.</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Spathoglottis</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Spinacia oleracea</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Streptocarpus</i>	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Sutera</i>	Bundessortenamt (D)	Bundessortenamt, Hannover
<i>Symphoricarpos</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Tagetes</i>	GEVES (F)	GEVES, La Minière
<i>Tanacetum</i> (seed)	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Triticum aestivum</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Tulipa</i> L.	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Valerianella locusta</i>	GEVES (F)	GEVES, Brion
<i>Verbena</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Vida faba</i>	Raad v/h Kwekersrecht (NL)	CPRO-DLO, Wageningen
<i>Weigelia</i>	GEVES (F)	GEVES, La Minière
<i>lea mays</i>	Bundessortenamt (D)	Bundessortenamt, HaRloch
<i>Zea mays</i>	GEVES (F)	GEVES, La Minière

IMPORTANT MISSIONS

During the year under review, members of staff of the Office carried out a big number of missions abroad. A summary is provided hereafter.

• **17 January 1997**

Copenhagen, Denmark

Meeting with the Danish plant directorate on DUS examination of plant varieties, *Euphorbia* and *Poinsettia*; payment of test reports.

• **22 January 1997**

Zeist, the Netherlands

Meeting at the Dutch Seed Association.

• **31 January 1997**

Essen, Germany

Visit to the International Plant Fair (IPM).

• **3-6 March 1997**

Prague, Czech Republic

UPOV seminar on the protection of plant varieties - Ministry of Agriculture. Lecture on protection of plant varieties under the UPOV Convention.

• **5 March 1997**

Paris, France

Lecture at the Académie d'Agriculture de France.

• **10-13 March 1997**

Cambridge, United Kingdom

UPOV working group on biochemical and molecular techniques and DNA profiling.

• **18-23 March 1997**

Tel Aviv, Israel

Visit to flower show AVIV '97 in Israel and presentation of the Office for the Israeli breeders.

Visit to the DUS trials at the Volcani Centre and breeding companies.

• **29 April 1997**

Geneva, Switzerland

Participation at the extraordinary session of the UPOV Council on the examination of the conformity of the EC regulations with the UPOV Convention.

•21-22 May 1997**Odense, Denmark**

Annual general meeting of the ornamental plants section of the Danish Association of Plant Breeders.

•27-30 May 1997**Alicante/Madrid, Spain**

Visit of the EU agency for the protection of trademarks to discuss items of mutual interest, followed by a visit to the Spanish Ministry of Agriculture to discuss DUS testing in Spain on behalf of the CPVO. Visit of the former INSPV and the testing station in Aranjuez.

•28-30 May 1997**Stockholm, Sweden**

FIS/Assinsel Congress.

•25-26 June 1997**Cambridge, United Kingdom**

Visit to DUS trials of the NIAB in Cambridge and at the Royal National Rose Society in St Albans. Visit to PVRO in Cambridge.

•4 July 1997**Sevilla, Spain**

Attendance at the EU comparative trials on sunflowers followed by a visit to DUS test on sunflower, maize and cotton.

•6-8 July 1997**Naples, Italy**

Presentation at Fleuroselect Convention.

•1-6 September 1997**Svendborg, Denmark**

UPOV technical working party for ornamentals and forest trees.

•8-12 September 1997**Wageningen, the Netherlands**

Participation at the 28th UPOV fruit working party.

•28-29 September 1997**Antibes, France**

Joined the fourth meeting, EU concerted action: EU network for a rose database.

Gap, France

Visit to DUS trials and the Botanical Garden.

•29 September-3 October 1997**Budapest, Hungary**

Presentation of the CPVO.

• **30 September-1 October 1997**

Wageningen, the Netherlands

Opening ceremony of new premises CPRO/DLO.

• **20 October 1997**

Brussels, Belgium

Standing committee on 'Seeds and propagating material for agriculture, horticulture and forestry'.

• **26-28 October 1997**

Geneva, Switzerland

Legal and Administrative Committee (CAJ) meeting of UPOV.

• **2-7 November 1997**

New Delhi, India

Lecture at conference, International Bar Association.

3 November 1997

Brussels, Belgium

Comasso annual meeting.

• **5-8 November 1997**

Aalsmeer, the Netherlands

Presentation of the CPVO at the international flower show.

• **10-18 November 1997**

Montevideo, Uruguay

UPOV technical working party on agricultural crops.

• **24-26 November 1997**

Alicante, Spain

Lecture on PBR at the University of Alicante, visit to OAMI.

• **24-28 November 1997**

Valencia, Spain

Technical working party on vegetables.

• **17-18 December 1997**

Brussels, Belgium

Standing committees on 'Seeds and propagating material for agriculture and forestry' and 'Propagating material for ornamental plants'.

THE OFFICIAL GAZETTE

In 1997 the Office achieved to publish every two months its official gazette. The gazette contains the essential information entered in the Office registers relating to applications received and any consequent grant of protection. In addition, it provides information to ensure that users have a reliable source of knowledge about the legal framework within which the Office operates.

The official gazette is a multilingual publication in all the official languages of the European Union. It is divided into two parts; Part A contains information on individual varieties and Part B information of general interest. The way information is published in Part A follows exactly the set-up recommended by UPOV.

Chapter I contains information about applications for Community plant variety rights received by the Office. A distinction is made between applications filed under Article 116, the so-called 'transitional' regime, and under the 'normal' regime.

Chapter II refers to proposals for variety denominations. An applicant is required to propose a denomination for the variety which must be approved by the Office and which is open to objections by any third person. The user of the official gazette can assume that, in principle, a published proposal for variety denomination has already been subject to a preliminary examination by the Office but not to a definitive decision.

Chapter III is reserved for withdrawals of applications for Community plant variety rights.

Decisions taken by the Office are published in Chapter IV. Chapter V indicates changes of applicants, holders of protection or procedural representatives and Chapter VI lists varieties for which protection has been terminated.

In Part B the Office publishes information on amounts and dates of payment of fees, time limits for objections and appeals, as well as references to test guidelines adopted by the Administrative Council, the list of examination offices and so forth.







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BELGIQUE/BELGIË

Jean De Lannoy
Avenue du Roi 202/Koningslaan 202
B-1190 Bruxelles/Brussel
Tél. (32-2) 538 43 08
Fax (32-2) 538 08 41
E-mail: jean.de.lannoy@infoboard.be
URL: http://www.jean-de-lannoy.be

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Rue de Louvain 40-42/Leuvenseweg 40-42
B-1000 Bruxelles/Brussel
Tél. (32-2) 552 22 11
Fax (32-2) 511 01 84

DANMARK

J. H. Schultz Information A/S

Herstedvang 10-12
DK-2620 Albertslund
Tlf. (45) 43 63 23 00
Fax (45) 43 63 19 69
E-mail: schultz@schultz.dk
URL: http://www.schultz.dk

DEUTSCHLAND

Bundesanzeiger Verlag GmbH

Vertriebsabteilung
Amsterdamer Straße 192
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