

## Thomas, Bernadette - AMS

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**From:** van Zanten, Leo <leo.vanzanten@kws.com>  
**Sent:** Tuesday, July 31, 2012 5:30 AM  
**To:** AMS - PVPOmail; Thomas, Bernadette - AMS  
**Cc:** Oldenkamp, Peter  
**Subject:** Changes to US PVP applications forms

As KWS POTATO B.V., active in potato breeding, we would like to react on the proposal changes at the application for PVP in the US.

-The US PVP Office requests much more information than is recommended by UPOV. Per species the UPOV Guidelines should be followed. As UPOV is the international standard this will also lead to more harmonisation with other UPOV member states. For us the most favourable option would be if the US would be able to take over DUS reports from other UPOV members. This would especially be an advantage for the smaller species (in our situation potato) whereof there are many reference varieties but not all of these are included in the US database. This will save the applicants time and money, will facilitate the work of the PVP Office and will stimulate further international harmonisation.

-At this moment the applicant is asked to give the full pedigree of the variety (form A). This is not considered necessary for the distinctness of the variety. Distinctness can only be assessed by comparing the variety to the most resembling varieties.

-The preparatory activities that are necessary to obtain the information necessary for the new form ST 470 is estimated on about 10 hours after which the filling in of the form takes another 2,5 hours. But often there are additional questions for clarification that require another 3 to 4 hours to answer.

-Asides from form ST 470 also form C will have to be filled in, which is even more time consuming. In order to obtain the necessary information it is required that a separate test is conducted by our company (or by Naktuinbouw) which takes approximately 6 to 10 hours or 1500 euros. In case the PVP Office does not have the comparison variety in its database then also form C needs to be filled in by the applicant for this comparison variety. Especially for the smaller species (in our case potato) the database often does not contain all varieties. The comparison could be facilitated in future if DUS-reports from other UPOV member states could be used for this purpose, which becomes easier since more and more examination offices are publishing their DUS reports publicly on their website. However, comparison will only be possible if variety descriptions follow the same format, which normally would have to be the UPOV Guidelines.

Regards,

- Leo van Zanten -

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