

For use of National Agency only, if necessary

Please be informed that you also have the possibility to submit applications online via the restricted area of the Office's website cpvo.europa.eu

APPLICATION FOR PLANT BREEDERS' RIGHTS AND/OR LISTING

APP_FORM

Mandatory fields or sections are marked with an asterisk ()*

00 . Application type *

00 . 01 . Application type *

Application for plant breeders' right

Application for listing

00 . 02 . Only applicable for vegetable species: breeder's co-trials to be involved in the DUS-testing

no breeder's co-trial

yes, judged by Naktuinbouw (only possible if the breeder's co-trial is located in the Netherlands)

yes, judged by breeder; breeder's co-trial is located in (please specify which country):

00 . 03 . Only applicable for vegetable species: request for 2 DUS-trials in 1 year

Yes

No

00 . 04 . Requests for authorization for the marketing as not yet listed varieties according to 2004/842 EC *

Yes

No

00 . 05 . Only applicable for agricultural maize varieties: DUS testing to be postponed

Yes

No

00 . 06 . Only agricultural species: VCU has been applied

Yes

No

01 . Applicant(s) *

01 . 01 . The applicant is: *

A natural person

A legal entity

01 . 02 . Applicant(s) Name(s) *

Please indicate the official name in full - in case of several applicants, please create a separate section. If there are two or more parties to proceedings acting in common, which have not notified a procedural representative to the Board for plant varieties, the party to the proceedings first named in an application for a Dutch plant variety right shall be deemed to be designated as the procedural representative of the other party or parties to the proceedings for all proceedings before the Board for plant varieties (including surrenders) unless specified to the contrary by the parties to proceedings. In such a case there is no need to provide a procedural representative form.

CPVO user number

Name *

Official address *

Postcode *

City *

Country *

Telephone *

E-mail *

01 . 03 . Is the applicant's correspondence address different from the one indicated above? *

Yes

No

01 . 04 . Correspondence address

Address

Postcode

City

Country

01 . 05 . Indicate the name of the natural person, being an employee of the legal entity, who is duly authorised to represent the legal person (e.g. director of a company or a partner of a firm): *

The natural person duly authorised to represent a legal person should be the person legally entitled to act on behalf of the legal person and whose signature is binding on the legal person.

Name *

Position *

Telephone *

E-mail *

01 . 06 . The maintainer is *

the applicant(s)

the following person(s)

01 . 06.01 . Maintainer *

CPVO user number

Statutory name *

Visiting and postal address *

Postcode *

City *

Country *

Telephone *

E-mail *

01 . 07 . Who should be invoiced? *

the applicant

the following person

01 . 07.01 . Details for the invoice *

CPVO client number *

Statutory name *

Visiting and postal address *

Postcode *

City *

Country *

Telephone *

E-mail *

[<p>Add an applicant</p>](#)

02 . Procedural Representative

02 . 01 . Is there a procedural representative? *

Yes

No

02 . 02 . The procedural representative is: *

A natural person

A legal entity

02 . 03 . Please provide details of the Procedural Representative *

CPVO user number

Name *

Official address *

Postcode *

City *

Country *

Telephone *

E-mail *

02 . 04 . Is the procedural representative correspondence address different from the one indicated above? *

Yes

No

02 . 05 . Address to which all correspondence is to be sent if different from point 02.03

Address

Postcode

City

Country

02 . 06 . Indicate the name of the natural person, being an employee of the legal entity, who is duly authorised to represent the legal entity: *

Name *

Position *

Telephone *

E-mail *

02 . 07 . Designation of procedural representative *

Please attach a designation of a procedural representative (in .pdf format preferably) signed by the applicant(s). We recommend using the template available at : proxy-gb.docx

03 . Botanical taxon *

03 . 01 . Latin name of the genus, species or subspecies to which the variety belongs (if this is an interspecific hybrid, please state the species involved) *

Botanical taxon *

03 . 02 . Common name

Please indicate

04 . Designation of the variety *

04 . 01 . Provisional designation (breeder's reference) for the variety *

There should be consistency of breeder's references amongst registers: the same breeder's reference should be used for all official procedures.

Breeder's reference *

04 . 02.00 . Do you have a denomination proposal for the variety? *

Yes

No

04 . 02.01 . Variety denomination proposal *

Please note that if the formatting of your denomination proposal does not comply with the CPVO Guidelines and their explanatory notes - including the instructions outlined in the help section - it may be adjusted by the Office.

Variety denomination *

04 . 03 . Other designation(s) of the variety such as trade name or trade mark, if any

Other designation(s) may be in use in addition to the variety denomination to commercialize the variety. This information, if known, may help for the organization of the DUS examination.

Please note that where the proposed variety denomination is identical to a trademark, both from yourself or from a third party, specific trademark-related issues may arise, including in relation to the use of the trademark during and after the validity of the national plant variety right. You may therefore wish to consult the applicable trademark framework and/or seek advice from a qualified legal adviser.

Other designation(s)

04 . 04 . Only applicable for ornamental varieties: Denominations submitted or registered by other authorities (KAVB, RHS, Floricode etc.)

Registration authority	Registration number and/or Registration date	Denomination (if different from 04.01)

04 . 05 . The proposed denomination has been filed by or registered for the applicant(s) as a trademark in the country of application, in a UPOV member State or with the World Intellectual Property Organization (WIPO) in respect of products which are identical or similar within the meaning or trademark law.

Country and/or WIPO	Application Date	Registration Date	Registration number

05 . Breeder(s) ***05 . 01 . The original breeder(s) is(are) ***

the applicant(s)

the following person(s)

05 . 02 . Name(s) and address(es) *

CPVO user number

Name *

Address *

Postcode *

City *

Country *

Telephone

E-mail

05 . 03 . If the original breeder(s) is(are) not the applicant(s), how was the variety transferred to the applicant(s)?

contract

succession

employment contract

Please quote the relevant national law

other

Please specify

05 . 04 . Assignment documents (if applicant and original breeder are different persons) ***05 . 05 . Geographical origin of the variety ***

The country in which the variety was bred or discovered and developed: *

The region in which the variety was bred or discovered and developed:

[Add a breeder](#)**06 . Details of all other applications concerning this variety made in a Member State of the EU or in a Member of the International Union for the Protection of New Varieties of Plants (UPOV)**

Please leave this section blank if no other applications concerning this variety have been made.

06 . 01 . Other applications concerning this variety have been made *

Yes, please fill in the table below

No

06 . 02 . Please specify *

Stage of the procedure:

A = application pending

B = application rejected

C = application withdrawn

D = PBR-patented-entered official list

Procedure	Filing country	Filing authority	Application date	Application N°	Variety denomination	Breeder's reference	Stage of the procedure	DUS testing authority if different from filing authority

06 . 02.01 . List of other applications

If more than 5 other applications have been made, you have the possibility to attach a document with the relevant information for all the procedures.

06 . 03 . Request for take over of the DUS-report by the Board for plant varieties *

Yes

Please indicate from which UPOV country:

No

07 . Priority

Please leave this section blank if you do not claim for priority based on a previous application for property right concerning the same applicant (or their predecessor in title) of this variety.

07 . 01 . Is there a claim for priority? *

Yes

Additional comments if appropriate

No

07 . 02 . Priority is now claimed in respect of the earliest application for a property right filed *

in (country) *

on (date of application) *

by (name of applicant) *

under the denomination *

07 . 03 . Priority documents

Copy of the earliest application, certified by the responsible authority, must be received by the Dutch Board within 3 months of the date of application.

08 . Novelty *

This question is relevant for an application for plant breeder's rights. Please fill in No, when you apply for listing. Please be informed that if you were to change disposal declaration later, the Board for plant varieties may call for any necessary information and documentation.

08 . 01 . Has the variety been sold or otherwise exploited within the Netherlands? *

Yes

No

08 . 01.01 . If yes, please indicate date of the first disposal of the variety and the name used *

Date *

Name *

08 . 02 . Has the variety been sold or otherwise exploited outside the Netherlands? *

Yes

No

08 . 02.01 . If yes, please indicate date and country of the first disposal of the variety and the name used *

Date *

Country *

Name *

08 . 03 . Has the variety been disposed of under other circumstances than those mentioned by the breeder or with his consent? *

Yes

Please provide details

No

09 . Attached document(s)

09 . 01 . The following forms or documents are attached to this application

10 . General remark

10 . 01 . Please enter below any additional comment you might have in relation to this application:

Please feel free to add any additional information that could help to process the file in relation to the application. The additional remarks can be linked either to technical, administrative or financial matters.

Your comments

10 . 02 . Request for certified copy *

Yes

No

Attached document(s)

The following forms or documents are attached to this application : please tick the relevant boxes

- Technical questionnaire (original only)
- Technical questionnaire, confidential part (original only)
- Form of designation of a procedural representative
- Documentary evidence of entitlement to file an application
- Priority claim (certified copy of the first application)
- Form "Details of payment"
- Photographs (in case of fruit and ornamental varieties)
- Copy of the relevant written release consent (for GMOs)
- Others, please specify

Remark

DECLARATIONS *

- I (We) hereby apply for the grant of a Community plant variety right.
- Authorisation is hereby given to the Community Plant Variety Office to exchange with the Examination Office and other competent authorities all necessary information and material related to the variety provided that the rights of the applicant are safeguarded.
- I (We) hereby declare that, to the best of my (our) knowledge, the information necessary for the examination of the application, given in this form and the annexes, is accurate and complete.
- I (We) hereby declare that no person other than the person or persons mentioned in this application has been involved in the breeding, or discovery and development, of the variety.

Place

Date

Name

Signature

I/we accept to receive all communication electronically