Community plant variety rights: extension of the term for the species asparagus and the species groups flower bulbs, woody small fruits and woody ornamentals

2021/0019(COD) - 14/09/2021 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 641 votes to 38, with 8 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on the extension of the term of Community plant variety rights for the species asparagus and the species groups flower bulbs, woody small fruits and woody ornamentals.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the Commission's proposal as follows:

Extension of the duration of Community plant variety rights

The proposed Regulation aims to extend the duration of the Community plant variety right under Regulation (EC) No 2100/94 for varieties of the species Asparagus officinalis L. as well as the species groups of flowering bulbs, small fruited woody plants and ornamental woody plants for a **further five years**. This extension will apply to protection granted before, on or after the date of entry into force of the Regulation.

The amended text underlines that the introduction and market uptake of a new variety of the species Asparagus officinalis L. as well as of the species groups of flowering bulbs, small fruited woody plants and ornamental woody plants requires more time for the new variety to become profitable than for other species.

Reduction of the extension

It is also proposed to reduce the duration of the extension for plant varieties for which one or more national plant variety rights have been granted prior to the grant of a Community plant variety right, but to which Article 116(4), fourth indent, of Regulation (EC) No 2100/94 does not apply.