

Community plant variety rights; Community Plant Variety Office

1990/1021(CNS) - 29/03/1993 - Modified legislative proposal

Subject to a few drafting changes, the Commission accepted, in full or in part, 5 of the European Parliament's 10 amendments: -those seeking a marked review of the dependence rules vis--vis the creator of a variety mainly derived from the initial variety; -the amendment seeking to authorise, on the basis of a Community legislative provision, the general principle of Article 53b of the European Patent Convention, under which 'European patents shall not be granted in respect of... plant... varieties'. If, however, the aim is to avoid a cumulation of varietal ownership rights, there is no justification at all for drawing a distinction between patents and right of protection of derived plant varieties that do not come under the Community system; -finally, the amendment on farm-saved seeds, which was accepted in part.