Basic information

2004/0275(CNS) CNS - Consultation procedure Decision	Procedure completed
Protection of new varieties of plants: accession of the Community to the International Convention as revised at Geneva on 19 March 1991 **Subject** 3.10.06 Crop products in general, floriculture 3.50.16 Industrial property, European patent, Community patent, design and pattern	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
AGRI Agriculture and Rural Development	DAUL Joseph (PPE-DE)	20/01/2005

Committee for opinion	Rapporteur for opinion	Appointed
ENVI Environment, Public Health and Food Safety	The committee decided not to give an opinion.	
JURI Legal Affairs	The committee decided not to give an opinion.	03/02/2005

Council of the European Union

Council configuration	Meetings	Date
Agriculture and Fisheries	2662	2005-05-30

European Commission

Commission DG	Commissioner
Health and Food Safety	

Key events

Date	Event	Reference	Summary
16/12/2004	Legislative proposal published	COM(2004)0798	Summary
26/01/2005	Committee referral announced in Parliament		
16/03/2005	Vote in committee		Summary

17/03/2005	Committee report tabled for plenary, 1st reading/single reading	A6-0052/2005	
10/05/2005	Decision by Parliament	T6-0161/2005	Summary
10/05/2005	Results of vote in Parliament		
30/05/2005	Act adopted by Council after consultation of Parliament		
30/05/2005	End of procedure in Parliament		
22/07/2005	Final act published in Official Journal		

Technical information

Procedure reference	2004/0275(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 037 EC Treaty (after Amsterdam) EC 300-p3-a1 EC Treaty (after Amsterdam) EC 300-p2-a2
Stage reached in procedure	Procedure completed
Committee dossier	AGRI/6/25651

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A6-0052/2005	17/03/2005	
Text adopted by Parliament, 1st reading/single reading		T6-0161/2005 OJ C 092 20.04.2006, p. 0018-0060 E	10/05/2005	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2004)0798	16/12/2004	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Decision 2005/0523
OJ L 192 22.07.2005, p. 0063-0077 Summary

Protection of new varieties of plants: accession of the Community to the International Convention as revised at Geneva on 19 March 1991

2004/0275(CNS) - 30/05/2005 - Final act

PURPOSE : to approve the accession of the European Community to the International Convention for the Protection of New Varieties of Plants.

LEGISLATIVE ACT : Council Decision 2005/523/EC approving the accession of the European Community to the International Convention for the Protection of New Varieties of Plants, as revised at Geneva on 19 March 1991.

CONTENT : The International Convention for the Protection of New Varieties of Plants ("the UPOV Convention"), adopted in Geneva on 19 March 1991, makes available to breeders of new plant varieties an exclusive property right, on the basis of a set of uniform and clearly defined principles.

This Decision approves the UPOV Convention on behalf of the Community with regard to matters within its competence.

The main activities UPOV are concerned with promoting international harmonisation and cooperation in the introduction of plant variety protection legislation. Harmonisation is enhanced, firstly, through specific activities undertaken within UPOV leading to recommendations and model agreements and forms and, secondly, through the fact that UPOV serves as a forum to exchange views and share experiences. UPOV has established a detailed set of general principles for the conduct of the examination of plant varieties; their use also extends to national listing and seed certification.

The Community will pay, on a voluntary basis, five contribution units to the UPOV budget with effect from the budgetary period 2005.

Protection of new varieties of plants: accession of the Community to the International Convention as revised at Geneva on 19 March 1991

2004/0275(CNS) - 10/05/2005 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the report by Joseph DAUL (EPP-ED, FR) by 568 votes for, 17 against and 8 abstentions, approving the EC's accession to the International Convention for the Protection of New Varieties of Plants.

Protection of new varieties of plants: accession of the Community to the International Convention as revised at Geneva on 19 March 1991

2004/0275(CNS) - 16/12/2004 - Legislative proposal

CONTENT : to approve the accession of the European Community to the International Convention for the Protection of New Varieties of Plants, as revised at Geneva on 19 March 1991.

PURPOSE : the European Commission states that the accession of the European Community to the UPOV Convention is necessary in order to fully exercise the rights conferred by this Convention to the parties thereto, and also to be recognised as a member of the international society bound by the obligations laid down in this Convention; all citizens of the European Community would enjoy, as a consequence of Community membership, the same treatment including the right of access to variety protection in other UPOV members as are accorded to nationals of such other members; the acceptance of the obligations ensures at the same time the fulfilment of obligations laid down in other international agreements, and in particular those of Article 27 (3) of the WTO-Treaty on Intellectual Property Rights Systems (TRIPS Agreement).

The main activities of the International Union for the Protection of New Varieties of Plants (UPOV) are concerned with promoting international harmonisation and cooperation in the introduction of plant variety protection legislation. Harmonisation is enhanced, firstly, through specific activities undertaken within UPOV leading to recommendations and model agreements and forms and, secondly, through the fact that UPOV serves as a forum to exchange views and share experiences. UPOV has established a detailed set of general principles for the conduct of the examination of plant varieties; their use also extends to national listing and seed certification.

Lastly, it is also important that the Community pays contributions on a voluntary basis, in accordance with the UPOV Convention, taking into account the contributions paid by its Member States: the Community will pay five contribution units to the UPOV annual budget.