

#052

Official DUS Test and Plant Breeders Rights Protection of Winter Oilseed Rape in Germany

Elisabeth Thiemt

Bundessortenamt,
Neustadt, Germany

The Bundessortenamt is an independent federal authority under the supervision of the Federal Ministry of Food and Agriculture. It is responsible for granting of Plant Breeders' Rights, the registration of varieties in the National List and for variety and seed affairs.

The Plant Breeder's Right is an exclusive right. The intellectual property of a clearly defined plant variety can be protected in Germany on the basis of Plant Breeder's Rights Law. This law ensures that the work of breeders is safeguarded by concession of a private protection right and thus it promotes plant breeding. Any breeder of a new plant variety can apply for Plant Breeder's Rights.

A plant variety can be protected, if it is new, distinct, uniform, and stable. DUS testing in Germany and all other countries is based on international harmonized testing guidelines, developed by expert groups in the framework of UPOV and CPVO.

UPOV (International Union for the Protection of New Varieties of Plants) has developed testing guidelines for many species and comprehensive recommendations how to perform DUS tests that are used worldwide.

The CPVO (Community Plant Variety Office) has developed testing protocols to be used within EU. It grants Community Plant Variety Rights valid throughout EU. The Bundessortenamt is an accredited Examination Office of the CPVO for oilseed rape.

For oilseed rape the guidelines CPVO-TP/036/2 and UPOV TG/36/6 Corr. are applied. In these guidelines characteristics are defined that have to be examined in order to test DUS. A variety is considered to be distinct, if the expression of at least one characteristic differs clearly from all other varieties of common knowledge. Uniformity is assessed on the basis of off-types (visual observations) and on the basis of appropriate statistical methods (measurements). A variety is to be considered stable when the expression of its characteristics remains unchanged after repeated propagation. The procedures of DUS testing of winter oilseed rape in Germany are explained in detail.

All participants who are interested to see DUS-testing in the field should consider the visit of our testing station Nossen, part of post conference tour south.

ADDRESS

PLENARY TALKS

ORALS

POSTERS

WORKSHOPS