

Filing application for registration of plant varieties with PPV Authority

M. Elangovan

Senior Scientist, Directorate of Sorghum Research (DSR), Rajendranagar, Hyderabad 500030 (AP)

In this chapter the section and point wise detailed notes are provided to help all aiming to seek protection for their crop varieties and hybrids, which will guide for clearer understanding of the provisions to facilitate filing of application with PPV & FR Authority. In addition three examples in the form of filled in forms for the crops: sorghum, rice and maize are given as ready reckoner.

In order to get protection for the plant varieties the farmer or breeder or research organization or a seed company has to submit the duly filled in application along with all the required relevant documents as listed below:

- (a) Complete application
- (b) Endorsement in Annexure 1 in the case of farmers' variety (vide column 1, if applicable)
- (c) Document of authorization in Form PV-1 (if applicable)
- (d) Document of assignment in Form PV-2 (if applicable)
- (e) Documents in support of (b) and (d) as given above. (If applicable)
- (f) Affidavit that the Terminator Technology and the Genetic Use Restriction Technology is not involved
- (g) Copy of document on filing date (vide column 8A, if applicable)
- (h) Copy of letter of agreement (vide column 10A, if applicable)
- (i) Technical Questionnaire for the Candidate variety (attached)
- (j) If the applicants by virtue of succession or an assignment of the right to apply for registration attach a proof to show the right to application as stipulated in sub-section (3) of section 18 of the Protection of Plant Varieties and Farmers' Rights Authority, 2001
- (k) In case of Convention Country applicant attach complete details on the variation in the important trait with respect to first filing as enclosure
- (l) In case of Convention Country applicant provide information whether the variety has been sold or otherwise disposed of within or outside the convention Country with details thereof
- (m) In case of transgenic relevant Genetic Engineering Approval Committee clearances and approvals and
- (n) Fees as applicable

FORM 1

[See regulation 10]

APPLICATION FOR REGISTRATION OF NEW VARIETY, EXTANT VARIETY AND FARMER'S VARIETY UNDER PROTECTION OF PLANT VARIETY AND FARMERS' RIGHTS ACT, 2001.

[See section 18, other than essentially derived variety.]

(Instruction to applicant: Wherever a box item appears against queries, please tick the relevant box and provide legibly written/typed response in other queries.)

1. Identity of the Applicant(s):

- INDIVIDUAL BREEDER
- SUCCESSOR OF BREEDER
- INSTITUTIONAL APPLICANT
- FARMER¹
- COMMUNITY OF FARMERS¹
- GROUP OF FARMERS¹
- ASSIGNEE OF ANY OF ABOVE²
- CONVENTION COUNTRY³
- ANY OTHER⁴

Notes: In this section √ the category under which the application is submitted such as individual breeder who has bred the variety independently without any affiliation to any organization or may be by his successor or any independent private institution working on its own or by a farmer who has bred his variety or a hybrid independently or community of farmers engaged in collective endeavor in developing a new hybrid or a variety or group of farmers or assignee of all above categories, or a convention country where India enjoys such mutual privileges (see rule 31 of the Act) of plant variety protection accompanied by enclosures or the attachments (where ever applicable) as given below:

1. Application on farmers' variety by farmers or community of farmers or group of farmers as contained in the Protection of Plant Varieties and Farmers' Rights Act, 2001 shall be submitted only with an endorsement in Annexure 1 either by the concerned Panchayat Biodiversity Management Committee, or District Agricultural Officer, or Director of Research of concerned State Agricultural University or District Tribal Development Officer.
2. An assignee or legal representative applicant shall submit required proof of the right of making the application in accordance with rule 27.
3. The Gazette Notification of Government of India should cover the country of the applicant and that India enjoys such mutual privileges (see rule 31 of the Act)
4. For material developed by participatory plant breeding, attach documents to explicitly show the deal struck between the farmer and the plant breeder

2. Name(s) and Nationality of Applicant(s)

(a.) (If natural person): [Insert additional rows, if required]

1. Serial Number.
2. Name³
3. Complete Address
4. Nationality

Notes: In jurisprudence, a natural person is a human being perceptible through the senses and subject to physical laws, as opposed to an artificial person, i.e., an organization that the law treats for some purposes as if it were a person distinct from its members or owner. Hence he doesn't own the material for which he is making the application for plant variety protection, but he is only a representative of the farmers or the community of the farmers. Therefore, as required here, the applicant thus authorized has to abide by following stipulation: 3 If the applicant is the authorized representative of a group of farmers/community of farmers an authorization in Form PV-1 signed by all members of the group, or by the Head/office bearer of the community witnessed by the two people, if the identity of the applicant is "Community of farmers" shall be attached.

(b.) (If a legal person; for example a firm or company or institution)

Name:

Address of its seat or establishment:

Year of Incorporation:

State whether the applicant legal person has non-Indian participation in capital or management:

Yes

No

If yes, identify the nationality

Notes: A legal person is an artificial entity through which the law allows a group of natural persons to act as if it were a single composite individual for certain purposes. This legal fiction does not mean these entities are human beings, but rather means that the law recognizes them and allows them to act as natural persons for some purposes—most commonly lawsuits, property ownership, and contracts. The concept goes by many names, including corporate personhood. Although the concept of a legal person is more central to Western law, particularly common law and civil law countries, it is also found in virtually every legal system.

In the case of ICAR or State Agricultural Universities, firm or a company a central nodal person designated as a legal person be named and his name and address be filled under (b). Mention the year of incorporation and also whether the legal person (company/firm/organization) has any non-Indian share/capital or participation in the management is there. Tick the appropriate boxes as yes or no. If there is no non-Indian participation, tick the box as "No". if there is non-Indian participation, mention the nationality of non-Indian entity which has a capital share or non-Indian participation.

For example, In case of seed company "Emergent genetics": non-Indian participation is "Monsanto" or in case of Syngenta India Ltd., it is "Syngenta AG Switzerland".

(c.) Indicate the name and address of the natural person, being an employee of the legal person, who is duly authorized to represent the legal person (example a director of a company or a partner of a firm):

Name: _____
Designation: _____
Address: _____
Pin: _____
Telephone: _____
Fax: _____
E-mail: _____

Notes: Write here the name, designation, address and telephone/fax details of the natural person-who in fact is an employee of the organization that has submitted the application (legal person). For example: If "Monsanto" is the legal person its PVP and patent manager will be the natural person. In case of ICAR, if ICAR is the legal person, designate/nominated director of the institute will be the natural person. In case of state Agricultural University, University is the legal person and Director of Research or any other nominated employee will be the natural person.

3. Name and Address of the Person to whom Correspondence related to this application is to be sent: (Attach authorization in Form-PV-1, if required)

Name
Address
Pin
Telephone:
Fax:
E-mail

Notes: In this section provide the name address of the person to whom the correspondence from the authority should be addressed with regard to the issues about the application. The person may be designated or nominated Director of the concerned crop institute in case of ICAR or any nominated person in case of SAU's. In case of private seed companies, the natural person can also act as the person handling all the correspondence or the company may appoint a lawyer who will handle all the related correspondence. In all the cases the authorization in Form-PV-1 (to be issued by the legal person- ICAR, SAU or a seed company or farmer or community) is required if someone else as indicated is authorized to handle the correspondence on behalf of the legal person.

4. General Information of the Candidate Variety:

Common name of the Crop:
Botanical name:
Family:
Denomination (in block letters):

⁴ Botanical names mean the scientific name approved by the International Code for Nomenclature of Cultivated Plants, 2004.

5. Type of Variety (see chapter III of the Protection of Plant Varieties and Farmers' Rights Authority, 2003)

- NEW VARIETY
 EXTANT VARIETY
 FARMERS' VARIETY

Notes: In this section tick here the appropriate box the protection sought for a hybrid or a variety is a new variety (varieties newly developed either by scientist, breeders or others including farmers), extant variety (A plant variety, which is currently under cultivation, and includes improved variety released by the public or private research institutions, farmers' varieties and any other varieties in public domain) or farmers' variety (A plant variety, which is either developed by a farmer or community of farmers or conserved by them for long period) as per the definitions given in chapter III of the PPV and FR authority, 2003.

6.(a.) Classification of the Candidate Variety:

- TYPICAL VARIETY⁵
 HYBRID VARIETY*
 TRANSGENIC
 OTHER (SPECIFY)

5. Typical variety means a variety, which is not a hybrid or an essentially derived variety and normally propagated by using propagated saved from previous crop production cycles (Example: pure lines including parental lines/composite varieties or vegetative propagated varieties).

* The hybrid and not a transgenic hybrid. In case of transgenic attach copy of the Genetic Engineering Approval Committee clearances for cultivation and seed productions

Notes: In this section tick here the appropriate box the protection sought for a hybrid or a variety is a Typical variety (variety, which is not a hybrid or an essentially derived variety and normally propagated by using propagules saved from previous crop production cycles Example: pure lines including parental lines/composite varieties or vegetative propagated varieties), Hybrid variety (Refers to immediate offspring of cross between two parental varieties. In some cases hybrids perform superior than the best parental variety, but it is not a transgenic) or Transgenic (A hybrid evolved by introducing a new gene system in a plant variety or marker assisted) or other variety (Folk variety, Essential derived variety etc)

(b) What is (are) the Distinctness Uniformity Stability feature on the basis of which registration is sought. Explain in detail the group characters (see specific guidelines for details). Attach 'Technical Questionnaire' sheet with all needed details duly signed with seal.

Notes: In this section provide the salient preferred group characteristics (For example: As in case of Maize Ear character: anthocyanin colouration of silks and the dark purple colouration of silks or As in case of Rice Decorticated grain shape (Long slender shape etc.) specific to the hybrid or a variety), Distinctness Uniformity Stability features and Grouping characters. Also attach 'Technical Questionnaire sheet giving detailed aspects of DUS.

(c) If new variety is a transgenic attach clearance on Bio-safety from Ministry of Environment and Forests.

Notes: If protection is sought for new variety which is a transgenic you need to attach clearance on Bio-safety from Ministry of Environment and Forests. If it is not a transgenic, then write here as "Not applicable"

7. Names and Addresses of Breeder(s) who has/have bred the Candidate Variety⁶:

(i) Name:
Address:
Telephone:
Fax:
E-mail:
Nationality:

⁶ In case of more than one breeder mention all names as (ii), (iii) and so on in the above format. If required insert extra page. In the case the variety is evolved and conserved 'by group or community of farmers', it shall be endorsed in Annexure I.

Notes: Please mention here the name, address, telephone, fax, e-mail and nationality details of all the breeders involved in breeding the candidate variety for which the protection is sought, if the variety or a hybrid belongs to ICAR or SAU's or any public institution. If the variety for which protection is sought belongs to farmers or community, the application should accompany endorsed Annexure I duly signed by the endorsing official. If it is a proprietary hybrid of a seed company, then name of the breeder will be the name of the company which has bred the variety, the telephone, fax and e-mail ID of natural person (who is the legal employee of that company and is authorized to represent the legal person) be written.

8. (a.) Details of all other earlier applications made on the candidate variety in convention countries or other countries (if applicable):

Variety denomination: _____
 Nature of right applied for: Plant Breeder's Rights Patent Filing Date
 (Attach evidence): _____
 Name of Country: _____
 Name of Authority: _____
 Application Number: _____
 Status of Application: Under process Approved Rejected
 (If required, repeat the above for each applicable country and attach separate sheet)

Notes: Here you need provide the details if an application has been already submitted in a convention country for plant variety protection, where India enjoys such mutual privileges (see rule 31 of the Act) of plant variety protection. The details regarding denomination of a variety, nature of right applied for, date of filing the application, name of the convention country, name of the authority to which application has been submitted in a convention country, the application number and the status (whether under process, approved or rejected) should be mentioned. If the application for protection for the same denomination has been submitted in several of the convention countries, then one needs to provide similar details in respect of each of the applications made as explained above. If no application is made write as "Not applicable"

(b.) Priority is now claimed in respect of the earliest application for a candidate variety of said denomination (if applicable):

In (country): _____
 On (date of application): _____

Notes: Here you need provide the details if you are claiming priority for earliest application submitted for a candidate variety, then provide information (name of the country) on the application already submitted in a convention country for plant variety protection, where India enjoys such mutual privileges (see rule 31 of the Act) of plant variety protection, and the date of filing the application. If no priority is claimed, write as "Not applicable"

9. Has the candidate variety been commercialized or otherwise exploited?

Yes No

If yes, please indicate the following:

Date of the first sale of the variety: (dd/mm/yyyy)

Country (ies) where Protection is made:

Denomination used

Trademark used, if any:

Variation in important trait with Respect to first filing: **(attach sheet)**

Notes: Here you need to provide information on whether the candidate variety for which protection is sought is already commercialized or sold? Or otherwise it is exploited? If being exploited, mention what for? The explanation could be- the candidate variety has been exploited for hybrid production. If yes, then provide information on date of first sale of variety if already sold in market, countries where the protection is sought, denomination of the candidate variety, trademark used and variation in important traits with respect to first filing of the application. If it is not sold, write that it is not sold. If no protection is sought for the candidate variety, then write: "not applicable, If there is no trademark (brand name of variety) under which it is sold" write as "not applicable"

10.(a.) If the candidate variety is a hybrid, state whether all the parental lines required for the repeated propagation of the hybrid are bred exclusively by the applicant(s):

Yes No⁷

⁷If no, mention which of the parental line is outsourced, whether letter of agreement is obtained for each of the outsourced protected parental lines in compliance with Section 30 of the Protection of the Plant Varieties and Farmers' Rights Act and also provide following information on each of them:

Parental line (S): Denomination⁸:

Source:

Authorization letter obtained: Attached Not attached

Denomination should not be altered from what was used at the source. Information on source may include name of breeder or institution or farmer or farming community who had bred and maintained the parental line. Repeat above information for additional applicable parental line.

Notes: Here you need to provide information on whether the candidate variety which is a hybrid for which protection is sought is bred through your exclusively developed proprietary parental lines? Then provide their names or denominations of both male and female lines. If no, mention which of the parental line is outsourced, whether letter of agreement is obtained for each of the outsourced protected parental lines in compliance with Section 30 of the Protection of the Plant Varieties and Farmers' Rights Act and also provide following information on each of them. Denomination should not be altered from what was used at the source. Information on source may include name of breeder or institution or farmer or farming community who had bred and maintained the parental line. Repeat above information for additional applicable parental line.

(b.) State if any Farmers' Variety or Variety of Common Knowledge or variety in public domain is used as parental line for the repeated propagation of the hybrid:

Yes No

If yes, give following details:
Denomination:
Geographical Source:
Details of Attribution (origin):
Details of owner farmer /village community/ Institution/ Organisation:

Notes: Here you need to state whether you have used any farmer's variety or variety of common knowledge or variety in the public domain as the parental lines. If yes, then provide information on their denomination, geographical source, Details of Attribution (origin), Details of owner farmer/ village community/ Institution/ Organization. If your answer is no, write as "not applicable"

(c.) The Protection of Plant Varieties and Farmers' Rights Act, 2001 provides access to benefit sharing to farmers who have conserved the genetic resource that has contributed towards variety development. In this particular case what sort of farmer/community recognition the Applicant has planned?

Notes: Benefit sharing means sharing of whatever accruing from utilization of biological resources, community knowledge, technologies, innovations or practices. Benefit Sharing is applicable to the biological resource and traditional knowledge conserved by communities. Whenever a party outside the community accesses these resources and commercializes them with or without value addition or innovation, an equitable part of the benefit gained by the party is to be shared with the community. Like communities, it is applicable to individuals too. The Protection of Plant Varieties and Farmers' Rights Act, 2001 provides access to benefit sharing to farmers who have conserved the genetic resource that has contributed towards variety development. In this particular case, if you have used any farmer's variety or variety of common knowledge or variety in the public domain as the parental lines for hybrid development, then you have to clearly indicate as to what sort of farmer/community recognition the Applicant has planned.

11. In case exotic germplasm was used in the derivation of the variety or hybrid, give details:

Notes: Benefit sharing means sharing of whatever accruing from utilization of biological resources, community knowledge, technologies, innovations or practices. Benefit Sharing is applicable to the biological resource and traditional knowledge conserved by communities. Whenever a party outside the community accesses these resources and commercializes them with or without value addition or innovation, an equitable part of the benefit gained by the party is to be shared with the community. Like communities, it is applicable to individuals too. The Protection of Plant Varieties and Farmers' Rights Act, 2001 provides access to benefit sharing to farmers who have conserved the genetic resource that has contributed towards variety development. In this particular case, if you have used any farmer's variety or variety of common knowledge or variety in the public domain as the parental lines for hybrid development, then you have to clearly indicate as to what sort of farmer/community recognition the Applicant has planned.

12. Details on the payment of application fee and Distinctness Uniformity Stability testing fee⁹: (To be decided)

Stability testing fee⁹:

Amount of fee: Rupees 200/-(Rupees...Two hundred only.)

Demand Draft Number and date:

Name of Bank and branch in which the Demand Draft is drawn: -----

⁹ Applications from farmers, group of farmers and community of farmers submitted in accordance with the authentication specified under column 1 of this application are exempted from payment of Distinctness Uniformity Stability testing fee.

(Signature of the Applicant)

DECLARATIONS

I/We hereby apply for the grant of registration of the candidate variety with the above said denomination and I/we am are conversant with the Protection of Plant Varieties and Farmers' Rights Act, 2001 and Rules thereof related to this application.

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 or development of the candidate variety.

I/We hereby declare that the candidate variety complies with the sub- section (3) of section 29 of Protection of Plant Varieties and Farmers Rights Act, 2001.

I/We hereby declare that I/we have not applied for or received a trademark for the said denomination of the variety.

I/We hereby attach an affidavit in compliance with clause (C) of sub- section (1) of section 18 of Protection of Plant Varieties and Farmers' Rights Act, 2001.

I/We hereby declare that the information given in this application for the registration of the above said candidate variety, including annexure and all supporting documents are complete, true and correct to the best of my/our knowledge, information and belief and no information has been willfully concealed.

I/We hereby declare that I/We shall abide by all the provisions and guidelines of Protection of Plant Varieties and Farmers' Rights Act, 2001.

Place:

Date:

Signature of Applicants

Seal

¹⁰Wherever the applicants are more than one person each applicant has to sign. In the case of authorized application or application by assignees, such person(s) authorized or assigned shall sign

Following are the attachments (duly signed/seal) submitted along with of the application (note that wherever signature is affixed in the application or attachments, all such signatures shall be in the original):

- (a) complete application;
- (b) endorsement in Annexure 1 in the case of farmers' variety (vide column 1, if applicable);
- (c) document of authorization in Form PV-1 (if applicable) ;
- (d) document of assignment in Form PV-2 (if applicable);
- (e) documents in support of (b) and (d) as given above. (If applicable);
- (f) Affidavit that the Terminator Technology and the Genetic Use Restriction Technology is not involved;
- (g) copy of document on filing date (vide column 8A, if applicable);
- (h) copy of letter of agreement (vide column 10A, if applicable);
- (i) technical Questionnaire for the Candidate variety (attached);
- (j) if the applicants by virtue of succession or an assignment of the right to apply for registration attach a proof to show the right to application as stipulated in sub –section (3) of section 18 of the Protection of Plant Varieties and Farmers' Rights Authority, 2001;
- (k) in case of Convention Country applicant attach complete details on the variation in the important trait with respect to first filing as enclosure;
- (l) in case of Convention Country applicant provide information whether the variety has been sold or otherwise disposed of within or outside the convention Country with details thereof;
- (m) in case of transgenic relevant Genetic Engineering Approval Committee clearances and approvals; and
- (n) Fees as applicable;

If felt necessary attach colour pictures of specific characteristics used for establishing distinctness. Please sign each page of the application and other document on the left margin.

ANNEXURE 1

Endorsement of application for registration of farmers' variety under Protection of Plant Varieties and Farmers' Rights Act, 2001

1. Name(s) of applicant farmer/ Group of farmers/Community of farmers

Serial Number	Name with surname/Name of Group/Name of Community	Permanent Address

2. Denomination of the candidate variety: _____

3a. (Applicable to individual farmer applicant)

I hereby declare that I have been a permanent cultivator since last many years in the village falling under the local body/Panchayat(s) in the District of State and that I and my family are the initial and exclusive developers and conservers of the candidate variety denominated as, under the kind..... (Common name of crop) to the botanical species

3b. (Applicable to group/community of farmers applicant) We hereby declare that we have been the permanent cultivators since last many years in the village(s) falling under the local body/ Panchayat(s) in theDistrict(s) of.State(s) and that we are the initial and exclusive developers and continuous conservers of the candidate variety denominated as under the kind. (Common name of crop) belonging to the botanical species We on behalf of our group/community hereby authorize..... s/o..... (Name), who is a member of our group/community and permanent resident of (Complete postal address) to do the needful and be the signatory on our behalf for the limited purpose of securing registration of the candidate variety in our favour under Protection of Plant Varieties & Farmers' Rights Act, 2001.

Dated.....

Place.....

Signature and Name of the Farmer or
Authorized person of Group/Community
(To be signed before the endorsing official)

It is hereby certified that the above said candidate variety is bred / developed and continuously conserved and cultivated only by the applicant farmer / group of farmers / community of farmers who is / are permanent residents of above said village(s) and I am fully conversant with the applicant farmer / group or community of farmers and that the candidate variety is due to their efforts (strike out unwanted words given as options).

Date
Place

Signature
Name

(Chairperson / Secretary of the Concerned Panchayat Biodiversity Management Committee
OR Concerned District Agricultural Officer OR Director of Research Concerned State
Agricultural Universities OR Concerned District Tribal Development Office.
(With Official Rubber Stamp))

Technical Questionnaire

1. Name of the Applicant/breeder/company: -
2. Year of Establishment: -
3. If registered company under Company's Act 1956 (Give details): -
4. Location of corporate office and address: -
5. Tel/fax/e-mail: -
6. Name of candidate variety:-

(a) Has it been released in any Convention Country earlier

Yes No

If yes give complete details in column number 13

(b) Pedigree/genealogy: -

(Include schematic diagram giving details of varieties, lines, or clones used in the breeding of candidate variety).

(c) Breeding of Candidate Variety

(i) Origination (Tick the correct one)

Controlled pollination / open pollination / induced mutation / spontaneous mutation / introduction / selection / seedling selection / any other (specify)

(ii) Parental material (name of the parental material, characteristics of the parental material, distinguishable from the candidate variety). If the variety was developed by selection, then the number of selection cycles completed before fixing it.

Characteristics	Male line	Female line

(iii) Breeding technique/procedure used

iv) Selection criteria used

(v) Stage of selection and multiplication

(vi) Location where breeding was conducted

7. Particulars of comparative trial conducted by the applicant, if any.

Information on the location, place, period and year/month of comparative trial conducted method of cultivation such as open field, facilities, planting, potting etc., scale of cultivation, reference varieties used, criteria for choice of the reference varieties, design of experiment, method of analysis of variance experimental error where applicable, and other details.

NOTE: Applicant may, furnish data, tables, copy (ies) of publication(s) related to the details of breeding, comparative trial and comparative data in addition to table of characteristics of candidate and reference varieties. This information provided under this item will not be published by the Authority but will be used to facilitate examination of candidate variety.

8. Characteristics of the candidate variety

Please describe characteristics of the variety in the subheadings: Plant, Stem, Leaf, Inflorescence, Flower and flower parts, Fruit and fruit parts, Seed etc. Describe characters within subheadings generally in the following order: habit, height, length, width, size, shape, colour (RHS colour chart reference with edition). Refer the specific guideline wherever necessary for clarity of description.

(a)(i) Give group characters

(a)(ii) Distinguishing characteristics (descriptive or elaborate)

(b) Table of characteristics between candidate denomination and reference variety

Please give replicated values for all of its distinguishing and other description for important characteristics along with the corresponding average values of the references varieties.

NOTE: Two or more reference varieties should be compared with the candidate variety in the characteristics table, including one deemed to be the most similar variety and other(s) as obvious/similar as possible. If you provide this information it will facilitate the Authority in their DUS test further in examination of the candidate variety.

9. Characteristics of the reference varieties

(a) Most similar variety

- (i) Denomination
- (ii) Basis of choice of this variety for comparison
- (iii) Distinguishable Characteristics

(b) Other reference variety

- (i) Denomination
- (ii) Basis of choice of this variety for comparison
- (iii) Distinguishable Characteristics

10. Statement of distinctness of candidate variety

Please give a distinctness statement covering a brief summary of the characteristics that distinguish the candidate variety from all varieties of common knowledge. The distinctness statement should include, (i) names of reference variety (ies) that have been observed most similar to the candidate variety, and (ii) salient comparison for major distinguishing characteristics between the candidate variety and the similar/reference variety (ies).

Characteristics	Candidate variety	Reference variety

11. Statement on uniformity and stability of candidate variety

Please give a brief statement describing any variation in the variety that may be regarded as part of its normal uniform or stable expression, which is predictable, capable of being described in clear terms and commercially acceptable. This should include description and frequency of any off-types, variants or mutations. In your opinion what should be the frequency of off types or any other describable variation beyond which the candidate variety shall be deemed to be non-uniform. Also please point out which are the traits that may be particularly referred to as indicators to determine an unstable expression of the phenotype of candidate variety.

12. Methods for maintaining the candidate variety

Please provide in a brief statement as to how the propagating material will be maintained throughout the duration of the plant breeder's right, and complete address where the variety will be maintained. This should include status of varieties that are not propagated by seeds including place and method of maintenance and storage of their vegetative material.

NOTE: The holder of a plant breeder's right is responsible for ensuring that propagating material representative of the variety is maintained for the duration of the right.

13. Information on variety registered in Convention Countries.

- a. What were the grouping characters in that application for this candidate variety?
- b. What was the Distinctness Uniformity and Stability parameter on which it was registered?
- c. What is the variation in important trait with respect to first filing and the present one (Attach photograph)?
- d. Has the Variety been withdrawn in the first filed country from cultivation or banned or from any of the subsequently released country?
- e. If so, the reasons (supplement with information)?

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 or development of this denomination.

Date _____
Signature of Witness and Address _____

Signature

Designation of the Breeder/Company with seal

The breeder/company should sign with date each page of the Technical Questionnaire.

[No. _____]

(_____)