



Plant Varieties Act 1997

1997 CHAPTER 66

PART I

PLANT VARIETIES

Naming of protected varieties

18 Selection and registration of names.

- (1) The Ministers may by regulations—
- (a) make provision for the selection of names for varieties which are the subject of applications for the grant of plant breeders' rights,
 - (b) make provision about change of name in relation to varieties in respect of which plant breeders' rights have been granted, and
 - (c) make provision for the keeping of a register of the names of varieties in respect of which plant breeders' rights have been granted.
- (2) Regulations under subsection (1) above may, in particular—
- (a) make provision enabling the Controller to require an applicant for the grant of plant breeders' rights to select a name for the variety to which the application relates,
 - (b) make provision enabling the Controller to require the holder of plant breeders' rights to select a different name for the protected variety,
 - (c) prescribe classes of variety for the purposes of the regulations,
 - (d) prescribe grounds on which the registration of a proposed name may be refused,
 - (e) prescribe the circumstances in which representations may be made regarding any decision as to the name to be registered in respect of any variety,
 - (f) make provision enabling the Controller—
 - (i) to refuse an application for the grant of plant breeders' rights, or
 - (ii) to terminate the period for which a grant of plant breeders' rights has effect,

Status: Point in time view as at 08/05/1998.

Changes to legislation: There are currently no known outstanding effects for the Plant Varieties Act 1997, Section 18. (See end of Document for details)

- if the applicant or holder fails to comply with a requirement imposed under the regulations,
- (g) make provision for the publication or service of notices of decisions which the Controller proposes to take, and
 - (h) prescribe the times at which, and the circumstances in which, the register may be inspected by members of the public.
- (3) The Controller shall publish notice of all entries made in the register, including alterations, corrections and erasures—
- (a) in the gazette, and
 - (b) in such other manner as appears to the Controller to be convenient for the publication of these to all concerned.
- (4) For the purposes of subsection (1) above, the variety in respect of which plant breeders' rights are granted is the protected variety.

Status:

Point in time view as at 08/05/1998.

Changes to legislation:

There are currently no known outstanding effects for the Plant Varieties Act 1997, Section 18.