Plant Breeders’ Rights

Outreach and Education

Growing for the World/ Une Croissance Axée sur le Monde
NEW WEBSITE LAUNCHED

New website launched to help stakeholders adapt to updated Plant Breeders’ Rights

A new website has been launched to provide a one-stop source of information for the crop value chain on the new Plant Breeders’ Rights environment.

As of February 27, 2015, all new varieties submitted for Plant Breeders’ Rights (PBR) are protected under Canada’s new Plant Breeders’ Rights legislation. “More than 22 years after signing the most recent convention of the Union for the Protection of New Plant Varieties (UPOV), Canada’s legislation finally conforms to the UPOV 1991 convention,” said Dave Baute, President of the Canadian Seed Trade Association (CSTA). “Canada is finally in line with the rest of the world. This opens the door...
CERTIFICATION MARK AND GUIDE
### Understanding the changes and your obligations

<table>
<thead>
<tr>
<th></th>
<th>New varieties protected by PBR after Feb. 27/25</th>
<th>Varieties protected by PBR before Feb. 27/25</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Expanded Breeders' Rights</strong></td>
<td></td>
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<tr>
<td>Do the breeders' rights have implications for the entire crop value chain?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td><strong>Farmers' Privilege</strong></td>
<td></td>
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<tr>
<td>Is the ability to save PBR protected seed for use on a farmer's holdings entrenched in legislation?</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td><strong>New Seed Conditioners' and Grain Buyers' Responsibilities</strong></td>
<td></td>
<td></td>
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<tr>
<td>Can seed conditioners and buyers of harvested material (grain) be liable for PBR infringements?</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

For more details about how the new PBR legislation affects you, visit: [PBRfacts.ca](http://www.PBRfacts.ca)
### FAST FACTS

**Plant Breeders’ Rights Fast Facts**

#### Understanding the changes and your obligations

As of February 27, 2015, all new PBR-protected varieties will be protected under the new legislation that conforms to the UPOV 1991 convention, bringing Canada in line with the rest of the world, and opening opportunities for increased investment to make new varieties available to Canadian farmers. It brings opportunity, but it also brings new obligations for the value chain.

<table>
<thead>
<tr>
<th>Are all varieties protected under the same Plant Breeders’ Rights (PBR) Act?</th>
<th>As of February 27, 2015, all new varieties submitted for PBR are protected under the new legislation. These varieties carry the PBR symbol.</th>
<th>All varieties granted protection under the PBR prior to February 27, 2015, continue under the original Act. These varieties carry the original PBR symbol.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Breeders’ rights</td>
<td>Breeders’ rights are now expanded under the new PBR Act. Authorization from the breeder is required to produce, reproduce, sell, clean/condition, stock, import, or export seed of PBR-protected varieties.</td>
<td>Authorization from the breeder is required to sell or produce for sale seed of PBR-protected varieties.</td>
</tr>
<tr>
<td>What are breeders’ rights?</td>
<td>Yes, if seed was obtained and used illegally or without the authorization of the breeder, the breeder can choose to seek compensation, including for lost royalty revenue, lost markets, and for court costs on delivered grain produced from that seed.</td>
<td>No</td>
</tr>
<tr>
<td>Can breeders be compensated on harvested grain?</td>
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</tbody>
</table>
Crop Varieties Registered in Canada and Plant Breeders’ Rights Status

Welcome to the CSTA’s new database. This database was created with the assistance of the Canadian Food Inspection’s Variety Registration Office, and the Plant Breeders’ Rights (PBR) Office.

The intent is to assist stakeholders along the value chain to easily identify PBR protection on crop varieties registered for sale in Canada.

Users can search by crop kind; variety name and by the type of PBR protection but using the search boxes below.

We have chosen to identify the type of PBR protection with certification marks.

- Protected under PBR legislation that complies with UPOV 1978
- Protected under PBR legislation that complies with UPOV 1991

Note that if PBR was applied for after February 27, under the new Act, they have provisional protection, so only the 91 mark is used. If they applied before February 27, but have not yet been granted, we use the 91 mark with pending because they don’t have provisional protection, but they will be protected under PBR 91.

‘Please note, under both UPOV’78 and UPOV’91, parental lines of a hybrid variety can be protected, which results in the extension of PBR protection to the hybrid cross. As such, hybrid varieties of certain crop kinds, such as canola, may be protected under either UPOV’78 or UPOV’91 and this information will not appear in the database. For all hybrids, we recommend that you contact the Canadian representative directly to ascertain the status of intellectual property on that variety.

Crop Kind | All ▼ | Variety Name | PBR Protection | All ▼ | Submit

View full database.

For information about the benefits and obligations associated with Plant Breeders’ Rights protection visit www.PBRfacts.ca
CREATING AWARENESS THROUGH MEDIA

News Release

Canada takes place on world stage with ratification of UPOV 91 Convention

Ottawa, January 25 – The ratification of UPOV 91 Convention in Canada is a milestone in the country's commitment to protect farmers' rights and promote innovation. This important step will enable Canada to take part in the global effort to protect and promote farmers' rights and innovation.

Industry celebrates passage of act to protect plant breeders' rights

27 February, 2015 – Winnipeg, MB – Agriculture Minister Gerry Ritz received Royal Assent. The Agricultural Growth Act will modernize Canada's plant breeders' rights legislation.

Farmers benefit from new legislation that strengthens agricultural innovation.

This new legislation strengthens agricultural innovation in Canada. It provides farmers with a stronger framework to protect their intellectual property and encourage investment in new plant varieties.

CANADIAN BEET TRADE ASSOCIATION

newsroom@canadianbeitrade.com

CANADIAN BEET TRADE ASSOCIATION

NEWS RELEASE

"Plant Breeders Rights: Changing the landscape"

"Canadians have a long history of innovation in agriculture," said Minster Ritz. "This legislation is a significant step forward in protecting their intellectual property and encouraging further investment in agricultural innovation."
• Stakeholders need to be aware of NEW obligations
NEXT STEPS: HELP US SPREAD THE WORD

- Update PBR database and include alerts in Trade Winds
- pbrfacts.ca 6 months old - review and update content
- Camera-ready artwork is available for members’ use
- Create a “slide rocket” of the PBR PowerPoint and post on website
- Reach out to stakeholders for their ideas on raising awareness
- Continue media activities – interviews and story pitches
- Member education at CSTA meetings, through webinars
Plant Breeders’ Rights

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