

## PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS RULES, 2003.

T—33004/99 REGD. NO. D. L-330W99 Che Gazette of India 445 2. PART (i) BY Atm-lenny 12, 21, 1925 NEW DEMIT, FRIDAY, SEVEMBER 12, 2003, BHADRA 21, 1925 2003 738(30.— 1897 (1897 10) 22 2001 (2001 53) 96 t 2003 & Azrm (76) S"ftfzrq" qi ur 2001 (2001 53) ; 2 3. (4 (q) (B) O) (Z) (d) (1) (2) OF INDIA : EXTRAORDINARY q-g-8r t ; "arrq•fiT QT GRT 12 (4) "3VJQ«" Rfif& ur 7Tüt fÄNrfi>ur I GV2T3—1B 3 (3) (4) 4. fig I qgt (qi) (u) (71) 4 5. 6. (2) (1) (2) (3) OF O•-OIA : EXTRAORDINARY ttr q•gqrzrt I g@fh q-gi vgi t (u) (S) ufR qg mzrr fhft zrr 6 u--IE GAZETTE INDIA : EXTRAORDINARY qTä t -a-ft 3tR zrr fff 1934 (1934 2) \$1 t -Eu-g-o-r (11) 'Tg Trg gfizrt, t) 33.00 20.50 (13 8 fi) 29.7 21 (11 3/4 8 10. fäg 8 THE GAZETTE OF INDIA : EXTRAORDINARY 2 11, (71) - \*rrr I (4) (f) trfäiT Yr 12. 0FfiÄ gr 13. get, fifä QiT 14. (1)3TF, I (71) t, 15. (3) 3N[NT\$zrt 10 THE GAZETTE OF INDIA EXTRAORDINARY 16. GRI (7) fäg I (9) 3ifäH 17. 11 (2) (1) 30m err ufi e-rq•ä (4) Off I 18. (2) mtr (3) q— 3tq fia7 I 19. Grrgm I 12 (2) 20. (2) (3) (4) 'i'HE GAZEITE QF INDIA EXTRAORDINARY 3frv -er-GT-rrr-v -vfh-uq (1) 13 (5) 21. 22. (1) (2) (3) (4) (5) T5äai 3ifäfiqq fig (1) 29 (2) 14 (2) (3) (4) (5) (7) (B) GAZETTE OF INDIA : EXTRAORDINARY qTg, (fi3tT q-uq TTq1 t) cii I fäg FT aFTfhi 314tū 301 .tn--uu•3 ] 23. (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) qNti-é zrrz ; 16 (17) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (36) (61) (32) (33) 'TTIE GAZETTT,, OF INDIA : EXTRAORDINARY APT. (Q zrr (Füuq 17 (34) (35) (36) me GV2Ø3—2A (9 (71) (v) (9 ere-T Rizrr t 18 24. 25. 26

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**9. TIA; Lt.å. 32 ( 75 (I) 20) 2mI .2 abt öTå atq ZigaT 2. 3. 4, 6T (wr 7TH), zn 5Tzfurf & t •q. q. 33 ( 76 tØ gfä 2 2. 3. fat t 01 30 .t attrfd Ft fan q. -a-rq-a 2003 29 1 (WI 7TH)/ GAZEITE OF INDIA : EXTRAORDINARY 0-2 36 37 2001 e iTéf t :ytx, t) 2001 47 tfi-ftz .200 ...200, a-ti 0-3 38 2003 38 .200 XUf I t 30 30 . ...200. 0-4 44 90 GA7-Er1'14 OF INDIA • EXTRAORDINAR V 23(6') zz\*b... 2001 . .20. 0-5 47 ..200 91 04 49 ...200 rtüT AT<O,. 92 GAZETTE OF INDIA EXTRAORDINmy ( 51 (1) W ) ét 33(2) 33(1) aftrfif atvzrr fit\* 53(1Ä 34 .34 "SftH amu at t. arm atr I 1 ART 3 2 •q 0-10 63 (1) 37 (2) \$7 G7(2) Nta t I Ett 20 0-11 85 95 ttzrr rrq 2m &zrr gfä fQT tl gfä 200**

**2. GAZETTE OF INDIA ; EXTRAORDINARY MINISTRY i 2th 2003 G.S.R.** exercise of the powers by the Government of India (Protection of Plant Varieties and Farmers' Rights Act of 2001) with section 22 of the General Clauses Act, 1891 (10 of 1897), Central Government hereby makes the following rules, CHAPTER 1 PRELIMINARY Short title and commencement (1) These rules may be called the Protection of Plant Varieties and Farmers' Rights Rules, 2003. (2) They shall come into force on the date on which the Act shall come into force. Definitions - In these rules, unless the context otherwise requires, - (a) "Act" means the Protection of Plant Varieties and Farmers' Rights Act, 2001 (53 of 2001); (b) "Authority" means the Protection of Plant Varieties and Farmers' Rights Authority established under sub-section (1) of section 3; (c) "Chairperson" means the chairperson of the Authority appointed under clause (a) of sub-section (5) of section 3; (d) "fee" means the fee specified in Schedule I, (e) a



Form in Form 1, (O "Gee" On the Government of India) UWMli' nmmhly Jdtmul (h) mean\* of tix OtlÄ a h\*mba, ex-omch; (i) a by ü» of RegiArar or tlr Auti%fit-y 0) "Registrar" truns a Registrar of moined (4) of 12 includes the Germal of Plant sub-section (3) E&n; (k) "Schedule" npans a attwtxed to ruks; (l) "swtion\*" means a ection of ttæ Act; (m) "representün" means any written communicatkm to or tte Reginrar in any Proceeding Act; (n) all other words expresskjns used, but &fined in rules, defilEd in the Act, HI haye resrrctively asigf\*d to them in Act, 3. Denib of p•rtkukrs to be furnbhed whik making nn application or

Npreent•tio• — (l) Save in car of bras sp«ified by the Authority Act, every prwn nnking an or representation uNier tik Act or rules, shall Rxrnish tie particulars in the Forms specified in Fint Schedule; 98 GAZEITE EhMORDNARY (2) tfany applicatön or eFeäntation ben filed furnishing an particulars as specified in the r.hvaht Forms tie First the Authority or Registrar, as give tmnth's notice to the applicant or person. has filed the arolieati}ti Of representation to file such paticulars. (3) In the event amlicant or the persons representations or ütig to the applEäik»n or representation, as case nuy be, In terms of trp notice ur&r sub rule (2) within one rronth AS allowed, the said qpliaün shäii be liable to be rejected without ähy further mtige. (4) Where no Form is specified for any' putß\*, \*iieant •rrny adopt nearly as may a Form Specified in the First Sclrdule with such modifications and variations as may couidered 4. OMceofthe Authority (l) The office of the Authority shall, for #oceedings under the Act. be the head office of the Authority at New Delhi di the bi-diiéh dhice, as the may be. within whose territorial littiits — (a) the applicant for registration Of the plant variety or firmer\*' tight has his principal place of business or dothieite; or (b) the applicant ror registration the plant Variety or right. Whose name is first trvntioned in the application. resides Or has his principal place of business or domicile. if the application is made i)jntly in the names of two or more persons; or (c) the agent or licensee Of the registered breeder has his principal place of business Or domicile. m GÄ03—7B ue •npt-" en Act be at Delhi. Addr— ervke of etc. (1) Every in Act Or tubs ghiil to or RegistrÜ ad&ec fir Ér all punx»æs With such proceedings Or peM)n or pasotB in (2) Unk• Sinh an sddreg iy given, the Authoriiy obligatbn either pceed dt wh any Of to ny notice required the Act Ot Qwse ruks, (I) Every ANlicatbn or representation Shall In WTülg, or the p«øri delivered to Registrar or Autlmy at its (3) of applicants oörr shall gwer' Wih nationality and such as Üe nwessary &Nification ard fir Ending eommuttieat"tjs ta (4) (a) All Qlicatöns, reprewitüns and doeunrnts filed or r\*ed to be Aet or ttr rules Stull in triplicate: prov&d dut in caes wk\*re Reütrar or Auüwrity rquies tkwn tlvee of such or qplieant or filed applic\*ion or stull rquird supply rmny copies is by the Authority or RegiÄrar. 'KHE GAZETTE OF INDIA t EXTRAORDINARY LI—SKI 1 (b) In cage of failure to frnrich required nurnt\*r ofcopies within a period of three months, the Registrar or the Authority may reject \*cation Or the repreäntation or may treat the as withdrawn. (4) Any application, representatbn or dogurneli requited to sent to or Eled with office of the Authority or any be delivered eit}rr by hand or by registered letter with due or nEil, addressed to the Autbrity or to the Rqistrar omce. (5) If any application or a representatation or &icurtErit is delivered to tip Aut}nrity or the Registrar by hand, an wklWWHgement receipt shall issued by Aut}ority or tlr Regimr's omce with its gal. (6) case of delivery by registered pog With die or by electronic mail, it shall be presurv-d Inve ben filed, pr given at time When sarrE has rweived by the office (7) Any v.Titten communicatön addressed to an applleant or the of any right umler the Act, at his address in the Register of Plant maintained the Aet or at the address fir service frnriched under rule 5 in any proceedings under Act or these rules, at the address aEpearing on the application or notice of or reply or counter reply or any such representation, Stull presumed to be properly • Provided that in cases where the receipt of such a representation or application has teen delayed beyond tlr peröd of delivery or transmission, such a delay may be (8) All notices ard written communicatons ddressed to an applicant or to any holder of right, in any proceeding under Act or these rules, and all documents forwarded to the applicant or IVlder of any right or an opponent shall, except when they are sent by special nEssenger, sent by registered post ackmwledgement due or by electronic mail. 101 (9) (a) eumwWgenwt by omce or tte receipt proof deliv«y or of ÜIY docunrnt Act or rules. (b) In cax of by elwtronk mil, ektronk receWt with recognised digial sLgmre, tix Or b' roofofthe 7. AppEatb. be - No or to or •n .licatön prson. ppHtion mt be admitted by tke rqistru or a&riy, as trr ease be. (1) anwunt of payable in of v"ties grant of any Act or any aplication or of or reply or coumer roly rquied to fiH arø otirr nüters per rates oecified in Second Scheduk. (3) (a) payabk nay eiürr be paid in cash Of be EM by nxnxy or&r or poÄal order or drat pay\*le to Aü»rity or tlz as cDe nny at tleir req«tive &awn on a tnkn pbce is situated. Exphtnbn : Por tie p.es of ruks, bank" nnns a bank in S&dule to tie Reserve Bank of hdia Act,

1934 (2 of 1934). (b) Any cheque or draft (including in cash) on which the value specified cannot be in cash. Within the time 102 9. OF END-IA INARY payment of fees, shall of the Registrar. (c) Stamps shall be in payment of any under these rules. (d) Where a fee is payable in of Of a document application or representation, date on which same is shall the date of filing of LIE document or (3) Where any test required to be executed by rule, the applicant or the concerned person shall be required to furnish the

Second Schedule (4) Any application or representation shall be liable to be rejected on account of non-payment of fees test shall be conducted and until the parties interested deposit the amount specified in the Second Schedule. Size, etc., of documents - All documents and copies of documents, except affidavits and

drawings, sent to or left at the office of the Registrar or otherwise to the Registrar shall be written, typewritten, lithographed, or in type or in the English language unless otherwise or Authority or Registrar-General) in large legible characters with deep indelible ink with lines widely spaced upon or only of strong white of a size of approximately 33.00 centimetres 20.50 centimetres (13 inches by 8 inches) or 29.7 centimetres by 21 centimetres (11 3/4 inches by 8 1/4 inches) with a margin of at least four centimetres (or a rule on left-hand part thereof affixed to the under side shall be dated mainly to of knowledge and belief of per-annuity affidavit, CHAPTER PLANT AND FARMERS' RIGHTS PROTECTION

AUTHORITY 11. Minister of Agriculture and Food (1) be appointed by the Council of Ministers by a Select Committee comprising, namely:- (a) the Minister of Agriculture — (b) Department of Agriculture and Government of — (c) Officer nominated by the Minister of Agriculture, of (2) of Agriculture Co-operation or Government act or of the (3) Minister shall be of the Government the appointment shall be deemed to be in conformity with. If the Select Committee is not able (4) any person is made a government official J 04 [2. 13

**14. THE GAZETTE OF INDIA : qualifications given in clause (a) of sub-section (5) Of appointment may be made on contract Term Of Office of the Chairperson The Chairperson shall hold office for a term of years up to age of Sixty-five years, whichever is earlier, and shall be eligible for re- appointment: Provided that Chairperson omge exceeding ten years, or any has of sixty-five years, whichever is earlier. Salary, allowances, conditions of service, provident etc. of the Chairperson - Chairperson shall be entitled to such pension provided fund amount other facilities as admissible to a to the Government of India, Resignation or removal of the Chairperson shall be as follows. - (1 ) The Chairperson may resign from his Office by giving notice in writing to the Central Government. (2) The Central Government shall remove from (a) is or at any time has been. adjudicated as an insolvent; (b) has been convicted of an offence, in the opinion of Central Government, involves moral turpitude; (c) has physically or mentally incapacitated of acting. a. Chairperson; (d) has failed in discharging and responsibilities the Act and the rules made thereunder; (e) has acquired such financial or other interest as is likely to prejudice his function as the Chairperson; 16. (1) has, in the opinion of the Central Government, abused his position as to his continuation in office detrimental to the public interest; (g) any substantiated complaint which is unbecoming of a public servant Government at that time shall not be removed this sub-rule unless has been given a reasonable opportunity of heard in matter, Term and of - (1) Every member shall hold office for a period of three years from date of his appointment. (2) The Central Government may remove from office any member of the Authority within the term of his office. (3) A member shall be entitled to sitting travelling at the rate as may be fixed by the Central Government from time to time in this regard. (4) The Authority shall meet at least once in year at quarters of the Authority or such place as may be decided by the Chairperson (2) upon a written request of the Member or five members of the Authority or upon a direction of Central Government call a meeting of the Authority. (3) At least fifteen days' notice of an ordinary meeting three days' notice of a special meeting specifying purpose, time the place at such meeting is to be shall given to members. 106 17. GAZETTE OF INDIA : EXTRAORDINARY (4) Every member of the Authority shall be elected by a Presiding Officer to be elected by the members of the Authority. (5) The decision of the Authority shall be taken by majority of votes of the members present voting equality of votes, Chairperson or in his absence presiding over the meeting or casting vote. (6) Every member shall have one vote. (7) quorum the meeting of the Authority shall be five. (8) No member shall be entitled to attend for the first time of a meeting any matter of which ten days' notice to the Member-Secretary unless the Chairperson, in his discretion, permits him to do so. (9) The notice of meeting may be given to members by delivering the same by messenger or sending it by registered post to his known place of residence or business or in such manner as the Member-Secretary may, in the circumstances of the case, think fit. Chairman and of the Standing Committee - (1) The Chairperson select a member of the Standing**

Committee appointed by him under sub-section (7) of section 3 from amongst members of that Committee to preside over its meeting. (2) In absence of member under sub-rule (1), the meeting of the Standing Committee be presided over by who shall be elected by the members present at meeting from amongst themselves. 19. (3) The members of Committee shall be taken by a majority of the members present voting at the event of equality of votes, the member selected under sub-rule (1) or in his absence, the member presiding over the shall have a second or casting vote. (4) member shall have one vote. (5) The quorum for the meeting of the Standing Committee shall be three. (6) The meeting of the Standing Committee may, in consultation with the Authority, determine the venue of its meeting any where in India; and to at fifteen days in advance. Appointment of Expert Committee by the Authority - (1) The Authority may appoint such experts or consultants as it considers necessary to seek guidance and assistance in technical areas demanding specialized advisory inputs, to enable the Authority for efficient discharge of its duties and functions. (2) The Authority may appoint such other committees as may be necessary for the efficient discharge of its duties and functions. (3) The Authority may, in consultation with Central Government, fix the quantum of remuneration, payable to the experts and consultants. Salary, Allowances and Conditions of service of the Registrar-General - (1) The Registrar-General shall be an official equivalent to the rank of the Additional Secretary to the Government of India and he shall be appointed by the Authority (on deputation or transfer or on contract basis. (2) The Registrar-General shall be governed by the Central Government rules in respect of his salary and other allowances including pension, leave, travelling and daily allowances as are admissible to an Additional Secretary to the Government of India. 20. 21, (3) a person employed in or for the purposes of agricultural development (4) term of office of the Registrar-General shall be a period of five years or until attains the age of sixty years, whichever is earlier. A person on completion of one term Registrar-General shall be eligible for a second term of three years or until attains age of sixty years, whichever is earlier. The method of recruitment of members and other employees of the Authority - (1) Authority may recruit and appointment to of officers qualified in the Fourth (2) The Authority shall advertise the posts in the Employment News and other daily recruitment other employees of the Authority by the method of direct recruitment or contract basis by after consulting (3) anything contained in sub-rule (1) subject to of Central Government Authority may also such other officers and employees as may be by it on temporary or basis or on contract basis. (4) The allowances and offer of service of the other employees of Authority shall be the same as applicable to Central Government servants of equivalent rank. (5) If any question on service of any or employee of the Authority it shall be decided by the Central Government. Powers Duties the Chairperson - (1) in to specified in Act, the Chairperson shall exercise powers of general superintendence and direction over the affairs of Authority, and effectively discharging its duties over the provisions of the Act, and rules and regulations thereunder. (2) The Chairperson shall also discharge such other duties and functions as Authority may by general or special order in writing delegate to him or Central Government may authorize him to discharge from time to time. (3) Chairperson shall convene, preside over the meetings of Authority and be for carrying out all business by Authority. (5) The Chairperson shall guide and facilitate of the plant varieties by protecting the rights of the researchers, farmers, and community of farmers as provided under

**19. GAZETIE CF : EXTRAORDINARY (3) The decision in the meeting of the Standing Committee shall taken by a majority of the members present voting and in the event of equality of votes; the member selected under sub-rule (1) or in his absence, the member presiding over the shall have a second or casting vote.**(4) member Shall have one vote. (5) The quorum for the meeting of the Standing Committee shall be three. (6) The meeting of the Standing Committee may, in consultation with the Authority, determine the venue of its meeting any where in India; and to at fifteen days in advance. Appointment of Expert Committee by the Authority - (1) The Authority may appoint such experts or consultants as it considers necessary to seek guidance and assistance in technical areas demanding specialized advisory inputs, to enable the Authority for efficient discharge of its duties and functions. (2) The Authority may appoint such other committees as may be necessary for the efficient discharge of its duties and functions. (3) The Authority may, in consultation with Central Government, fix the quantum of remuneration, payable to the experts and consultants. Salary, Allowances and Conditions of service of the Registrar-General - (1) The Registrar-General shall be an official equivalent to the rank of the Additional Secretary to the Government of India and he shall be appointed by the Authority (on deputation or transfer or on contract basis. (2) The Registrar-General shall be governed by the Central Government rules in respect of his salary and other allowances including pension, leave, travelling and daily allowances as are admissible to an Additional Secretary to the Government of India. 20. 21, (3) a person employed in or for the purposes of agricultural development (4) term of office of the Registrar-General shall be a period of five years or until attains the age of sixty years, whichever is earlier. A person on completion of one term Registrar-General shall be eligible for a second term of three years or until attains age of sixty years, whichever is earlier. The method of recruitment of members and other employees of the Authority - (1) Authority may recruit and appointment to of officers qualified in the Fourth (2) The Authority shall advertise the posts in the Employment News and other daily recruitment other employees of the Authority by the method of direct recruitment or contract basis by after consulting (3) anything contained in sub-rule (1) subject to of Central Government Authority may also such other officers and employees as may be by it on temporary or basis or on contract basis. (4) The allowances and offer of service of the other employees of Authority shall be the same as applicable to Central Government servants of equivalent rank. (5) If any question on service of any or employee of the Authority it shall be decided by the Central Government. Powers Duties the Chairperson - (1) in to specified in Act, the Chairperson shall exercise powers of general superintendence and direction over the affairs of Authority, and effectively discharging its duties over the provisions of the Act, and rules and regulations thereunder. (2) The Chairperson shall also discharge such other duties and functions as Authority may by general or special order in writing delegate to him or Central Government may authorize him to discharge from time to time. (3) Chairperson shall convene, preside over the meetings of Authority and be for carrying out all business by Authority. (5) The Chairperson shall guide and facilitate of the plant varieties by protecting the rights of the researchers, farmers, and community of farmers as provided under

the Act. The Chairperson shall facilitate and act on his or her licensing of registered plant varieties. Central and State Governments on the advice of the Authority shall take such action under sub-rule (4). General functions of the Authority - (1) The Authority shall advise the Central Government in relation to the provisions contained in the sub-section (2) of section 29 for specifying notifying geographical and other purposes of registration of plant varieties other than extant varieties (2) Authority shall register extant variety (a) of sub-section (2) of 8 within such period as may be determined by it with suitable test criteria to distinctiveness, uniformity and stability referred to as DUS) of such varieties. (3) "The Authority shall develop DUS test criteria such tests for characterization of each variety of crop species the Central Government. 23. (4) Authority may, on an application from a breeder, grant a breeder's right in a plant variety. (5) Authority may, on an application from a breeder, grant a breeder's right in a plant variety. (6) Any public or private institution or community or body of persons shall be entitled to make an application for registration of a plant variety. (7) Authority shall keep a record of all registered varieties. (8) It may require breeders of registered varieties to submit certified figures on annual seed production to Authority within a limit exceeding three months from the conclusion of reporting period. (9) Authority, if required also entitled call such figures specifically relating to any region of the country. Matters to be included in the National Register of plant varieties - The Register of Plant shall contain particulars of each registered variety, - (1) Registration Number; (2) Nationality of Breeder(s); (3) Denomination as granted; (4) Date of Grant (5) Date on which application was received; (6) Provisional number given to the application; (7) Date of Gazette notification; 112 THE GAZETTE OF EXTRAORDINARY (8) Grouping of the plant variety (YEW, exum or (9) Classification of the variety (typical by "Of essentially derived variety); (10) Denomination of Common Crop to belong, Taxonomical Lineage of the Crop in (11) Key Passport data of the variety; (12) Essential characters ruling the variety (13) Stating date of protection: (14) Expiry date (15) Date of revocation with other details (gourds etc.); (16) Name and address applicant(s); (17) Address service of document(s); (18) Name and address of the breeder(s) (if breeder is applicant); (19) Name and address of the legal representative (if applicable); (20) address and other details of NE licensee and terms of license (if applicable); (21) Name, address and other details of the agent with jurisdiction if any (if appointed); (22) Type of crop; (23) Name of the variety, genus, species, variety common name, (24) and address of the breeder of initial (in case of essentially derived variety); (25) Details of the acquisition of propagating material (if applicable); (26) of parental material used in the development (if applicable); (27) Name and address of contributor(s) of genetic material (if applicable); (28) Any other feature specified by the Authority or Registrar-General, (29) Country of origin of the plant variety; (30) Brief description of the variety with details of nearest variety including results of DUS testing, supplemented with drawings or or both; (31) In case of compulsory licensing, and address of licensee with other details (terms and conditions, etc), if applicable; (32) Declaration and details of the renunciation to (if applicable), (33) Details of benefit (34) [Hails Of (35) In case India "is to in country, first will be in Register of plant Varieties only: - (a) of a variety with of Variety in Official. (b) The first with comity, (c) Variation in inventing to filing, (d) Where Variety WOS was &te, (e) Any other Authority or Registrar-General, (36) In case of a variety shall also be Known, (a) Name of the variety (b) Passport data of applicant (c) Date of registration (d) Date of grant of (e) Registration number (f) Denomination as accepted (g) Date of notification (h) Start date of protection (i) Expiry date of Protection (j) Whether the has been notified of within outside country, if so thereof (37) Any changes in any entry. CHAPTER REGISTRATION OF PLANT VARIETY Regulation of Extant plant under (2) IS - (1) The Registrar shall every five years from the date of its notification Act, with to the genera eligible for registration subject to conformity to criteria of 114 2S. 26. 27' The (F GAZETTE OF EXTRAORDINARY [PART 11—SEc. 301 distinctiveness, uniformity and stability as laid down under the Provided that the Registrar may, for reasons to be recorded in writing, register an extant variety after the expiry of the said period of three years. Application to a person to register a variety under clause (e) of sub-section (1) of section 16 - An application to authorize a person to register a variety under clause (e) of sub-section (J) of section 16 Null made in Form PV-I, given in the First Schedule, by a person specified in sub-section (1) of that section. The fee payable under clause (g) of sub-section (1) of section 18 for making application for registration of plant variety - The fee for making application for registration of a plant variety under section 14 shall be such as in column (3) of the Second Schedule for the purpose. Proof of the right of making application under sub-section (3) of section 18 - (1) Where an application for registration is made by a breeder or of the breeder under sub-section (3) of section 18, shall furnish

**30. Advertising of application for registration of a variety** - (1) Every application for registration of a variety which has been accepted for details thereof including specification upon such acceptance sub-section (1) of section 20, be advertised by Registrar in Form —0-1 of the Third Schedule, (2) In every such advertisement under sub-rule the Registrar shall mention place or places where a specimen of the variety may be (3) The contents of such advertisement shall include - (a) name, passport data and source of line or initial variety used to develop the variety in respect of which an application for registration has been made ; (b) description of the variety bringing out its character profile as specified under the DUS test Schedule (c) essential characteristics conferring to the variety (d) important agronomic commercial attributes of the variety (e) or drawings, if any, of the variety by applicant; (f) chim. if any, on the Notice of opposition under (2) of 21 - (1) Any person within three months from date of publication of an application for registration, give a notice of opposition to registration of a new variety in Form PV-3 Of the First Schedule. (2) Fee payable for filing referred to sub-rule (1) shall as in column (3) of the Second Schedule Provided that no such fee shall be payable in respect of opposition by a farmer or group of farmers, or village community. (3) A copy of the notice of opposition against a specific application shall be submitted by the applicant by within six months from the date of filing of opposition. (4) An applicant shall be entitled to submit point-wise counter statement later than six months from date of receipt of the copy of opposition, which the Registrar shall decide merits of opposition and his decision by giving (5) Every counter-statement under sub-rule (4) be in Form PV-4 of the First Schedule (6) of counter statement submitted by applicant within time specified in sub-rule (4) , shall be submitted to the opposing party applicant within a period of days of its receipt opposing person to submit final written statement a period of thirty days from date of service of the counter statement from applicant. 118 32

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Registrar. (4) The copies of all the documents, except plant variety application, referred to in the notice of opposition or in any counter-statement filed in [ 36 ] shall be in English. (5) Where a document is in a language other than English, and is referred to or relied upon in the notice of opposition or evidence, an authenticated translation in English thereof shall be furnished in triplicate. (6) The time-limit for filing evidence may be extended except by a special order of the Registrar given on an application filed by a person seeking extension of time and on payment of the fee specified in the Second Schedule. (7) Such an application for extension shall be in Form-PV S First Schedule. Application for the registration of a parental & derived variety under section 23 - (1) For registration of an essentially derived variety shall be accompanied by the following documents, namely : (a) an affidavit sworn by the applicant stating that such a variety does contain any or gene sequence involving terminator technology ; (b) a statement giving details of the characteristics of the variety to substantiate novelty, distinctiveness, uniformity and stability; (c) the details of parental material used (2) The application under sub-rule (1) shall be as specified for purposes in column (3) of the Second Schedule. (3) The manner and method for conducting test under section 23 - The tests referred to in sub-section (3) shall be conducted by the Authority in consultation with the Central Government. 120 36. 31



38. THE OF INDIA EXTRAORDINARY Certificate of registration under section 23 - The Registrar shall issue to the applicant a certificate of registration of an essentially derived variety in manner specified in



Form 0-2 of Third Schedule and send a copy of registration to Authority to such other body (ies) may notified  
by the Central Government information



CHAPTER IV REGISTRATION AND BENEFIT SHARING Certificate of registration under 24 (1) The certificate of registration of a plant or a derived variety, under Nab-section (2) of section 24 be in



Form 0-2 Of tlr Third Schedule. (2) The Registrar issue the certificate of r\*tration under sub-section (2) of section 24 within three years of the date of filing of application to the fulfillment of all Other requirements. (3) A copy of the certificate of under sub-section (2) of section 24 shall be sent to tlr Authority. aM to such other body or agency, which the Central Government may, by notification in the official gazette Notice to the applicant under section 24 - (1) If, within a period of twelve months, the application for registration of a plant other than an essentially variety is not completed in circumstances given in (3) of section 24, Registrar shall issue thirty days notice to applicant at address of his principal place of business in India, or if, he has principal place of business in at the address for service in India stated in the form 121 39. margin of be to tlr agent a tlr to or as any other Sr of (2) (1) in Form 0-3 of Rules—al and revision of re\*tration under 24 - (1) (a) (b) receipt of an from tlr Authority any relevant relevant tlr initial duration of registration (6) of 24, (b) Every application for extension of term sub-rule (1) be in Form PV4 of the First Schedule filed during twelve to eighteen months to the expiry of the period of registration (1) (c) Every variety \*b-rule (1) with the fee for remaining years till the period of at the rate fixed for the year preceding year of abrogation with arrears, if any. (2) (4) renewal of may be for either by tlr remaining period of total aggregate duration of validity of tlr or for any period within such remaining period. (b) In case, the applicant prefers for a less than total aggregate duration, no shall be entertained for further renewal Of (3) (a) The fee payable for each period of registration beyond the first year in the case of trees and vines six years in case of crops varieties, shall be based on average annual fee levied during the last two years of the said initial period of registration. (b) The annual fee shall uniform period of the registration be payable in advance in single instalment.

**40. TUE GAZETTE OF EXTRAORDINARY** (4) The Authority within such intervals as it thinks publish a list of varieties registered as well as renewed under the Act with the particulars of the period of registration, name of the holder periodically in its journal and in the Official Gazette. Publication of content of the certificate of benefit sharing under section 26 - Upon the issuance of the registration certificate sub-clause (8) Of section 23, or sub-section (2) 24, the Authority shall, for the purpose of inviting claims for trademark sharing under the Act, shall the following details of the registration certificate, namely (a) the registration number along with date of grant, (b) the name and address of applicant or breeder in whose name certificate has been issued or registered, (c) denomination of the variety, (d) name of the family, genus, species, variety and common name, (e) parentage and geographical location of the variety, (f) the details of the distinguishing features or characteristics (g) in case of 'essentially variety', the details of the 'initial variety' from which 'essentially derived variety' is claimed to have been derived. (h) the name and address of the contributor, nature and amount of the contribution or community knowledge used in the development of the plant variety. (i) the terms and conditions of the agreement, if any, entered into the breeder and the contributor. (j) if the variety is sold or otherwise disposed of, details thereof. 41

**42. Benefit sharing under section 26 - (1) Upon the receipt of a certificate of registration of a claim (2) of or in Form PV-I of the Rules within a period of six months from the date of publication. Provided that in special circumstances the limit beyond period of six months. (2) The person or persons or firm or the multinational company has an application for benefit sharing provide the following information, namely**

(a) the contribution made by person or the person or firm or community or the organisations to the development of the plant variety ; (b) capacity in which person or persons or the governmental Organisation is the for benefit sharing ; (c) in case of "essentially derived varieties", terms and conditions in which authorisation has been given ; (d) commercial viability or the actual market performance of the variety so registered. (3) An applicant for benefit sharing pay the fee as per purpose, in column (3) of the Second Schedule. Opposition to a claim for benefit sharing under section 26 - (1) On receipt of a copy of the claim sharing; the registered owner of the plant may accept claim accordingly intimate the same to the Authority within a period of three months from the date of receipt. 124 43. THE GENETIC RESOURCES ACT OF INDIA • EXTRAORDINARY (2) In the eventuality of plant breeding or cultivation to the detriment of the community under sub-rule (1) within the period of three months, referred to in sub-rule (1) it shall be presumed that he has opposition to such claim and the claim shall be decided accordingly (3) If, within a period of three months of receipt of claim, the breeder of the plant variety files his opposition to claim benefit sharing, such an opposition shall be taken into consideration while disposing or deciding the claim for benefit sharing. (4) Every notice of opposition, under sub-rule (3) shall be in Form PV-8 of First Schedule. (5) The Authority, upon receiving the reply from registered breeder, shall furnish a copy of such reply to the claimant for perusal. (6) The registered breeder or the claimant to furnish supporting document and evidence, which shall be duly verified by the Authority while disposing of any claim for sharing. Determination of benefit sharing under section 26 The Authority shall, by order, determine amount of benefit to variety to clauses (a) and (b) of sub-section (5) of section 26 taking into account the following criteria, namely - (a) the contribution of the claimant in conserving and improving the genetic material, (b) contribution of material in providing new or improved traits which conferred high commercial value to variety, (c) contribution of such genetic material to the parent or the parents of the hybrid variety leading to benefit sharing. 115 44. 45. 46. Rule under 26 - In case of a suit or an application on part of a variety to determine the amount of benefit sharing in the case as per order of the Authority of section 26, under sub-section (6) Within a period of months from the date of such order, Registrar shall make a reference to the Magistrate sub-section (7) of the section 26 in

Form 0-4 of the Third Schedule Application for registration of title of agent or licensee under section 28 - (1) An application under (4) of section 28 for registration as an agent or licensee, as case shall be made in Form PV-9 of the First Schedule (2) The application for title by a licensee or an agent shall be accompanied by the attested copies of agreement or instrument of entitlement or any other documentary evidence. (3) The proposed agent or licensee is also required to give such other documents and information as may be required by the Registrar in support of the proof of title. (4) The applicant under sub-section (4) of section 28 shall pay tax as specified for the purpose in column (3) of the Second Schedule, Reference of disputes of entitlement under section 28 - (1) While referring a dispute Sub-section (4) of section 28 to Authority for determination the Registrar shall furnish all the relevant information to dispute with three copies of all the evidence available with his office- 126 47.

48. 49. (2) GAZETTED OF INDIA : EXTRAORDINARY On receipt of an order of the Authority in respect of dispute, Registrar shall furnish copies of the order to persons for necessary Certificate or registration of entitlement under section 28 - The certificate of registration to be issued to a registered licensee or an agent by the Registrar under sub-section (4) of section 28 shall be in Form O- 5 Of the Third Schedule Application and procedure for varying or cancellation of under section 28 - (1) An application under clauses (a), (c), (d), or (e) of sub-section (9) of section 28 for variation or cancellation of title of registration of a registered breeder or his successor or any other person in Form PV-IO of the First Schedule. (2) Every applications under sub-rule (1) be accompanied by a fee as specified for in column (3) Of the Second Schedule. Notice and proceedings under section 28 - (1) The Registrar shall issue notice Of every application under sub-section (10) Of section 28 in Form O- 6 Of Third Schedule to the registered breeder or the agent or the licensee. (2) Any person to whom a notice has been issued sub-rule (1) and who intends to or intervene in any proceedings under section 28, within three months of the receipt of such notice, give notice of opposition or intervention to the Registrar in Form PV-II of the First Schedule. (3) On receipt of a notice of opposition or intervention the Registrar shall furnish a copy of it to the applicant. (4) The Registrar may accept or refuse the application or subject any condition, modification or limitation as directed the Authority shall inform the parties in writing accordingly. CHAIVIER V SURRENDER AND REVOCATION OF CERTIFICATE OF REGISTRATION AND RECTIFICATION AND CORRECTION OF REGISTER Surrender of certificate of registration under section 33 The at any time, by giving Notice to Registrar to surrender his certificate of registration of variety Form PV-12 of the First Schedule, under sub-section (1) of section 33. Procedure on application for of certificate of registration under section 33 - (1) Registrar shall give notice in Form 0-7 of the Third Schedule, every notice of offer made under rule 50 to the registered agent or licensee relating to such Certificate. (2) (a) Any person who has been given a notice of surrender of certificate of registration in pursuance of sub-rule (1) intending to oppose the surrender, shall within three months of the receipt of such notice, give notice of opposition to Registrar in Form PV-13 Of First Schedule, and shall send therewith a written statement setting out nature of opponents' interest. the facts relied upon along with the notice of (b) The Registrar shall thereupon serve the notice of opposition along with the written statement received by him to the o

**53. NDIA.FNRAORDINARY** (3) If the applicant desires to contest the opposition, he shall file or leave at appropriate place a reply statement setting out fully the grounds upon which the opposition is contested, within a period of three months from the date of receipt of the copy of the written statement by him under sub-rule (2) and deliver to the opponent a copy thereof. (4) The applicant or any person to whom a notice under sub-rule (1) has been issued may, make an application to the Registrar in Form PV-14 of the First Schedule, for seeking an order for a hearing (5) On receipt of an application, under sub-rule (4), the Registrar may fix time and place of hearing and issue notice to the parties accordingly and the interested parties may appear and give evidence in support of their case. (6) The Registrar may accept or refuse the application or it may be subject to any condition, amendments, or limitations accordingly, inform the parties in writing. (7) If the Registrar accepts the breeder's offer of surrender of the plant variety, he shall by order direct the registered breeder to return the Certificate of and on receipt of such Certificate, Registrar shall, by Order, notify the surrender in the Official Gazette. Application for revocation of protection granted to a breeder under section 34 Any person may make an application to the Authority in Form PV-15 of the First Schedule, for revocation of protection granted to a breeder in respect of a variety on any of the grounds laid down under clauses (a) to (h) of section 34. Procedure on application for revocation under rule 52 (1) The Authority shall issue notice in



Form 0-8 of the Third Schedule, to the registered breeder of any received by it under rule 52. 54. (2) (a) In case the registered breeder intends to oppose the application for revocation of protection, shall, within three months from the date of such notice, give notice of opposition to the Authority in Form PV-16 of the First Schedule, shall send therewith a written statement, out of which appears his case and relief sought. (b) Registrar shall give notice of opposition along with the written statement received by him to the applicant. (3) If the applicant desires to contest the opposition, he shall file a reply setting out grounds upon which the opposition is contested, within a period of three months from date of receipt of copy of the written statement by him under sub-rule (2) and deliver to opponent a copy thereof. (4) (a) The applicant and the Registrar may make an application to the First Schedule, asking the Registrar to fix such time place for hearing and issue of the application. (b) The Registrar may, on application, fix such time place for hearing and issue of the application. (c) Registrar may, or the application or accept it subject to any condition, amendments, modifications or limitations and shall accordingly inform the parties in writing. (5) If the Authority accepts the application for revocation of it by order, registered breeder to return certificate and on receipt of such a certificate, the Registrar shall by order the revocation of the plant variety in the Official Gazette. Payment of annual fee for retention of registration under section 35 - breeder, agent and licensee shall pay an annual retort at such rate as specified for the purpose in column (3) of Second Schedule—9A 130 55. 56. 57



**58. OAZEITE OF n•01A.EXIRAORDNARY** Application for cane&tion or change of certificate of registration under section 36 (1) (2) Any l\*rson may make an application for cl•wnging the certificate of registration on the grounds laid down under sub—section (1) Of 36 to the Registrar Ewry application under sub-rule (1) shall made in Form PV•18 of First Schedule and shall be accompanied by a statement of tlr grounds on which it is made. Procedure on application for cancellation or change of certificate of registration under Section 36 - Registrar tmy accept Or refuse the applicatk»n or accept it subject to any condition, amendment, modification or limitation he may think fit to impose and shall inform the coæerned parties in writing accordingly : Provided that no application shall be rejected unless the appliCant has been given a reasonable opporfunity to make a representation against Such Application to rectifr the register under section 36 - Any person may make an application IO Registrar, in Form P V-19 of the First Schedule, staling the grounds on which it is made. for making, expunging varying the entry On grounds laid down under sub -section (2) o[section 36. Procedure on application to recti" the Register under rule 57 - l'he Registrar may accept or refuse the application for makings expunging Or Varying entry or accept it subject to any condition. amendment, modification OT limitation as he may think fit to impose and shall iniOrm the :oncerned parties in Writing accordingly • 131 60. Provided tint no application rejected Lmless the amiicant has givetvasonable opportunity to rmke a representMion against such rejætion. Cancellation or change ofregistration or rectifie•tion of the Regbter by the Regigtnr under Section 36 (1) The Registrar while exercising the powers under sub-gection (4) of æction 36 to carwel the registration, rruy make changes to registration, or in cae of of the give notice in



Form 0-9 of the Third Schedule to registered breeder, agent or if any, and to any other person associated with the variety, and shall state grounds on which the Registrar intends to take any action. (2) If any person who has given a notice under sub-rule (1) intends to oppose the action of the Registrar, shall within three months from the date of the receipt of such notice, give the notice of opposition to Registrar in Form PV-20 First Schedule, and shall therewith a written statement setting out facts upon which he is seeking the relief for. (3) Registrar after hearing the person to whom a notice under sub-rule (1) has been given may pass such order as he may think fit and shall, accordingly, inform the parties in writing. Application for correction of Register by the registered breeder under section 37 - An application for correction of the Register may be made by the registered breeder plant variety to the Registrar under sub-section (1) of section 37 in Form PV-21 of the First Schedule for making any change as laid down in clauses (a) to (e) of sub-section (1) of that section. 132 61. 62- 63



**64. GAZETTE, OF INDIA EXTRAORDINARY** Procedure on application for correction of the Register under rule 60 The Registrar may accept or refuse the application under rule 60 for correction of register or accept it subject to any conditions or modifications or limitations as he may think fit and shall, accordingly, inform the parties in writing, Application for correction of the Register by the agent or licensee under section 37 - An application for correction of the Register also made by the registered agent or the licensee to the Registrar under sub-section (2) of section 37 T, Form PV-22 Of the First Schedule on the grounds laid down in sub-section (2) Of that section. on application for correction of the Register under rule 62 - (i) The Registrar shall issue notice of every application under rule 62 in Form O-10 of the Third Schedule, to the holder [the Registrar may accept or the application of accept it subject to condition. amendment, modification or limitation he may think fit and shall, accordingly, inform the parties in writing, provided that tests referred to in subsection (3) of section 23 shall be conducted by the Authority in consultation with the Central Government Provided that no application shall be rejected unless the applicant has been given reasonable Opportunity to make representation against Such Variation of denomination of a registered variety under section 38 - (i) application, to delete any part or to alter denomination or registered variety, under sub-section (1) Of section 38, Shall made by the breeder to the Registrar in Form PV-23 Sch- 65. (2) The Registrar may determine whether and subject to what conditions, if any, the amendments shall be allowed. (3) (a) The Registrar shall advertise the application for alteration in denomination in Gazette or : journal Or a newspaper Shall advertise the nature of the proposed alteration the denomination (b) The Registrar issue to all persons. who, in his opinion. may have an interest in the procedure on application for variation Of denomination under 64 - (J) Any interested person may, within three months\* from the date Of advertisement of an alteration in denomination of a variety, under sub-section (c) of 38, give a notice of to in denomination of a registered in Form PV -24 of the First (2) Registrar serve a notice to the holder about the opposition received for change in denomination .and shall give an to the Of if so desired, before deciding the (3) In the event of leave being granted for alteration of denomination. the denomination as so altered shall be advertised in Gazette or a journal or daily newspaper in

Form 0-11 of the Third Schedule.

**67. TEE (IAUETTE OF : EXTRAORDINARY CHAPTER VI FARMERS' RIGHTS Claim for**  
**compensation under section 39 ( Any turner, group of farmers or the organiMtion of the farmers**  
**rruy snake an under sub-section (2) of sectbn 39; to tlk Authority to cimm compensation.(2)** Every  
 application under sub-rule ( 1 ) shall in Form PV-25 of First Schedule. Procedure on application for claim  
 compensatkm under rule 66 (1 ) The shall give notice to ttv registered breeder ttE compensation claim  
 received in respect of registered variety. After receiving a notice fiorn ttr 'Whority under sub-rule ttw  
 registered breeder may, within three mnths from the date of receipt of such notice, file notice Of  
 opposition in Form PV-26 Of First Schedule. ttv eventuality of Ailing or d&llting to tender his opt"sition,  
 within a period of three TMnthS, from the date of receipt Of the notice for compensation, it \*ball be  
 \_prsumed that he has no opposition to such claim and accordingly such claim shall be decided. The  
 Authority shall, upn receiving opposition from tte breeder give opportunity to both the parties of being  
 heard and may direct the breeder to pay such convensation to tie group of farmers or organisation of the  
 fanners, as case may as it deems fit.. 135 68. 69

**70. Issue of D0tice under 41 - (1) On receiving dx Horn ttr caire sub-section (1) of \*ctbn41.in reqEt**  
 ofclaims filed ty a person or group ofpersors or govemmemal or ron-governrnerual br to of any village or  
 local community their contribt&n in the devebpmnt of rww variety, and if satisfied, tlr issue to the  
 registered &eeder or his assignee or regiqered agent in Fonn 0-12 ofttæ Third ScheduE (2) Upon receiving  
 from the Authoriy, registered breeder or his assig1Ee or registered agent n-uy file objection to mr  
 compensation within three rmnthS in Form PV-21 of the Fint Schedule. (3) The A&rity, upon receiving  
 objection from the registered or his asignee or regÄered agent, shall give opportunity 'Eard to both the  
 parties and - aner on t-IE eligibility for arui quantum of compensation shall, direct, breeder to pay to the  
 person, group of persons or governmental or ron- governmental organisation which hæ made tie elaim  
 under (1) of section 41 and deposi the requisite furyls within a TErion ortuo months with the Gene Furd  
 Manner of receiving benefit sharing under seethn 45 - The breeder of a or essenti@lly derived variety shall  
 dem»sit the arrount of betwfit sharing, as rquired under sub-section (6) of sectbn 26, with the Gene Fl.md.  
 Manner of applying the Gene Fund under section 45: - (1) The Autority shall pay the anwunt of tErefit  
 sharing, compensation required for use of material towards evolution of new and essemially derived  
 variety, to meet experuliture incurred for conxrvtön and sustainable use or gerrtie resources for of schenw  
 related to sharing.

71. Fund Shall be applied Or meeting the following in with the priority made hereunder (a) supprt and  
 reward Grrrrxrs, community of arnners, particularly tlr tribal and rural communities engaged in  
 cotEervation, unproven-Ent arxl preservation resources of economic plants t}wir wild relatives, in areas as  
 (h) for capacity building On ex•situ at level Of the beal body, particularly in regions identified as agro-  
 biodiversity hot oots and for supvwrtiug in-Sifu conservation; (c) on benefit sharing and cornpensfin in  
 accordarwe with sub-ectön (S) of section 26 aml sub-section (3) ofxctioå 41; and (d) on trag\*iction cost Of  
 Gere Fund

**CHAPTER VII COMPULSORY :L'NSE Compulsory licensing under section 47 - (1 ) Any interested**  
 pemm mays the expiry of thrw years from date of issuance ofa cerGFr.Rte Otregistration nf -ariety make  
 an application to Gge Authority, the PV-ZB of the First Schedule along with fee specified under the  
 Second Schedule under sub-section (i) of section 47 för grant of compulsory license. (2) The application  
 for compulsory undet "lb-Ectk•n (l) shall - (u) specifies particulars of variety denomination, geneü and  
 qecific name of the variety or concemed, (b) contain grounds for issue of cornpulsory license with  
 supporting documents, and (e) be supported by - i) qualification, technical aryl finarrial capabilities of  
 person making such request with evidence, ii) particulars ofthe holder of dE right to the variety, 72. 73, iii)  
 umÄten thal ily bag an measures 6r voluntav licenw. (3) If after considering the applicatbn umler sub-ruk  
 (l), the Auttnrity is satisfied that a hcie has ruit been made grant of licenE, it shall applicant uccordingly. (4)  
 On receipt of an applicatkjn for grant of compulsory under ruk(l), the Authority grve notice to tlz breeder  
 of such variety or his or registered agnt inviting his within frcm tyr receipt ofwch notice. (5) (h a under  
 sub-rule(4); registered or his assigTEe or regiqered agent nuy give notice of opposition in Form PV-29 of  
 the First Scheduk, whish shall supported by docun\*itary proof to subüntiate the ground or grow-ds of  
 opposition. (6) If aner giving an to of being heard, Authority is satisfied that tlrrre a need for gram of

license, order breeder or his assignee or registered agent to license the variety on such terms of royalties and other remuneration it may deem fit. Manner of making material available under section 50 - The licensee shall make available to the licensee of the compulsory license the material of the licensed variety from the Gene or any other centre, including the initial breeder of variety. Revocation or compulsory License under section 52 - (a) Any person in respect of license aggrieved by, under sub-section (1) of section make an application in Form PV-30 of First Schedule to the Authority, for revocation of compulsory license on any of the grounds specified in sub-section (1) of section 47 or section 52. OF INDIA : EXTRAORDINARY The application under shall be supported by the Authority on its own Or on receipt of the application from aggrieved person under sub-rule(1), may give notice to the licensee, The licensee may file an opposition to an application under sub-rules proceeding under sub-rule(2), in Form PV-31 of first with the Authority, 4. The Authority shall after considering the opposition filed under sub-rule (3) and after giving an opportunity to the person of being heard passing an order of revocation or refuse to grant such order. CHAPTER on FINANCE, ACCOUNTS AND AUDIT 74, and administrative powers of the Chairperson under section 63 - (1) Chairperson shall exercise such financial and administrative powers over the Authority as are exercisable by a Head of Department General financial Rules in accordance with the accounts and rules of the Government of India. (2) Chairperson may, delegate such financial and administrative in he may deem fit, to a member or any subordinate officer of the rank of a Registrar or equivalent subject to the that the member or officer so authorised shall, write exercise such powers continue to be under the direction, control and supervision of the Chairperson, CHAPTER IX MISCELLANEOUS Manner of authorising registered agent or registered licensee under section 81 - (1) A breeder of a variety or its propagating material or essentially derived variety or its propagating material registered under the Act, may make an application under section 81, in Form PV-32 of First Schedule, for authorising the registered agent or registered licensee or his assignee to institute appropriate proceedings in any court of law on his behalf, (2) Where any authorisation has been made under sub-rule (1), the service upon the agent of any document relating to any proceeding or matter under Act or these rules shall be presumed to be a service upon the person so authorizing him; all communications directed to be made to a person in respect of any proceeding or matter may be addressed to such agent, and all appearances before the Authority relating thereto be made by or through such agent. (3) Notwithstanding anything contained in sub-rules (1) and (2), Authority may, if it considers necessary, require the signature of an applicant, opponent or party to such proceeding or matter

**76. Manner of certified copy under section 84 - Any person may, under section 84, make an application in Form PV-33 of the First Schedule, along with fee specified in the Second Schedule, to the Authority or Registrar for certified copies of any entry in the Register, certificates or extracts of plant variety application or other records maintained by the Authority and any document required in any proceedings under this Act and pending such Authority or Registrar, and may make a request in similar manner for similar purpose to inspect such entry or document.** GAZETTE OF India rule 3(1)) Forms (1) PV and RV 12 And Rule (2) Section 16(1) (e) 25 (3) and Section 21(2) Rule 31 21(4) and Rule 31 (b) 21 Rule 33 (L) 24(6) Rule 39 Section 26(2) and Rule 41 Section 26(3) 42 28(4) 28(9) Rule 48 (10) Rule 49 33(1) Rule 50 (3) A statement Proof of Right to file Amicable Counter Request Extension of Term Renewal of Registration Before Sharing Application Notice of Registration as Agent or Applicant in form of term of Registration of again a variety with the Government of India of Registration of a Variety (1) and 13 and 14 PV 16 PV 17 PV 18 PV 19 PV 20 PV 21 PV 22 PV 23 (2) Section 33(3) Rule 51 (2) Section 33(4) 51(4) Section 34 Rule 52 Section 34 Rule 53 Section 34 Rule 53(4) Section 36(1) and Rule 55 3(2) and Rule 57 Section 36(4) Rule 59 Section 37(1) Rule 60 Section 37 (2) Rule 62 38(1) Rule 64 (3) Notice of (to be offered Certificate of Intention to Application to Revoke Certificate of to Application Revoke of 141 to of Application for opportunity of Application for or of Certificate of Registration of a Plant for correction in National Plant Variety Register Notice of Opposition for Application for correction in National Plant Variety by Agent Application after [revocation of a Registered Plant Variety 142 IT-IEGA7EITE OF INDIA EXTRAORDINARY 1) and 24 28 29 32 (2) 38(2) Rule 65 Section 39(2) Rule 66 Section 39(2) Rule 67(2) Section 41 (3) and Rule 68 Section 47(1) and Rule 71 (1) and 47(3) and Rule 71 (3) 520) and Rule 73(1) Section 53 and Rule 73(3) Section 81 and Rule 75(1) 84 & Rule 76 (3) Notice of Opposition to Alter Designation of a Plant Variety for Changing Name of to (for Changing Correspondence Notice of



**8. Second Schedule (see rule 8) FEE Fee—payable on matter\* Corroding Tests Notice of Opposition  
Extension of Term FWS for Registration of Essentially Derived Varieties Renewal Fee Application for Benefit  
Sharing for Agent /Licence Application variation/ of terms Of Regulation Notification to Application for  
of terms Of Registration Amount or fee Dependent on the nature or test subject to a maximum of Rs.  
50,000/- Rs 1500/- Rs. for individual-5000 Educational 7000 Commercial- 10000 Individual-5000  
Educational-70 Commercial- 10000 per year Rs 10000 Educational-5000 143 number 4 PV5  
EXTRAORDINARY Third Schedule (See rule 2(c)) Forms To Be Used By Registrar And The Central  
Government**



Form number 0-2 0-9 0-11 0-12 Sections and Rule 21 (1) and 30 Form 23 (8) and 24(2) and 33(2) Rule 51 and Rule 36(4) and 59 Section 37(2) and Rule 63 Rule 68 and 49 of the Registration of Plant Varieties and Farmers' Rights Act, 2003. To be made of registered of application for Obtaining in Register in respect of Alteration Denomination in Fourth Schedule (See 20(1)) Equivalency Scale or PMT under the pay SL No (1) 2 3 4 5 6 None or Financially Advantaged Legal Senior Accounts Officer Accounts Officer Technical Assistant Number of posts (S) 2 6 5 Central Government Directorate of Intellectual Properties Technical Assistant (5) 14,300- 18,300 10,000- 15,200 10,000 15,200 8,000- 13,500 5,500- 9,000 5,500- 9,000 us and A Degree from a recognized University or equivalent Not less than eight years experience in financial Accounts An Advocate at least eight years practice as such and having special knowledge in Intellectual Properties, Transactions. A Degree in Commerce from a University or equivalent with at least eight years experience as an Accounts Officer. A Degree in Commerce Or Economics as one of subject at Degree level recognized from a University with at least six years experience on accounts related matters. A Degree in Agricultural Science or allied field like botany or biotechnology with at least 4 year plant experience in varietal improvements and development A Degree from a recognized University in Computer Applications and at least year experience in Data Base Management. 2609 Ginning—10A CAZETIY OF : EXTRAORDINARY 14C FORM - pv-1 (See 25) THE PROTECTION OF PLANT VARIETIES AND FARMERS RIGHTS ACT, 2001 AUTHORIZATION FORM 2 hereby authorise to act on my/our behalf in connection with filing Of new variety/ essential derived variety/existing variety in respect of and request that all notices, requisitions and communication relating thereto may be sent to such person(s) at the above address(es) unless otherwise specified. We hereby revoke all previous authorization. if any made, in respect of same matter or proceeding Dated this day of ...noo Signature(s) & name of person(s) making this authorisation along with the designation and/or official seal, if any. The Registrar Plant Varieties Registry Note No Fee Insert the Name(s) (in full), address(es) and nationality of the person(s) making this authorization. 2. Insert Name(s) (in full), address(es) and nationality Of the person(s) authorized

**3. Name (comment botanical) of the plant variety, and Crop, FORM - PV2 rule PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS Act, 2001 PROOF OF RIGHT 10 MAKE APPLICATION uwe' referred to in this application as claiming to be the breeder of plant variety right holder hereby declare that the applicant(s) who has/have signed this application. We my/our Signe(s) of We enclose herewith the following documents as required under rule 27(2):-** 2. I/we hereby declare that the above is true and correct to the best of my/our knowledge and belief. ...day of. Signature ...200 Signatures of witnesses along with their names and address 2. We also hereby declare that the information given above are true to the best of my/our knowledge and belief. ...day of. ...200 Signature Note Strike out whichever is To The Registrar The Plant Variety Registry At I Insert (in full) names address and nationality 2. To be signed by the Breeder or true Plant Variety Right holder(s) THE GAZETTE OF EXTRAORDINARY FORM - PV3 [See rule THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001 NOTICE OF OPPOSITION to the application for registration Dated this published on Day of , hereby give notice of opposition. Of plant variety registration NO 2 for the following reason(s) : - (Signature/ The Registrar Plant Varieties Registry 1. Name, address and nationality of the person(s) filing notice of opposition 2. Registration number as advertised 3- Signature of the person(s) filing notice Of opposition I/We hereby declare that facts and matter stated herein are true to the best of my/our knowledge, information and belief Dated this Day Of. 200 (Signature 149 To Registrar The Plant Varieties Registry At 2. Strike out whichever is inapplicable State the name (in full), address and nationality, To be signed by the Applicant(s) FORM pv 4 [See rule THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001 FORM OF COUNTER-STATEMENT In of opposition to the application No... ...for the registration of a plant variety having registration No, , published on L, We the applicant(s) for registration Of the above plant hereby give notice that the following are the grounds on which We rely for my/our counter statement: - 2, I/We admit/ disagree With the following allegations/contentions in the notice Of • opposition 150 THE OF INDIA : All communications in relation to thee may be sent to the following address 2 in India Dated this To The Registrar day or. 200 3 The Plant Varieties Registry At No Fee • 1. Insert the Name(s) (in full), addresses)

and nationality of the person(s) making this authorization 2. Insert Name(s) (in full), address(es) and nationality of the person(s) authorised, 3. Signature of the applicant or his agent or assignee. FORM - PV 5 [See rule 39(1)(b) of THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001] REQUEST FOR EXTENSION OF TIME hereby request for extension of time for opposition/evidence/counter statement In respect of application No. \_\_\_\_\_ months under rule 33 for filing notice of The reasons for making this application are as follows:- 2. My address for service in India is as follows.- Dated this \_\_\_\_\_ day of \_\_\_\_\_ Signature of the Registrar The Plant Varieties Registry 1. Insert the Name (in full), address and nationality Of the Applicant

**2. To be signed by the Applicant(s).** FORM - PV 6 [See rule 39(1)(b) of THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001] APPLICATION FOR RENEWAL OF REGISTRATION OF PLANT VARIETIES dated \_\_\_\_\_ apply for the renewal Of the plant variety registration NO. \_\_\_\_\_ in respect of the plant variety \_\_\_\_\_ having denomination \_\_\_\_\_ OF INDIA EXTRAORDINARY 1301 Of renewal Of the registration may be to the address in India - Dated To The Registrar day Of \_\_\_\_\_

**20. Signatures The Plant Varieties Registrar At Insert the full name with surname and address of the applicant(s).** Name of the registered plant variety Signature of the applicant(s) FORM-PV7 [See rule 15 of THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001] APPLICATION FOR BENEFIT SHARING I/we hereby apply that my/our name(s) may be registered as person(s) entitled to benefit sharing in respect of the plant variety, registration NO. \_\_\_\_\_. The grounds for my/our being to benefit sharing are given below 2. The details of the plant variety in respect of which I/we are claiming benefit sharing are as follows - Plant Variety \_\_\_\_\_ of which the registration Number is \_\_\_\_\_. And in proof of my/our entitlement to benefit sharing whereof I/we transmit the \_\_\_\_\_ with a certified copy thereof accompanying documents 4 My address for service in India is Dated this \_\_\_\_\_, day of \_\_\_\_\_ (Signature) To The Registrar The Plant Varieties Registry At 2. 3. 4

**5. State full Name and address as stated in the application for registration.** Name (common botanical) of the plant variety and crop Specify the particulars of such documents, giving its date, and parties to the same and showing how the claim made is substantiated. State the name of the place of the appropriate office of the Plant Variety Registry Signature of the Applicant or of his agent or assignee. 154 OF EXTRAORDINARY FORM - PV 8 [See rule 15 of THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001] NOTICE OF OPPOSITION TO AN APPLICATION FOR BENEFIT SHARING I/we hereby give notice of opposition to the Application for benefit made by/on behalf of \_\_\_\_\_, and in respect of the registered plant registration No. \_\_\_\_\_ dated \_\_\_\_\_. The grounds on which the said application for benefit sharing is opposed are as follows:- 3. In support of my/our I/we hereby enclose herewith copies of the following documents - 2. 3. My/our address of service in India Dated this \_\_\_\_\_ To The Registrar day of 200 \_\_\_\_\_. 3 Signature The Plant Varieties Registrar 155 \*Take Out whichever is inapplicable 1. Insert the name (in full), address and nationality Applicant 2. The name(s) of the who has filed benefit sharing application 3. To be signed by the Applicant(s) FORM - PV (See rule 15 of THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001) APPLICATION FOR REGISTRATION AS AN AGENT OR LICENSEE I/we hereby apply for registration as an agent or licensee under sub-section (4) Of 28 of the Protection Of Plant Varieties & Farmers' Rights Act, 2001. hereby declare that I/we are an authorized agent or licensee in respect Of the plant variety \_\_\_\_\_, registration No. \_\_\_\_\_ and that I/we are fully eligible to registered agent or licensee under section 28 Of the Protection of Plant Varieties and Farmers Rights Act, 2001 (53 Of 2001) and rules made therein. Given below are my/our particulars- 1. full beginning with surname (in capital letters) Address of the place of residence 2. 3 Name . Nationality 4 5. Date and place of birth 6 Occupation in till 7. principal place of business Address of the branch office, if any 3 9. enclosed 3 (I) I also declare that the information given above are true to the best Of my own knowledge and belief, -the day of Varieties Registry 200 \_\_\_\_\_ SIGNATURE Insert Name (in Full), address and nationality of the persons entitled to benefit sharing. variety, registration number and other details of the plant variety(ies) in respect of which benefit sharing is claimed. the particulars of such documents, giving its date and parties to the same and showing how the claim made is substantiated of the persons) who has have the claim for benefit sharing. signed by the Applicant(s) Or authorized licensee(s) or agent(s) or legal representative(s) or assignee(s) FORM - PV 10 [See rule 48 of 2001] APPLICATION FOR VARIATION/CANCELLATION OF THE TERMS OF REGISTRATION hereby declare - that I/we, is/are registered breeder (s)/licensee/agent Of the plant

variety, registration No 157 2. that the registration of the plant variety was done by an order of the Registrar dated 3. that the grounds for variation or cancellation of the terms of registration are as follows a. b. I/we hereby state that the terms and conditions of the registration certificate may be cancelled/revised as follows. I/we hereby declare that the facts and matter stated herein are true to the best of my/our knowledge, information and belief Dated this To The Registrar day of 200 Signature The Plant Varieties Registry At insert Name (in address, and nationality To be signed by the Breeder or Plant Variety Rights Holder(s). 158 GAZETTE OF INDIA . EXTRAORDINARY FORM -PV 11 (See rule 49) THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001 NOTICE OF OPPOSITION TO AN APPLICATION FOR VARIATION OR CANCELLATION OF REGISTRATION 1, We hereby give notice of opposition to the application for variation/cancellation of the terms of the plant variety registration No. . for the plant variety having denomination ....., The grounds on which the said application is opposed are as - 2. My/our address of service in India is Dated this To The Registrar day of 200. 2 Signature The Plant Varieties Registry 159 FORM PV-12 [See 501 THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001 APPLICATION OF OFFER TO SURRENDER THE CERTIFICATE OF REGISTRATION BY THE REGISTERED BREEDER OF THE PLANT VARIETY. In the matter of plant variety registered • in the name Of No. of crop having registration application is hereby made by I/we, being the registered of the above mentioned registered plant variety to surrender his certificate of registration in circumstances that are in the accompanying statement All communications relating to this application may be sent at the following address Dated this The Registrar date of The Plant Varieties Registry At 4 2. 3. 4. 5, Insert the name(s) of the person making this application. Address of the person making this application. Signature Of the applicant or its agent State the name of the place of the appropriate office of the Plant Variety Registry Strike out whichever is not necessary 160 GAZETTE OF EXTRAORDINARY FORM PV-13 [See rule 51 THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001 NOTICE OF OPPOSITION FOR OFFER TO SURRENDER OF CERTIFICATE OF REGISTRATION OF PLANT VARIETY In the matter Of application for Offer to surrender Of certificate Of registration, Of plant of crop name; y having registration No. who is/are the registered hereby give notice of my intention to oppose the surrender of certificate, notice of which was received by me, the day Of. 20, sent by the Registrar of Plant Variety The statement stating the facts and grounds of opposition are as follows - All communications in relation to these proceedings may be sent to the following address in India Dated this day of 20. I/we, the Plant Variety Registry at Name Of the breeder or the successor of the plant variety making an application for surrender of plant variety 2, Name The opponent making this application. I/we state the nature of the opponent's interest, the facts upon which he bases his case and the relief, which he seeks. The opponent may furnish documents upon which he relies on as annexure to this notice Of opposition Name and address Of his principal place Of business Or residence the person making this application for opposition or his agent. I/we state the name of the place of the appropriate Office of the Plant Variety Registry Strike out whichever is not necessary FORM PV-14 THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001 INTENTION TO ATTEND HEARINGS Of the Registrar under section 1 day Of . I/we hereby making an application to the Registrar to provide an opportunity of being heard in reference to above matter. it is requested that the time and place of the hearing kindly be intimated to me in the following address Dated this... .. To 1. 2. 3. 4. 5

**6. The Registrar of Plant Variety The Office of the Plant Variety Registry at 5 pattnagar, Jaipur** as section No, form NO and I/we the name of the applicant application for surrender Insert name Of the person making this notice. Address of the person giving this notice, Signature of person giving the notice or Of his agent. State the name of the place or the appropriate Office of the Plant Variety Registry Strike out whichever is necessary FORM PV-15 [See rule 521 THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001 APPLICATION FOR REVOCATION OF THE CERTIFICATE OF REGISTRATION OF THE PLANT VARIETY REGISTERED UNDER THIS ACT BY ANY PERSON. In of plant variety registered in the name Of the •, having registration No. application is hereby made of the above mentioned registered plant variety for revocation of the on one of the following grounds and in circumstances that are stated fully in the accompanying 1, that the grant of certificate has been on information furnished by the applicant 162 GAZETTE OF : EXTRAORDINARY 2, that the of registration has

been granted to a person who is not eligible for protection under this Act 3. that the breeder did not provide Registrar With materials as required for registration under this Act that the has failed to provide an alternative denomination of the variety which is the subject matter of registration to the Registrar when the earlier denomination of such variety to be eligible for registration under Act 5. that the breeder did not provide the necessary seeds or material to person to whom compulsory licence has been issued under section 47 regarding the variety in respect of which licence has been issued to the breeder has not complied with the provisions of this Act or the rules made thereunder. 7 That the applicant has complied with the provisions of the Act 8 That the grant of certificate is public interest. All communications relating to this application may be sent at the address of... 20, Dated this 4 To The Plant Variety Authority/Registry 2 3. 4 5 Insert the name of the applicant. Nature of relationship of the applicant with the registered plant variety. Address of the applicant Signature of the applicant or his agent State the name of the place of the appropriate office of the Plant Varieties) Registry OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001 NOTICE OF OPPOSITION TO OPPOSE REVOCATION OF CERTIFICATE OF REGISTRATION OF PLANT VARIETY In the certificate of registration by Who is the registered hereby give of my intention to oppose the revocation of certificate, of plant variety of which registration No. is given to me, signed by the Registrar of, 20. plant variety The statement of the applicant is as follows: • AFI in relation to the proceedings to the following address in India. this To of The Registrar of Plant Variety The Office of the Registrar at 6 2. 3. 4. S

**6. Name of the person making an application for revocation of plant variety Name of the Written statement setting the nature of the applicant's interest, facts upon which he bases his case and relief which he seeks.** The applicant may submit any documents upon which he relies on as annexure to this of Name and address of his place or residence Signature of the person making this application or his agent State the name of the place of the appropriate office plant variety registry 164 OF , EXTRAORDINARY FORM PV-II (See rules 53(4).] THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001 APPLICATION FOR AN OPPORTUNITY OF BEING HEARD In the matter of the application made under section 16. day Of of crop . 20 the applicant or the opponent hereby making an application to the Registrar to an opportunity of being heard in reference to the above matter. It is requested that the time place Of the hearing be kindly intimated to me in the following address Dated this To day of . . . 20 4 Signature The Registrar of Plant Variety The Office of the Plant Variety-Registry at 2 4. S 6. Insert particulars such as section No. , form No. and also the name of applicant making an application for revocation Name of the person making this notice. Address of the person giving this notice. Signature of person giving the notice or of his agent. State the name of the place of the appropriate office of the Plant Variety Registry Strike out whichever is not necessary. FORM PV-IS I See rule THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001 APPLICATION BY ANY PERSON FOR CANCELLATION OR CHANGE OF TERMS OF REGISTRATION OF THE PLANT VARIETY REGISTERED UNDER THIS ACT. In the matter Of plant variety registered in the name of No. having registration application is hereby made by being the or registered. licensee any. other person of the above mentioned registered plant variety to cancel or change the terms of registration on any of the following grounds and in circumstances that are stated fully in the accompanying statement, 1. contravention of the provisions of the Act 2. failure to observe a condition subject to which such registration certificate is issued All communications relating to this application may be sent at the following address 2 Dated this To 200 day of Signature The Registrar The Plant Varieties Registry At

1. Insert the name of the person making this application
2. Address of the person making this application

**3. Signature of the person making this application or his agent 4, State the name of the place of the appropriate office of Plant Varieties Registry 5.** Strike out whichever is not necessary FORM PV-IY [See rule 511 THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001 APPLICATION BY ANY PERSON FOR MAKING, EXPUNGING OR VARYING THE ENTRY IN THE REGISTER OF PLANT VARIETY In the matter of plant variety in the name of No. having registration Of crop. application is hereby made by being the registered or registered agent or registered licensee or any other person of the mentioned registered plant variety for making, or varying the entry in the register of plant variety on any of the following grounds and in circumstances that are stated fully in the accompanying

statement. 1. absence or omission from register of any entry 2. entry made in the register with sufficient cause. 3. entry wrongly remaining in the register. All communications relating to this application may be sent at the following address: Dated this \_\_\_\_ day of \_\_\_\_ 20\_\_\_\_. Signature \_\_\_\_\_ 3. The Registrar, The Plant Varieties Registry. 2. 3. 4. 5 Insert the name of the person making this application. Address of the person making this application. Signature of the person making this application or his agent. State the name or place of the appropriate office of the Plant Varieties Registry. Strike out whichever is not necessary. 166 GAZETTE OF INDIA : EXTRAORDINARY FORM PV-20 (See rule 59 THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001) NOTICE OF OPPOSITION FOR EITHER CANCELLATION OR CHANGE or CERTIFICATE OF REGISTRATION OR MAKING, EXPUNGING OR VARYING THE ENTRY IN THE REGISTER OF PLANT VARIETY BY THE REGISTRAR for J In the matter of the notice received dated the Registrar bearing registration No. .... of crop. by 1/We hereby give notice of my intention to oppose' The written statement of the facts and the opposition are as follows: All communications in relation to these proceedings may be sent to the following address: Dated this \_\_\_\_ day of \_\_\_\_ 20\_\_\_\_, \*Signature \_\_\_\_\_ 3. The Registrar, The Plant Variety Registry at 2. 3 4. 5 6 The intention of the Registrar for cancellation or change of certificate of registration or making, expunging or varying the entry in the register variety, Name Of the person making this notice of opposition Written statement setting the nature of the opponent's interest, the upon which he bases his case and the relief, which he seeks, The opponent may furnish any documents upon which the opponent relies on as annexure to this notice of opposition. Address Of the opponent. Signature of the person giving notice or of his agent. State the name or the place of the appropriate office of the Plant Variety Registry, FORM pv-21 (See 601 THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001) FOR CORRECTION OF REGISTER BY THE REGISTERED BREEDER. In the matter of plant variety registered in my name i.e. having registration of crop. application is hereby made by me for making to the register of plant variety on any of the following ground(s): 1, any error in the Register in the name, address or description of such or any entry relating to such variety 2. Enter in the Register any change in the name, address or description of 3. Cancel the entry in the Register of the variety of which "Ch application is made; and may make any consequential amendments or alteration in the certificate of registration for that purpose requires the certificate of registration to be produced to him. All communications relating to this application may be sent at the following address: Dated this \_\_\_\_ The Registrar day of \_\_\_\_.

## 20. The Plant Varieties Registry 2.3

**4. Insert the name of the person making this application (registered breeder).** Address of the person making this application (registered breeder). Signature of the registered breeder or its agent State the name of the place of appropriate office of the Plant Varieties Registry EXTRA FORM PV-22 (See rule 621 THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001) APPLICATION FOR CORRECTION OF REGISTER BY THE REGISTERED AGENT OR THE REGISTERED LICENSEE In the matter of plant variety registered in the name Of NO having registration of crop. application is hereby made being the registered licensee/ registered agent 6 of the above by I mentioned registered plant variety to make correction on any of the following grounds and in circumstances that are stated fully in the accompanying statement correct any error. 2. enter any change, in the name, address or description of the registered agent 3. enter any change, in the name, address or description Of the registered licensee. All communications relating to this application may be sent at the following address: Dated this \_\_\_\_ To The Registrar day Of \_\_\_\_ 20\_\_\_\_. 4 Signature \_\_\_\_\_ The Plant Varieties Registry At 2 3 4. 5 Insert the name Of the person making this application. Reasons of making this application i.e. either to correct any error or enter any change, in the name, address or description of the applicant. Address of the person making this application. Signature of the applicant. State the name of the place of the appropriate Office of the Plant Varieties Registry. Strike out whichever is not applicable. FORM. ev-23 [See rule 21 THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001] ALTERATION OF DENOMINATION here by request to add/delete/alter the denomination of a registered variety— . registration Of The existing denomination The denomination when altered will appear All notices, and communication relating thereto may be sent to the following address: Dated this \_\_\_\_ Signature \_\_\_\_\_ The Registrar, Plant Varieties Registry, New Delhi 110002. 9. Like off 'Ehighuzas-inoppliggble me Name(') (in full), address (e) and Nationality of the breeder/bis legal 2. Signature and Name of the person(s), with official seal, if any. making this Application. 1m THE GAZETTE OF : EXTRAORDINARY FORM -PV 24 (See THE PROTECTION OF PLANT VARIETIES

AND FARMERS' RIGHTS Act, 2001 NOTICE OF OPPOSITION TO THE ALTERATION IN DENOMINATION 1, 'We hereby give notice of opposition to the change in the denomination of registered plant variety 2 registration No. reason(s) 2, Of the crop on for the following I/we enclose the following evidence(s) to substantiate my/our statement. Dated this To, The Registrar day of 20. 3 Signature Plant Varieties Registry 2 3. Name, address and nationality of the person(s) filing notice of opposition Registration number as advertised Signature and Name, with official if any, of the person(s) filing Notice Of Opposition in manner OF PLANT VARIETIES AND FARMERS' RIGHTS Act. APPLICATION FOR COMPENSATION by We may in respect Of plant variety using No of the crop—», Oilure of mMOI to pafmm u given ;onditons In Wpccyt of to Ywe are 611pwiog widq«s) My/pur Address Evia is D.ted this of 3 The 2, 3, Rights of making request .ensa\$ipn pgijcnlars or evidences stnwing claim made is To be by the along with narrE(s), omgial if any. 172 THE GAZETTE OF [NDIA : EXTRAORDINARY FORM - pv-26 [See rule THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001 NOTICE OF OPPOSITION AN APPLICATION FOR COMPENSATION vweI give notice of opposition to the application for compensation made by/on behalf respect of the registered plant variO registration No of crop The grounds on which the said application compensation is opposed are as follows.- 2. 3, In support Of my/our opposition, Ilwe hereby enclose certified copies Of following documents - 2 3\_ My/our address of service in India is Dated this To The Authority day Of 20 Signature The Protection of Plant Varieties and Farmers' Rights Strike off whichever is inapplicable 1. Insert the name(in address and of the applicant 2. The Name(s) for compensation 3, TO be signed by the Applicant(s) FORM - PV-27 THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001 NOTICE OF opposmoN TO AN APPLICATION FOR COMPENSATION VWe give notice of opposition to application for compensation made by/on behalf • •ect of the \*tered plant variety registration NO of crop—; The Bounds on whiü the said ftr mtnpen\*iog is are as follows:- 2, 3. In support of my,'our opposition, "we her=y etElose herewith copies of föllowing donuments:-, 2. 3. My/cwr address of service in is Dated this To The Authority day of .20. Signature The Pmtecton of Plant Varietie and Farmers' Rights Strike off whichever is inapplicable I .1nEt æ n\*in ftll), aureu and Mtionalit>' ofthe A\*cant 2. The Name(s) of the has an application compensation 3 .To be siYED by the Applicant(s) 174 THE GAZETTE OF EXTRAORDINARY FORM [See THE PROTECTION OF PLANT VARETIESAND FARMERS' RIGHTS ACT, 2001 Grant of Compulsory License r,We , hereby apply for the grant of compulsory license plant having on following grounds, namely: - 1. the reasonable requirements of the br marial of the variety have not ben satisfi4 2. seeds or propagatirw mnerial Of the not av\*ble to it reasonable price. The documentary evidence in of my/our trr copies thereof are herewith enclosed• - 2. VWe declare that the äcts and I—Gn are of knowledge, information and belief My/Our address sg-vice in iy this To The Authority . .day of. Protection of Plant and Farr—n' Righe Strike off whichever is 1. State the name (in full), address and rntionalityofthe Applicant(s), 2. To be by applicant(s) or if the applicant(s) Ware absent from by authorised patent agent. FORM -PV.29 THE PROTECTION OF VARIETIES AND FARMAS' RIGHTS ACT, 2001 NOTICE OF opposmoN TO AN APPLICATION FOR COMPULSORY I.&CENSE LWe give ofoppsition to the application compulory licetse made behalf Of le\$sta•ed plant No of crop in rap" Inving reginrnion The grounds on which the Br is ere as Bllows.- 1. 2

**3. In of my/our Vwe hereby enclose Copie of QE frllowing documents.-** 1. 2. My/our address of service in India is Dated this The Authority day of 20... Signature The Protectk\*n of Plant Varieties and Farmers' Ri\*ts l. 2

**3. Strike off whichever is inapplicable Insat the name(in älll), and nationality ofthe applicant ne Name(s) ofthe person(s) ins filed an application for compulgrh license To be signed by the applicant(s) 176 GAZETTE OF EXTRAORDINARY FORM - [See rule THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS Act, 2001 AN APPLICATION FOR REVOCATION OF COMPULSORY LICENSE vweI request for revocation of compulsory license ganied t02 respect of plant variety—ot registration No - the following reasons: 1 Violation of terms and conditions of commalsory licmæ 2. Inappropriate to continue license in public interest The certified copies of all the documerts are enclosed here Wüh in Alppon Of grounds for revocation, [AVe declare that the facts and matters stated. herein are true to the best of my/mar knowledge, information and belief. My/Our**

address for service in India is Dated this To The Authority day of 20 3 Signa ture The Protection of Plant Varieties and Farmers' Rights 2

**3. Strike or whichever is inapplicable Insert the name(in full), address and nationality of the applicant The Name(s), address and nationality of the who has been granted compulsory license To be signed by the applicant(s) FORM -PV-31 tse TUE PROTECTION or PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001 NOTICE OF opposrr10N TO AN APPLICATION FOR REVOCATION øve notice of oppositbn to tke for revoeetiM far grant of compüory license m•de by/on behalf variety dated repeat of the registered at crop having No grounds on which the said application for the revocation of grant license i.opposed are as follows:-** 0) (2) (3) In support of my/our oppositi0A Vwe her±y enclose tEewith certified copies of the documems:- (2) (3) My/our address ofservice in India is Dated this Zog day of. , 20. SWture 178 To The Authority THF., GAZET[E OF INDIA : EXTRAORDTN riie Protection Of mant Varietie and Famen• Strike OT whichwer inapplicable I Insert the name(in full), address nationality 2.The Name(s) of tLE person(s) who has filed an application revocation 3. To be by the applicant(s) FORM rv-32 (See rule THE PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS 2001 FORM OF AUTHORISATION TO INSTITUTE SUIT In the matter of plant vaü•ty—, Of regi'tniio• NO- published On L'Wel— I\*reby 2 authorize 3 niy/Our behalf in connection with request that all notices, requisitiong and communications relating thereto may be sent to Such agent/'icensee at the above INe hereby revoke all previous autYMizations, if apy made in respect of the matter or proceedingg\_ Dated this day . of, 20 (Nane and omcinl geal if any) 179 1. 2. 3. 4. V.rietiß inapplicable In"t the (in fiJl), address Apd natiunlity of armlieam Insä•t the Narne (in ftll), address and nationality of tlr State the putiqilar matter or proceeding mr which the authoriution has bæø giv«) Ta by applicam(g) FORM PV-33 ISeé 761 THE rmTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS ACT, 2001 REQUEST pon CERTWIED corms OF ENTRIES m THE PLANT VARIETIES OR FOR INSPECTION OF SUCH ENTRY of plant or cro—, hüg reistntio• to Rarnisb with a copy of tg md copy an given above INe hg±y rqueÄ to allow nwus entries'doalment in Ofthe above plant variey which copy OfttE etnry (iesYdocument is rquired is as 1, 3. D0d this day , of 20. Signature (Name and if any) 180 GAZETTE OF INDIA EXTRAORDINARY To 1) The Registrar The mant Varietie Reistry 2) The Authority mant and Farmers' Rights Application no on—byl 2. 3

**4. Sign•tuN Strike whichever i' inappl•hle Insert the Name (in fill), address and ruttomlity of the applicant Signature of the applicant Stme the particular matter or procaëding which the authorintion has been given To be signed by the applicant(s) FORM O- 1 [See 301 GOVERNEMNT OF INDIA, PLANT VARIEITIES REGISTRY ADVERTISEMENT OF ACCEPTED APPLICATION FOR REGISTRATION or on behalf of Mrz.new plant variety/ extant variety eseentially specification including its, drawing and or photograph(s) Of Which are given below, has been accepted and given registration number— The convention application of the said variety has been filed Appropriate office for the of proceeding under rule 29, of the Protection of Plant Varieties and Farmers' Rights, 2003, Rules is A— 1. Name (m Rill), addrasiserviee address (with registration if applic±le) & and nationality ofthe applicant**

**6. Cm Rill), addrzs ofthebreder (in case applicant is not the breeder) 7.Name of the convention  
country 8. Name ofthe Office.**



-0-4 441 GOVERNMENT OF INDIA, PR(TECTION or PLANT VARIETRIES AND VARMEB  
REGEIS AUTHOR"Y REFERENCE FOR RECOVERY OV BENEFIT SHARING AMOUNT To Cue  
RS. hadhave been asked vide dud.. . to Ba•efit Sharing annant, by this —me ined in of bæfit application  
NO, „wih Fund und« provisioil\$ of AM Aid hasthave deãultd or ãiled to deposit said 184 THE GAZETTE  
OF A Rx•rRAOkh1NÅkY and wha-e said Person(s) benefit sharing amount for the last on hWtheir work  
at=—, Which ie within your juri"ietlon. In view of above-mentiond the pui ot person(s) herein, reference  
is being made herein to your to collect the above of benefit sharing as an arrear of utuat provisions of the  
The amount realised as an anear Of to this required to be depositd with the National Gene Fund established  
uür Pmteün of Plant Varieties and Farm«s' Rights Act. 2001 Within or three months aner realization of the  
said amount Dated this dayof.... 20 SIGNATURE Wttfi SEAL OF THE Autnonrry FORM 04 tse•rute 411

Registru of Plant h«eby serves upon a to the .(pr of the applicatim received under section 33 ( I 186  
GAZEIT OF NDIA : EXTRAORDIN Copy of the application along with —nying statement by Registrar is  
annexed herewith. If any person notified h«eby, to oppog the au-rmda Of Of registration, shall within 3  
months of tik r#eipt d this notification may oppw in the prescribed man«er Dated this To dayof. ..200. (3)

33 / 38

REGISTERED UNDER THIS ACT BY ANY PERSON UNDER SECTION 34. Authority or Plant Variety hereby Serves upon a to the breeder of the application received under section 34. Copy of the application along with the accompanying statement received by the Registrar is annexed herewith. If any person notified hereby, intends to oppose the revocation of certificate Of registration, shall within 3 months of the receipt of this notification may oppose in prescribed manner. Dated this . day of 20.



**4. Breeder's name or duly the name of the "Owner"**



FORM 0.9 rule 5' NOTIC OF THE REGISTRAR FOR EITHER CANCELLATION OR CHANGE OF  
CERTIFICATE OF REGISTRATION OR MAKING, EX'UNGNG OR VARYING THE ENTRY m THE  
REGISTER OV PLANT VARIETY. man" Ofplant zy r%lstratipn No.. of crop... .... , Notice is hereby  
served by the Registru of Plant in n.mg pf Vyiety Bhe Registrar intnds to following char«s) and in  
circumstanes that are stated tally in the accompanying statalEnt\_ 1



**3. Dated this** E. the certificate of changing the of registration. making, changing or varying the entry in  
Register of Plant Variety Day Breeder Agent License Registrar of plant variety or the duly authorized person-

4. the name and address. GAZETTE



FORM mo ISe rule 63 ORD ARY NOTICE OF APPLICA HON FOR CORBECTION OF REGISTER BY THE REGISTERED AGENT OR THE REGISTEREP LICENSU SECTION 31 Registrar of Plant Variety hereby serves upon a notice to the registered of application received under section 37 (2). Copy of the application along with "companying statemept by Registrar is annexed herewith\_ Dated this day of 200. (A) The Registered Breeder At. 2 3. Signature of the Registrar ofplagtvariety or the duly authorized person

**4. Insert the name and address.**FORMO-II (See rule 65) GOWRNMENT OF INDIA, PLANT VARIETIES REGISTRY ALTERATION IN DENOMINATION Plant registration No. -dated— Notice is hereby given that an application to alter ttE denomination of plant variety— registration No. — m" by The denomination as givei has alk)wed thig dzyof., ....200.. SEAL AND SIGNATURE OF THE AUTHORITY PROTECTION OF PLANT VARIETIES AND FARMERS' RIGHTS AUTHORITY FORMO -12 GOVERNMENT OF INDIA, PLANT VARIETIES REGISTRY NOTICE FOR COMPENSATION TOWARDS COMMUNITIES' RIGHTS crop—having No.. NMice is given claims have been frun towards by hitn/them, in the evolutim of ttr above plant variety. reginered agentnegal repregntativVassigtEe is directed to file any to mcb clairro withHn thre mmths from the date oftNs Wbnntiate his to claims by providing. auttrnticated He be given oppormnity ofbeing hard if so &üed Dned this day of... 200 RQ INi•I

