



9<sup>th</sup> January 2024

## UK plant breeders with Retained EU Plant Variety Rights: important information

We wrote to holders of Retained EU Plant Variety Rights in 2023 requesting additional information relating to Retained EU Plant Variety Rights. This letter is a formal request for this information.

Thank you if you have already responded to us with the requested information and supporting documentation. Please be assured that we are in the process of dealing with your request and you do not need to take further action.

The Controller of the Plant Variety Rights Office, under regulation 6(1)(b) of the Plant Breeders' Rights (Amendments) (EU Exit) Regulations 2019, requires a holder of a retained EU Plant Variety Right to provide an address for service in the UK or details of a UK agent. **If you wish to retain your Plant Variety Right, please provide this information by the 29th of February 2024.**

If you do not provide this requested information by 29<sup>th</sup> February 2024, the Controller may terminate your Retained EU Plant Variety Right where the Controller is satisfied that the holder has failed to comply with this request.

### What you need to do

**If you hold Retained EU Plant Variety Rights, you will need to provide us with additional information relating to those rights for their remaining lifespan.**

Please email [eupvrtransferukpbr@apha.gov.uk](mailto:eupvrtransferukpbr@apha.gov.uk) as soon as possible with:

**1. Confirmation that you hold Retained EU Plant Variety Rights** and want to continue to hold these rights past 1 January 2024.

**2. Confirmation of the varieties you want to continue to hold rights for**

- Open the spreadsheet below and find your name in column H (we have sorted the data alphabetically). Please note this spreadsheet is the original list provided to APHA by the CPVO before amendments and will contain Retained EU Plant Variety Rights that have since expired.
- Fill in details for each of your rows by stating 'Yes' in column H for those varieties you want to continue to hold rights for, fill in today's date in column I and add the date on which you filled in the PSV11 form (mentioned in point 3 below) in column J.
- Copy and paste the rows in your section including columns A to J into a new spreadsheet and attach it to your email. For ease of filtering the data has been sorted and is listed by the Holder of Rights – please see the example below.

	A	B	C	D	E	F	G	H	I	J
1	EU Grant Number	Variety Approved Name	Breeders Reference	Botanical Name	Grant Start Date	Grant End Date	Holder of Right	Continue Holder of Right	Date Confirmed	Auth of Agent PVS11 provided
2	1#####	Example Only	example1	Solanum tuberosum L.	16/11/2015	31/12/2045	Name Of Rightholder	Yes	02 January 2023	02 January 2023
3	2#####	Second Example	Example2	Aster alpinus L.	01/01/2017	31/12/2042	Name Of Rightholder	Yes	02 January 2023	02 January 2023
4										

**Please see Annex 1 for the list of Retained EU Plant Variety Rights.**



### 3. A UK address for correspondence

Fill in and sign the PVS11 form below and attach it to your email:

- Include your UK address for correspondence.
- Tick the second tick box that says 'the Controller of Plant Variety Rights in accordance with the Plant Breeders' Rights Regulations 1998;'
- Leave the table with Species/Breeders ref/AFP number blank.
- Fill in your name underneath the table where it says 'Name in BLOCK letters (no need to complete your signature)
- Click on 'Lock this form' and then save a copy of the form to attach to your email.

**Please see Annex 2 the UK Authorisation of Agent form (PVS11).**

### 4. Details of any changes to ownership of Retained EU Plant Variety Rights since 31 December 2020

If you have taken on ownership of a Retained EU Plant Variety Right from someone else, you will need to complete the PVS10 form below with your details. Please then attach this to the email.

**Please see Annex 3 the UK Assignments of Rights form (PVS10).**

## What to do if you want to surrender your Retained EU Plant Variety Rights

**If you no longer want to hold Retained EU Plant Variety Rights, please email [eupvrtransferukpbr@apha.gov.uk](mailto:eupvrtransferukpbr@apha.gov.uk) as soon as possible to let us know.**

- Open the spreadsheet below and find your name in column H (we have sorted the data alphabetically)
- Copy and paste the rows in your section including columns A to J into a new spreadsheet and attach it to your email.

**Please see Annex 1 for the list of Retained EU Plant Variety Rights.**



Animal &  
Plant Health  
Agency

**Please note that there is no charge associated with processing this information.**

Attached with this information letter is the following:

Annex 1 - Retained EU Plant Variety Rights

Annex 2 - Authorisation of Agent Form (PVS11)

Annex 3 - Assignments of Rights form (PVS10)

**Questions about this Notice** If you have any queries please email [eupvrtransferukpbr@apha.gov.uk](mailto:eupvrtransferukpbr@apha.gov.uk) with the Holder of Rights and the EU grant number/s that your query relates to (you can find these numbers in column A on the spreadsheet in section 2) in the subject heading.

Yours faithfully,

Plant Varieties and Seeds (PVS) Task Force

Plant Variety Rights Office for the UK,

Animal and Plant Health Agency (APHA)

### **Annex 1 - Retained EU Plant Variety Rights**



Retained EU Plant  
Variety Rights.xlsx

### **Annex 2 - Authorisation of Agent Form (PVS11)**



form-pvs11.pdf

### **Annex 3 - Assignments of Rights form (PVS10)**



form-pvs10.pdf