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PRESS RELEASE

On 30 May 2013, the CPVO, in cooperation with the Italian Ministry of Economic Development, Italian Patent and Trademark Office and the breeders' organisations (ESA, CIOPORA and Plantum), organized a **seminar on the enforcement of plant variety rights**. This seminar aimed at sharing information and experience relating to the enforcement of plant variety rights in Italy and possibly other EU Member States. More than 130 persons from more than 15 countries participated in the event. Amongst others, breeders and representatives of the breeders' organisations, seed producers, growers and propagators, farmers, Italian officials responsible for plant variety rights and representatives from examinations offices participated.

In the presentations made, it was indicated that Italy has adopted provisions in relation to the enforcement of plant varieties and that, in some cases, holders of protected plant varieties have been able to persuade courts to rule in their favor. Examples were also given on successful custom actions. However, concerns were raised by speakers and participants on problems to secure evidence under the applicable procedural rules. It was also mentioned that proceedings take too long time and one of the reasons for this is that judges lack experience in this area of law. Timely proceedings also become very expensive. Although the number of competent courts specialized in intellectual property has been reduced by the Italian legislator, some argued that a further limitation is needed to come to terms with the problem. It was suggested by some that criminal procedures could be used more often.

It was also concluded that there is no system in place to collect royalties for farm saved seeds in Italy. On a European level, the speakers representing breeders and farmers organisations agreed that the rules on collecting royalties for farm saved seed could be improved in order to make the system simple and fair but the parties have yet to agree on the technicalities of a solution.

The aim of the seminar was to raise awareness. Different stakeholders, including authorities, indicated that they will take on board the experiences shared in the seminar in coming dialogues, dialogues that the CPVO would support.

A special thanks to the Italian Ministry of Economic Development, Italian Patent and Trademark Office which provided the venue of the event at the beautiful premises of the Chamber of Commerce in Rome.

Seminar presentations are available on the CPVO website <http://cpvo.europa.eu>

