



New plants from old

Worksheet 8 - Claim your Plant Breeder's Rights

Plant breeders have the right to control the variety of plant that they have created (in the same way as the author of a book).

To gain this control, the breeder needs to fill in a registration form, and describe how their new variety of plant is distinct, uniform and stable.

These mean:

- **distinct** - meaning that when compared to existing varieties it must be clearly different either visually or in characteristics such as flowering time or in other factors such as quality.
- **uniform** - meaning that all examples of it show the same characteristics, it is not just a one-off example
- **stable** - meaning that it must reproduce those new characteristics from generation to generation (ie it must breed true - it cannot produce the 3:1 ratios etc).

For example, Plant Breeder's Rights were granted to

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| | 'Drysdale' wheat — a variety of wheat created by scientists that uses water more efficiently, so is more drought-resistant. |
| | 'Bollgard II' cotton — a variety of cotton in which scientists built in natural pesticides to protect the cotton against the Bollworm, the main insect pest against cotton. This means farmers can use less pesticide, a saving financially and ecologically. |

Registering the new variety gives you the right to:

- produce or reproduce the material;
- prepare the material for the purpose of propagation (c) offer the material for sale;
- sell the material;
- import the material;
- export the material; and
- stock the material for any of the purposes described above.

Some plant breeder's become rich and famous, others produce new varieties to benefit society or just for the pleasure of creating something new.

Having a registered variety does not stop others from using your plant in their own attempts to create new plant varieties or variations from your one.



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For more information go to www.ipaustralia.gov.au

1. Why would the people who created the plant want to claim these rights?
2. Can the people who own the rights:
 - a Breed the plant? Yes No
 - b Sell the plant? Yes No
 - c Let others sell it? Yes No
 - d Export the plant overseas? Yes No
- e If you wanted to try and create a new plant using the Grevillea 'Robyn Gordon' and another one would you be allowed to? Yes No