



# Plant Varieties Journal

Volume 2 Number 3 September 1989



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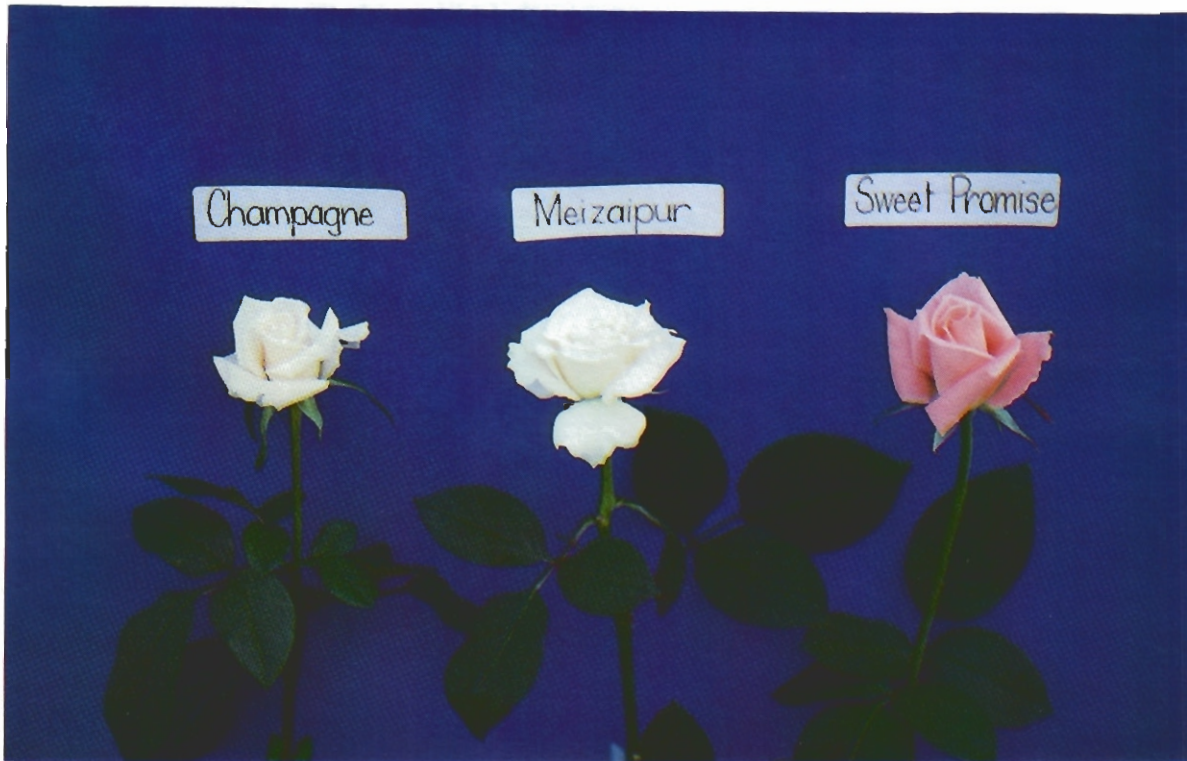
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**'Meizaipur' between its comparative varieties 'Korampa' ('Champagner') and 'Sweet Promise' ('Sonia').  
Photograph supplied by applicant)**

19D inside; stems with very short, numerous and slender thorns; a terminal leaflet with a relatively long petiole; and flowers with predominantly red styles with stigma protruding above anthers.

#### **Varieties used for comparison**

'Champagner' (registered name 'Korampa' and also known overseas as 'Antique Silk') which is the closest known to 'Meizaipur' in flower colour and size, 'Sonia' (registered name 'Sweet Promise') which is a commonly known standard variety in Australia.

#### **Comparative Growing Trials**

All characteristics and comparisons below are from comparative growing trials conducted at Rosevears near Launceston in northern Tasmania in May 1989. Growing conditions were the same as used for commercial production. The plants were hydroponically grown in a controlled environment greenhouse in plot rows of 100 plants per variety. All trial plants were indexed virus free. Temperatures were kept within a diurnal range of 16—27°C. Measurements represent 20 randomly chosen specimens from these plants.

#### **Origin**

The breeder was the late Mrs Marie-Louise Meilland in France.

'Meizaipur' was selected from the progeny of a controlled pollination of the variety 'Meifota' by an unnamed seedling. Plant Variety Rights have been applied for in West Germany in 1986 and France and Israel in 1987.

#### **Morphology** — See comparison tables.

'Meizaipur' is a near-white glasshouse rose with a medium sized flower head, smaller than 'Sonia' and slightly smaller than 'Champagner'. The main distinguishing characters are included in the comparison tables. Characteristics observed but

not included in the table are as follows. The petal texture of 'Meizaipur' was observed to be distinctly firmer and more paper-like to touch than that of the softer 'Champagner' or 'Sonia.' The thorns of 'Meizaipur' are very short, averaging barely a third the length of 'Champagner', slender and numerous. Foliage is uniformly dark green, leaf upper surfaces are dull in lustre and terminal leaflet is flat in cross section in both 'Champagner' and 'Meizaipur'. Perfume was also observed to be weak in both these varieties.

The presence of anthocyanin in young foliage is recorded from both the comparative growing trials and examination as being very weak but the technical photograph supplied from France portrays a medium to strong expression. This discrepancy is probably due to environmental factors such as differing levels of ultraviolet light.

#### **Variety: 'Keijourna'**

(commercial synonym 'Aurelia')  
Application No. 89/010

Applicant: **S.N.C. Meilland et Cie** of Antibes, France.

**Australian Agent: P J Lee, TVR Propagators Pty Ltd** of Rosevears, Tasmania.

#### **Diagnosis**

This variety is distinct from all other known varieties in having the following combination of characters: a medium red glasshouse rose with a petal colour closest to RHS 53B outside and RHS 46B inside; stems with medium sized robust thorns; elongate terminal leaflets with glossy upper surfaces; and flowers with predominantly red style and stigma below level of anthers.

The Code defines cloning and hybridisation as methods of producing the variety and recognises a "strain" as synonymous with variety

## WORKSHOP ON INTELLECTUAL PROPERTY PROTECTION FOR PLANTS

On 11/12 July 1989 the Plant Variety Rights Advisory Committee and the Australian Patents Office, in conjunction with the Standing Committee of Agriculture, held a Workshop to examine the PVR and Patents systems in Australia and the protection they give to plants. The objective was to distinguish between PVR and Patents (they are not the same), explore the scope of the systems and identify issues arising from their implementation. Proposed changes to the UPOV Convention were also discussed.

In opening the Workshop the Hon John Kerin, Minister for Primary Industries and Energy had the following to say:

*"Society has long recognised the need to reward research and inventive effort by the grant of monopoly rights in exchange for the inventor making the products of the research available to the public.*

*Currently there are two methods for the protection of plants or plant components in Australia, the existing Patents system and the more recently introduced Plant Variety Rights, or PVR for short. Although there is some overlap between the two systems, it is also the case that some plants, plant parts or material are only covered by one or other of them and they can therefore complement each other.*

*Australia must carefully examine the direction that it should take in regard to the availability of PVR and Patents for plant varieties per se and the interaction between the two systems. I hope that the proceedings of this Workshop will assist in formulating a national position for input into the international debate early next year at a joint meeting of UPOV and WIPO (World International Property Organisation — the patent equivalent of UPOV).*

*The world of plant breeding is just catching up to the industrial world where ownership of invention, cross licencing and mass production under licence have been part of life. The impact of such processes for plant breeders must be carefully analysed, particularly in relation to the interaction between PVR and Patents.*

*Plant breeding and technology have always been of major importance in Australia and must continue to be so, meeting the needs for disease resistance, yield performance, competition from overseas varieties and the need to develop new crops and markets to retain Australia's share of international trade in rural products.*

*We should encourage this activity and ensure that breeders maintain internationally competitive programs by providing protection commensurate with the effort required. On the other hand we must also ensure that the grower and user of the product is not excluded from*

*access to the available varieties and that breeding programs are not hindered by excessive legal processes.*

*The task over the next two days is to see how we can maximise the advantages provided by the related but differing intellectual property laws to ensure that the needs of industry and the community are met and that we keep pace with technological development and international change".*

Participants included public and private sector plant breeders, patent attorneys, grower organisations, genetic engineers, and consumer organisations. We were also fortunate to have Mr Barry Greengrass, the Vice Secretary-General of UPOV (based in Geneva) and Mr Bill Whitmore, the Commissioner for PVR in New Zealand, adding a broader international perspective.

Some of the issues debated included intellectual property protection for developments using biotechnology, the interaction between PVR and Patents particularly in protecting plant varieties per se, the need for availability of both systems for plant varieties, the operation of PVR, dependency, and specific issues raised by applicants.

There was general consensus on many of these issues but the interaction between PVR and Patents still requires further examination.

For those who were not at the Workshop but would like to find out what went on, **Proceedings** should be available from the PVR Office by the end of September 1989 for \$45 per copy. Participants will receive copies automatically.

## UPOV

### Mr Barry Greengrass, Vice Secretary-General of UPOV

We were privileged to have Mr Barry Greengrass, Vice Secretary-General of UPOV in Australia in July for the Workshop on Intellectual Property Protection. He provided first hand insight into the workings of UPOV, the operation of the UPOV Convention, proposed changes and general questions on intellectual property rights for plants. Mr Greengrass also met individually with private and public sector breeders to discuss the operation of PVR.

In January 1990 UPOV and WIPO are holding a joint meeting to discuss the interaction between PVR and Patents. The PVR Office and the Patent Office are hoping to provide a joint submission to that meeting and anyone interested in having input should contact the Registrar of Plant Variety Rights by 31 October 1989.

## PVR TRIALS — Register of Names

The Plant Variety Rights Office is compiling a register of names (Appendix 6) of organisations who undertake PVR testing for other people. This list will be given to anyone who asks and no preference will be given to any organisation. Organisations interested in being on the register should write to the Registrar. The PVR Office does not take any responsibility for the actions of these organisations.

# REGISTRAR'S REMARKS

Another milestone has been reached for PVR in Australia. We have hit the century and now have over one hundred applications on the books. However closer scrutiny shows that only 30% of these applications are for varieties originated in Australia.

Even more interesting is that 50% of the applications are for ornamentals but only 14% of these originated in Australia. This supports the argument that PVR was needed to give Australia access to new overseas varieties but it also raises questions as to why there are not more Australian applications for both ornamentals and agricultural species.

I am not sure of the answer but there are several aspects to consider. One is that overseas breeders have had access to PVR for a long time and have recognised the advantages it provides. They are familiar with the requirements for PVR and are able to supply the necessary information. Australian breeders need time to adjust to the system and to include the required growing trials into their breeding programs.

At the recent Workshop on Intellectual Property Protection for Plants several speakers indicated that interest in plant breeding in Australia has increased considerably since the introduction of PVR. This interest should be reflected in an increasing number of applications over the next few years.

It is not clear whether this increased interest also applies to ornamentals. As already noted, ornamentals represent around 50% of PVR applications but only 14% of those originated in Australia. Perhaps it is time to increase our efforts particularly when we look at the potential for development of Australian flora. In July I participated in a Workshop organised by the Western Australian Department of Agriculture on the Marketing of Australian Flora. The need for variety improvement was particularly evident but so were the subsequent rewards.

As PVR develops in Australia I hope to see the balance swing the other way with 70% of applications coming from Australia. The development of new varieties is the basis for continued growth in the plant industries and PVR provides an important tool for breeders in the commercialisation of their developments.

**Kathryn Adams**  
Registrar of Plant Variety Rights

**PLANT VARIETY RIGHTS OFFICE**  
GPO BOX 858  
CANBERRA ACT 2601

**CLOSING DATE FOR DECEMBER ISSUE : 20 OCTOBER 1989**

CONTACT NUMBERS: REGISTRAR  
EXAMINERS  
ADMINISTRATION/GENERAL  
FACSIMILE

O62 716472  
062 716476/726451  
062 724228  
062 723650 (NEW NO.)

# PART 1 — ITEMS OF GENERAL INTEREST

## IMPLEMENTATION OF PVR — PROGRESS

The number of applications is increasing steadily, with a further 40 since the last issue. As noted in the Registrar's remarks more than 100 are now on the books.

As the number of applications increases so does the number of rights granted. Since the last issue a further 7 have been granted making a total of 13. The new ones are listed in Part 2 of this issue and include lechenaultia, lettuce, pea, serradella and ryegrass, covering a broad range of plant genera.

## AMENDMENTS TO THE SCHEDULE

New varieties are eligible for PVR if their genus or species is listed in the regulations under the *Plant Variety Rights Act 1987*.

The schedule at Appendix 1 provides advance notice of the eligibility of plants to allow potential applicants to plan their breeding programs. (It should be noted that plant groups in Appendix 1 are for convenience and are not listed in the regulations. The latin name takes precedence over the English name to determine eligibility for PVR).

A large number of new genera and species were included in the Regulations in July 1989 and PVR can now be granted for all genera and species in Appendix 1 except those listed under the Column headed "March 90". As all genera and species will become eligible for PVR from March 1990 and it about takes 9 months from the time of application to the grant of rights, applications will be accepted from 1 October 1989 for varieties of genera not yet listed in the Regulations. However applicants should note that although the examination can proceed, PVR cannot be granted and provisional protection will not apply until the genus or species is included in the Regulations.

## COMPARATIVE GROWING TRIALS — inclusion of varieties under examination

For a new variety to be eligible for PVR it must be different from other known varieties. The PVR Office requires applicants to demonstrate this distinctness by growing the new variety with the closest available varieties in comparative trials on the same site under the same conditions.

Potential applicants should ensure that they are aware of any new varieties currently under examination by the PVR Office, as these may need to be included in the comparative trials.

Applicants should also note that they may be required to provide material of new varieties to subsequent applicants for comparative trials to demonstrate that their variety is different from similar varieties already submitted for PVR. In most cases such material would be covered by PVR or provisional protection.

## PROVISIONAL PROTECTION — sale of the variety

Provisional protection applies from the time the application is accepted to the time PVR is granted or rejected if the variety has not been sold at all or sales have been restricted for scientific purposes or bulking up. Several organisations have raised the possibility of being able to commercially sell their varieties and still retain provisional protection under S22.

The present system is based on the principle that a person should not be able to commercially exploit ownership of the variety under PVR until it is confirmed that the rights will be granted.

On the other hand, a person is not able to make any use of the provisional protection unless PVR is actually granted as action can only be taken retrospectively. Therefore it may be reasonable to allow some degree of protection if the variety is sold commercially while still under examination.

Changes to the provisions could be made in two ways. The first is by extending the existing provisions to include sale for the purpose of conducting limited market acceptance trials using the regulation making powers in S22. This could be implemented fairly quickly and would still put restrictions on full commercial sale.

The second way would be to amend the Act in a similar way to New Zealand and not place any restriction on the sale of the variety during the provisional protection period.

It would also be possible to do both these things using the first option as an interim measure until an amendment can be made to the Act.

The Plant Variety Rights Advisory Committee is examining the need for such changes, the reasons to support any change and if the changes are to be made, the extent and level of coverage required.

**COMMENT** on this issue is being sought from interested parties and should reach the Registrar (Plant Variety Rights Office, GPO Box 858 Canberra 2601) by **30 OCTOBER 1989**. If the final submission is not complete by that date, please lodge an expression of interest.

## DEFINITION OF VARIETY

The *Plant Variety Rights Act 1987* makes a number of references to a "plant variety(ies)". The definition given in the Act states that "plant variety includes cultivar, clone, hybrid and strain". Because of the need to interpret various sections of the Act more precisely, the specific definition in the *International Code of Nomenclature for Cultivated Plants 1980* has been adopted. The Code is recognised internationally and uses the terms cultivar and variety interchangeably:

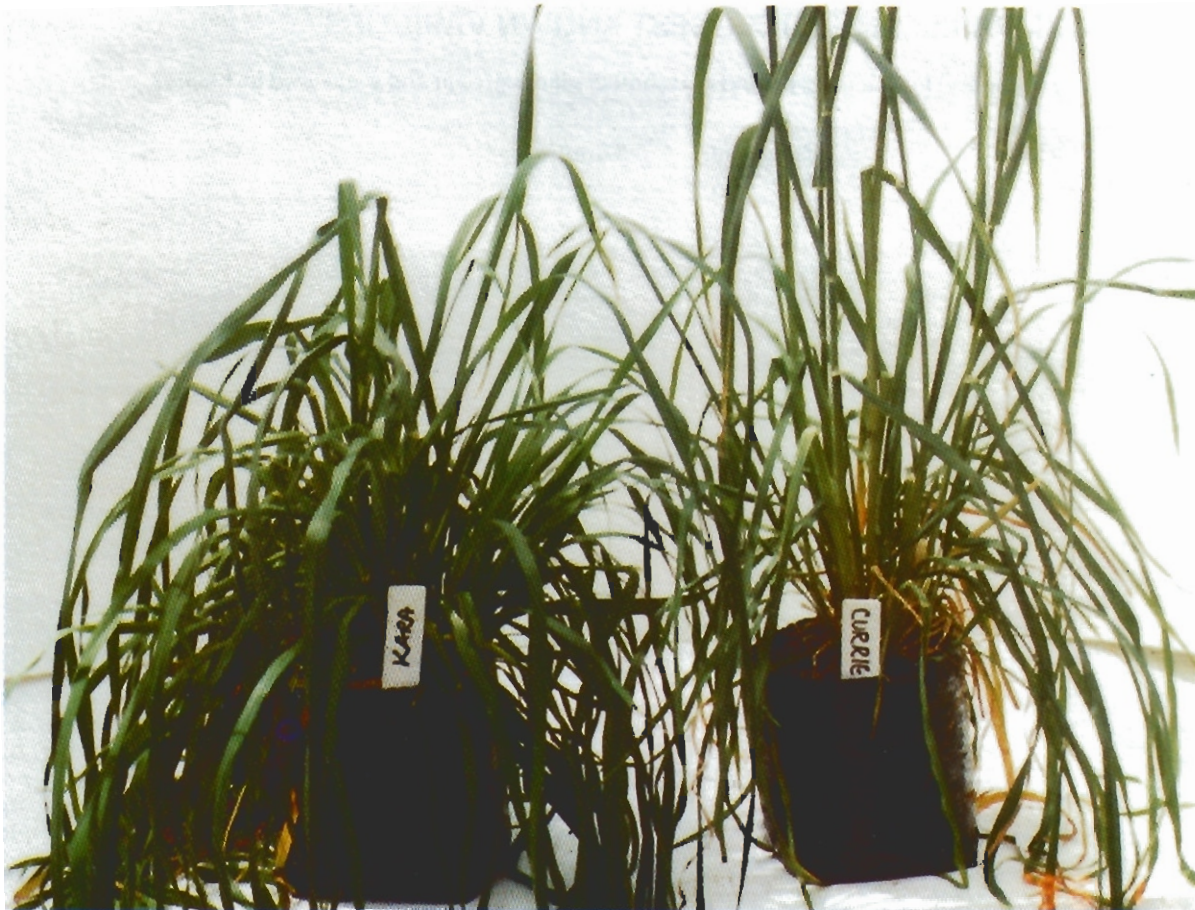
*an assemblage of cultivated plants which is clearly distinguished by any characters (morphological, physiological, cytological, chemical or others), and which, when reproduced (sexually or asexually), retains its distinguishing characters.*

## TABLE OF COMPARISON WITH CLOSEST KNOWN VARIETIES

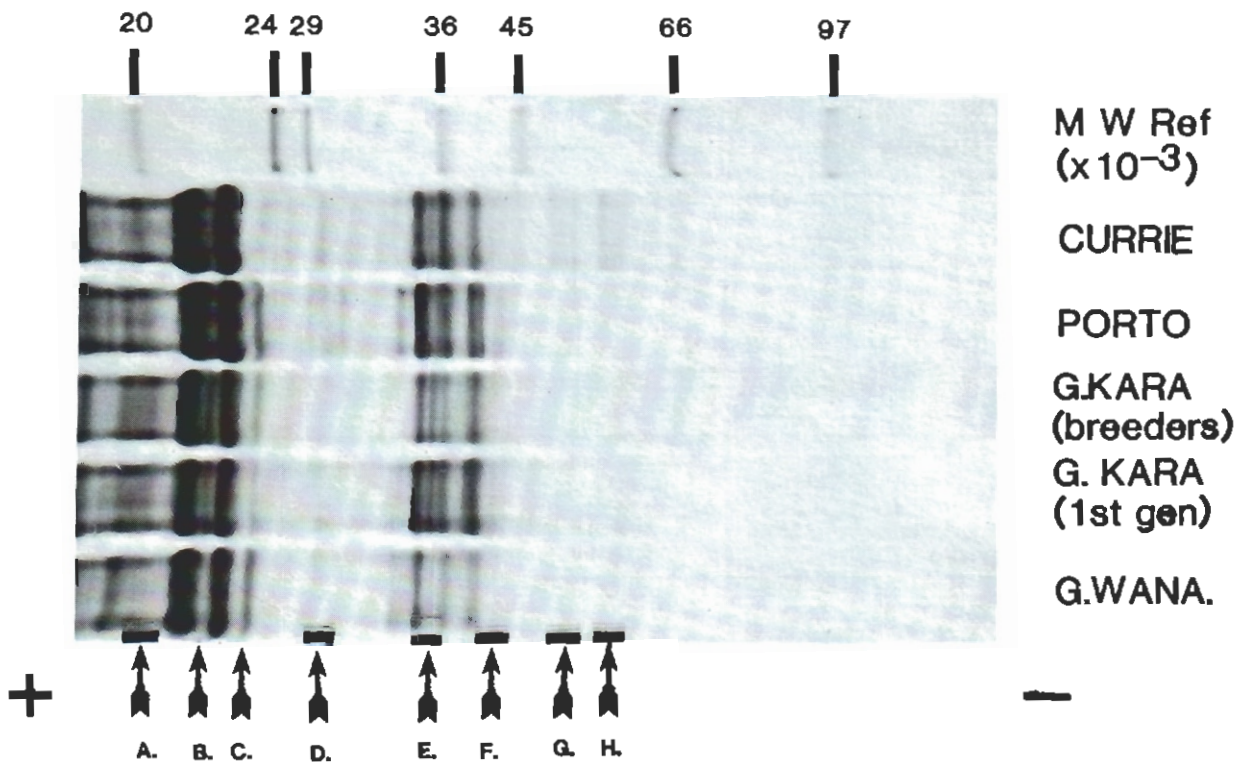
Data is from 50 (per variety) individually potted glasshouse plants grown and measured in 1988/89.

Plant Characteristics		'Grasslands Kara'	'Porto'	'Currie'	'Grasslands Wana'
GROWTH HABIT (1 = prostrate, 5 = upright)		3.5	4	3.5	3
CULM LENGTH	mean	981.5 mm	918 mm	972 mm	769 mm
	range	580–1356 mm	544–1200 mm	610–1557 mm	488–1187
	std deviation	220.4	132.9	161.8	167.2
	significance		NS	NS	0.001
NO. OF NODES	mean	4.93	5.8	5.5	4.3
	range	3–7	4–10	4–8	3–7
	std deviation	1.15	1.00	0.99	0.84
	significance		NS	NS	0.001
NO OF TILLERS	mean	53.6	36.4	36.9	45.5
	range	32–71	19–66	16–60	32–102
	std deviation	12.01	10.70	10.30	16.51
	significance		0.001	0.001	NS
TILLER LEAF LENGTH	mean	554 mm	386 mm	340 mm	322 mm
	range	322–801	280–586	172–568	208–457
	std deviation	119.99	70.63	88.10	57.80
	significance		0.001	0.001	0.001
TILLER LEAF WIDTH	mean	8.31 mm	6.55 mm	6.65 mm	6.77 mm
	range	5–11.5	4.5–8.5	4.0–10.5	4.0–9.0
	std deviation	1.39	1.01	1.32	1.11
	significance		0.001	0.001	0.001
FLAG LEAF LENGTH	mean	321 mm	334 mm	219 mm	254 mm
	range	172–562	182–454	130–361	150–450
	std deviation	100.1	64.5	54.9	67.7
	significance		NS	0.001	0.001
FLAG LEAF WIDTH	mean	10.8 mm	9.9 mm	9.5 mm	9.3 mm
	range	8–14	6.5–13.5	5.5–14	6.5–13
	std deviation	1.63	1.63	1.8	1.51
	significance		0.05	0.001	0.001
LENGTH WIDTH RATIO					
TILLER LEAF		66 7:1	–	–	–
FLAG LEAF		30:1	–	–	–
ANGLE OF ATTACHMENT					
TILLER LEAF	(>75°) (55°–75°) (35°–55°)	2% erect 43% semi erect 55% intermediate			
FLAG LEAF		approx 90°	–	–	–
PANICLE LENGTH	mean	178 mm	211 mm	159 mm	173 mm
	range	107–269 mm	141–286	57–202	104–285
	std deviation	43.25	37.49	29.04	32.33
	significance		0.001	0.05	NS
NUMBER OF LOBES	mean	13.9	14	11.7	14.6
	range	8–18	9–19	5.21	8.21
	std deviation	2.29	2.12	3.54	2.81
	significance		NS	0.01	NS
SEED WEIGHT per 1000 seeds		930 mg	–	–	710 mg

(significance = difference between the mean of new variety and the comparative variety)



'Grasslands Kara' showing longer and wider vegetative leaves and higher tiller density than 'Currie'.  
(Photo supplied by Applicant)



Electrophoretic gels showing different banding patterns for 'Grasslands Kara', 'Currie', 'Porto' and 'Grasslands Wana'. (Photo supplied by Applicant)



**Diagnosis**

This variety is distinct from all other known varieties in having the following combination of characters: a deep pink glasshouse rose with a petal colour closest to RHS 64D outside and 64C inside; stems with large slender thorns; terminal leaflets with dull upper surfaces; and flowers with predominantly white style and stigma level with the anthers.

**Varieties used for comparison**

'Sonia' (registered name 'Sweet Promise') which is a commonly known standard variety in Australia.

**Comparative Growing Trials**

All characteristics and comparisons below are from comparative growing trials conducted at Rosevears near Launceston in northern Tasmania in May 1989. Growing conditions were the same as used for commercial production. The plants were hydroponically grown in a controlled environment greenhouse in plot rows of 100 plants per variety. All trial plants were indexed virus free. Temperatures were kept within a diurnal range of 16—27°C. Measurements represent 20 randomly chosen specimens from these plants.

**Origin**

The breeder was the late Mrs Marie-Louise Meilland in France. 'Meivrofix' was selected from the progeny of a controlled pollination of a seedling arising from ('Meichim' x 'Meban') x 'Jack Frost' by pollen from a seedling arising from 'Meidirapo' x unnamed seedling. Plant Variety Rights have been applied for in: West Germany and Netherlands in 1985; France, Belgium, Denmark, Spain, Holland, Israel, Italy, Japan, Sweden and USA in 1986; and Morocco in 1988.

**Morphology** — See comparison tables.

'Meivrofix' is a deep pink glasshouse rose with a medium head size, smaller than 'Sonia'. Characteristics observed but not included in the table for comparison are as follows. The thorns of 'Meivrofix' are very large and slender compared with the large robust thorns of 'Sonia'. Foliage is uniformly dark green, leaf upper surfaces are dull and terminal leaflet is flat in cross section. The terminal leaflet of 'Meivrofix' is, on average, larger and its petiole proportionately longer than in 'Sonia'. Perfume was observed to be absent in 'Meivrofix' compared to weak perfume detected in 'Sonia'.



'Meivrofix' between its comparative varieties 'Korampa' ('Champagner') and 'Sweet Promise' ('Sonia').  
(Photograph supplied by applicant)

'Samantha'. Perfume was observed to be weak in 'Meirolour' compared to no perfume detected in 'Samantha'.

Variety: 'Meivouplix'

Application No. 89/055

Applicant: S.N.C. Meilland et Cie of Antibes, France.

Australian Agent: P J Lee, TVR Propagators Pty Ltd of Rosevears, Tasmania.

#### Diagnosis

This variety is distinct from all other known varieties in having the following combination of characters: a yellow glasshouse rose with very large petals, their colour closest to RHS 7A outside and 9A inside; stems with medium size thorns; terminal leaflets with glossy upper surfaces; and flowers with predominantly yellow styles and stigma below level of anthers.

#### Varieties used for comparison

'Cocktail 80' (registered name 'Meitakilor') which is a parent and the closest in flower size and colour, 'Sonia' (registered name 'Sweet Promise') which is a commonly known standard variety in Australia.

#### Comparative Growing Trials

All characteristics and comparisons below are from comparative growing trials conducted at Rosevears near Launceston in northern Tasmania in May 1989. Growing conditions were the same as used for commercial production. The plants were hydroponically grown in a controlled environment greenhouse in plot rows of 100 plants per variety. All trial plants were indexed virus free.

Temperatures were kept within a diurnal range of 16 — 27°C. Measurements represent 20 randomly chosen specimens from these plants.

#### Origin

The breeder was the late Mrs Marie-Louise Meilland in France. 'Meivouplix' was selected from the progeny of a controlled pollination of variety 'Dr A.J. Verhage' by pollen from variety 'Meitakilor'. Plant Variety Rights have been applied for in France in 1988 and West Germany in 1989.

#### Morphology — See comparison tables.

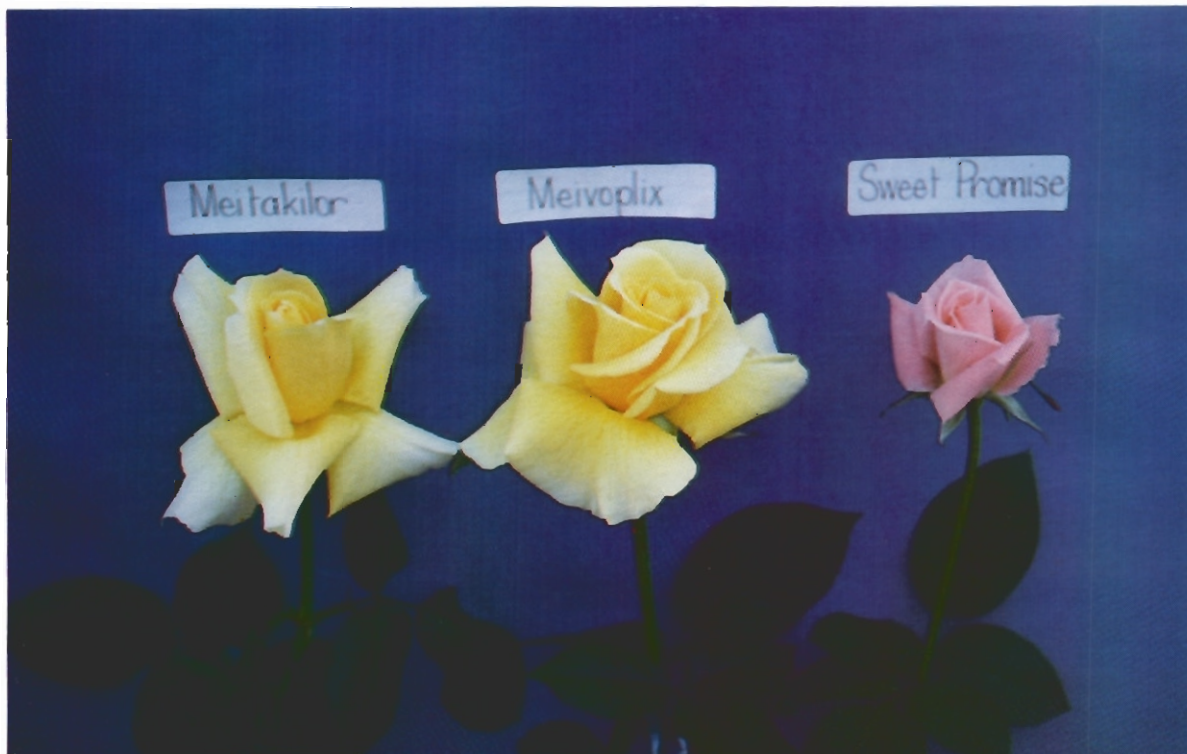
'Meivouplix' is a yellow glasshouse rose with a very large head size, much larger than 'Cocktail 80' or 'Sonia'. The main distinguishing characters are included in the comparison tables. Characteristics observed but not included in the table for comparison are as follows. The thorns of 'Meivouplix' are medium length and medium thickness. Foliage is uniformly dark green, leaf upper surfaces are glossy and terminal leaflet is flat in cross section. The terminal leaflet of 'Meivouplix' is, on average, about the same dimensions as 'Sonia'. Perfume was observed to be weak in 'Meivouplix', about the same as detected in 'Sonia'.

Variety: 'Meivrofix'

(commercial synonym 'Zurella')  
Application No. 89/056

Applicant: S.N.C. Meilland et Cie of Antibes, France.

Australian Agent: P J Lee, TVR Propagators Pty Ltd of Rosevears, Tasmania.



'Meivouplix' between its comparative varieties 'Meitakilor' and 'Sweet Promise' ('Sonia'). (Photograph supplied by applicant)

'Meirolour' between its comparative varieties 'Samantha' and 'Sweet Promise' ('Sonia'). Photograph supplied by applicant)



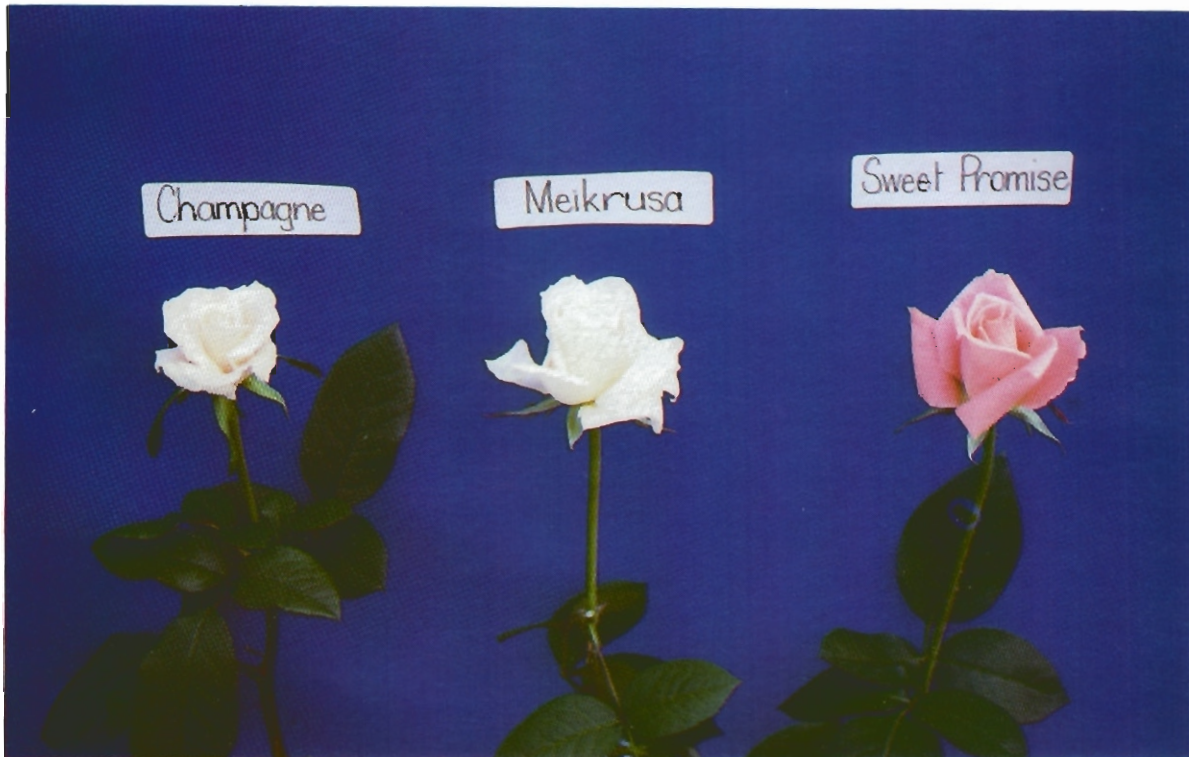
#### Origin

The breeder was the late Mrs Marie-Louise Meilland in France. 'Meirolour' was selected from the progeny of a controlled pollination of variety 'Jacqueline' by pollen from variety 'Samantha'. Plant Variety Rights have been applied for in France in 1988.

#### Morphology — See comparison tables.

'Meirolour' is a dark red glasshouse rose with a

large head size, about the same as 'Samantha' or 'Sonia'. Characteristics observed but not included in the table for comparison are as follows. The thorns of 'Meirolour' are small-medium and slender compared with the large robust thorns of 'Samantha'. Foliage is uniformly dark green, leaf upper surfaces are dull and terminal leaflet is flat in cross section in both 'Meirolour' and 'Samantha'. The terminal leaflet is, on average, larger and proportionately more elongate in 'Meirolour' than



'Meikrusa' between its comparative varieties 'Korampa' ('Champagner') and 'Sweet Promise' ('Sonia').  
(Photograph supplied by applicant)

greenhouse in plot rows of 100 plants per variety. All trial plants were indexed virus free. Temperatures were kept within a diurnal range of 16 — 27°C. Measurements represent 20 randomly chosen specimens from these plants.

#### Origin

The breeder was the late Mrs Marie-Louise Meilland in France. 'Meikrusa' was selected from the progeny of a controlled pollination of a seedling arising from varieties 'Meialfi' x ('Meger'x'Meban') by pollen from a seedling arising ('Show Girl'x'Meialto') x ('Meialto'x'Tanostar'). 'Meikrusa' has been protected by Plant Variety Rights in France, Belgium and Denmark since 1984 and in Israel since 1985. Plant Variety Rights have been applied for in Holland in 1983, Spain and Italy in 1985 and Greece in 1987.

#### Morphology

— See comparison tables. 'Meikrusa' is a white glasshouse rose with a large sized flower head, about the same as 'Sonia' and larger than 'Champagner'. Characteristics observed but not included in the table for comparison are as follows. The thorns of 'Meikrusa' are medium-large and robust, similar to those of 'Sonia'. Foliage is uniformly dark green, leaf upper surfaces are dull in lustre. The terminal leaflet is flat in cross section in both 'Champagner' and 'Meikrusa' but its petiole is proportionately longer in 'Meikrusa'. Perfume was also observed to be weak in both these varieties.

The presence of anthocyanin in young foliage is recorded from both the comparative growing trials and examination as being absent to very weak but the technical photograph supplied from France portrays a weak to medium expression. This discrepancy is probably due to environmental factors such as differing levels of ultraviolet light.

#### Variety: 'Meirolour'

(commercial synonym 'Concerto')  
Application No. 89/054

Applicant: **S.N.C. Meilland et Cie** of Antibes, France.

**Australian Agent: P J Lee, TVR Propagators Pty Ltd** of Rosevears, Tasmania.

#### Diagnosis

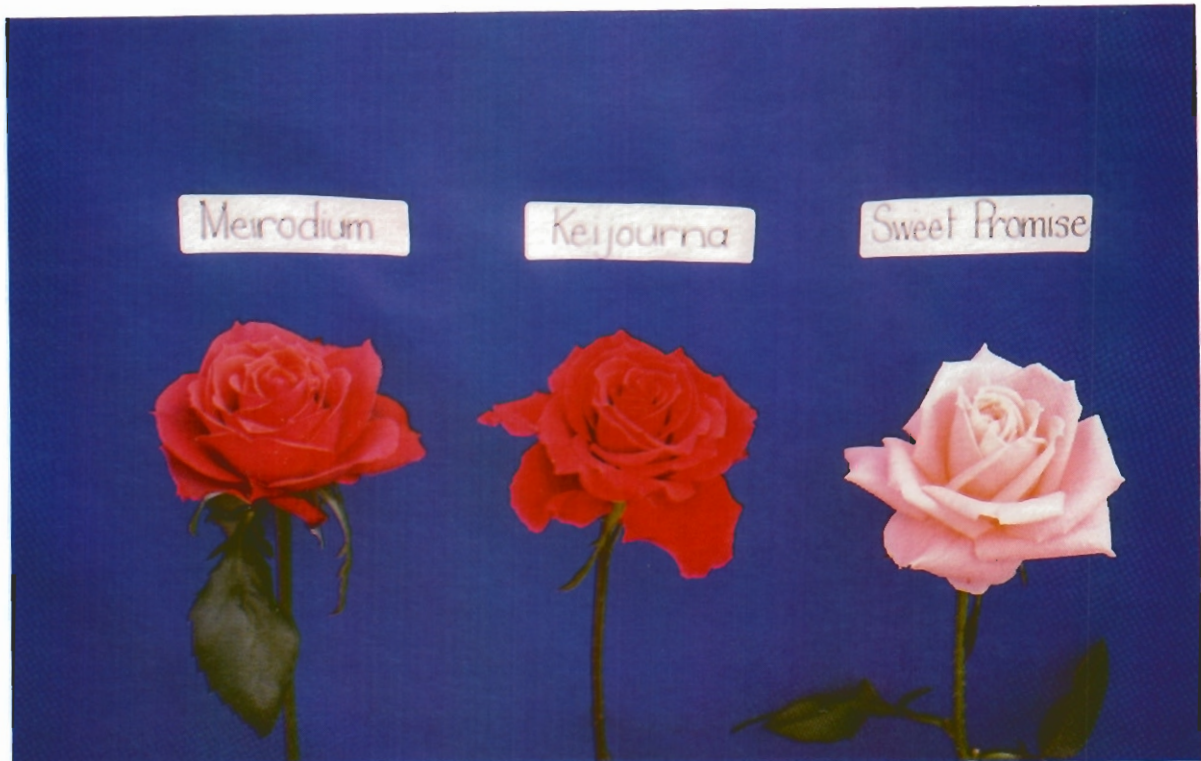
This variety is distinct from all other known varieties in having the following combination of characters: a dark red glasshouse rose with a petal colour closest to RHS 46A; stems with small-medium sized slender thorns; elongate terminal leaflets with glossy upper surfaces; and flowers with predominantly red style, and stigma level with the anthers.

#### Varieties used for comparison

'Samantha' (registered name 'Jacmantha') which is a parent and the closest known to 'Meirolour' in flower colour and size, 'Sonia' (registered name 'Sweet Promise') which is a commonly known standard variety in Australia.

#### Comparative Growing Trials

All characteristics and comparisons below are from comparative growing trials conducted at Rosevears near Launceston in northern Tasmania in May 1989. Growing conditions were the same as used for commercial production. The plants were hydroponically grown in a controlled environment greenhouse in plot rows of 100 plants per variety. All trial plants were indexed virus free. Temperatures were kept within a diurnal range of 16 — 27°C. Measurements represent 20 randomly chosen specimens from these plants.



'Keijourna' between its comparative varieties 'Meirodium' and 'Sweet Promise' ('Sonia'). Photograph supplied by applicant

#### Varieties used for comparison

'Red Success' (registered name 'Meirodium') which is a parent and the closest known to 'Keijourna' in flower colour and size, 'Sonia' (registered name 'Sweet Promise') which is a commonly known standard variety in Australia.

#### Comparative Growing Trials

All characteristics and comparisons below are from comparative growing trials conducted at Rosevears near Launceston in northern Tasmania in May 1989. Growing conditions were the same as used for commercial production. The plants were hydroponically grown in a controlled environment greenhouse in plot rows of 100 plants per variety. All trial plants were indexed virus free. Temperatures were kept within a diurnal range of 16 — 27°C. Measurements represent 20 randomly chosen specimens from these plants.

#### Origin

The breeder is Seizo Suzuki of Keisei Rose Nurseries in Japan. 'Keijourna' was selected from the progeny of a controlled pollination of an unnamed seedling by pollen from the variety 'Meirodium'. Plant Variety Rights have been applied for in France in 1987 as well as Spain, Israel and Morocco in 1988.

#### Morphology — See comparison tables.

'Keijourna' is a medium red glasshouse rose with a large head size, slightly larger than 'Red Success' or 'Sonia'. Characteristics observed but not included in the table for comparison are as follows. The thorns of 'Keijourna' are medium and robust, similar to 'Red Success'. Foliage is uniformly dark green, leaf upper surfaces are glossy and terminal leaflet is flat in cross section in both 'Keijourna' and 'Red Success'. The terminal leaflet is proportionately more elongate in 'Keijourna' than 'Red Success' and the sepals are also

proportionately longer. Perfume was observed to be weak in 'Keijourna' compared to no perfume detected in 'Red Success'.

#### Variety: 'Meikrusa'

(commercial synonym 'Arianna 85')  
Application No. 89/050

Applicant: **S.N.C. Meilland et Cie** of Antibes, France.

Australian Agent: P J Lee, TVR Propagators Pty Ltd of Rosevears, Tasmania.

#### Diagnosis

This variety is distinct from all other known varieties in having the following combination of characters: a white glasshouse rose with a petal colour closest to RHS 19D; large petals with strong reflexing but no undulation of margins; medium-large robust thorns; a terminal leaflet with a relatively long petiole; and flowers with predominantly white style, short and with stigma below level of anthers.

#### Varieties used for comparison

'Champagner' (registered name 'Korampa' and also known overseas as 'Antique Silk') which is the closest known to 'Meikrusa' in flower colour, 'Sonia' (registered name 'Sweet Promise') which is a commonly known standard variety in Australia.

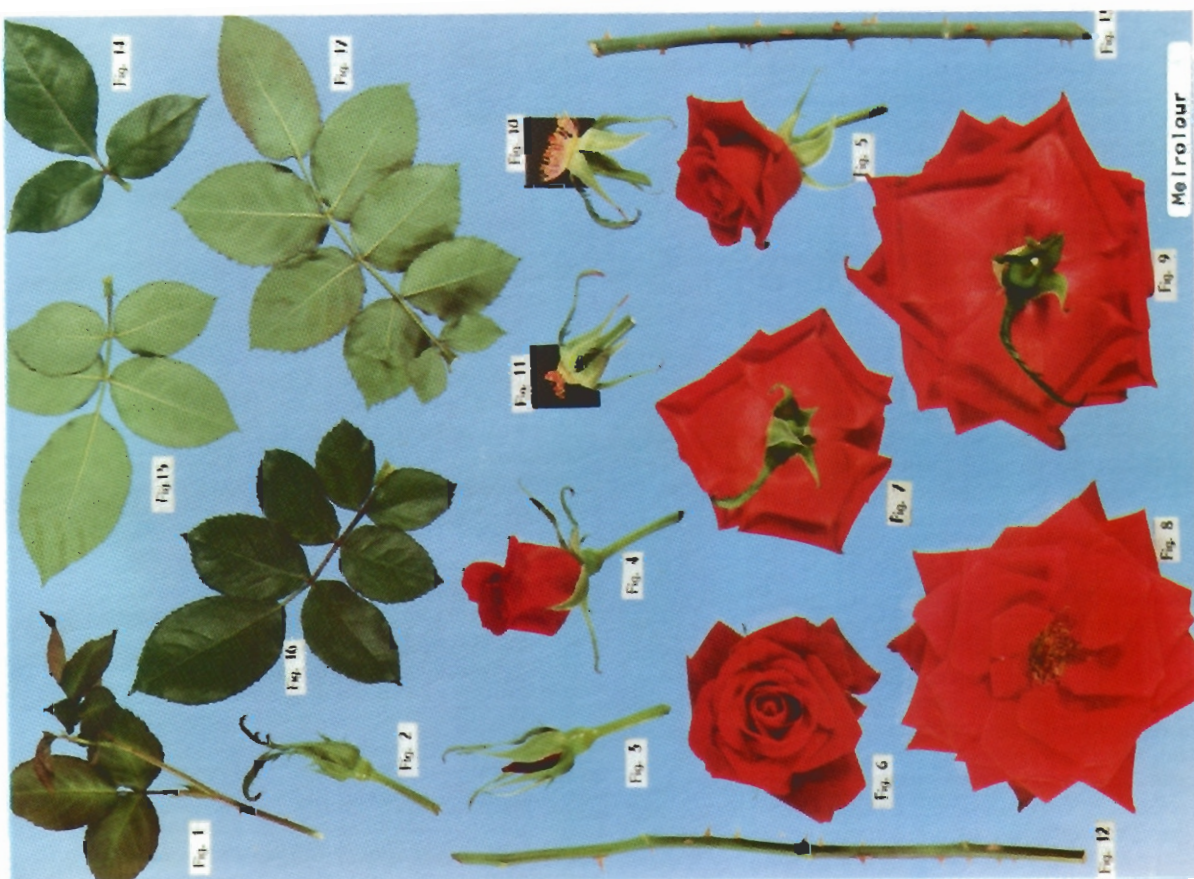
#### Comparative Growing Trials

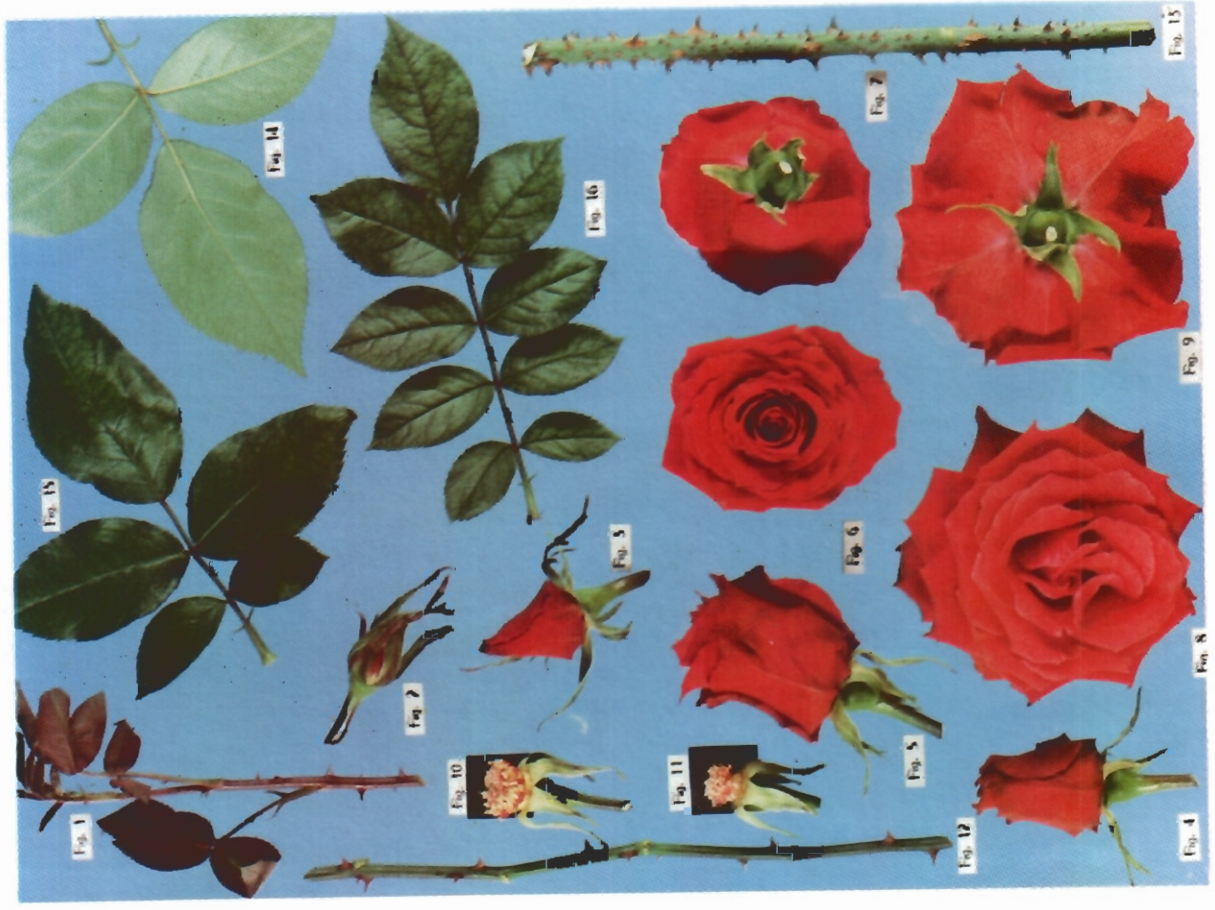
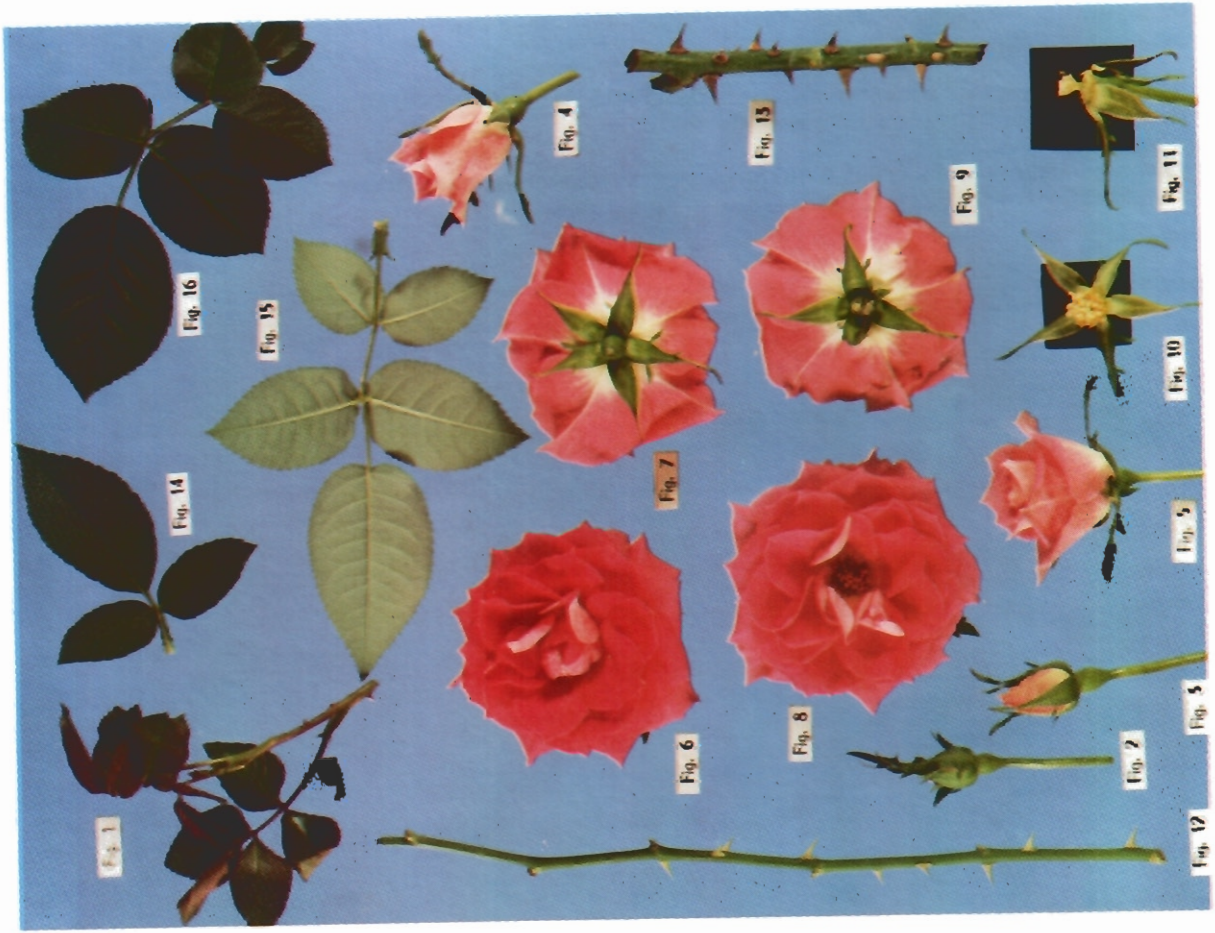
All characteristics and comparisons below are from comparative growing trials conducted at Rosevears near Launceston in northern Tasmania in May 1989. Growing conditions were the same as used for commercial production. The plants were hydroponically grown in a controlled environment

'Meivrofix' (syn 'Zurella') figs 1-16 showing various characteristics. (Photo supplied by Applicant)

'Keijourna' (syn 'Aurelia') figs 1-16 showing various characteristics. (Photo supplied by Applicant)

'Meirolour' (syn 'Concerto') figs 1-17 showing various characteristics. (Photo supplied by Applicant)

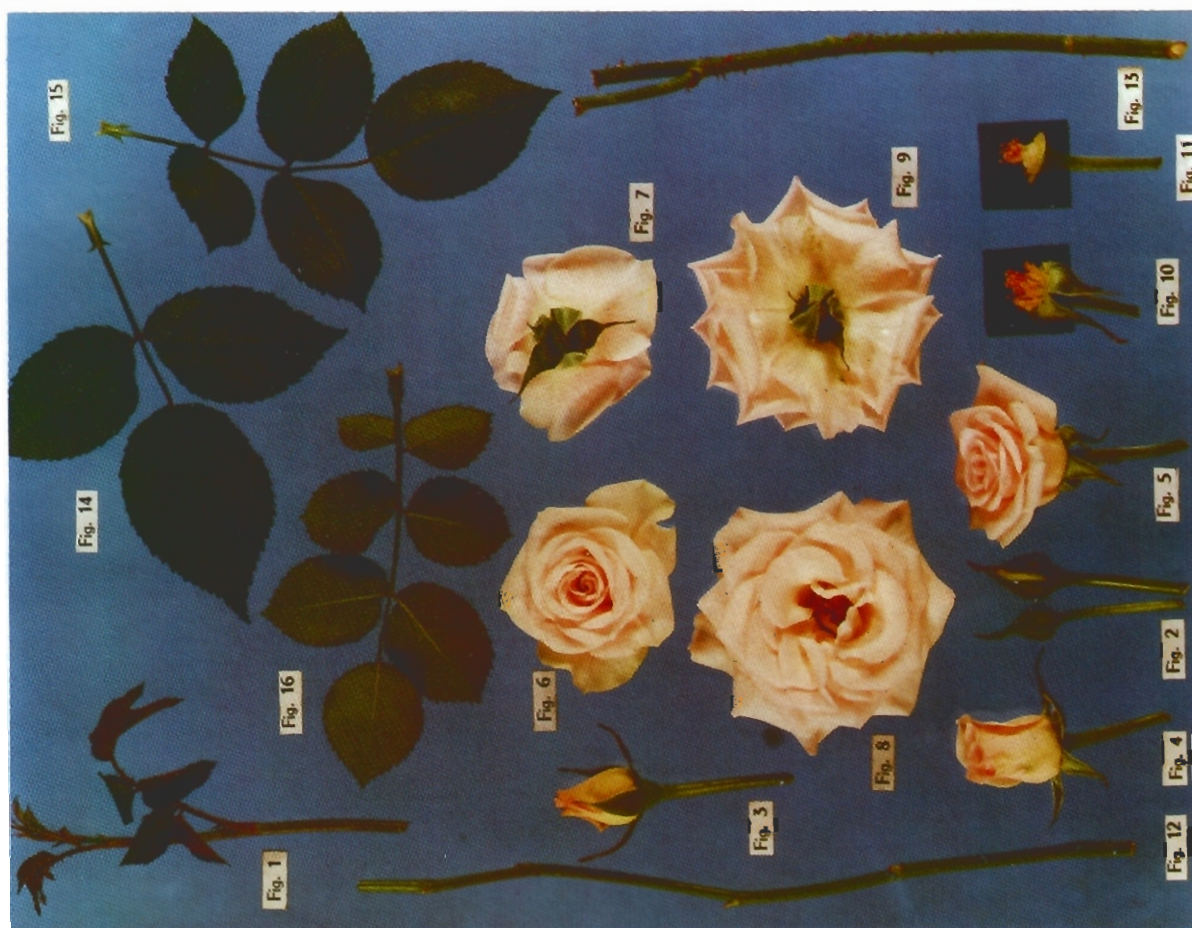




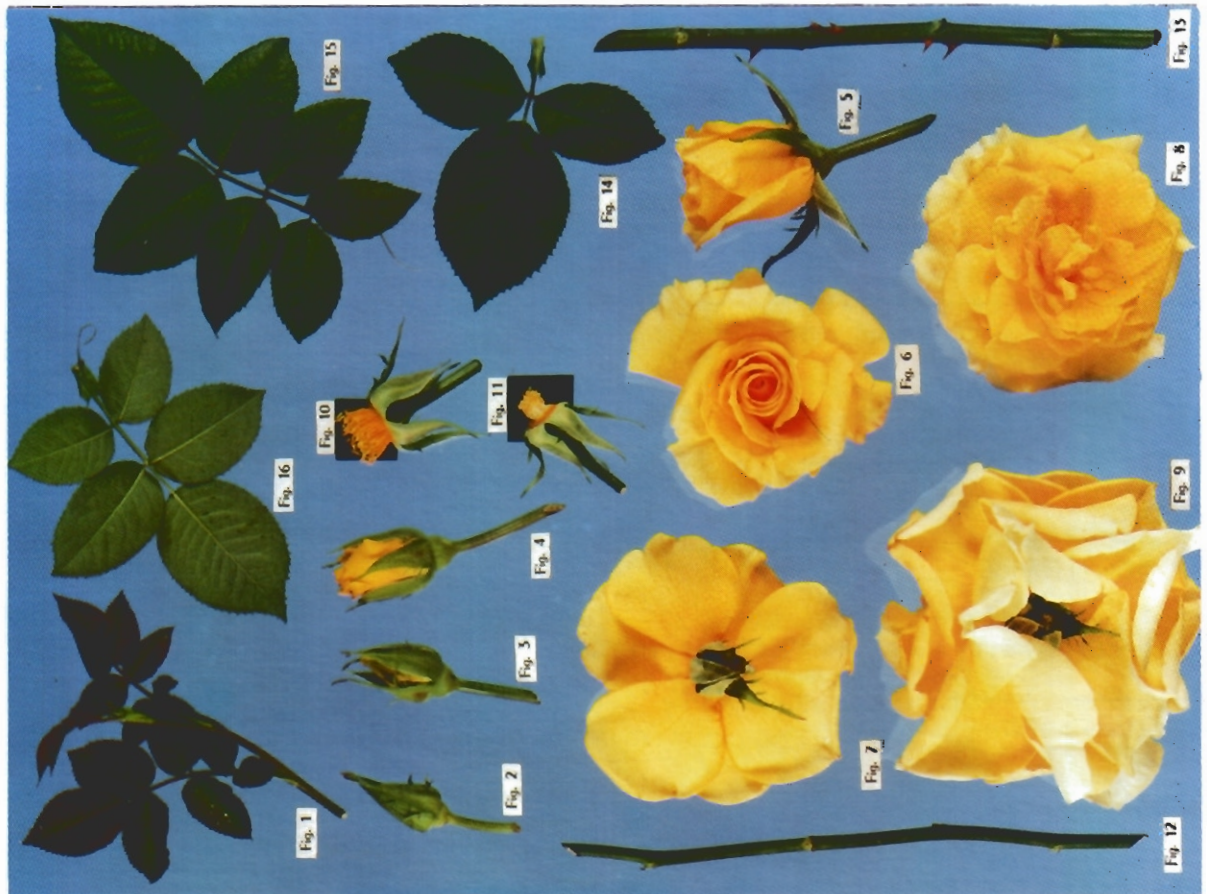
'Meikrusa' (syn 'Arianna 85') figs 1–15 showing various characteristics. (Photo supplied by Applicant)

'Meivouplix' figs 1–16 showing various characteristics. (Photo supplied by Applicant)

'Meizaipur' (syn 'Mischka') figs 1–16 showing various characteristics. (Photo supplied by Applicant)







# PART 2 — MATTERS FOR PUBLIC NOTICE

## PVR GRANTED

Plant Variety Rights have been granted under Section 26 of the *Plant Variety Rights Act 1987*, and entry has been made in the Plant Varieties Register, for the following varieties:

1. **'Bulls Eye'** (Application 88/007)  
*Lactuca sativa*

**Grantee:** Arthur Yates & Co. Pty. Ltd., Milperra, New South Wales

**Certificate No. 7**

**Expiry date:** 23 August, 2008

Description as published in Plant Varieties Journal Vol. 1 No. 4 of December, 1988 and varied in Plant Varieties Journal Vol. 2 No. 1 of March, 1989.

2. **'Target'** (Application No. 88/008)  
*Lactuca sativa*

**Grantee:** Arthur Yates & Co. Pty. Ltd., Milperra, New South Wales

**Certificate No. 8**

**Expiry Date:** 23 August, 2008

Description as published in Plant Varieties Journal Vol. 1 No. 4 of December, 1988.

3. **'Flamingo'** (Application No. 88/034)  
*Lechenaultia formosa*

**Grantee:** NSW Department of Agriculture & Fisheries and Ornamental Native Australian Plants (Research) Pty Ltd, Armidale, New South Wales

**Certificate No. 9**

**Expiry Date:** 15 November, 2008

Description as published in Plant Varieties Journal Vol. 1 No. 4 of December, 1988 and varied in Plant Varieties Journal Vol. 2 No. 2 of June, 1989.

4. **'Starburst'** (Application No. 88/032)  
*Lechenaultia formosa*

**Grantee:** NSW Department of Agriculture & Fisheries and Ornamental Native Australian Plants (Research) Pty Ltd, Armidale, New South Wales

**Certificate No. 10**

**Expiry Date:** 15 November, 2008

Description as published in Plant Varieties Journal Vol. 1 No. 4 of December, 1988 and varied in Plant Varieties Journal Vol. 2 No. 2 of June, 1989.

5. **'Ultraviolet'** (Application No. 88/033)  
*Lechenaultia hybrid*

**Grantee:** NSW Department of Agriculture & Fisheries and Ornamental Native Australian Plants (Research) Pty Ltd, Armidale, New South Wales

**Certificate No. 11**

**Expiry Date:** 15 November, 2008

Description as published in Plant Varieties Journal Vol. 1 No. 4 of December, 1988 and varied in Plant Varieties Journal Vol. 2 No. 2 of June, 1989.

6. **'Dinkum'** (Application No. 89/036)  
*Pisum sativum*

**Grantee:** Daratech Pty. Ltd. on behalf of the State of Victoria, Department of Agriculture and Rural Affairs, of East Melbourne, Victoria

**Certificate No. 12**

**Expiry Date:** 15 November, 2008

Description as published in Plant Varieties Journal Vol. 1 No. 4 of December, 1988.

7. **'Progrow'** (Application No. 88/010)  
*Lolium multiflorum*

**Grantee:** Valley Seeds Pty Ltd., of Alexandra, Victoria

**Certificate No. 13**

**Expiry Date:** 26 August, 2008

Description as published in Plant Varieties Journal Vol. 1 No. 4 of December, 1988.

## APPLICATIONS ACCEPTED

The PVR applications listed below have been accepted under S18 of the *Plant Variety Rights Act 1987*.

### a) Descriptions Finalised

## ROSE (*Rosa hybrida*)

Variety: **'Meizaipur'**

(commercial synonym 'Mischka')  
Application No. 89/009

Applicant: **S.N.C. Meilland et Cie** of Antibes, France.

**Australian Agent:** P J Lee, TVR Propagators Pty Ltd of Rosevears, Tasmania.

### Diagnosis

This variety is distinct from all other known varieties in having the following combination of characters: a near-white glasshouse rose with a petal colour closest to RHS 27D outside and RHS

## TABLE OF COMPARISON WITH ROSE VARIETIES

(\* = existing varieties used for comparison)

Flower Characters		'Meikrusa' ( <i>'Arianna 85'</i> )	'Meizaipur' ( <i>'Mischka'</i> )	**'Korampa' ( <i>'Champagner'</i> )	
FLOWER COLOUR GROUP		white	near white	white	
PETAL COLOUR CHARTING					
MIDZONE OUTSIDE	RHS	19D	27D	19D	
MIDZONE INSIDE	RHS	19D	19D	11D	
MARGIN OUTSIDE	RHS	19D	27D	19D	
MARGIN INSIDE	RHS	19D	19D	11D	
PETAL BASAL SPOT COLOUR					
OUTSIDE	RHS	3D	absent	2D	
INSIDE	RHS	3D	-	1D	
NUMBER OF PETALS		26-50	26-50	26-50	
FLOWER DIAMETER		mean range std deviation	109.15 mm 98-122 5.797	78.9 mm 70-85 4.15	83.4 mm 74-93 6.012
FLOWER SHAPE IN PROFILE		flattened convex	flat	flat	
BUD SHAPE		pointed	ovate	ovate	
SEED VESSEL SIZE		medium	small	small	
SEED VESSEL SHAPE		pitcher	pitcher	funnel	
PETAL SIZE		large	medium	medium	
PETAL BASAL SPOT		present	absent	present	
PETAL REFLEXING		strong	strong	medium	
PETAL UNDULATION		absent	present	present	
SEPAL LENGTH (excl. extensions)		mean range std deviation	30.2 mm 25-38 3.05	28.3 mm 20-34 3.69	28.15 mm 23-32 2.56
SEPAL EXTENSIONS		weak	absent	strong	
STAMEN FILAMENT COLOUR		white	white	yellow/green	
STYLE COLOUR		white	white	yellow	
STIGMA RELATIVE TO ANTHERS		below anthers	above anthers	below anthers	
YOUNG SHOOT ANTHOCYANIN		weak	weak	medium strong(red)	
TERMINAL LEAFLET LENGTH		Mean Range Std deviation	76.55 mm 56-90 9.32	71.95 mm 59-88 8.26	74.0 mm 55-87 10.31
TERMINAL LEAFLET WIDTH		Mean Range Std deviation	50.65 mm 39-64 6.45	48.95 mm 39-60 6.08	45.3 mm 31-51 4.29
TERMINAL LEAFLET PETIOLE LENGTH		Mean Range Std deviation	23.7 mm 20-30 2.79	25.05 mm 19-35 4.16	16.8 mm 6-24 4.71
TERMINAL LEAFLET BASE		rounded	obtuse	obtuse	
THORNS ON PEDICEL		absent	absent	few	
THORN PROFILE (above)		convex	convex	flat	
THORN PROFILE (below)		concave	concave	concave	
THORN LENGTH		Mean Range Std deviation	9.31 mm 6.5-11.7 1.09	1.87 mm 0.7-3.5 1.03	6.70 mm 5.1-8.3 0.94

## TABLE OF COMPARISON WITH ROSE VARIETIES

(\* = existing varieties used for comparison)

Flower Characters		'Meivouplix'	**'Meitakilor' ( 'Cocktail 80' )	**'Sweet Promise' ( 'Sonia' )	'Meivrofix' ( 'Zurella' )	
FLOWER COLOUR GROUP		deep yellow	deep yellow	medium pink	Deep pink	
PETAL COLOUR CHARTING						
MIDZONE OUTSIDE	RHS	7A	12B	38C	64D	
MIDZONE INSIDE	RHS	9A	14B	38A	64C	
MARGIN OUTSIDE	RHS	7A	12C	38C	64D	
MARGIN INSIDE	RHS	9A	12A	38A	64C	
PETAL BASAL SPOT COLOUR						
OUTSIDE	RHS	–	–	2D	4D	
INSIDE	RHS	–	–	5C	2D	
NUMBER OF PETALS		26–50	13–25	26–50	>50	
FLOWER DIAMETER		mean	150.05 mm	110.03 mm	117.25 mm	104.7 mm
		range	130–160	99–118	100–140	90–112
		std deviation	8.46	8.26	10.62	5.30
FLOWER SHAPE IN PROFILE		flattened convex	flattened convex	flattened convex	flattened convex	
BUD SHAPE		pointed	pointed	pointed	pointed	
SEED VESSEL SIZE		large	medium	large	medium	
SEED VESSEL SHAPE		pitcher	pitcher	pitcher	pitcher	
PETAL SIZE		large	large	large	medium	
PETAL BASAL SPOT		absent	absent	present	present	
PETAL REFLEXING		medium	medium	strong	strong	
PETAL UNDULATION		absent	present	absent	present	
SEPAL LENGTH (excl. extensions)		mean	37.49 mm	37.17 mm	38.05 mm	24.9 mm
		range	33.7–40.5	34.4–40.55	32–46	20–31
		std deviation	2.35	2.23	3.42	3.19
SEPAL EXTENSIONS		medium	weak	weak	strong	
STAMEN FILAMENT COLOUR		yellow	yellow	yellow	yellow green	
STYLE COLOUR		yellow	yellow green	red	white	
STIGMA RELATIVE TO ANTHERS		below anthers	below anthers	below anthers	same level	
YOUNG SHOOT ANTHOCYANIN		medium strong(red)	medium strong(red)	very weak	very weak	
TERMINAL LEAFLET LENGTH		Mean	90.9 mm	88.45 mm	86.35 mm	92.45 mm
		Range	85–98	78–99	64–102	64–119
		Std deviation	4.71	5.59	8.79	13.95
TERMINAL LEAFLET WIDTH		Mean	54.7 mm	53.05mm	53.7 mm	51.95 mm
		Range	47–64	41–56	42–59	39.67
		Std deviation	4.99	5.45	4.7	7.13
TERMINAL LEAFLET PETIOLE LENGTH		Mean	20.95 mm	20.05 mm	17.2 mm	23.45 mm
		Range	17–24	14.26	13–21	12–31
		Std deviation	2.46	3.66	2.78	5.03
TERMINAL LEAFLET BASE		rounded	rounded	rounded	cordate	
THORNS ON PEDICEL		absent	few	few	absent	
THORN PROFILE (above)		flat	flat	convex	flat	
THORN PROFILE (below)		concave	concave	concave	concave	
THORN LENGTH		Mean	6.87 mm	8.87 mm	9.04 mm	12.22 mm
		Range	6.2–10.6	8.0–9.6	8.3–10.1	9.85–14.75
		Std deviation	.69	.45	0.51	1.35

## TABLE OF COMPARISON WITH ROSE VARIETIES

(\* = existing varieties used for comparison)

Flower Characters		'Keijourna' ( <i>'Aurelia'</i> )	*'Meirodium' ( <i>'Red Success'</i> )	'Meirolour' ( <i>'Concerto'</i> )	*'Jacmantha' ( <i>'Samantha'</i> )
FLOWER COLOUR GROUP		medium red	medium red	dark red	dark red
PETAL COLOUR CHARTING					
MIDZONE OUTSIDE	RHS	53B	45A	46A	60B
MIDZONE INSIDE	RHS	46B	43A	46A	46B
MARGIN OUTSIDE	RHS	53B	45A	46A	60B
MARGIN INSIDE	RHS	46B	43A	46A	46B
PETAL BASAL SPOT COLOUR					
OUTSIDE	RHS	1C	2D	1D	2C
INSIDE	RHS	1D	4C	1D	1D
NUMBER OF PETALS		26-50	>50	26-50	26-50
FLOWER DIAMETER	mean	131.3 mm	109.8 mm	105.4 mm	92.7 mm
	range	115-145	87-130	88-119	81-104
	std deviation	9.45	11.88	8.54	10.60
FLOWER SHAPE IN PROFILE		convex	flattened convex	flat	convex
BUD SHAPE		pointed	pointed	ovate	pointed
SEED VESSEL SIZE		large	large	medium	medium
SEED VESSEL SHAPE		funnel	funnel	pitcher	pitcher
PETAL SIZE		large	large	large	large
PETAL BASAL SPOT		present	present	present	present
PETAL REFLEXING		medium	medium	medium	medium
PETAL UNDULATION		present	present	absent	absent
SEPAL LENGTH (excl. extensions)	mean	45.6 mm	28.95 mm	34.95 mm	25.15 mm
	range	35-62	25-35	30-40	21-29
	std deviation	7.72	4.25	2.63	2.41
SEPAL EXTENSIONS		strong	very strong	medium	weak
STAMEN FILAMENT COLOUR		pink	pink	pink	yellow green
STYLE COLOUR		red	yellow	red	red
STIGMA RELATIVE TO ANTHERS		below anthers	below anthers	same level	above
YOUNG SHOOT ANTHOCYANIN		medium strong(red)	medium strong(red)	medium strong (red)	medium strong (red)
TERMINAL LEAFLET LENGTH	Mean	89.2 mm	81.45 mm	94.6 mm	68.3 mm
	Range	70-110	56-101	83-109	57-80
	Std deviation	11.39	11.82	9.17	6.44
TERMINAL LEAFLET WIDTH	Mean	49.05 mm	55.65 mm	54.7 mm	42.35 mm
	Range	41-58	39-72	43-63	34-49
	Std deviation	4.54	9.31	4.99	4.15
TERMINAL LEAFLET PETIOLE LENGTH	Mean	19.55 mm	21.4 mm	20.65 mm	24.15 mm
	Range	15-26	16-30	11-24	18-28
	Std deviation	2.79	3.76	2.56	2.72
TERMINAL LEAFLET BASE		obtuse	obtuse	obtuse	obtuse
THORNS ON PEDICEL		numerous	numerous	few	few
THORN PROFILE (above)		concave	concave	concave	flat
THORN PROFILE (below)		concave	concave	concave	concave
THORN LENGTH	Mean	8.125 mm	7.845 mm	6.53 mm	9.29 mm
	Range	6-11.0	6-9.4	4.3-9.3	6.5-11.6
	Std deviation	1.47	1.03	1.17	1.27

# COCKSFOOT

(*Dactylis glomerata*)

Variety: 'Grasslands Kara'

Application No. 89/051

Applicant: **Grasslands Division, DSIR** of Palmerston North, on behalf of Her Majesty the Queen in Right of New Zealand.

## Diagnosis

This variety is distinct from all other known varieties in having the following combination of characters: wider leaves, more tillers and later flowering.

## Varieties used for comparison

'Porto', 'Currie', and 'Grasslands Wana'.

## Comparative Growing Trials

All characteristics described below and comparisons are from potted plants grown in a glasshouse at Palmerston North, New Zealand (Latitude 40° South). Trials have also been conducted at Gore, New Zealand and in Scotland between 1983 and 1986.

During spring 1988, seeds of 'Grasslands Kara', 'Grasslands Wana', 'Porto' and 'Currie' cocksfoot were sown in seed flats in a glasshouse. They were later replanted into 'D1' potting mix. Fifty plants of each variety were grown on under natural light conditions with diurnal temperatures maintained between 16°–24°C. Flowering was considered to have occurred when three heads had fully emerged. All specimens were measured.

## Origin

'Grasslands Kara' was bred by Dr W Rumble of Grasslands Division, DSIR using hybrid material

provided by the late Dr P C Barclay also of Grasslands Division. 'Grasslands Kara' is derived from an artificial tetraploid population of subspecies *lusitanica*, created in 1962 by colchicine treatment, being crossed with the natural tetraploid cultivar 'Apanui'. Hybrid plants were backcrossed with 'Apanui' and 72 progeny selected from field trials for rust resistance, yield, number of flowers and uniformity of flowering date. Further progeny testing in 1972–75 resulted in 19 plants being retained as the parent plants for 'Grasslands Kara'.

## Morphology

— See also comparison tables. 'Grasslands Kara' is a tall, erect, open tillered and late flowering variety of cocksfoot. It has long, broad leaves which have a bluish tinge at maturity and it produces more tillers than the comparative varieties.

In addition to morphological data from growing trials, the applicant has submitted, as a distinguishing characteristic, prints of gel electrophoresis of seed protein extractions which display a consistently different banding pattern to those of the other varieties. The band at point B (see photograph) is not represented in the other three varieties. The band at point E is not represented in at least two of the other varieties. The banding pattern is consistent between the two generations of 'Grasslands Kara'.

The technique is as described by S E Gardiner and M B Forde in *Seed Science and Technology*, 1987, Volume 15, pages 663–674, using sodium dodecylsulphate and polyacrylamide gel.

## Agronomy

'Grasslands Kara' requires moderate temperatures with adequate moisture levels to maintain optimum growth and the applicant claims it is well suited to cattle grazing when mixed with other tufted species.

## OBJECTIONS

**Formal objections** (S20 of the PVR Act) against any of the above applications can be lodged by a person who:

- a) considers their commercial interests would be affected by a grant of PVR to the applicant; **AND**
- b) considers that the provisions of S26 (Appendix 3 of this Journal) cannot be met.

A fee of \$180 is payable at the time of lodging a formal objection.

**Comment:** Any person not falling into the above category may make comment on the eligibility of any of the above applications for PVR. There is no charge for this.

A person submitting a formal objection or a comment must provide supporting evidence to substantiate the claim. A copy of the submission will also be sent to the applicant and the latter will be asked to show why the objection should not be upheld.

All formal objections and comments relating to the above applications must be lodged with the Registrar by close of business on **31 MARCH 1990**.

### ***b) Descriptions to be Finalised***

Applications have been accepted for the following varieties. Descriptions for the Journal are being finalised and the six month period for comment or formal objection will not begin until the full descriptions are published in the Journal.

## ROCKMELON

*(Cucumis melo)*

Applicant: **Arthur Yates & Co. Pty Ltd**, of Milperra, New South Wales

'**Rainbow**' Application No.: 89/027

## LECHENAULTIA

*(Lechenaultia biloba)*

Applicant: **G Lullfritz**, of Lullfritz Nursery, Wanneroo, Western Australia

'**Autumn Blue**' Application No. 89/028

## PEACH

*(Prunus persica)*

Applicant: **Flemings Nurseries & Associates Pty Ltd.**, of Monbulk, Victoria

'**Tasty Zee**' Application No. 89/029

Applicant: **Flemings Nurseries & Associates Pty Ltd.**, of Monbulk, Victoria

'**June Crest**' Application No. 89/030

Applicant: **Flemings Nurseries & Associates Pty Ltd.**, of Monbulk, Victoria

'**Zee Lady**' Application No. 89/031

## IMPATIENS

*(Impatiens hawkeri hybrid)*

Applicant: **Kientzler KG**, of Gensingen, West Germany

Agent in Australia: R Rother of Emerald, Victoria

'**Apollon**' Application No. 89/032

Applicant: **Kientzler KG**, of Gensingen, West Germany

Agent in Australia: R Rother of Emerald, Victoria

'**Argus**' Application No. 89/033

Applicant: **Kientzler KG**, of Gensingen, West Germany

Agent in Australia: R Rother of Emerald, Victoria

'**Aurore**' Application No. 89/034

Applicant: **Kientzler KG**, of Gensingen, West Germany

Agent in Australia: R Rother of Emerald, Victoria

'**Celerio**' Application No. 89/035

Applicant: **Kientzler KG**, of Gensingen, West Germany

Agent in Australia: R Rother of Emerald, Victoria

'**Delias**' Application No. 89/036

Applicant: **Kientzler KG**, of Gensingen, West Germany

Agent in Australia: R Rother of Emerald, Victoria

'**Epia**' Application No. 89/037

Applicant: **Kientzler KG**, of Gensingen, West Germany

Agent in Australia: R Rother of Emerald, Victoria

'**Eurema**' Application No. 89/038

Applicant: **Kientzler KG**, of Gensingen, West Germany

Agent in Australia: R Rother of Emerald, Victoria

'Flambee' Application No. 89/039

Applicant: **Kientzler KG**, of Gensingen, West Germany

Agent in Australia: R Rother of Emerald, Victoria

'Jasius' Application No. 89/040

Applicant: **Kientzler KG**, of Gensingen, West Germany

Agent in Australia: R Rother of Emerald, Victoria

'Marumba' Application No. 89/041

Applicant: **Kientzler KG**, of Gensingen, West Germany

Agent in Australia: R Rother of Emerald, Victoria

'Mimas' Application No. 89/042

Applicant: **Kientzler KG**, of Gensingen, West Germany

Agent in Australia: R Rother of Emerald, Victoria

'Saturnia' Application No. 89/043

Applicant: **Kientzler KG**, of Gensingen, West Germany

Agent in Australia: R Rother of Emerald, Victoria

'Selenia' Application No. 89/044

Applicant: **Kientzler KG**, of Gensingen, West Germany

Agent in Australia: R Rother of Emerald, Victoria

'Sesia' Application No. 89/045

Applicant: **Kientzler KG**, of Gensingen, West Germany

Agent in Australia: R Rother of Emerald, Victoria

'Thecla' Application No. 89/046

Applicant: **Kientzler KG**, of Gensingen, West Germany

Agent in Australia: R Rother of Emerald, Victoria

'Vulcain' Application No. 89/047

Applicant: **Kientzler KG**, of Gensingen, West Germany

Agent in Australia: R Rother of Emerald, Victoria

'Aglia' Application No. 89/048

## **CHERRY** (*Prunus avium*)

Applicant: **K Gaudion**, of Wandin North, Victoria

'Gaudion' Application No. 89/049

## **APPLE (ROOT STOCK)** (*Malus*)

Applicant: **Centre d'Experimentation de Pepinieres & Centre Technique Interprofessionnel des Fruits et Legumes**, of Paris, France

'Lancep' Application No. 89/052

Applicant: **Centre d'Experimentation de Pepinieres & Centre Technique Interprofessionnel des Fruits et Legumes**, of Paris, France

'Cepiland' Application No. 89/053

## **ASIATIC LILY** (*Lilium hybrid*)

Applicant: **Gebr. Vletter en JA Den Haan**, of Rijnsburg, Netherlands

Agent in Australia: J Slykerman of Kenny Lane Nurseries, Monbulk Victoria

'Geneve' Application No. 89/057

Applicant: **Gebr. Vletter en JA Den Haan**, of Rijnsburg, Netherlands

Agent in Australia: J Slykerman of Kenny Lane Nurseries, Monbulk Victoria

'Grand Cru' Application No. 89/058

Applicant: **Gebr. Vletter en JA Den Haan**, of Rijnsburg, Netherlands

Agent in Australia: J Slykerman of Kenny Lane Nurseries, Monbulk Victoria

'Lucca' Application No. 89/059

Applicant: **Gebr. Vletter en JA Den Haan**, of Rijnsburg, Netherlands

Agent in Australia: J Slykerman of Kenny Lane Nurseries, Monbulk Victoria

'Menton' Application No. 89/060



Applicant: **Gebr. Vletter en JA Den Haan**, of  
Rijnsburg, Netherlands

Agent in Australia: J Slykerman of Kenny Lane  
Nurseries, Monbulk Victoria

**'Mona Lisa'** Application No. 89/061

Applicant: **Gebr. Vletter en JA Den Haan**, of  
Rijnsburg, Netherlands

Agent in Australia: J Slykerman of Kenny Lane  
Nurseries, Monbulk Victoria

**'Monte Rosa'** Application No. 89/062

Applicant: **Gebr. Vletter en JA Den Haan**, of  
Rijnsburg, Netherlands

Agent in Australia: J Slykerman of Kenny Lane  
Nurseries, Monbulk Victoria

**'Sancerre'** Application No. 89/063

Applicant: **Gebr. Vletter en JA Den Haan**, of  
Rijnsburg, Netherlands

Agent in Australia: J Slykerman of Kenny Lane  
Nurseries, Monbulk Victoria

**'Toscane'** Application No. 89/064

Applicant: **Gebr. Vletter en JA Den Haan**, of  
Rijnsburg, Netherlands

Agent in Australia: J Slykerman of Kenny Lane  
Nurseries, Monbulk Victoria

**'Venezia'** Application No. 89/065

## PROVISIONAL PROTECTION

The following varieties have provisional protection  
under S22 of the *Plant Variety Rights Act 1987* since  
the last issue of the Journal:

<b>'Rainbow'</b>	<b>Application No.: 89/027</b>
<b>'Autumn Blue'</b>	<b>Application No.: 89/028</b>
<b>'Tasty Zee'</b>	<b>Application No.: 89/029</b>
<b>'June Crest'</b>	<b>Application No.: 89/030</b>
<b>'Zee Lady'</b>	<b>Application No.: 89/031</b>
<b>'Apollon'</b>	<b>Application No.: 89/032</b>
<b>'Argus'</b>	<b>Application No.: 89/033</b>
<b>'Aurore'</b>	<b>Application No.: 89/034</b>
<b>'Celerio'</b>	<b>Application No.: 89/035</b>
<b>'Delias'</b>	<b>Application No.: 89/036</b>
<b>'Epia'</b>	<b>Application No.: 89/037</b>
<b>'Eurema'</b>	<b>Application No.: 89/038</b>
<b>'Flambee'</b>	<b>Application No.: 89/039</b>
<b>'Jasius'</b>	<b>Application No.: 89/040</b>
<b>'Marumba'</b>	<b>Application No.: 89/041</b>
<b>'Mimas'</b>	<b>Application No.: 89/042</b>
<b>'Saturnia'</b>	<b>Application No.: 89/043</b>
<b>'Selenia'</b>	<b>Application No.: 89/044</b>
<b>'Sesia'</b>	<b>Application No.: 89/045</b>
<b>'Thecla'</b>	<b>Application No.: 89/046</b>
<b>'Vulcain'</b>	<b>Application No.: 89/047</b>
<b>'Aglia'</b>	<b>Application No.: 89/048</b>
<b>'Gaudion'</b>	<b>Application No.: 89/049</b>

**'Meikrusa'**  
(syn 'Arianna 85')  
**'Grasslands Kara'**  
**'Lancep'**  
**'Cepiland'**  
**'Meirolour'**  
(syn 'Concerto')  
**'Meivouplix'**  
**'Meivrofix'**  
(syn 'Zurella')  
**'Geneve'**  
**'Grand Cru'**  
**'Lucca'**  
**'Menton'**  
**'Mona Lisa'**  
**'Monte Rosa'**  
**'Sancerre'**  
**'Toscane'**  
**'Venezia'**

**Application No.: 89/050**

**Application No.: 89/051**

**Application No.: 89/052**

**Application No.: 89/053**

**Application No.: 89/054**

**Application No.: 89/055**

**Application No.: 89/056**

**Application No.: 89/057**

**Application No.: 89/058**

**Application No.: 89/059**

**Application No.: 89/060**

**Application No.: 89/061**

**Application No.: 89/062**

**Application No.: 89/063**

**Application No.: 89/064**

**Application No.: 89/065**

## VARIATIONS TO APPLICATIONS

The following submissions have been made for  
variations to applications under subsection 19(1) of  
the *Plant Variety Rights Act 1987*:

Variety: 'Dana' (*Dianthus caryophyllus*)

**Application No.: 88/014**

(Described in PVJ Vol 2 No 1)

Applicant: Bioprogress SP 'Selca' of Bulgaria

Variation: Change name to 'Grozdana'

Variety: 'Victoria' (*Dianthus caryophyllus*)

**Application No.: 88/025**

(Described in PVJ Vol 2 No 1)

Applicant: Bioprogress SP 'Selca' of Bulgaria

Variation: Change name to 'Chandenn'

## CORRIGENDA

1. In Vol 2 No 2 (issue June 1989) on page 6 the  
caption under the illustration showing Soybean  
variety 'Manark' should read:

Mature seed of soybean varieties showing  
spherical shape, buff coloured hilum and shiny  
coat lustre of 'Manark'. (*Photo supplied by  
Applicant*)

2. In Vol 2 No 2 (issue June 1989) on page 13 the  
photograph showing 5 varieties of beans was  
truncated, cutting off the variety names of the two  
lower samples. The photo should have shown the  
lower left variety sample labeled 'GV 50', and the  
lower right variety sample labeled 'Labrador'.

3. In Vol 2 No 2 (Issue June 1989) on page 30 under  
**CHOISYA** the name of the variety should read  
**'Lich' (commercial synonym 'Sundance')**  
**Application No.: 89/020**

**PROPOSED SCHEDULE FOR INCLUDING GENERA/SPECIES IN  
THE PLANT VARIETY RIGHTS REGULATIONS**

PLANT GROUP	APRIL 88	JULY 88	JAN 89	JULY 89	MARCH 90
STONE FRUIT		Prunus	All Stone Fruit		
CITRUS		All Citrus			
OTHER FRUIT	Malus (apple)	Fragaria (strawberry) Vitis (grape) Carica (paw paw) Rubus (raspberry) Persea americana (avocado)	Pyrus (pear) Actinidia (kiwifruit)	All fruit	
VEGETABLES	Phaseolus vulgaris (bean)	Solanum tuberosum (potato) Lycopersicon (tomato) Lactuca sativa (lettuce) Pisum (pea)	Allium cepa (onion) Daucus carota (carrot) Brassica oleracea (cabbage, cauliflower etc)	All vegetables	
NUTS	Macadamia	Prunus amygdalus (almond)	Juglans (walnut)	All nuts	
HERBAGE AND TURF GRASS	Phalaris	Lolium (ryegrass) Agrostis (bent) Festuca (tall fescue) Cynodon (bermuda grass) Zoysia Stenotaphrum	Dactylus (cocksfoot) Bromus Lotus Paspalum Bothriochloa	All herbage and turf grasses	
OILSEEDS	Brassica sp (oilseeds) (rape, mustard etc)	Glycine max (soybean) Helianthus annuus (sunflower)	Arachis Sesamum indicum (sesame) Carthamus tinctorius (safflower) Linum usitatissimum (linseed)	All oilseeds	
PASTURE AND GRAIN LEGUMES		Trifolium (clover) Medicago Ornithopus (serradella) Stylosanthes	Lupinus Desmanthus Vigna (mungbean) Cicer arietinum (chickpea) Indigofera	All pasture and grain legumes	
GRAINS		Setaria Avena (oats) Panicum Pisum (pea) Zea mays (corn)	Hordeum (barley) Pennisetum (pearl millet) Sorghum		All grains
AUST. NATIVE ORNAMENTALS	Anigozanthos (Kangaroo paw)	Grevillea Chamaelucium (Geraldton wax) Lechenaultia Melaleuca Decaspermum Artanema	Macropidia (Black Kangaroo Paw) Piper Callistemon Thryptomene Telopea Dryandra	Boronia Banksia Verticordia Darwinia Pimelea	All native ornamentals
OTHER ORNAMENTALS	Rosa (Rose)	Orchids (all genera) Dianthus (carnation) Alstroemeria Schlumbergera (Zygocactus) Lilium (Lily) Metrosideros carminea Freesia Rhododendron Gerbera	Rhipsalis Kalanchoe Euphorbia (Poinsettia) Chrysanthemum Zantedeschia Cuphea Limonium Cyphomandra Streptocarpus Impatiens Cyclamen Begonia Achimenes Choysia Agapanthus	Hemerocallis Bougainvillea Ilex	All ornamentals
FORESTRY		Eucalyptus	Pinus Acacia Casuarina		All forestry
OTHER	Gossypium (cotton)		Duboisia	Humulus lupulus	All species
PROPOSED ADDITIONS				Carpobrotus	

**SECTIONS 16 AND 17 OF THE PVR ACT****Form of application**

16. An application for plant variety rights in respect of a plant variety shall be in writing in a form approved by the Secretary, shall be lodged with the Secretary in the prescribed manner and shall contain —

- (a) the name of the person making the application;
- (b) where the applicant is the breeder of the variety, a statement that the applicant is the breeder of the variety;
- (c) where the applicant is not the breeder of the variety, the name and address of the breeder from whom the applicant derived the right to make an application and particulars of all relevant assignments and transmissions of the right to make the relevant applications;
- (d) a description, or a description and photograph, of a plant of the variety sufficient to identify plants of that variety;
- (e) particulars of the characteristics that distinguish the variety from other varieties;
- (f) particulars of the manner in which the variety was originated;
- (g) the name of the variety;
- (h) particulars of any application for, or approval of a grant of, rights of any kind in respect of the variety in any other country;
- (j) particulars of any tests carried out to establish that the variety is homogeneous and stable (including particulars of any cycle of reproduction or multiplication for the purposes of paragraph 3(2)(b));
- (k) in the case of a plant variety originated outside Australia, particulars of any test growing of that variety carried out for the purpose of determining whether the variety will, if grown in Australia, have a particular characteristic;
- (m) an address in Australia for the service of documents on the applicant for the purposes of this Act; and
- (n) such other particulars (if any) as are prescribed.

**Names of new plant varieties**

17.(1) The name of a new plant variety shall consist of a word or words (which may be an invented word or words) with or without the addition of —

- (a) a letter or letters not constituting a word;
- (b) a figure or figures; or
- (c) both a letter or letters not constituting a word and a figure or figures.

2. A new plant variety shall not have —

- (a) a name the use of which would be likely to deceive or cause confusion, including a name that is the same as, or is likely to be mistaken for, the name of another plant variety;

- (b) a name the use of which would be contrary to law;
- (c) a name that comprises or contains scandalous or offensive matter; or
- (d) a name, or name of a kind, that is, at the time when the application is made, prohibited by the regulations.

(3) The name of a new plant variety in respect of which an application is made shall comply with any recommendations of the International Code of Nomenclature for Cultivated Plants, as in force when the application is made, formulated and adopted by the International Commission for Nomenclature of Cultivated Plants of the International Union of Biological Sciences that are accepted by Australia.

(4) The name of a new plant variety in respect of which an application is made shall not consist of, or include —

- (a) the name of a natural person living at the time of the application, other than a person who has given written consent to the name of the plant variety;
- (b) the name of a natural person who died within the period of 10 years immediately preceding the application, other than a person who has given, or whose legal personal representative has given, written consent to the name of the plant variety; or
- (c) the name of a corporation, organisation or institution, other than a corporation, organisation or institution that has given its written consent to the name of the plant variety.

**SECTION 26 OF THE PVR ACT****Grant of plant variety rights**

26.(1) Subject to this section, where an application for plant variety rights in respect of a plant variety is accepted —

- (a) if the Secretary is satisfied that —
  - (i) there is such a plant variety;
  - (ii) the plant variety is a new plant variety;
  - (iii) the applicant is entitled to make the application;
  - (iv) the grant of those rights to the applicant is not prohibited by this Act;
  - (v) those rights have not been granted to another person;
  - (vi) there has been no earlier application for those rights that has not been withdrawn or otherwise disposed of;
  - (vii) the name of the variety would comply with section 17; and
  - (viii) all fees payable under this Act in relation to the application and the grant have been paid,

the Secretary shall grant those rights to the applicant; or
- (b) if the Secretary is not so satisfied — the Secretary shall refuse to grant those rights to the applicant.

(2) The Secretary shall not grant, or refuse to grant, plant variety rights in respect of a plant variety unless a period of at least 6 months has elapsed since the giving of public notice of the application, or, if the application has been varied in pursuance of a request under sub-section 19(1) in a manner that the Secretary considers to be significant, a period of 6 months has elapsed since the giving of public notice of particulars of the variation, or of the last such variation, as the case requires.

(3) The Secretary shall not refuse to grant plant variety rights unless the Secretary has given the applicant for the rights a reasonable opportunity to make a written submission to the Secretary in relation to the application.

(4) Where an objection to the grant of plant variety rights has been lodged under section 20, the Secretary shall not grant the rights unless the Secretary has given the person who lodged the objection a reasonable opportunity to make a written submission to the Secretary in relation to the objection.

(5) Plant variety rights shall be granted to a person by the issue to that person by the Secretary of a certificate, signed by the Secretary or by the Registrar, in a form approved by the Secretary and containing such particulars of the plant variety to which the rights relate as the Secretary considers appropriate.

(6) Where plant variety rights are granted to persons who made a joint application for those rights, those rights shall be granted to those persons jointly.

(7) Where the Secretary refuses to grant plant variety rights in respect of a plant variety, the Secretary shall, within 30 days after refusing, give written notice of the refusal to the applicant for the rights setting out the grounds for the refusal.

**FEES**

As from 1 July 1989 the following fee schedule will apply.

<b>FUNCTION</b>	<b>\$</b>
APPLICATION	350
EXAMINATION OF APPLICATION	1200
COPY OF APPLICATION	60
VARIATION TO APPLICATION	65
LODGING AN OBJECTION	180
COPY OF OBJECTION	60
CERTIFICATE OF PVR	235
ANNUAL RENEWAL FEE	235
REQUEST FOR RE-EXAMINATION (if required)	700
COMPULSORY LICENCE	120
TRANSFER OF RIGHTS	120
ISSUE OF PUBLICATIONS	7
	(first 10 page, then 50c/page)
(other than the PV Journal)	
OTHER WORK RELEVANT TO PVR	\$60 (per hour)

**PLANT VARIETY RIGHTS ADVISORY COMMITTEE (PVRAC)**

(Members of the PVRAC were appointed in accordance with S45 of the *Plant Variety Rights Act 1987*).

Mrs Kathryn Adams (Chair)  
Registrar Plant Variety Rights  
Plant Variety Rights Office  
Department of Primary Industries & Energy  
GPO Box 858  
CANBERRA ACT 2601

Professor Donald Marshall  
Professor Waite of Agronomy  
Waite Agricultural Research Institute  
University of Adelaide  
GLEN OSMOND SA 5064.  
Representative of breeders.

Mr Peter Wilson  
Manager of Wheat Research  
Cargill Seeds  
PO Box W252  
WEST TAMWORTH NSW 2340  
Representative of breeders.

Mr Rodney Field  
WMR Box 758  
ESPERANCE WA 6450  
Representative of producers.

Mr Richard Arthur  
GPO Box 388  
CANBERRA ACT 2601  
Representative of consumers.

Mr Edgar (Ben) Swane  
Director Swane Bros P/L  
Galston Road  
DURAL NSW 2158  
Representative with appropriate qualifications and experience.

Dr John Leslie  
Director Division of Plant Industry  
Queensland Dept Primary Industries  
GPO Box 46  
BRISBANE QLD 4001  
Representative with appropriate qualifications and experience.

## **ORGANISATIONS OFFERING TO UNDERTAKE PVR TRIALS**

The following organisations are interested in carrying out PVR trials on behalf of applicants — the PVR Office does not accept any responsibility and is publishing the list for the convenience of applicants.

**AGRITECH**, PO BOX 549 TOOWOOMBA 4350;  
076 384322; MARY ANN LAW

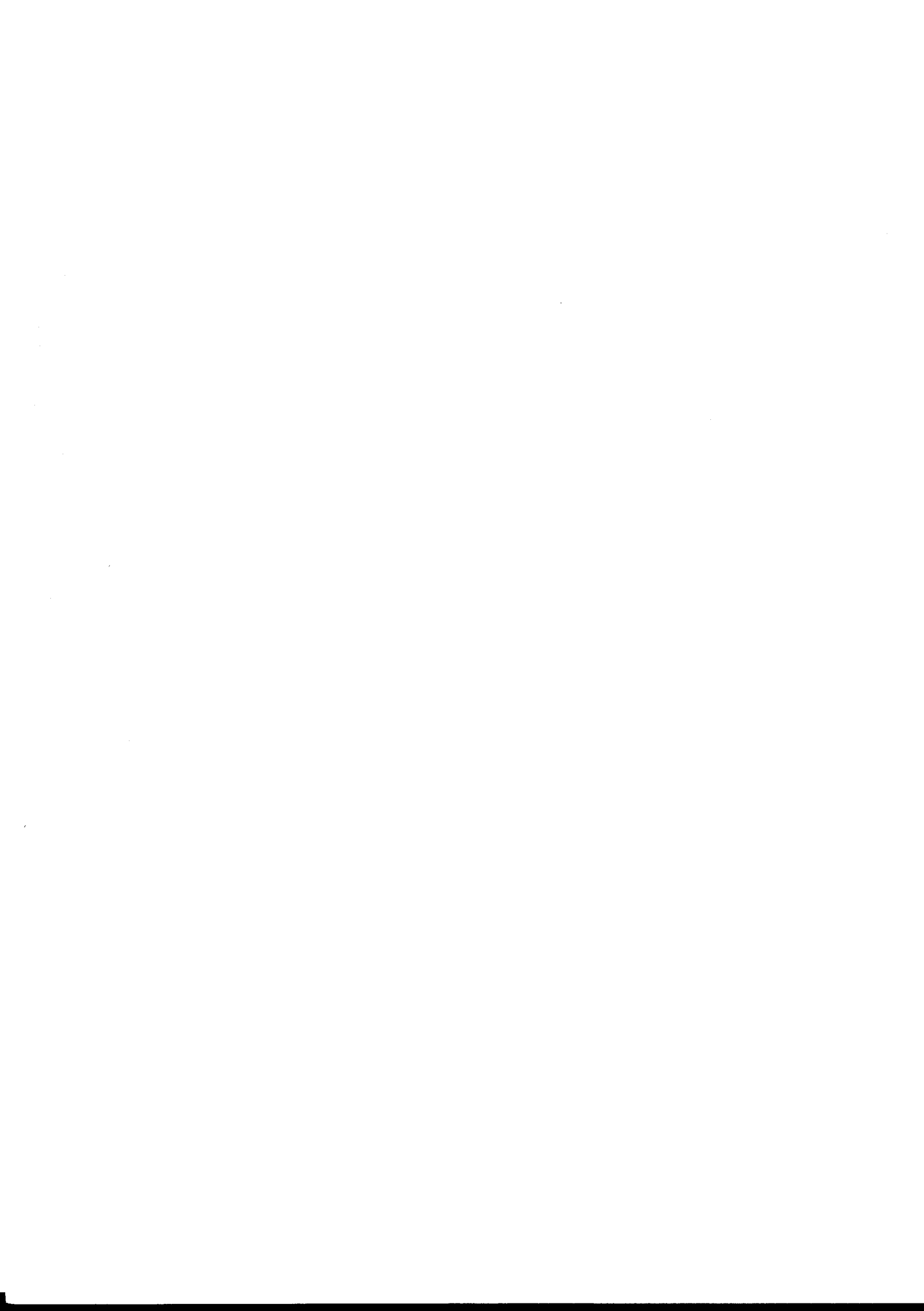
**AGRISEARCH**, PO BOX 972 ORANGE 2800;  
063 624539; M J HOOD  
(also at Shepparton, Moree, Ridgehaven, Mackay,  
Armidale and Innisfail).

**CHIVERS COMPUTING & AGRICULTURE**, 3/258  
KOORANG RD CARNEGIE VIC 3163; 03 5697538;  
IAN CHIVERS

**RADCLIFFE AND TILL**; 42 MOSS ST WEST RYDE  
2114; 02 8046973; SHARON TILL

**TURF RESEARCH AND ADVISORY INSTITUTE**, PO  
BOX 381 FRANKSTON VIC 3199; 03 7863311;  
TERRY WOODCOCK

**STATE DEPARTMENTS OF AGRICULTURE AND  
CSIRO MAY DO TRIALS ON A FEE FOR SERVICE  
BASIS FOR SOME SPECIES.**





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