

Plant Breeders Right

Overview

In Egypt, all protocols, regulations & procedures pertaining to the protection and/or registering a new plant variety in Egypt are governed by the:

- ✓ **Egyptian Intellectual Property Law No. 82/2002 - Book 4.**

In addition to:

- ✓ **The Council of Ministers Resolution No. 1366 of 2003** issuing Implementing regulations for Law No. 82 of 2002 on the Protection of Intellectual Property Rights Books 1, 2 & 4.

Treaties & Agreements

Egypt is already a member state in many IP related agreements & protocols. However, in respect to the Plant Breeder's rights and related issued, Egypt is a member at the following:

Treaty - Protocol	In Force Since
* International Convention for the Protection of New Varieties of Plants (UPOV))	Nov 01, 2019
* International Plant Protection Convention	Oct 02, 2005
* International Treaty on Plant Genetic Resources for Food and Agriculture	Jun 29, 2004
* Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)	Jan 01, 2005
* Convention on Biological Diversity	Dec 29, 1993
* Cartagena Protocol on Biosafety to the Convention on Biological Diversity	Mar 21, 2004
* Paris Convention for the Protection of Industrial property	Jul 01, 1951



Required Documents

- ✓ Power of Attorney for the applicant, legalized up to the Egyptian Consulate (*form attached*).
- ✓ Deed of Assignment, duly signed by the assignor (breeder) and the assignee (applicant), and legalized up to the EG consulate, at your kind end.
- ✓ A duly filled in **Application Form & Technical Questionnaire** (*forms attached*).
- ✓ **DUS / VCU** Reports for the subject species (*original certified certificates*); and
- ✓ If the plant variety had been previously filed/registered in any other country, it would be required to provide scanned copy of the application at that country.

Note: In case the plant variety has not been examined yet and there are no DUS & VCU reports for the same; the Egyptian **Central Administration for Seed Testing & Certification (CASC)** will conduct the examination & issue their reports within (2) years from the application's filing date.

* *DUS: Distinct, Uniform & Stable*

* *VCU: Value for Cultivation & Use*

Official Authorities

The competent authorities responsible for issuing the DUS & VCU tests are the:

- ✓ Egyptian Central Administration for Seed Testing & Certification (CASC)
- ✓ Agricultural Economy Research Institution (AERS)
- ✓ Genetic Engineering Research Institution (GERI)
- ✓ Plant Preservation Research Institution (PPRI)
- ✓ Plant Disease Research Institution (PDRI)
- ✓ Agricultural Research Center (ARC)

PV Protection Costs

Procedures	Official Fees	Professional Fees	Total Costs
Filing an application (including examination in form)	2.50	177.50	180.00
DUS request form (applying & following up)	00.00	100.00	100.00
Publication fees for the variety	1.20	98.80	100.00
Obtaining a certified protection certificate	15.00	235.00	250.00
Official validation for the DUS test	100.00	200.00	300.00
Grand Total in USD			930.00



PV Protection Term

If the plant variety fulfills the (4) technical requirements of:

1- Distinct 2- Uniform 3- Stable 4- Novel

A Plant breeder will be granted a total protection period for his variety as follows:

⇒ for trees & vines: **25 years**

⇒ for other crops: **20 years**

PV Annual Maintenances

According to Egyptian IP law no. 82/2002, all protected plant varieties are subject to annual maintenance fees; payable starting from the 2nd year after protection's grant-date till the end of protection period, supported with an annual DUS maintenance report, which could be issued by the Egyptian Plant Variety Protection Office (PVPO), or by any foreign Plant Variety Protection Office.

If we already hold an applicable legalized POA for the variety holder, it will suffice to attend maintenance services. While if we were not the initial agents for protection, we shall be supported with a legalized copy of a POA duly signed and legalized up to the Egyptian consulate.

PV Annual Maintenance Costs

Our costs are **fixed** for attending annual maintenance fees at the EGPVPO, starting from the 2nd year of protection till the **year 25th** (*for trees and vines*), or the **year 20th** (*for other crops*); as follows:

Procedure	Official Fees	Professional Fees	Total Costs
Reporting, settling, and following-up PV annual maintenance fee at EGPVPO	22.00	358.00	380.00
Grand Total in USD			380.00

PV Importing Authorization Letters

According to Egyptian IP law no. 82/2002, for any local consignee (i.e., either a local distributor, whole or retail seller) who wishes to import a locally protected plant variety into Egypt, an official authorization letter shall be obtained at first by the consigner (i.e., the PV holder), duly signed & stamped by his local representative supported with a legalized POA copy and submitted at the Egyptian PVPO. No need for notarizing or legalizing the required authorization letters.



PV Authorization Letters Cost

Our costs are **fixed** for signing & stamping an authorization letter for importing a locally protected PV into Egypt as follows:

Procedure	Official Fees	Professional Fees	Total Costs
Preparing, signing, and stamping an importation authorization letter (including 1 variety up to 10 varieties)	00.00	200.00	200.00
Submission at Egyptian PV Importation Section (including 1 variety up to 10 varieties)	00.00	120.00	120.00
Grand Total in USD			320.00

Total Registration Costs

In case the Plant breeder would like to protect his Variety in Egypt, however, he is still unable to furnish a duly certified certificates of the DUS & VCU reports from his country of origin; a registration procedure must be fulfilled through the **EG Ministry of Agriculture & Land Reclamation**; procedures & costs are:

❖ **For Crops** (costs are in USD):

Procedure	Official Fees	Professional Fees	Total Costs
Cultivation for the 1 st year	600.00	330.00	930.00
Cultivation for the 2 nd year	600.00	310.00	910.00
Cultivation for the 3 rd year	300.00	220.00	520.00
DNA Test for the P. variety	30.00	120.00	150.00
P.V. National Registration	250.00	230.00	480.00
Grand Total in USD			2,990.00

❖ **For Vegetables** (costs are in USD):

Procedure	Official Fees	Professional Fees	Total Costs
Cultivation for the 1 st year	300.00	330.00	630.00
Cultivation for the 2 nd year	300.00	310.00	610.00
Cultivation for the 3 rd year	170.00	220.00	390.00
DNA Test for the variety	30.00	120.00	150.00
PV National Registration	250.00	230.00	480.00
Grand Total in USD			2,260.00



Important Notes:

- ✓ For Corn only, the cultivation is only two years (i.e. no need for the 3rd year).
- ✓ Cultivation costs are payable stage by stage (i.e. on two or three installments)

Enc. 2 forms

**REYADA INTERNATIONAL**

P.O. Box 10 El-Saraya 21411 Alexandria, Egypt
B. 4 Ibrahem Al-Attar Street, Zezenia Avenue, Alexandria
Cell Phone: (002) 01001563300 • Land Line: (002) 03 5774584
contact@reyada-ip.net • email@reyada-ip.com • reyada.international@gmail.com

www.reyada-ip.com

Technical Questionnaire Form

Ministry of Agriculture and Land Reclamation
Agricultural Services Department
Central Administration for Seed Testing & Certification (CASC)
Office of Plant Variety Protection

Technical Questionnaire
For the Protection of a New Plant Variety

Variety Reference Number:

1) Technical Questionnaire Subject:

a- Variety Denomination in English :
b- Variety Common Name :

2) The Applicant:

* Name :
* Address :
* Tel :
* Fax :
* Email :
* Breeder's name (in case the applicant is not the breeder):

3) Proposed Denomination & Reference Number of the Variety:

* Proposed name (if any) :
* Reference number :

4) Breeding & Propagation Program Information:

* Breeding Program :
* Propagation Methods :
* The Genetic Source used for developing the variety:
* Traditional information & domestic experiences based upon for developing the Variety:

5) The Basic & Obvious Characteristics of the Variety (to be defined):

.....
.....
.....

6) Similar Varieties and the differences between these varieties and the applied variety:

Please use the schedule illustrated herein under in order to indicate how the applied variety differs from the other similar varieties, based on the best knowledge you acquire.

This information may assist the official Testing Authority in conducting the Distinction Test accurately.

Denomination(s) of Varieties Similar to the applied variety	Distinctive Characteristics in the applied variety that differ from the similar ones	Define Characteristics of the similar varieties	Define Characteristics of the applied variety
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----
-----	-----	-----	-----

7) Further information that may assist in testing the applied variety:

A- In addition to the information provided in the items (5) & (6), are there any further distinctive characteristics for the variety?

Yes () No ()

* If yes, please indicate the same in details:

B- Special conditions for testing the variety:

Are there any special conditions for cultivating the variety or for conducting its relevant test(s)?

Yes () No ()

* If yes, please indicate the same in details:

* Please add any further information if any:

8) Permission for lunching the variety:

A- For the variety to be lunched, does it require an advance-permission under the Laws of Environment Protection, Human Health Protection, and Animal Protection?

Yes () No ()

B- Have you obtained this advance-permission?

Yes () No ()

* If yes, please attach a copy of this permission.

9) Information on the plant material in order to be "Tested / Applied for Test":

- a- Expression of the characteristic or number of characteristics of the applied variety might be affected by any factors; like plant epidemics, diseases, chemical treatments (such as: growth frustrates & insecticides); the effects of tissue culture, or grafting sources; grafts derived from various growth phases of trees, etc...
- b- The plant material should be void of any treatment that affects the expression of characteristics of the applied variety, unless the respective authorities approve these kinds of treatments.

Based upon, please mention herein below -based on your knowledge- whether the testable variety material has been subject to either of the following:

- | | | |
|--|------------|-----------|
| ❖ Micro organisms; like: viruses, bacteria, or phytoplasma | Yes () | No () |
| ❖ Chemical treatments; like: growth frustrates or insecticides | Yes () | No () |
| ❖ Tissue Culture | Yes () | No () |
| ❖ Other factors | Yes () | No () |

* If yes, please indicate the same in details:

10) Declaration:

I admit, based on the best knowledge I acquire, that all information provided in this application is correct.

Applicant name :

Signature :

Date :

-- End of Technical Questionnaire --

Application Form

Application for Protecting a New Plant Variety in Egypt

This page shall be completed by the Office

Application Number :

Filing Date :

Filing Time : DayMonth Year

Receiving Officer :

Application Filed at : Office of Plant Variety Protection.

Office of Plant Variety Protection
Egyptian Central Administration for Seed Testing & Certification (CASC)

8 Gamaa St., Giza 12211
P.O. Box 147 Rabie Al Gizy
Tel: 02-35728962/ 02-35720839
Fax: 02-35725998 ~ Email: casc@casc.gov.eg
Web: www.casc.gov.eg

* * *

Enc: 4 pages

Form no: (1)

Applicant Details

Breeder

Agent

Legal Person

To be filled by the Office		
1	Applicant Name: Nationality : Address : Mailing Address:	Location: Tel: Fax: Email:
	Applicant Name: Nationality : Address : Mailing Address:	Location: Tel: Fax: Email:
2	Applicant Name: Nationality : Address : Mailing Address:	Location: Tel: Fax: Email:
	Applicant Name: Nationality : Address : Mailing Address:	Location: Tel: Fax: Email:
	Applicant Name: Nationality : Address : Mailing Address:	Location: Tel: Fax: Email:
f Breeders are more than 4, please attach a list of the same		
3	Transferring the Variety to the Applicant: <ul style="list-style-type: none">• If the applicant is not the breeder, their legal relationship must be indicated, supported with the formal documents proving the same. By Contraction : By Succession : By Attorneyship : Other :	
Variety Data		

4	Variety Genus : Variety Species : Type : Common Denomination: Proposed Denomination:														
5	<table border="1"> <tr> <th colspan="2" data-bbox="527 420 1479 472">Applications of the same Variety applied at foreign Countries for Protection</th> </tr> <tr> <td data-bbox="527 472 1003 514">Country</td> <td data-bbox="1003 472 1479 514"></td> </tr> <tr> <td data-bbox="527 514 1003 556">Application number</td> <td data-bbox="1003 514 1479 556"></td> </tr> <tr> <td data-bbox="527 556 1003 598">Location</td> <td data-bbox="1003 556 1479 598"></td> </tr> <tr> <td data-bbox="527 598 1003 640">Variety Name (reference)</td> <td data-bbox="1003 598 1479 640"></td> </tr> <tr> <td data-bbox="527 640 1003 693">Application date</td> <td data-bbox="1003 640 1479 693"></td> </tr> <tr> <td colspan="2" data-bbox="527 693 1479 693" style="text-align: center;">If more than one country, please attach a list of the same</td> </tr> </table>	Applications of the same Variety applied at foreign Countries for Protection		Country		Application number		Location		Variety Name (reference)		Application date		If more than one country, please attach a list of the same	
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6	<table border="1"> <tr> <th colspan="2" data-bbox="527 693 1479 745">Has the variety been marketed inside Egypt?</th> </tr> <tr> <td data-bbox="527 745 1003 829"><input type="checkbox"/> Yes</td> <td data-bbox="1003 745 1479 829"><input type="checkbox"/> No</td> </tr> <tr> <td colspan="2" data-bbox="527 829 1479 882">Variety Denomination Name: 1st Circulation Date:/...../.....</td> </tr> </table>	Has the variety been marketed inside Egypt?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	Variety Denomination Name: 1 st Circulation Date:/...../.....									
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7	<table border="1"> <tr> <th colspan="2" data-bbox="527 882 1479 934">Has the variety been marketed outside Egypt?</th> </tr> <tr> <td data-bbox="527 934 1003 1018"><input type="checkbox"/> Yes</td> <td data-bbox="1003 934 1479 1018"><input type="checkbox"/> No</td> </tr> <tr> <td colspan="2" data-bbox="527 1018 1479 1102"> First Country Marketed in: Variety Denomination Name: 1st Circulation Date:/...../..... </td> </tr> </table>	Has the variety been marketed outside Egypt?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	First Country Marketed in: Variety Denomination Name: 1 st Circulation Date:/...../.....									
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8	<table border="1"> <tr> <th colspan="2" data-bbox="527 1102 1479 1155">Is the Variety Genetically Modified?</th> </tr> <tr> <td data-bbox="527 1155 1003 1239"><input type="checkbox"/> Yes</td> <td data-bbox="1003 1155 1479 1239"><input type="checkbox"/> No</td> </tr> <tr> <td colspan="2" data-bbox="527 1239 1479 1291">Type of this genetic modification:</td> </tr> </table>	Is the Variety Genetically Modified?		<input type="checkbox"/> Yes	<input type="checkbox"/> No	Type of this genetic modification:									
Is the Variety Genetically Modified?															
<input type="checkbox"/> Yes	<input type="checkbox"/> No														
Type of this genetic modification:															
9	<p data-bbox="527 1291 1479 1386">Procedures or Methods of Submitting documents attesting to the DUS tests for protection purposes:</p> <ol data-bbox="527 1386 1479 1648" style="list-style-type: none"> 1- Samples of the applied variety will be submitted within (3) months as of the date of acceptance of the Central Administration for Seed Testing & Certification (CASC). 2- Documents attesting to the same will be submitted within (3) months as of the acceptance date. 3- A request will be submitted for conducting the DUS tests outside Egypt. 														
10	<table border="1"> <tr> <th colspan="2" data-bbox="527 1648 1479 1732">Had the breeder used an Egyptian genetic material, any traditional information, or any domestic experience as a base for deriving this new variety?</th> </tr> <tr> <td data-bbox="527 1732 1003 1785"><input type="checkbox"/> Yes</td> <td data-bbox="1003 1732 1479 1785"><input type="checkbox"/> No</td> </tr> </table>	Had the breeder used an Egyptian genetic material, any traditional information, or any domestic experience as a base for deriving this new variety?		<input type="checkbox"/> Yes	<input type="checkbox"/> No										
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<input type="checkbox"/> Yes	<input type="checkbox"/> No														

	<p>* If the answer is No: The applicant shall admit that he has never used an Egyptian genetic material, any traditional information, or domestic experience as a base for deriving this variety.</p> <p>* If the answer is Yes: Please indicate the same in the concerned application form.</p>
11	<p>If the applicant is a company: Does the companies' capital exceed 50 thousand Pounds</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>
12	<p>Application's Attachments:</p> <p>a) Technical Specifications (data) – in duplicate. b) Representative's Power of Attorney (if any). c) Official Fees Payment Receipt. d) Any further relevant documents.</p>
13	<p style="text-align: center;"><u>Declaration</u></p> <p>I, the undersigned, personally or acting as the agent for/</p> <p>Declares my desire to obtain a Breeder's right certificate of protection for myself personally or as the agent-representative for/</p> <p>And that all information mentioned in this form is correct and on my personal responsibility.</p> <p>Name: Signature:</p> <p>Signed on: /..... /.....</p>
14	<p>Application Fees:</p> <p>Payment receipt no.: Dated: /..... /.....</p> <p>Amount:</p>
15	<p style="text-align: center;">Office Decision with respect to the application</p> <p><input type="checkbox"/> Acceptance <input type="checkbox"/> Rejection</p> <p>Rejection Basis:</p> <p>1-</p> <p>2-</p> <p>3-</p>

16	Application Received by (officer): Office Seal: Attestation (Office Manager):
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-- End of Filing Application --