

PROTECTION OF NEW PLANT VARIETIES ACT 2004

PROTECTION OF NEW PLANT VARIETIES REGULATIONS 2008

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SCHEDULES

PROTECTION OF NEW PLANT VARIETIES ACT 2004

PROTECTION OF NEW PLANT VARIETIES REGULATIONS 2008

IN exercise of the powers conferred by section 60 of the Protection of New Plant Varieties Act 2004 [Act 634], the Minister makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Protection of New Plant Varieties Regulations 2008**.

(2) These Regulations come into operation on 20 October 2008.

Interpretation

2. In these Regulations, unless the context otherwise requires, “Registration Office” means the Plant Variety Protection Registration Office of the Department of Agriculture Malaysia.

Forms

3. The forms referred to in these Regulations shall be as prescribed in the First Schedule.

Fees

4. (1) The fees to be paid under the Act and these Regulations shall be as prescribed in the Second Schedule.

(2) The fees shall be paid to the Registration Office by such means and in such manner as the Board may direct.

Application for registration of new plant variety and grant of breeder's right

5. (1) An application for registration of a new plant variety and grant of breeder's right under subsection 12(1) of the Act shall be made to the Board in Form PVBT 1 and shall be accompanied with the prescribed fee.

(2) Notwithstanding subregulation (1), where a plant variety is bred, or discovered and developed by a farmer, local community or indigenous people, the application for registration of a new plant variety and the grant of breeder's right shall be made to the Board in Form PVBT 2 and shall be accompanied by the prescribed fee.

Filing of application

6. (1) If the application fulfills the requirements under section 12 of the Act, the Registration Office –

- (a) shall record the filing date of the application; and
- (b) shall notify the applicant in writing of the filing date and the reference number of the application.

(2) If the application does not fulfill the requirement of paragraph 12(1)(d) of the Act, the Registration Office shall notify the applicant in writing of the amendment needed and the applicant is required to make the necessary amendment within thirty days of the notification.

(3) If the application does not fulfill the requirements of section 12 of the Act, the Registration Office shall inform the applicant in writing of the reason.

Preliminary examination

7. If, upon preliminary examination conducted in accordance with section 19 of the Act it is found that the requirements under section 15 and 16 of the Act are not complied with, the Board shall, in accordance with subsection 19(2) of the Act, notify the applicant in writing of the

amendment needed to be done and the applicant is required to make the amendment within thirty days upon the notification.

Request for substantive examination

8. (1) A request for substantive examination shall be made to the Board, within thirty days upon notification, in Form PVBT 3 and shall be accompanied by the prescribed fee.

(2) The Board shall determine the method of substantive examination as follows:

(a) document examination;

(b) on-site inspection;

(c) growing test; or

(d) subsequent growing test (if necessary).

Substantive examination

9. In accordance with subsection 21(2) of the Act, the applicant shall make an observation on the Examiner's reports and make the necessary amendment within thirty days upon receipt of the notice.

Opposition to registration of new plant variety and grant of breeder's right

10. In accordance with section 23 of the Act, any interested person may oppose the registration of a new plant variety and the grant of breeder's right by giving notice to the Board and the applicant in Form PVBT 4.

Reply by applicant

11. (1) In accordance with subsection 24(1) of the Act, the applicant shall, within thirty days after the receipt of the notice of opposition, send a reply stating the grounds for the application for registration of a new plant variety and grant of breeder's right to the Board and opponent in Form PVBT 5.

(2) If the applicant fails to reply to the Board within the period specified in subregulation (1), the Board may grant an extension of fourteen days.

(3) Where the applicant fails to reply after the expiration of thirty days or after the extended period of fourteen days, the applicant shall be deemed to have abandoned his application.

Filing of documentary evidence in support

12. In accordance with section 25 of the Act, the filing of documentary evidence by the applicant or the opponent shall be made in Form PVBT 6 within thirty days upon receipt of notice.

Deposit of samples

13. (1) In accordance with section 27, the applicant shall deposit the samples of the seed or any other propagating material of the plant variety at a centre approved by the Board within three months upon notification.

(2) The quantity of the samples of the seed or any other propagating material of the plant variety to be deposited by the applicant is as follows:

(a) seeds -1000 seeds or 10 gram, whichever is suitable; or

(b) other propagating material – 10 plants.

Registration of new plant variety and grant of breeder's right

14. The Board shall issue a certificate of registration of new plant variety and grant of breeder's right to the applicant –

(a) in Form PVBT 7, for the registration of new plant variety and grant of breeder's right under subsection 12(1) of the Act; or

- (b) in Form PVBT 8, for the registration of new plant variety and grant of breeder's right where a plant variety is bred, or discovered and developed by a farmer, local community or indigenous people.

Register of New Plant Varieties

15. (1) Any person may apply to inspect the Register of New Plant Varieties by submitting an advanced notice of fourteen days in writing to the Board.

(2) Any person may request for a certified copy or extract of any entry in the Register of New Plant Varieties to the Board in Form PVBT 9 and the request shall be accompanied by the prescribed fee.

Compulsory licence

16. (1) Pursuant to subsection 36(2) of the Act, the breeder's right holder shall make representations within thirty days from the date of notification of the intention of the Board to grant compulsory licence.

(2) Upon considering the representations of the breeder's right holder, or if no representations is received within thirty days as specified in subregulation (1), the Board shall deem that the breeder's right holder has no objection and shall grant the compulsory license within sixty days and inform the breeder's right holder of its decision.

(3) Where the Board grants a compulsory license, the Board shall advertise in the major local dailies by inviting local interested parties to be a licensee.

(4) The application under subregulation (3) shall be made to the Board in Form PVBT 10.

(5) The duration of the compulsory licence under paragraph 37(b) of the Act shall be on a year to year basis.

Assignment or transmission of breeder's right

17. An application for assignment or transmission of a breeder's right shall be made in Form PVBT 11 and shall be accompanied with the prescribed fee.

FIRST SCHEDULE

(Regulation 3)

FORM PVBT 1 PROTECTION OF NEW PLANT VARIETIES ACT 2004 PROTECTION OF NEW PLANT VARIETIES REGULATIONS 2008 APPLICATION FOR REGISTRATION OF NEW PLANT VARIETY AND GRANT OF BREEDER'S RIGHT [Subregulation 5(1)]	
TO : <div style="text-align: center;"> Plant Variety Protection Registration Office Crop Quality Control Division Department of Agriculture </div>	
<i>Please submit one copy of this form together with the prescribed fee</i>	
FOR OFFICIAL USE	
Applicant file reference	Filing date : _____ Amount of fee : _____ Receipt no. : _____
PARTICULARS OF APPLICANT	
1. Name of *applicant _____ 2. Address of applicant _____ _____ _____ _____	NRIC/Company Reg. No. : _____ Citizenship : _____ Telephone : _____ Fax : _____ E-mail : _____
PARTICULARS OF AGENT	
2a. Name of **agent _____ Address of agent _____ _____ _____ _____	NRIC/Company Reg. No. : _____ Citizenship : _____ Telephone : _____ Fax : _____ E-mail : _____
2b. Please attach letter of appointment of agent.	

PARTICULARS OF PLANT BREEDER (S)	
<p>3a. Name of plant ***breeder (s)</p> <p>_____</p> <p>Address of plant breeder (s)</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>NRIC/Passport no. : _____</p> <p>Citizenship : _____</p> <p>Telephone : _____</p> <p>Fax : _____</p> <p>E-mail : _____</p> <p>Relationship with applicant : _____</p> <p><i>(eg: employer, employee)</i></p>
<p>3b. Name of plant ***breeder (s)</p> <p>_____</p> <p>Address of plant breeder (s)</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>NRIC/Passport no. : _____</p> <p>Citizenship : _____</p> <p>Telephone : _____</p> <p>Fax : _____</p> <p>E-mail : _____</p> <p>Relationship with applicant : _____</p> <p><i>(eg: employer, employee)</i></p>
<p>3c. Name of plant ***breeder (s)</p> <p>_____</p> <p>Address of plant breeder (s)</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>NRIC/Passport no. : _____</p> <p>Citizenship : _____</p> <p>Telephone : _____</p> <p>Fax : _____</p> <p>E-mail : _____</p> <p>Relationship with applicant : _____</p> <p><i>(eg: employer, employee)</i></p>
VARIETY DENOMINATION	
<p>4. Variety denomination : _____ (First priority)</p> <p style="margin-left: 250px;">_____ (Second priority)</p> <p style="margin-left: 250px;">_____ (Third priority)</p> <p>Plant breeder's reference : _____</p> <p>Common name of plant : _____</p> <p>Botanical name : _____</p> <div style="display: flex; justify-content: space-around; margin-top: 10px;"> (Genus) (Species) </div>	

PARTICULARS OF PLANT VARIETY

5. Particulars on Variety Development (*please tick one*)

☐ Conventional Breeding Programme

(*State parental lines*)

☐ Induced mutation

(*State parent material*)

☐ Genetic modification

(*Enclose relevant documents*)

(*Please refer to paragraph 12(1)(h) of the Act*)

☐ Others

(*Please describe*)

6. Mode of Pollination

☐ Self pollination

☐ Cross pollination

7. Has this variety been subjected to plant quarantine import permit and phytosanitary requirements before being brought into Malaysia? (*Not applicable for local varieties*)

☐ Yes (*please enclose one copy of permit and certificate*)

☐ No

8. Has this variety been sold at the local market?

☐ Yes

If yes, state

a. Date first sold : _____

b. Trade name : _____

☐ No

9. Has this variety been sold at the foreign market?

☐ Yes

If yes, state:

a. Date first sold : _____

b. Trade name : _____

☐ No

10. Has the application for plant breeder's right ever been filed in a foreign country?

() Yes (attach certified copy of the original certificate)

a. Name of country :

b. Date of application is submitted :

c. Date of plant breeder's right is granted :

() No

11. State the differences between Applicant Variety and Reference Variety

Reference Variety: _____

<i>Morphology</i>	<i>Characteristics of Applicant Variety</i>	<i>Characteristics of Reference Variety</i>	<i>Differences</i> <i>(supported by photographs)</i>
Growth habit	_____	_____	_____
Stem	_____	_____	_____
Seed	_____	_____	_____
Flowers	_____	_____	_____
Fruits	_____	_____	_____
Leaf	_____	_____	_____
Others	_____	_____	_____

12. Describe how the varieties are maintained

I declare that the above particulars are true and accurate.

I enclose herewith ****Cash / Postal Order / Money Order / Bank Draft No. _____ with an amount of RM100.00 as a filing fee.

Signature : _____

Name of ****applicant/agent : _____

Date : _____

Note:

- * Applicant refers to individual, company or government agency.
- ** Agent refers to a resident of Malaysia who has been appointed to represent the applicant whose residence or place of business is within or outside Malaysia.
- *** Breeder refers to the person responsible for breeding the new variety. The breeder may be the applicant himself or an employee of the applicant (company).
- **** Delete whichever is not applicable.

FORM PVBT 2

PROTECTION OF NEW PLANT VARIETIES ACT 2004

PROTECTION OF NEW PLANT VARIETIES REGULATIONS 2008

**APPLICATION FOR REGISTRATION OF NEW PLANT
VARIETY AND GRANT OF BREEDER'S RIGHT**

(DISCOVERED AND DEVELOPED BY A FARMER, LOCAL COMMUNITY OR INDIGENOUS PEOPLE)

[Subregulation 5(2)]

TO :

**Plant Variety Protection Registration Office
Crop Quality Control Division
Department of Agriculture**

Please submit one copy of this form together with the prescribed fee

FOR OFFICIAL USE

Applicant File Reference

Filing date : _____
Amount of fee : _____
Receipt no. : _____

PARTICULARS OF APPLICANT

1. Name of *applicant

Address of applicant

NRIC/Company

Reg. no. : _____

Citizenship : _____

Telephone no. : _____

Fax : _____

E-mail : _____

PARTICULARS OF AGENT

2a. Name of **agent

Address of agent

Organization : _____

Telephone : _____

Fax : _____

E-mail : _____

2b. Please attach ***Letter of Consent

VARIETY DENOMINATION

3. Variety denomination : _____ (First priority)
_____ (Second priority)
_____ (Third priority)
- Plant breeder's reference : _____
- Common name of plant : _____
- Botanical name : _____
(Genus) (Species)

PARTICULARS OF PLANT VARIETY

4. Particulars on variety development

- When discovered : _____
- Where discovered : _____
- How discovered : _____

5. Method of propagation

- ☐ Seeds
- ☐ Cuttings
- ☐ Grafting
- ☐ Tubers
- ☐ Others

6. Has this variety been sold at the local market?

- ☐ Yes
- If yes, state
- a. Date first sold : _____
- b. Trade name : _____
- ☐ No

7. Has this variety been sold at the foreign market?

- ☐ Yes
- If yes, state
- a. Date first sold : _____
- b. Trade name : _____
- ☐ No

8. State the differences between Applicant Variety and Reference Variety

Reference Variety : _____

<i>Morphology</i>	<i>Characteristics of Applicant Variety</i>	<i>Characteristics of Reference Variety</i>	<i>Differences (supported by photographs)</i>
Growth habit	_____	_____	_____
Stem	_____	_____	_____
Seed	_____	_____	_____
Flowers	_____	_____	_____
Fruits	_____	_____	_____
Leaf	_____	_____	_____
Others	_____	_____	_____

9. Describe how the varieties are maintained

I declare that the above particulars are true and accurate.

I enclose herewith ****Cash / Postal Order / Money Order / Bank Draft No. _____ with an amount of RM100.00 as a filing fee.

Signature : _____

Name of applicant : _____

Date : _____

Note:

- * Applicant refers to local community and indigenous people
- ** Agent refers to resident of Malaysia who has been appointed to represent the applicant (local farmer), government agency or local authority representing the local community and indigenous people

*** Letter of consent of the authority representing the local community or the indigenous people in cases where the plant variety is developed from traditional varieties

**** Delete whichever is not applicable.

FORM PVBT 3

PROTECTION OF NEW PLANT VARIETIES ACT 2004

PROTECTION OF NEW PLANT VARIETIES REGULATIONS 2008

REQUEST FOR SUBSTANTIVE EXAMINATION

[Subregulation 8(1)]

TO :

**Plant Variety Protection Registration Office
Crop Quality Control Division
Department of Agriculture**

Please submit one copy of this form together with the prescribed fee

FOR OFFICIAL USE

Request received on : _____

Fee received on : _____

Amount of fee : _____

Receipt no. : _____

IN THE MATTER OF:

Applicant file reference: _____ Notice received on : _____

***APPLICANT/AGENT**

Name : _____

Address : _____

REQUEST

The applicant request a substantive examination to be carried out in accordance with subsection 20(2) of the Protection of New Plant Varieties Act 2004 as determined by the Plant Varieties Board.

() Document Examination (RM 500.00)

() Growing Test (RM 2500.00)

() On-site Inspection (RM 1500.00)

() Subsequent Growing Test (RM 1000.00)

ADDITIONAL INFORMATION

Location of applicant's variety : _____
Age of plants : _____
Number of plants : _____
Age of maturity : _____
Expected time of flowering : _____

DECLARATION

- a. I agree to provide the cooperation to the Board in the conduct of substantive examination.
- b. I agree to provide the required quantity of samples of the seed or any other propagating material of the plant variety as requested by the Board.
- c. I declare that all the information provided herein are true and accurate.
- d. I enclose herewith *Cash / Postal Order / Money Order / Bank Draft No. _____ with an amount of *RM 500.00 / RM 1,500.00 / RM 2,500.00 as a substantive examination fee.
- e. I agree to pay a sum of RM 1,000.00 for the purpose of conducting subsequent growing test, if necessary.

Signature : _____
Name of *applicant/agent : _____
Date : _____

Note:

* Delete whichever is not applicable

FORM PVBT 4

PROTECTION OF NEW PLANT VARIETIES ACT 2004

PROTECTION OF NEW PLANT VARIETIES REGULATIONS 2008

**OPPOSITION TO REGISTRATION OF NEW PLANT VARIETY AND GRANT
OF BREEDER'S RIGHT**

[Regulation 10]

TO :

**Plant Variety Protection Registration Office
Crop Quality Control Division
Department of Agriculture**

Please submit one copy of this form

FOR OFFICIAL USE

Name of applicant : _____
Applicant file reference : _____
Opponent reference no. : _____

OPPONENT

Name : _____
Address : _____
NRIC/Passport No. : _____
(Individual)
Company Reg. No. : _____
(Company)
Telephone : _____
Fax : _____
E-mail : _____

VARIETY OPPOSED

Variety denomination : _____
Botanical name : _____
(Genus) (Species)

GAZETTE REFERENCE NUMBER

GROUND FOR OPPONENT

[Please tick (/)]

[Please specify and enclose supporting document where applicable]

- () Infringement of right (*please specify*) : _____
- () Novelty (*please specify*) : _____
- () Denomination (*please specify*) : _____
- () Uniformity (*please specify*) : _____
- () Stability (*please specify*) : _____
- () Contrary to public order
or morality (*please specify*) : _____
- () Negative impact on environment
(*please specify*) : _____
- () Others (*please specify*) : _____

DECLARATION

I declare that all the information provided herein is true and accurate.

Signature : _____
(Opponent)

Date : _____

FORM PVBT 5

PROTECTION OF NEW PLANT VARIETIES ACT 2004

PROTECTION OF NEW PLANT VARIETIES REGULATIONS 2008

REPLY BY APPLICANT

[Subregulation 11(1)]

TO :

**Plant Variety Protection Registration Office
Crop Quality Control Division
Department of Agriculture**

Please submit one copy of this form

FOR OFFICIAL USE

Applicant file reference : _____
Reply received on : _____
Name of opponent : _____
Opponent reference no. : _____

***APPLICANT/AGENT**

Name : _____
Address : _____

NRIC/Company
Reg. no. : _____
Telephone : _____
Fax : _____

VARIETY OPPOSED

Variety denomination : _____
Botanical name : _____
(Genus) (Species)

GAZETTE REFERENCE NUMBER

REPLY TO ISSUE (S) RAISED BY OPPONENT

a. Issue raised : _____

b. Reply to issue raised : _____

c. Documentary evidence : _____
in support (*if any*) _____

DECLARATION

I declare that all the information provided herein is true and accurate.

Signature : _____
(*Applicant/Agent)

Date : _____

Note:

*Delete whichever is not applicable

FORM PVBT 6

PROTECTION OF NEW PLANT VARIETIES ACT 2004

PROTECTION OF NEW PLANT VARIETIES REGULATIONS 2008

FILING OF DOCUMENTARY EVIDENCE IN SUPPORT

[Regulation 12]

TO :

**Plant Variety Protection Registration Office
Crop Quality Control Division
Department of Agriculture**

Please submit one copy of this form

FOR OFFICIAL USE

Name of applicant : _____
Applicant file reference : _____
Reply received on : _____
Name of opponent : _____
Opponent reference no. : _____

***APPLICANT/AGENT/ OPPONENT**

Name : _____
Address : _____

NRIC/Company _____
Reg. No. : _____
Telephone : _____
Fax : _____

VARIETY OPPOSED

Variety denomination : _____
Botanical name : _____
(Genus) (Species)

GAZETTE REFERENCE NUMBER
<hr/>
ISSUES IN CONTENTION
<hr/> <hr/>
DOCUMENTARY EVIDENCE SUBMITTED
<hr/> <hr/> <hr/> <hr/> <hr/>
DECLARATION
<p>I declare that all the information provided herein is true and accurate.</p> <p>Signature : _____ Date : _____ (*Applicant / Agent / Opponent)</p> <p><u>Note:</u> *Delete whichever is not applicable</p>

FORM PVBT 7

PROTECTION OF NEW PLANT VARIETIES ACT 2004

PROTECTION OF NEW PLANT VARIETIES REGULATIONS 2008

CERTIFICATE OF REGISTRATION OF NEW PLANT VARIETY AND GRANT OF BREEDER'S RIGHT

[Paragraph 14(a)]

TO :

**Plant Variety Protection Registration Office
Crop Quality Control Division
Department of Agriculture**

*It is certified that the plant variety whose particulars appear below has been registered under section 28 of the Protection of New Plant Varieties Act 2004 [Act 634], by the Plant Varieties Board and is assigned to the
Registration Number _____*

PARTICULARS OF PLANT VARIETY

Name of breeder's right holder: _____
Common name of plant : _____
Botanical name : _____
Variety denomination : _____
Duration of protection : _____ years (_____ to _____)

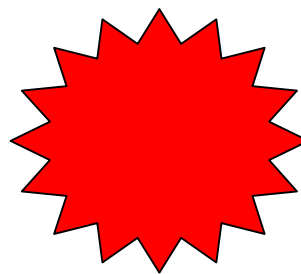
TERMS AND CONDITIONS

1. Grant of breeder's right is based on subsection 14(1) of the Act.
2. Breeder's right holder is to abide by all the duties under section 35 of the Act.
3. Breeder's right holder is to abide by all the fees as provided in regulation 4.

Signature : _____
(Chairman of Plant Varieties Board)

Name : _____

Date : _____



ANNUAL RENEWAL			
1.	10.	19.	
2.	11.	20.	
3.	12.	21.	
4.	13.	22.	
5.	14.	23.	
6.	15.	24.	
7.	16.	25.	
8.	17.	26.	
9.	18.	27.	
TRANSFER OF OWNERSHIP OF BREEDER'S RIGHT			
Name of new breeder's right holder	NRIC no./Company Reg. no.	Date of transfer of right	Endorsement by the Board
1.			
2.			
3.			

FORM PVBT 8

PROTECTION OF NEW PLANT VARIETIES ACT 2004

PROTECTION OF NEW PLANT VARIETIES REGULATIONS 2008

CERTIFICATE OF REGISTRATION OF NEW PLANT VARIETY AND GRANT OF BREEDER'S RIGHT

(DISCOVERED AND DEVELOPED BY A FARMER, LOCAL COMMUNITY OR INDIGENOUS PEOPLE)

[Paragraph 14(b)]

TO :

**Plant Variety Protection Registration Office
Crop Quality Control Division
Department of Agriculture**

*It is certified that the plant variety whose particulars appear below has been registered under section 28 of the Protection of New Plant Varieties Act 2004 [Act 634], by the Plant Varieties Board and is assigned to the
Registration Number _____*

PARTICULARS OF PLANT VARIETY

Name of breeder's right holder : _____
Common name of plant : _____
Botanical name : _____
Variety denomination : _____
Duration of protection : _____ years (_____ to _____)

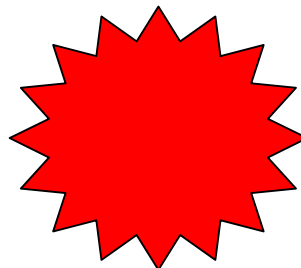
TERMS AND CONDITIONS

1. Grant of breeder's right is based on subsection 14(2) of the Act.
2. Breeder's right holder is to abide by all the duties under section 35 of the Act.
3. Breeder's right holder to abide by all the fees as provided in regulation 4.

Signature : _____
(Chairman of Plant Varieties Board)

Name : _____

Date : _____



ANNUAL RENEWAL			
1.	10.	19.	
2.	11.	20.	
3.	12.	21.	
4.	13.	22.	
5.	14.	23.	
6.	15.	24.	
7.	16.	25.	
8.	17.	26.	
9.	18.	27.	
TRANSFER OF OWNERSHIP OF BREEDER'S RIGHT			
Name of new breeder's right holder	NRIC no./Company Reg. no.	Date of transfer of right	Endorsement by the Board
1.			
2.			
3.			

FORM PVBT 9

PROTECTION OF NEW PLANT VARIETIES ACT 2004

PROTECTION OF NEW PLANT VARIETIES REGULATIONS 2008

REQUEST FOR CERTIFIED COPIES OR EXTRACTS OF REGISTER OF NEW PLANT VARIETIES

[Subregulation 15(2)]

TO :

**Plant Variety Protection Registration Office
Crop Quality Control Division
Department of Agriculture**

Please submit one copy of this form together with the prescribed fee

FOR OFFICIAL USE

Applicant file reference : _____
Request received on : _____
Fee received on : _____
Amount of fee : _____
Receipt no. : _____

APPLICANT

Name : _____
Address : _____

REQUEST

I request the Plant Varieties Board to issue a certified copy or extract of the Register of New Plant Varieties for the following variety(ies) :

Variety denomination :

1. _____
2. _____
3. _____

DECLARATION

I enclose herewith *Cash / Postal Order / Money Order / Bank Draft No. _____ with an amount of RM_____ (RM 10.00/Variety) for the above-mentioned purpose.

Signature : _____
(Applicant)

Date : _____

Note:

*Delete whichever is not applicable

FORM PVBT 10

PROTECTION OF NEW PLANT VARIETIES ACT 2004

PROTECTION OF NEW PLANT VARIETIES REGULATIONS 2008

APPLICATION FOR COMPULSORY LICENCE

[Subregulation 16(4)]

TO :

**Plant Variety Protection Registration Office
Crop Quality Control Division
Department of Agriculture**

Please submit one copy of this form

FOR OFFICIAL USE

Applicant file reference : _____
Application received on : _____

IN THE MATTER OF

Certificate Registration No. : _____ Variety denomination : _____ Name of right holder : _____	Duration of protection : _____
--	--------------------------------

***APPLICANT**

Name : _____
Address : _____

Principal place of business : _____

Telephone : _____
Fax : _____
E-mail : _____

REQUEST
<p>The above applicant applies to the Plant Varieties Board and request for grant of a compulsory licence for the above protected variety under section 36 of the Protection of New Varieties Act 2004</p>
NATURE OF BUSINESS
<p><input type="checkbox"/> Agriculture</p> <p><input type="checkbox"/> Non-agriculture</p>
PLEASE DESCRIBE YOUR EXPERIENCE
<p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>
DECLARATION
<p>(a) I declare that all the information provided herein is true and accurate.</p> <p>(b) I also agree to comply with any conditions set by the Plant Varieties Board.</p> <p>Signature : _____</p> <p>Date : _____</p> <p>Name : _____</p> <p style="text-align: center;">(Applicant)</p> <p><u>Note:</u></p> <p>*Applicant refers to individual, agency or company.</p>

FORM PVBT 11

PROTECTION OF NEW PLANT VARIETIES ACT 2004

PROTECTION OF NEW PLANT VARIETIES REGULATIONS 2008

**APPLICATION FOR ASSIGNMENT OR TRANSMISSION
OF BREEDER'S RIGHT**

[Regulation 17]

TO :

**Plant Variety Protection Registration Office
Crop Quality Control Division
Department of Agriculture**

Please submit one copy of this form together with the prescribed fee

FOR OFFICIAL USE

Applicant file reference : _____
Application received on : _____
Fee received on : _____
Amount of fee : _____
Receipt no. : _____

IN THE MATTER OF

Certificate Registration No. : _____

Date of grant : _____

PARTICULARS OF CURRENT BREEDER'S RIGHT HOLDER

Name : _____
Address : _____

Principal place of business : _____

Telephone : _____
Fax : _____

APPLICATION

The new owner applies to the Plant Varieties Board to request for assignment or transmission of the breeder's rights to be recorded in the **CERTIFICATE OF REGISTRATION OF NEW PLANT VARIETY AND GRANT OF BREEDER'S RIGHT**

PARTICULARS OF NEW BREEDER'S RIGHT HOLDER

Name : _____
Residential address : _____

Business address : _____

Nationality : _____
Telephone : _____
Fax : _____
E-mail : _____

ADDITIONAL INFORMATION REQUIRED

- (a) the original or a certified copy of the assignment signed by or on behalf of the contracting parties
(b) other documents evidencing the change of ownership (*please specify*)

DECLARATION

I declare that all the information provided herein is true and accurate.

I enclose herewith *Cash / Postal Order / Money Order / Bank Draft No. _____ with an amount of RM100.00 for the above-mentioned purpose.

Signature : _____ Date : _____

(Name : _____)

*(New owner /Agent for new owner)

Note:

*Delete whichever is not applicable.

SECOND SCHEDULE

[Subregulation 4(1)]

FEES

(1) No.	(2) Matters	(3) Fee (RM)	(4) Form
1.	Filing (per application)	100.00	PVBT 1 PVBT 2
2.	Request for substantive examination		PVBT 3
	(a) Document examination ;	500.00	
	(b) On-site inspection;	1,500.00	
	(c) Growing test;	2,500.00	
	(d) Subsequent growing test (if necessary)	1,000.00	
3.	Opposition to registration of new plant variety and grant of breeder's right	-	PVBT 4
4.	Reply by applicant	-	PVBT 5
5.	Filing of documentary evidence in support	-	PVBT 6
6.	Certificate of registration of new plant variety and grant of breeder's right	-	PVBT 7
7.	Certificate of registration of new plant variety and grant of breeder's right (Discovered and developed by a farmer, local community or indigenous people)	-	PVBT 8
8.	Request for certified copies or extracts of Register of New Plant Varieties	10.00	PVBT 9

9.	Application for compulsory licence	-	PVBT 10
10.	Application for assignment or transmission of breeder's right	100.00	PVBT 11

Made 25 September 2008
 [KP/LA/483/18 Jld. 2;PN(PU2)667]

DATO' MUSTAPA B. MOHAMED
Minister of Agriculture and Agro-Based Industry