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RULEBOOK ON THE CONTENT AND MANNER OF KEEPING THE REGISTER OF APPLICATIONS FOR GRANTING PLANT BREEDERS RIGHTS, REGISTER OF TRANSFERRED RIGHTS AND REGISTER OF LICENSE AGREEMENT

General provisions

Article 1

This Rulebook shall prescribe contents and manner of keeping the Register of Applications for granting plant breeders' rights, the Register of protected plant varieties, the Register of transferred breeders' rights and the Register of the license agreements.

Article 2

The Register of Applications for granting plant breeders' rights, the Register of protected plant varieties, the Register of transferred breeders' rights and the Register of license agreements shall be kept in the ministry in charge for agriculture (hereinafter: the Ministry).

Access to the Registers referred to in paragraph 1 of this Article shall require the presence of person authorized to conduct the registers.

II. Contents of the Registers

1. Register of Applications for granting plant breeders' rights

Article 3

Register of Applications for granting plant breeders' rights contains the following data:

- 1) Registration number of the application for granting breeders' rights
- 2) Name and surname or name and permanent residence, or seat of a breeder, or his authorized representative;
- 3) plant species
- 4) proposed denomination for the variety
- 5) breeder's reference
- 6) date and time of submitting the application for granting breeders' right.
- 7) case number under which the application for granting breeders' rights was filled
- 8) In the case of claiming the right of priority- date of filling the first application
- 9) date of publishing of the application for granting plant breeders' rights
- 10) date of withdrawal of the application for granting plant breeders' rights
- 11) Date of rejection of the application for granting plant breeders' rights which is not duly filled
- 12) Data on changes of breeder of authorized representative
- 13) Data on changes of the proposal for the variety denomination
- 14) Remarks

2. Register of protected plant varieties

Article 4

Register of protected plant varieties contains the following data:

- 1) registration number of protected variety
- 2) case number under which the application for granting breeders' rights was filled
- 3) breeder's reference
- 4) plant species
- 5) variety denomination
- 6) name and surname, or name and permanent residence or seat of the holder of a breeders' right
- 7) number and date of issuing the decision on granting breeders' rights
- 8) date of publishing of the decision
- 9) expiration date of granted plant breeders' rights of the variety
- 10) number and date of issuing the rejection of the application for granting breeders' rights
- 11) statement in writing about the termination of the breeder's right as requested by the holder of the breeder's right
- 12) number and date of the decision on cancellation of the breeder's right
- 13) number and date of the decision of nullity of the breeder's right
- 14) proposed and approved the changes of the variety denomination
- 15) data on changes of breeder or his authorized representative
- 16) data on the compulsory license, such as:
 - number and date of filling the application for granting compulsory license
 - name and surname, or name and permanent residence or seat of the applicant for granting a compulsory license
 - name and surname, or name and permanent residence or seat of the holder of the breeder's right
 - plant species
 - variety denomination
 - number and date of the decision on granting compulsory license
 - duration of compulsory license
 - extension of compulsory license
 - date of termination of compulsory license
- 17) remarks

3. Register of transferred breeders' rights

Article 5

Register of transferred breeders' rights contains following data:

- 1) registration number of the application for entering the data into the Register of transferred breeders' rights
- 2) case number under which the application for granting breeders' rights was filled
- 3) plant species
- 4) variety denomination
- 5) date of entering the data into the Register of transferred breeders' rights
- 6) name and surname, or name and permanent residence or seat of the holder of the breeder's right
- 7) number and date of contract by which breeder's right is transferred to another person

- 8) scope of the transferred right - in part or fully;
- 9) name and surname and address, or name and seat of the person whom breeder's right is transferred to;
- 10) remarks

Article 6

As requested by one of the contractual parties, the contract on transfer of breeders' rights shall be entered into the Register of Transferred Breeders' Rights.

With the application for entering into the Register of Transferred Breeders' Rights, referred to in paragraph 1 of this Article, the contract of transferring rights shall be enclosed.

Register of License Contracts

Article 7

Register of License Contracts shall include the following data:

- 1) registration number of the application for entering the data into the Register of License Contracts
- 2) case number of registration the application for entering the data into the Register of License Contracts
- 3) plant species
- 4) variety denomination
- 5) date of entering the data into the Register of License Contracts
- 6) name and surname, or name and permanent residence or seat of the holder of the breeder's right
- 7) number and date of license contract
- 8) scope of the transferred right - in part or fully;
- 9) duration of license;
- 10) Name and surname and address, or name and seat of the person to whom usage rights to protected variety are ceded to;
- 11) Remarks.

Article 8

As requested by one of the contractual parties, the license contract shall be entered in the Register of License Contracts.

With the application for entering into the Register of License Contracts, referred to in paragraph 1 of this Article, the license contract shall be enclosed.

III MANNER OF KEEPING THE REGISTERS

Article 9

Registers referred to in Article 2, paragraph 1 of this Rulebook shall be kept in the form of register book and in electronic form.

On the front page of register book shall be written: the name of the Ministry, the name of the Register and the serial number of a book.

Documentation on which the registration is based in one of the registers referred to in Article 2, paragraph 1 of this Rulebook shall be the integral part of that Register and shall be kept permanently in accordance with the regulations governing archival material.

Article 10

Register book consists of registry inserts, which are formed, depending on the type of Registry, for every Application for granting breeders rights, or for granted breeder's right, or transferred right or for license contracts.

Registry inserts referred to in paragraph 1 of this Article consist of wrapper in which is inserted the documentation important for the inscription in the registers referred to in Article 2, paragraph 1 of this Rulebook, changes of information and removal from the registers.

All wrappers of registry inserts are numbered.

Article 11

When entering into registers referred to in Article 2, paragraph 1 of this Rulebook, depending on the type of register, every Application for granting breeders' rights, or for granted breeder's right, or transferred right or for license contracts is assigned with the registration number.

Registration number referred to in paragraph 1 of this Article, which has once been assigned, cannot be changed, nor assigned again.

Article 12

Any change of information shall be entered in the registers referred to in Article 2, paragraph 1 of this Rulebook.

Natural and legal persons are obliged to provide information on any change of data, which are entered into the registers referred to in Article 2, paragraph 1 of this Rulebook to the Ministry within 30 days of the caused change and to provide evidence of caused change.

Article 13

Protected plant variety shall be deleted from the Registry of protected plant varieties, if a decision on declaring the nullity of this variety is issued.

In the case of paragraph 1 of this Article, the application for granting plant breeder's right shall also be deleted from the Register of Applications for granting plant breeders' rights, and if the variety right has been ceded, or transferred to other person, the license contract shall be deleted from the Register of license contracts, or the contractor transferred right shall be deleted from the Register of transferred rights.

Article 14

Removal from registers referred to in Article 2, paragraph 1 of this Rulebook shall be done by pulling the line across all columns, except the column "remarks", where shall be entered number and date of the act by which the deletion is done.

IV. FINAL REMARK

Article 15

This Rulebook shall enter into force on the eight day following its publication in the "Official Gazette of the Republic of Serbia".