



Plant Variety Protection

Intellectual Property Rights Protection for Your Plant Variety

Science and Technology Program

Who May
Apply for Plant
Variety
Protection?

Anyone who is the breeder of a unique variety of a sexually reproduced or tuber-propagated plant. The applicant may be an individual, a public institution, or a corporation.

How Do I Apply
for Protection?

The owner of a variety submits an application describing its characteristics and compares it to a similar variety or varieties. The application should contain information that defines the variety as New, Distinct, Uniform and Stable. The application form and information about how to apply can be found at www.ams.usda.gov/PVPO.

What are the
Benefits of
Variety
Protection?

Some of the benefits of holding a U.S. PVP certificate during the 20 or more years of protection and include the rights to exclude anyone in the U.S. from 1) selling, importing, or exporting your variety which includes seeds and harvested material (flowers, leaves, etc.); 2) using your variety to produce a hybrid; or 3) stockpiling or conditioning seed of your variety for sale after PVP expires. In addition, the investment into plant breeding provides more new improved varieties for farmers and growers, increased income for farmers, increased rural development and new markets for the sale of the protected variety.

What is the
Duration of
Protection?

Plant varieties are protected for 20 years from the issuance date (25 years for vines and trees). Plant varieties also receive provisional protection while applications for protection are being examined. There are two basic exemptions while a plant variety is protected. The first is the Crop Exemption, which allows farmers to save seed for use on the farm but with no transfer to others for reproductive purposes. The second is the Research Exemption, which allows others to use the variety in plant breeding and research.

How Much
Does it Cost to
Protect my
Variety?

The total cost of protection is \$5,150. This price includes \$4,382 for the application and examination; and the \$768 for certificate issuance. These fees can be paid by check or credit card.

Whom
do I contact
if I have
questions?

Contact the Plant Variety Protection Office at (202) 260-8983 or go to our Website at www.ams.usda.gov/PVPO to read more about the program or to send an e-mail. The office is open Monday through Friday from 7:00 am to 5:00 pm. If no one is available to take your call please leave a message and the staff will call you back as soon as possible.

What is the
International
Benefit of
Protection?

Internationally, U.S. PVP certificates are recognized worldwide and especially by other UPOV member countries. Holding a U.S. PVP will speed foreign PVP filing and granting of plant breeder's rights in addition to opening up new international markets for the sale of new varieties.