

香港特別行政區政府
 植物品種保護條例（香港法例第 490 章）
 THE GOVERNMENT OF THE HONG KONG SPECIAL ADMINISTRATIVE REGION
 PLANT VARIETIES PROTECTION ORDINANCE, CHAPTER 490 OF THE LAWS OF HONG KONG
 （請填寫一式兩份）
 (To be completed in duplicate)

植物品種權利註冊申請表
APPLICATION FORM FOR PLANT VARIETY RIGHTS

[填寫此申請表前，請參閱“植物品種保護—申請人指引”]
 [Before filling this application form, please read “Guide for Applicants - Plant Varieties Protection”]

1(a). 申請人資料 Applicant Information		
如申請人並非原育種人，請在交回此申請表時一併提交擁有權的證明文件。 [見須知編號 1] If the applicant is not the original breeder, proof of ownership must be provided with this application form. [See Note No.1]		
申請人姓名／名稱 Name of Applicant		
申請人地址 Address of Applicant		
電話 Phone :		傳真 Fax :
電郵 E-mail :		
1(b). 在香港供送達之用的聯絡資料（如與上述的不同） Contact Information for Service within Hong Kong (if different from the above) 必須提供一個香港境內的地址，以供送達文件。 [見須知編號 2] A Hong Kong address is mandatory for the service of documents. [See Note No. 2]		
聯絡人姓名／名稱 Name of Contact Person		
地址 Address		
電話 Phone :		傳真 Fax :
電郵 E-mail :		

2. 植物名稱 Name of the Plant		
通用名稱 Common Name	科名（植物學） Family Name (Botanical)	屬與種的名稱 Genus and Species Name

3. 建議名目 Proposed Denomination

有關建議名目的要求，請參閱“植物品種保護—申請人指引”內的“附錄 1—關於建議名目的規定”。
For detailed requirements for a proposed denomination, you may refer to “Appendix 1 - Requirements for Proposed Denominations” in “Guide for Applicants - Plant Varieties Protection”.

如植物品種的建議名目沒有一併提交，請在提交申請表後兩個月內交回。

If a proposed denomination is not provided here, it must be done so **within 2 months** after making the application.

建議名目 Proposed Denomination :

或 or

申請人提述 [見須知編號 3]

Applicant's Reference [See Note No.3]:

4. 品種的原育種人 Original Breeder(s) of the Variety

a) 原育種人是 The original breeder(s) is (are)

申請人 The applicant(s)

姓名 Name :

以下人士 The following person(s)

i) 姓名 Name :

地址 Address :

ii) 姓名 Name :

地址 Address :

b) 品種培植國家 Country where the variety was bred :

c) 品種的擁有權已根據以下方式轉給申請人* The variety's ownership was transferred to the applicant(s) by* :

合約 Contract 繼承 Succession

其他(請列明) Other (please specify) :

* 必須提交擁有權證明 Documentary proof of ownership must be provided

5. 比對測試 Comparative Testing

品種的獨特性、同質性及穩定性測試 The distinctness, uniformity and stability testing of the variety

已完成的(國家)

has already been completed in (country) :

完成日期(日/月/年)

completion date (DD/MM/YYYY) :

正在進行中的(國家)

is in progress in (country) :

開始日期(日/月/年)

commencement date (DD/MM/YYYY) :

預計完成日期(日/月/年)

expected completion date (DD/MM/YYYY) :

將會進行的(國家)

will be conducted in (country) :

預計開始日期(日/月/年)

expected commencement date (DD/MM/YYYY) :

6. 在其他國家受保護 Protection in Other Countries

這品種有否在其他國家獲授予植物品種權利？

Has the variety been granted plant variety rights in other countries?

否 No

有 Yes 如“有”，請提供以下資料。 If “yes”, please provide the following information.

國家 Country	授權日期(日/月/年) Grant Date (DD/MM/YYYY)	名目 Denomination

7. 就較早前的申請以聲稱享有優先權 [見須知編號 4]
Prior Applications for the Claim for Priority [See Note No.4]

a) 較早前的申請 Prior Applications

申請日期 (日/月/年) Date Filed (DD/MM/YYYY)	國家 Country	申請編號 Application Number	階段 Stage	名目或申請人提述 Denomination or Applicant's Reference

b) 就在以下國家提出的申請聲稱享有優先權：
 Right of priority is claimed with respect to the application filed in:

國家 _____ 在(日期)(日/月/年)
 Country : _____ on (date) (DD/MM/YYYY) : _____

c) 有否提交文件(由適當機構核證副本)以作較早提出申請的根據？*
 Is document (certified true copy by appropriate authority) for proof of prior application submitted?*

有 Yes 否 No

* 優先申請的證明必須在提交申請後三個月內提交
 Proof of prior application must be provided **within 3 months** after making the application

8. 以往銷售情況 Previous Commercialisation

此品種 The variety

- 從未在香港發售或在市場推出
 has not been offered for sale or marketed in Hong Kong
- 曾在香港發售或在市場推出
 was offered for sale or marketed in Hong Kong for the first time
 日期 _____ 在以下名目
 on (date) : _____ under the denomination : _____
- 從沒有在其他國家發售或在市場推出
 has not been offered for sale or marketed in other countries
- 曾首次發售或在市場推出的(國家)
 was offered for sale or marketed for the first time in (Country) : _____
 日期 _____ 在以下名目
 on (date) : _____ under the denomination : _____

9. 品種技術問卷 Technical Questionnaire

請詳細提供下列的項目內的品種技術資料。(如技術問卷沒有和申請表一起遞交，須於申請後七天內交回。)

The following technical information of the variety must be provided **in details**. (If the technical questionnaire is not submitted with the application form, it must be done so **within 7 days** after making the application.)

- a) 來源與培育過程 [見須知編號 5] Origin and breeding history [See Note No.5]
- i) 培育工作的地點及時間年期 Location and year of the breeding work
 - ii) 系譜(包括品種、無性繁殖體、雜交種、原種及品系) Pedigree or genealogy (including the varieties, parental lines or clones used, etc.)
 - iii) 培育技術 Method of origination and breeding techniques
 - iv) 選擇準則 Selection criteria
 - v) 繁殖方法 Method of propagation
- b) 品種的植物學特徵 [見須知編號 6] Botanical features of the variety [See Note No.6]
- i) 植物構造的特徵(例如：芽、樹皮、葉、花和果等) Characteristics of the plant structure (i.e. buds, bark, foliage, flowers and fruits, etc.)
 - ii) 生長習性 Habit of growth
 - iii) 形狀與大小(尺寸) Shape and size (measurement)
 - iv) 季節性轉變 Seasonal change
 - v) 活力 Vigour
 - vi) 生產力 Productivity
 - vii) 早熟性 Precocity
 - viii) 生殖力 Fertility
 - ix) 其他重要特徵例如：抗病、抗旱、抗熱、抗濕、香味、顏色、花期的時間及長短等 Other important characteristics, such as resistance to disease, resistance to drought, heat tolerance, resistance to dampness, fragrance, colouration, timing and duration of flowering season, etc.
- c) 品種的獨特性 [見須知編號 7] Distinctness of the variety [See Note No.7]
- i) 區別的特徵 [見須知編號 8] Distinguishing aspects [See Note No.8]
 - ii) 用作比對的近似品種 Reference varieties used for comparison
 - iii) 比對列表 [見須知編號 9] Table of comparisons [See Note No.9]
 - iv) 比對照片 [見須知編號 10] Comparative photographs [See Note No.10]
- d) 適合品種生長的條件，例如：特定的生長要素，例如光、水、土質等。
Conditions for the growing of the variety e.g. particular growing requirements, such as light, water, soil type, etc.
- e) 品種的護養方法 [見須知編號 11] Methods for maintaining the variety [See Note No.11]

10. 請在已提交項目的空格內加上✓號 Check the appropriate box for items submitted

- a) 技術問卷 [見須知編號 12] Technical questionnaire [See Note No.12]
- b) 生殖材料的樣本 [見須知編號 13] Sample of reproductive material [See Note No.13]
- c) 申請費 [見須知編號 14] Application fee [See Note No.14]

11. 重要事項 Important Notes

* **申請的查閱(《植物品種保護條例》第 16 條及《植物品種保護規例》第 6(1)條)**
Inspection of applications (section 16 of the Plant Varieties Protection Ordinance and section 6 (1) of the Plant Varieties Protection Regulation)

在有申請提出後，處長須存留申請書及依據條例第 13(2)或(3)條夾附或其後提供的任何文件或文書，或經處長核證為該等文件或文書的核證副本，及根據規例第 6(1)條，以其認為適當的形式備存植物品種權利註冊紀錄冊，以供公眾人士在處長辦事處的平常辦公時間內查閱。

After an application is made, the Registrar shall hold it and any document or instrument accompanying it or supplied subsequently pursuant to section 13(2) or (3) of the Ordinance, or a copy of that document or instrument, certified by the Registrar to be a true copy, and maintain the Register of Plant Variety Rights under section 6(1) of the Regulation in such form as the Registrar considers appropriate, available for the public inspection during ordinary business hours of the office of the Registrar.

* **申請的作偽(《植物品種保護條例》第 38 條)**
Falsification of applications (section 38 of the Plant Varieties Protection Ordinance)

(1) 任何人在一項申請或一項申請的附件中提交或提供任何虛假的或具誤導性的資料而意圖欺騙，即屬犯罪。

Any person who, in an application or in an attachment to an application, furnishes or supplies with intent to deceive any false or misleading information commits an offence.

(2) 任何人虛假地表示任何人是某一受保護品種的擁有人或任何人已就任何品種申請授權證，而該人知道或有理由相信該項表示是虛假的，即屬犯罪。

Any person who falsely represents that any person is the owner of a protected variety or that any person has applied for a grant in respect of any variety knowing or having reason to believe that the representation is false, commits an offence.

(3) 任何人犯本條所訂的罪行，一經定罪，可處第 6 級罰款。

Any person who commits an offence under this section is liable on conviction to a fine at level 6.

12. 個人資料收集聲明 Personal Data Collection Statement

* 你所提供的個人資料將用作申請本處的植物品種權利註冊的有關事宜。依據《植物品種保護條例》第 16 條及《植物品種保護規例》第 6(1)條的規定，一切記入申請書及註冊紀錄冊內的有關資料，可公開讓公眾人士查閱。

The personal data provided by you will be used for purposes relating to the application for plant variety rights in this Department. Such information in the application form and entered into the register is open for public inspection pursuant to section 16 of the Plant Varieties Protection Ordinance and section 6(1) of the Plant Varieties Protection Regulation.

* 本處可能會將你的資料或部分資料提供予任何代理商、承包商或其他政府部門作統計或調查之用途。

The said information or any part thereof may be supplied by this Department to any agents, contractors or other government departments for statistical or investigation purpose.

* 除《個人資料(私隱)條例》所訂明的豁免外，你有權查閱和更改你的個人資料。

Subject to exemptions under the Personal Data (Privacy) Ordinance, you have a right of access and correction with respect to personal data.

* 查閱和更改個人資料的要求應以書面形式向植物品種權利註冊處處長提出，地址為九龍長沙灣道三〇三號長沙灣政府合署五樓，同時請註明你在本處的檔案號碼。

Request for personal data access and correction should be addressed to The Registrar of Plant Variety Rights at 5/F Cheung Sha Wan Government Offices, 303 Cheung Sha Wan Road, Kowloon. Please also quote your reference number in this Department.

13. 聲明 Declaration

本人(我們)現聲明所有提供貴處的生殖材料的樣本均能生長發育且是該品種的標準代表,根據《植物品種保護條例》(第 490 章)第 13(3)條及《植物品種保護規例》(第 490A 章)第 3(e)條,如有需要,本人(我們)可再補充該品種的生殖材料。本人(我們)願意在未獲得植物品種權利授權證前,應要求發放所提供該品種的生殖材料用作比對測試。

I (We) declare that the sample of reproductive material supplied is viable and representative of the described variety in this application, and will be replenished upon request in accordance with section (13)(3) of the Plant Varieties Protection Ordinance (Cap. 490) and section 3(e) of the Plant Varieties Protection Regulation (Cap. 490A). I (We) agree to the release of these reproductive materials prior to the granting of Plant Variety Rights for comparative testing.

本人(我們)現聲明,根據本人(我們)所知,在申請表內和夾附於申請表的所有資料均為完整、真實及正確。

I (We) declare that, the information given in all parts of and attachments to this application is complete, true and correct.

本人(我們)現根據《植物品種保護條例》(第 490 章)第 13 條申請植物品種權利授權證。

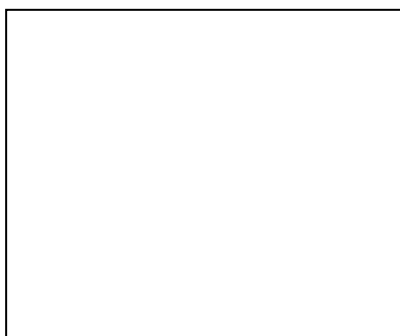
I (We) hereby apply for a grant of Plant Variety Rights under section 13 of the Plant Varieties Protection Ordinance (Cap. 490).

本人(我們)已閱讀及完全明白本申請表內的“重要事項”及“個人資料收集聲明”。

I (We) have read and fully understood the “Important Notes” and “Personal Information Collection Statement” in this application form.

申請人簽署

Signature of Applicant



公司印鑑 Company Chop

簽署人姓名及職銜

Name and Official Capacity of Signatory

日期 Date

(日/月/年 DD/MM/YYYY)

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Form Received Date	:	_____	<input type="checkbox"/> By Hand	<input type="checkbox"/> By Post	<input type="checkbox"/> By E-mail
Application Date	:	_____			
Application Fee	:	\$ _____			
Receipt No.	:	_____			
File Reference	:	L/M _____			in AF GR PPR 22/1 Pt. (_____)