



1 May 2024

(24-1326)

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**Council for Trade-Related Aspects of  
Intellectual Property Rights**

Original: English

**NOTIFICATION OF LAWS AND REGULATIONS  
UNDER ARTICLE 63.2 OF THE TRIPS AGREEMENT**

UKRAINE: THE RESOLUTION OF THE CABINET OF MINISTERS OF UKRAINE NO 1305 "ON APPROVAL OF THE PROCEDURE FOR REQUESTING TEST SAMPLES OF PARENTAL COMPONENTS THAT ARE CONSTITUENT COMPONENTS OF THE OBJECT OF A VARIETY APPLICATION" OF 12 DECEMBER 2023

<b>Notifying Member</b>	<b>UKRAINE</b>
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**Details of the notified legal text**

<b>Title</b>	The Resolution of the Cabinet of Ministers of Ukraine No 1305 "On Approval of the Procedure for Requesting Test Samples of Parental Components that are Constituent Components of the Object of a Variety Application" of 12 December 2023
<b>Subject matter</b>	Patents (including plant variety protection)
<b>Nature of notification</b>	<input checked="" type="checkbox"/> Main dedicated intellectual property law or regulation <input type="checkbox"/> Other law or regulation
<b>Link to legal text*</b>	<a href="https://ip-documents.info/2024/IP/UKR/24_01480_00_e.pdf">https://ip-documents.info/2024/IP/UKR/24_01480_00_e.pdf</a> <a href="https://ip-documents.info/2024/IP/UKR/24_01480_00_x.pdf">https://ip-documents.info/2024/IP/UKR/24_01480_00_x.pdf</a>
<b>Notification status</b>	<input checked="" type="checkbox"/> First notification <input type="checkbox"/> Amendment or revision to notified legal text <input type="checkbox"/> Replacement or consolidation of notified legal text(s)
<b>Previous notification(s) referred to</b>	Not applicable

**Brief description of the notified legal text**

The Resolution approves the Procedure for requesting test samples of parental components that are constituent components of the object of a variety application, which defines the cases and appropriate procedure.

Thus, test samples of parental components of a variety may be requested by the Ministry of Agrarian Policy and Food of Ukraine in the following cases:

- (1) if the Ministry of Agrarian Policy and Food of Ukraine receives a request from the competent authority of the country of variety propagation regarding compliance with the requirements of the Schemes for the Varietal Certification of Seed to which Ukraine has acceded;
- (2) upon a court decision;

(3) at the request of the Ministry of Agrarian Policy and Food of Ukraine to the patent holder, and, in the absence of the patent holder, to the owner of the property right to distribute the variety or the variety maintainer regarding the need to check the safety of the variety and its original components.

<b>Language(s) of notified legal text</b>	Ukrainian
<b>Entry into force</b>	16 December 2023
<b>Other date</b>	Adoption: 12 December 2023

#### Notification details

<b>Submission date of notification</b>	1 May 2024
<b>Other information</b>	<a href="https://zakon.rada.gov.ua/laws/show/1305-2023-%D0%BF#n9">https://zakon.rada.gov.ua/laws/show/1305-2023-%D0%BF#n9</a>
<b>Agency or authority responsible</b>	Ministry of Agrarian Policy and Food of Ukraine

\* Links are provided to texts of laws and regulations notified under the TRIPS Agreement in the form supplied by the Member concerned; the WTO Secretariat does not endorse or revise their content.