PLANT VARIETY PROTECTION IN EECA: SELECT JURISDICTIONS

21 OCTOBER 2026

© CWB Limited 2026 / CWBIP.COM

Leading IP specialists **Cedar White Bradley**, **PETOŠEVIĆ** and **Hahn & Hahn** merged in 2023 to form **CWB**, a multi-regional business that operates as one unified team, servicing and managing intellectual property portfolios of some of the world's leading IP owners across **Africa**, **Central Asia, Eastern Europe and the Middle East.**



Our offices

We offer centrally managed super-regional IP solutions in secondary markets through an unrivalled footprint of strategically located offices.

1 Group / **4** Regions / **29** Offices / **100+** Jurisdictions / **170+** Practitioners / **300+** Employees

© CWB Limited 2026 / CWBIP.COM

PROGRAMME AND SPEAKERS



PROGRAMME, INTRODUCTION & TERMINOLOGY
Slobodan Petošević



REGIONAL SPECIFICS: EASTERN EUROPE & CAUCASUS
Taras Manolov



BASICS OF PLANT VARIETY PROTECTION
Oksana Zhmurko



REGIONAL SPECIFICS: CENTRAL ASIA
Murad Sabirov

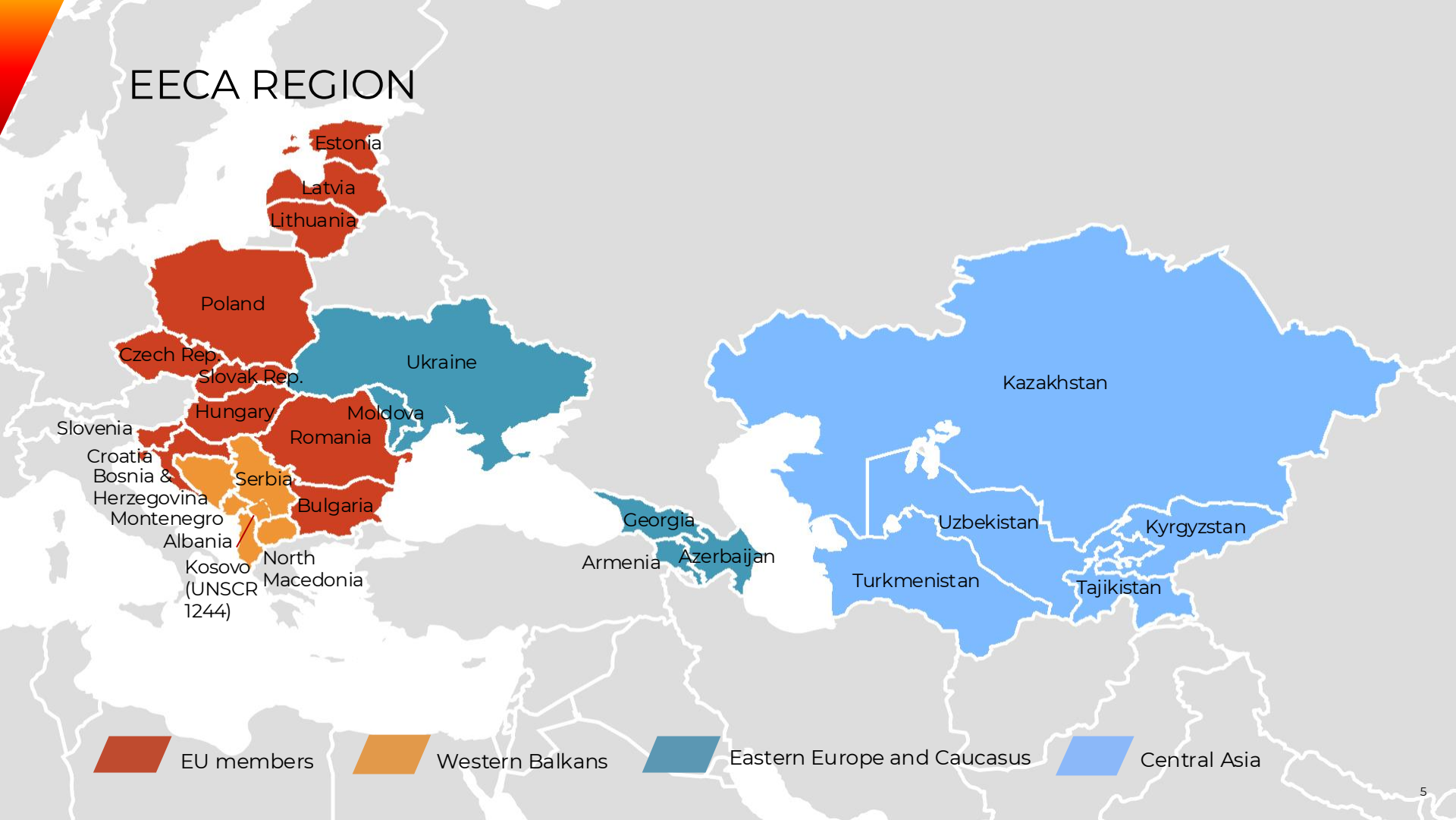


REGIONAL SPECIFICS: WESTERN BALKANS
Živka Kostovska-Stojkovska



ENFORCEMENT OF PLANT BREEDERS' RIGHTS IN THE REGION
Natalia Stetsenko

EECA REGION


Estonia
Latvia
Lithuania
Poland
Czech Rep.
Slovak Rep.
Ukraine
Hungary
Moldova
Slovenia
Romania
Croatia
Bosnia &
Herzegovina
Serbia
Montenegro
Bulgaria
Albania
Kosovo
(UNSCR
1244)
North
Macedonia
Georgia
Armenia
Azerbaijan
Kazakhstan
Uzbekistan
Kyrgyzstan
Turkmenistan
Tajikistan
EU members
Western Balkans
Eastern Europe and Caucasus
Central Asia

TERMINOLOGY & CLARIFICATIONS

- **Plant variety rights**, also known as **plant breeders' rights (PBR)**, are intellectual property rights granted to the breeder of a new variety of plant. 'Plant breeders' right' is a term adopted by the UPOV Convention.

- **Plant variety rights ≠ patents**

- **National listing (NLI)** is the entry of a plant variety into a national register of plant varieties, which functions as a mandatory commercial marketing authorisation and regulatory permit. In certain jurisdictions it can be requested simultaneously with a plant variety right application.

© CWB Limited 2026 / CWBIP.COM



BASICS OF PLANT VARIETY PROTECTION

Oksana Zhmurko
Associate
Ukraine
oksana.zhmurko@cwbip.com

INTERNATIONAL FRAMEWORK

UPOV Convention – International Convention for the Protection of New Varieties of Plants (1991 Act) establishes a *sui generis* system for the protection of plant varieties

UPOV (International Union for the Protection of New Varieties of Plants) provides information and guidance on various aspects of the UPOV system through:

- Explanatory Notes on the UPOV Convention
- Examination Guidance
- Test Guidelines Procedures (TGP)
- Test Guidelines (TG)

UPOV databases: GENIE, PLUTO, UPOV PRISMA

UPOV has 80 members, including the European Union's Community Plant Variety Office (CPVO)

© CWB Limited 2026 / CWBIP.COM

UPOV MEMBERSHIP IN THE EECA REGION



KEY PROVISIONS OF THE UPOV CONVENTION FOR GRANTING PBRs

- VARIETY
- BREEDER
- CONDITIONS FOR OBTAINING PROTECTION

© CWB Limited 2026 / CWBIP.COM

VARIETY

"**Variety**" means a **plant grouping within a single botanical taxon** of the lowest known rank, which, irrespective of whether the conditions for the grant of a breeder's right are fully met, can be

- defined by the expression of the characteristics resulting from a given genotype or combination of genotypes,
- distinguished from any other plant grouping by the expression of at least one of the said characteristics, and
- considered as a unit with regard to its suitability for being propagated unchanged

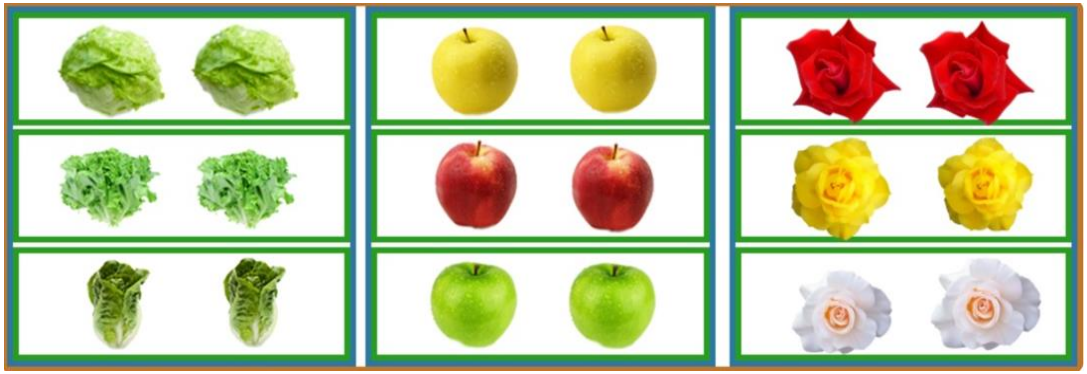


Image source: UPOV

© CWB Limited 2026 / CWBIP.COM

BREEDER

"**Breeder**" means

- The person who **bred, or discovered and developed, a variety,**
- **The person who employs this person** or who has commissioned their work, or
- The successor in title of the first or second person

Under the UPOV system a breeder might be:

- An individual,
- A farmer,
- A researcher,
- A public institute,
- A private company, etc.

© CWB Limited 2026 / CWBIP.COM

CONDITIONS FOR OBTAINING PLANT BREEDERS' RIGHTS

- Novelty
- **D**istinctness, **U**niformity, **S**tability – **DUS** test
- Variety denomination

© CWB Limited 2026 / CWBIP.COM

NOVELTY

A plant variety is considered **novel** if it has not been sold or commercialised by the breeder (or with their consent) prior to the application filing date beyond the following grace periods:

- 1 year in the country of application
- 4 years in other countries (6 years for trees and vines)

© CWB Limited 2026 / CWBIP.COM

DISTINCTNESS



Image source: UPOV

Distinctness is not to be confused with distinctiveness. In intellectual property law, **distinctness**, a term adopted by the UPOV Convention, measures physical differences between plant varieties (objective), while **distinctiveness** typically measures consumer perception of trademarks (subjective).

© CWB Limited 2026 / CWBIP.COM

UNIFORMITY

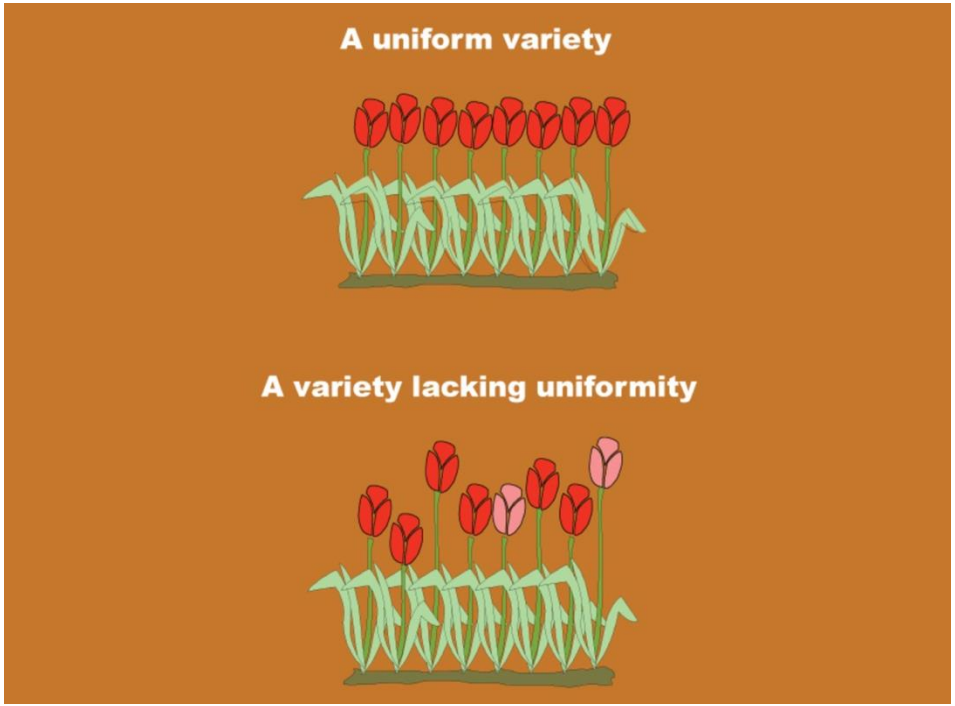


Image source: UPOV

© CWB Limited 2026 / CWBIP.COM

STABILITY

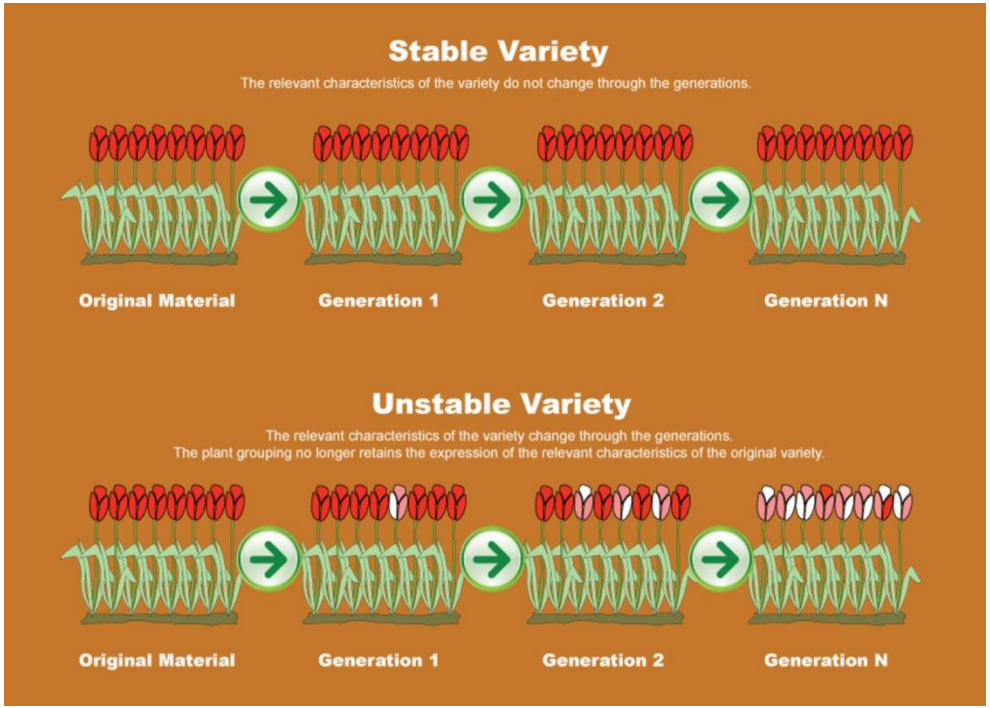


Image source: UPOV

© CWB Limited 2026 / CWBIP.COM

VARIETY DENOMINATION

Variety denomination:

- should be its generic designation
- should not hamper prior rights:
  - earlier registered trademarks,
  - trade names,
  - names of famous persons,
  - geografical indications
- must enable the variety to be identified
- must be submitted under the same denomination
- must be different from every denomination which designates an existing variety of the same plant species or of a closely related species

© CWB Limited 2026 / CWBIP.COM

TECHNICAL EXAMINATION OF PBR APPLICATIONS

Examining Distinctness, Uniformity and Stability

Testing in field trials

Testing carried out by the authority or by institutions acting on behalf of that authority, such as public research institutes

Breeder's data

The authority arranges for the breeder to conduct the field trials or other tests ("breeder testing")

Acceptance of DUS test results

The authority accepts results from previous tests or trials conducted by another national authority

© CWB Limited 2026 / CWBIP.COM

TYPICAL FILING REQUIREMENTS

IN UPOV JURISDICTIONS

- Applicant and breeder details (name, address)
- Description of the variety (following UPOV rules)
- Photo of distinct characteristics

© CWB Limited 2026 / CWBIP.COM

DESCRIPTION OF THE VARIETY

IN UPOV JURISDICTIONS

INFORMATION ABOUT THE VARIETY THAT IS USUALLY REQUIRED:

- Genus and species (in the local language and systematic Latin name)
- Proposed denomination
- Origin, with the indication of the breeding, discovering and/or developing method and parent forms, if relevant
- Any special aspects of maintenance and propagation (e.g. tissue culture, etc.)
- Distinguishing and characteristic features
- Denominations and features of similar varieties where they differ from the new variety
- Description of special testing conditions (if necessary)

ADDITIONAL INFORMATION COULD BE REQUIRED DEPENDING ON THE JURISDICTION.

© CWB Limited 2026 / CWBIP.COM

ADDITIONAL FILING REQUIREMENTS

IN JURISDICTIONS COVERED IN THIS WEBINAR

MAY BE ADDITIONALLY REQUIRED AND CAN BE SUBMITTED LATER:

- Certified copy of priority document (if claimed)
- Certified copy of earlier application (e.g. CPVO, US) and technical questionnaire
- Power of Attorney
- Variety sample (if applicable)
- Assignment document (if the breeder is not the applicant's employee)

© CWB Limited 2026 / CWBIP.COM

FILING & PROSECUTION

PRE-FILING

Checking the variety through the UPOV or CPVO databases

Checking applicant and breeder information

Translation

Preparation of filing forms

FILING

Most countries of the region require submission of physical documents

POST-FILING

Submission of outstanding documents (e.g. original paper copies, proof of ordering the CPVO test results)

Proof of sample import (if applicable; may include hiring of customs broker, logistics providers, farmers, etc.)

Follow-up on authorities' requirements

© CWB Limited 2026 / CWBIP.COM



REGIONAL SPECIFICS: WESTERN BALKANS

Živka Kostovska-Stojkovska
Attorney at Law
North Macedonia
zivka.kostovska@cwbip.com

WESTERN BALKANS



© CWB Limited 2025 / CWBIP.COM

SERBIA

Serbia has a mostly continental climate. Dry summers and limited irrigation can affect agricultural production.

Plant variety protection is particularly relevant for **wheat, maize, sunflower, raspberries, plums, apples, and grapevine.**

© CWB Limited 2026 / CWBIP.COM

BOSNIA AND HERZEGOVINA



The climate ranges from continental conditions in the north to cooler conditions in the mountain areas, with a Mediterranean influence in Herzegovina. Both droughts and floods can affect farming, making irrigation and flood protection important.



Plant variety protection is particularly relevant for **maize, wheat, potatoes, vegetables, fruit, and grapevine.**

© CWB Limited 2026 / CWBIP.COM

NORTH MACEDONIA



North Macedonia combines continental and sub-Mediterranean conditions, with warmer valleys and cooler mountain areas. Dry summers and seasonal water shortages make reliable irrigation important for farming.



Plant variety protection is particularly relevant for **grapevine, peppers, tomatoes, apples, and tobacco.**

© CWB Limited 2026 / CWBIP.COM

KOSOVO (UNSCR 1244)

Kosovo has a mainly continental climate, with some warmer areas influenced by the Mediterranean. Access to irrigation is an important challenge for agriculture. Most farms are small, often with land spread across separate plots.

Plant variety protection is particularly relevant for **wheat, maize, potatoes, vegetables, fruit, and grapevine.**

© CWB Limited 2026 / CWBIP.COM

ALBANIA & MONTENEGRO



Both countries have Mediterranean conditions along the coast, with hot, dry summers and mild winters. Inland and mountain areas are cooler. Water availability during dry periods is an important consideration for farming.



Plant variety protection is particularly relevant for **olives, citrus, grapevine, vegetables, and fruit.**

© CWB Limited 2026 / CWBIP.COM

WESTERN BALKANS: JURISDICTION PARTICULARITIES

Serbia	The only jurisdiction participating in UPOV PRISMA (UPOV's online filing tool), allowing electronic filing for certain plant species; The only jurisdiction with publicly accessible online plant variety registers
Bosnia and Herzegovina	Applications can be filed, but substantive examination is currently not conducted due to the absence of implementing regulations
North Macedonia	A completed DUS test must be submitted with the application, otherwise the application will be refused
Kosovo (UNSCR 1244)	Not a UPOV member but there is a system in place
Albania	Both are UPOV members, but plant variety right registration is reportedly unavailable or very difficult in practice because implementing regulations are missing.
Montenegro	

© CWB Limited 2026 / CWBIP.COM

WESTERN BALKANS: TESTING & SAMPLES

Jurisdiction	Testing	Samples
Serbia	Local DUS testing is mandatory for newly developed field crops, fruits, grapevine, and potato varieties. Varieties recognised in another UPOV member state may be exempt.	Local testing: plant material is supplied for examination. Imported report: no deposit is required.
Bosnia and Herzegovina	Local DUS testing or a report from another UPOV or EU member state is allowed by law. Examination is not currently operating.	
North Macedonia	Local DUS testing or a report from another UPOV member is accepted. A completed report is required at filing.	
Kosovo (UNSCR 1244)	Local DUS testing is required.	Plant material is supplied for examination
Albania	The law requires DUS testing and permits foreign test results but does not specify eligible countries.	Local testing: plant material is supplied for examination. No provisions for the potentially imported DUS reports.
Montenegro	The law requires DUS testing and allows earlier test results to be considered. However, it does not specify whether these may include DUS reports from other countries.	

© CWB Limited 2026 / CWBIP.COM

WESTERN BALKANS: KEY TAKEAWAYS

UPOV membership does not guarantee a working registration system

Check whether local DUS testing or a foreign report is accepted

Plan early: North Macedonia requires a completed DUS report at filing

© CWB Limited 2026 / CWBIP.COM



REGIONAL SPECIFICS: EASTERN EUROPE & CAUCASUS

Taras Manolov
Patent Attorney
Ukraine
taras.manolov@cwbip.com

EASTERN EUROPE & CAUCASUS



© CWB Limited 2025 / CWBIP.COM

UKRAINE



Ukraine has a predominantly temperate continental climate, with conditions favourable for a wide range of agricultural crops.



The plant variety landscape is dominated by **winter wheat, maize, sunflower, barley and potato**, while Ukrainian breeding has also been particularly strong in **fruit, berries and grapevine**.



The Ukrainian plant variety register contains over 5,600 varieties.

© CWB Limited 2026 / CWBIP.COM

MOLDOVA

Moldova has a temperate, relatively dry climate, with precipitation generally decreasing from north to south. Drought is an important risk. At the same time, Moldova has exceptionally fertile soils and a strong agricultural tradition.

Plant variety protection is particularly relevant for **grapevine, wheat, maize, sunflower, soybean, potato, fruit crops and vegetables**.

© CWB Limited 2026 / CWBIP.COM

GEORGIA



Georgia has climatic diversity – the country is largely mountainous, while the Black Sea coast has a much wetter, Mediterranean-like climate. Rainfall varies between western and eastern parts of the country.



This allows Georgia to grow many crops but **grapes** are perhaps the most culturally and economically distinctive crop.



Georgia is one of the world's oldest wine-producing regions.

© CWB Limited 2026 / CWBIP.COM

ARMENIA



Armenia is a mountainous country with relatively dry conditions and substantial variations in altitude and climate. Irrigation plays an important role.



Armenia has considerable potential for **fruit varieties and grapevine**.

© CWB Limited 2026 / CWBIP.COM

AZERBAIJAN



Azerbaijan has great contrast in climate – it has mountains, lowlands and dry areas, with temperate, dry and colder climatic zones. Irrigation is important.



A broad range of crops is cultivated, including **wheat and other cereals, chickpea, lentils, vegetables, apple, pear, apricot, pomegranate, fig, walnut, hazelnut and grape**, as well as industrial crops such as **cotton**.

© CWB Limited 2026 / CWBIP.COM

EE & CAUCASUS: JURISDICTION PARTICULARITIES

Moldova	Substantive examination on the basis of DUS test results acceptance
Georgia	Substantive examination on the basis of DUS test results acceptance; no official fees for filing , examination or maintenance
Ukraine	Mandatory DUS-testing for all varieties. There are a few exceptions made for the most important agricultural species, such as cereals, oily cultures and some vegetables. Otherwise, the mandatory testing can be skipped for those varieties which achieved registration in the US or EU
Armenia	Foreign DUS results are not sufficient, but they expedite the prosecution
Azerbaijan	Local legislation provides no clear guidance regarding the adoption of foreign DUS tests

© CWB Limited 2026 / CWBIP.COM

EE & CAUCASUS: TESTING & SAMPLES

	Testing	Samples
Moldova	DUS results from other UPOV member states are accepted (especially from CPVO)	No requirement for official samples
Georgia		
Ukraine	DUS results from other UPOV member states are accepted	Official samples (5 plants) are still mandatory
Armenia	Local DUS testing is required and applicants are responsible for finding a local testing site	Samples are required
Azerbaijan	Acceptance of foreign DUS results or local testing, at the discretion of the authority	Samples at the discretion of the authority

© CWB Limited 2026 / CWBIP.COM

EE & CAUCASUS: KEY TAKEAWAYS

Foreign DUS reports are key to successful registration, even when local testing is necessary

Azerbaijan – take into account that the practice of plant variety rights registration is not yet well established

© CWB Limited 2026 / CWBIP.COM



REGIONAL SPECIFICS: CENTRAL ASIA

Murad Sabirov
Senior Associate
Uzbekistan
murad.sabirov@cwbip.com

CENTRAL ASIA



© CWB Limited 2025 / CWBIP.COM

KAZAKHSTAN

Kazakhstan has a sharply continental climate, with long cold winters and hot, dry summers. Most of the country is steppe and semi-desert, with mountains in the southeast.

Wheat dominates and is the main export crop – Kazakhstan is the largest wheat producer and exporter in Central Asia. Other important crops include **barley, sunflower, flax, cotton and sugar beet**.

Kazakhstan is also the homeland of the apple. DNA studies identify the wild apple of the Tian Shan mountain, *Malus sieversii*, as the main ancestor of the domesticated apple.

© CWB Limited 2026 / CWBIP.COM

KYRGYZSTAN



Kyrgyzstan is a mountainous country dominated by the Tian Shan mountain. The climate ranges from dry continental to subtropical, and only about 7% of the land is used for crops.



The main crops are **fodder crops, wheat, barley, maize and potato**, together with **sugar beet, beans, vegetables, fruit and walnuts**.



The Nirvana bean variety from the Talas region is exported to more than 30 countries, while the village of Arslanbob is home to the world's largest walnut grove, about 11,000 hectares.

© CWB Limited 2026 / CWBIP.COM

UZBEKISTAN

Uzbekistan has an arid continental climate. The plains receive only 80 to 200 mm of rain a year, so farming relies heavily on irrigation from the Amu Darya and Syr Darya rivers.

Cotton and wheat are the principal crops. Since state quotas were abolished in 2020 and 2021, breeding has been moving to **fruit, grapes, vegetables and melons**.

In 2024, Uzbekistan produced about 3 million tonnes of cotton and 9 million tonnes of grain, but also 16 million tonnes of vegetables and melons and 5 million tonnes of fruit, positioning it as a notable producer on the global stage.

© CWB Limited 2026 / CWBIP.COM

TAJIKISTAN

Mountains cover 93% of Tajikistan, and more than half of the country lies above 3,000 metres. Farming is concentrated in irrigated valleys with hot, dry summers.

Cotton and wheat take up most of the cropland. **Potato** is grown mainly in the uplands, and orchards produce **apricot, grape, apple and pomegranate**.

The Seed Sector Development Programme for 2026-2030 names cotton, wheat and potato as priority crops and plans a system for collecting royalties for breeders.

© CWB Limited 2026 / CWBIP.COM

TURKMENISTAN



Turkmenistan has a hot, very dry continental climate. The Karakum desert covers about 80% of the country, so farming depends on an extensive irrigation system fed mainly by the Amu Darya river.



The principal crops are **cotton and wheat**, followed by **melons, grapes, vegetables and fruit**.



Melons hold a special place in Turkmenistan – Melon Day, on the second Sunday of August, has been a public holiday since 1994.

© CWB Limited 2026 / CWBIP.COM

CENTRAL ASIA: JURISDICTION PARTICULARITIES

Kazakhstan **Kyrgyzstan** **Uzbekistan**	Identifiable filing and examination practice, with published procedures and working fee schedules
Tajikistan	Registration sits with the Ministry of Agriculture, testing follows an internal procedure; fees and tariffs are not approved and no foreign applicant has yet carried a case to grant
Turkmenistan	Although the law has been in force since 2011, the system remains largely non-operational, with no reported applications or grants and no implementing filing rules

© CWB Limited 2026 / CWBIP.COM

CENTRAL ASIA: TESTING & SAMPLES

Jurisdiction	Testing	Samples
Kazakhstan	Foreign DUS results are not accepted in practice; DUS testing must be done locally	Samples required for local testing; Reference sample is maintained permanently
Kyrgyzstan	Foreign DUS results are accepted; material, documents or further tests may still be required	Samples required in case of local testing
Uzbekistan	Foreign DUS results are accepted at the authority's discretion; local DUS testing may still be required	Samples required in case of local testing
Tajikistan	Technically, foreign DUS results are accepted, but no practice exists	Samples required in case of local testing; In theory a reference sample is maintained permanently
Turkmenistan	Technically, foreign DUS results are accepted, but the system is not operational	Samples required in case of local testing; In theory a reference sample is maintained permanently if requested

© CWB Limited 2026 / CWBIP.COM

CENTRAL ASIA: KEY TAKEAWAYS

The route works in Kazakhstan, Kyrgyzstan, Uzbekistan

Submitting foreign DUS reports shortens the discussion on distinctness

Securing a budget for local testing is important

Because of the lack of practice in Turkmenistan and Tajikistan, direct consultation with the IP Office on a case by case basis might be necessary

© CWB Limited 2026 / CWBIP.COM



ENFORCEMENT OF PLANT BREEDERS' RIGHTS IN THE REGION

Natalia Stetsenko
Senior Associate
Ukraine
natalia.stetsenko@cwbip.com

LEGAL FRAMEWORK

Plant breeders' right enforcement in EECA is based on the relevant provisions contained in:

National laws:

- Laws on the protection of plant varieties which are mostly aligned with the UPOV Convention
- Seed laws and regulations
- Civil law
- Administrative law
- Criminal law
- Customs Laws on IPR border measures

International conventions:

- UPOV Convention 1991 Act
- TRIPS Agreement

European Union candidate countries are at varying stages of harmonising their laws and practices with the EU acquis

- Albania
- Bosnia and Herzegovina
- Georgia
- Moldova
- Montenegro
- North Macedonia
- Serbia
- Ukraine

© CWB Limited 2026 / CWBIP.COM

SCOPE OF PLANT BREEDERS' RIGHTS

UNDER THE UPOV CONVENTION (ACT 1991)









for PROPAGATING MATERIAL

- Production or reproduction
- Conditioning for propagation
- Offering for sale
- Selling or other marketing
- Exporting
- Importing
- Stocking for any of the purposes mentioned above

for HARVESTED MATERIAL

- Use of harvested material obtained through unauthorised use of propagating material, where the rights holder had no reasonable opportunity to act earlier
- Use of products* made directly from such harvested material

Propagating material are seeds, stems, roots, tubers, or leaves suitable for the reproduction of whole plants.

* Provisions in national laws diverge.

© CWB Limited 2026 / CWBIP.COM

SCOPE OF PLANT BREEDERS' RIGHTS

UNDER THE UPOV CONVENTION (ACT 1991)

Following the UPOV Convention, plant breeders' rights also extend to:

- Essentially derived varieties
- Varieties not clearly distinguishable from the initial protected variety
- Varieties requiring repeated use of the protected variety

Commercialisation of such varieties also requires an authorisation from the breeder.

In several jurisdictions, these provisions do not always closely follow the UPOV Convention. Divergence from the Convention should be examined on a case-by-case basis.

© CWB Limited 2026 / CWBIP.COM

EXCEPTIONS

WHAT PLANT BREEDERS' RIGHTS DO NOT COVER

Compulsory exceptions under the UPOV Convention:

- Private use for non-commercial purposes
- Experimental use
- Breeder's exemption – use for the purpose of breeding other varieties

Farmer's privilege – use of farm-saved seeds by farmers on their own land for replanting; provisions and procedures vary across jurisdictions (only Azerbaijan, Kazakhstan and Tajikistan don't have such provisions)

Exhaustion of rights – national in all covered countries except Armenia and Kyrgyzstan, where exhaustion is regional (EAEU); Azerbaijan, Kazakhstan and Tajikistan don't have provisions

© CWB Limited 2026 / CWBIP.COM

SANCTIONS FOR INFRINGEMENT

- **Infringement**:
  - Performing, without a license, any acts in relation to propagating or harvesting material that require the breeder's authorisation;
  - Not using the registered variety denomination / using the incorrect variety denomination;
  - Using a denomination confusingly similar to another variety denomination.

- As plant variety protection mainly falls under a *sui generis* framework, **civil sanctions** and **administrative sanctions** constitute the primary remedies in most jurisdictions.

- **Civil remedies** generally include:
  - Preliminary and permanent injunctions
  - Damages: actual damages and lost profit
  - Statutory compensation (available in several jurisdictions, e.g. Ukraine, Kazakhstan)
  - Seizure and destruction of infringing material (propagating material, equipment)
  - Publication of court judgement
  - Recovery of legal costs

© CWB Limited 2026 / CWBIP.COM

SANCTIONS FOR INFRINGEMENT

- There are jurisdictions whose laws provide for **criminal sanctions** specifically for plant breeders' right infringement:
  - Georgia
  - Kazakhstan
  - Ukraine
  - Uzbekistan

  - Armenia
  - Kyrgyzstan
  - Moldova

  contain general provisions on criminal liability for IPR infringement that can also apply to plant breeders' rights

- Extension of **border measures** to plant breeders' rights explicitly provided for in:
  - Georgia
  - Moldova
  - Serbia
  - Ukraine

  These mechanisms have not been used in practice, but rights holders can request Customs intervention if they believe that infringing plant material is likely to be imported or exported

© CWB Limited 2026 / CWBIP.COM

ENFORCEMENT CHALLENGES IN THE REGION

Limited effectiveness of administrative and judicial enforcement: Lack of established case law

Weak or inconsistent deterrence: Low predictability of judicial proceedings, low fines

Limited market transparency: Lack of registries for all market operators dealing with plant material; mislabeled or no name seeds and propagating material

Informal / "grey" market: Authentic seeds or plant reproductive material sold outside authorised distribution networks bypassing certification and royalties to breeders

Limited enforcement capacity: Lack of resources and technical expertise

Evidentiary burden: Limitations in obtaining evidence; divergence in requirements for due and admissible evidence

DNA-marker testing: strong dependence on court-appointed judicial expertise

© CWB Limited 2026 / CWBIP.COM

TAKEAWAYS

- Breeders need to develop their jurisdiction-specific enforcement strategies focusing on how evidence can be lawfully obtained, preserved and ultimately used in proceedings.
- Market entry and commercialisation strategies in the EECA region should be developed with careful consideration of the challenges associated with emerging markets, including limited practical enforcement of PBRs and evolving regulatory frameworks.
- License and distribution agreements should be strategically drafted to ensure better control of supply chains.
- Proactive enforcement strategies prioritising out-of-court resolution are most productive:
  - Cease-and-desist letters
  - Negotiation of license agreements

© CWB Limited 2026 / CWBIP.COM

Q&A: ASK OUR EXPERTS



PROGRAMME, INTRODUCTION & TERMINOLOGY
Slobodan Petošević
slobodan.petosevic@cwbip.com



REGIONAL SPECIFICS: EASTERN EUROPE & CAUCASUS
Taras Manolov
taras.manolov@cwbip.com



BASICS OF PLANT VARIETY PROTECTION
Oksana Zhmurko
oksana.zhmurko@cwbip.com



REGIONAL SPECIFICS: CENTRAL ASIA
Murad Sabirov
murad.sabirov@cwbip.com



REGIONAL SPECIFICS: WESTERN BALKANS
Živka Kostovska-Stojkovska
zivka.kostovska@cwbip.com



ENFORCEMENT OF PLANT BREEDERS' RIGHTS IN THE REGION
Natalia Stetsenko
natalia.stetsenko@cwbip.com



THANK YOU!

© CWB Limited 2026 / CWBIP.COM