

WORLD TRADE ORGANIZATION

RESTRICTED

IP/C/W/125/Add.16/Corr.1*
25 May 1999

(99-2088)

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

Original: English

REVIEW OF THE PROVISIONS OF ARTICLE 27.3(b)

Information from Members

Addendum

SOUTH AFRICA

Corrigendum

According to a communication received from the Permanent Mission of South Africa, dated 18 May 1999, document IP/C/W/125/Add.16, page 3, the answer to question 3 should read as follows (for the sake of convenience, the question is repeated):

"3. *Please indicate whether concurrent protection under your country's plant variety protection law and its patent law is available (see also question A.4 above).*

Plant varieties can only be protected under plant breeders' rights. However, where a plant variety is the product of a micro-biological process, such a process may be protected by patent law.

The Act and all information supplied makes it very clear that a plant variety (in other words, the plant itself) can only be protected under plant breeders' rights, and not under a patent."

* English only.