



Plant Variety Protection Office (PVPO)



Germplasm Deposit

Making Germplasm Deposits for a Plant Variety Certificate

Plant variety protection is used by plant breeders as an important marketing tool that protects their innovation. The AMS Plant Variety Protection Office (PVPO) provides intellectual property rights protection to breeders of varieties of seed propagated and asexually reproduced plants that are new, distinct, uniform, and stable. Based on the Plant Variety Protection Act and in compliance with the International Union for the Protection of New Varieties of Plants (UPOV), we examine new variety characteristics in order to grant certificates that protect varieties for 20 years (25 years for woody vines and trees).

Germplasm Types

The germplasm sample serves as a voucher specimen for PVPO's use should a question ever arise about the validity of the description.

Seed Samples: Samples are sent to the [National Laboratory for Genetic Resources Preservation \(NLGRP\)](#) in Fort Collins, Colorado. The memorandum of understanding between PVPO and NLGRP states that these seed samples will be kept separate from the NLGRP general collection during the term of protection.

Vegetative Samples: Due to the infeasibility of long term storage and variety recovery of several asexually reproduced varieties a propagating material for asexually reproduced plant varieties is not required. Samples are to be maintained by the applicant or at a repository of their choosing (with all fees to be paid by the applicant). **Potato Samples:** Potato samples must be submitted to NLGRP.

Germplasm Protocols

Seed and Potato Samples:

Samples are sent to the National Laboratory for Genetic Resources Preservation in Ft. Collins, Colorado.

[View instructions for depositing PVP voucher samples with NLGRP.](#)

Vegetative Samples:

- Asexual
 - The deposit of propagating material for asexually reproduced plant varieties is not required. The applicant must sign a declaration that the propagating material will be maintained at a specific location of their choosing, subject to PVPO inspection. If requested by PVPO, a voucher specimen must be provided within three months. Failure to provide a specimen as requested shall result in the certificate being regarded as abandoned.
- Potato Tubers (required after notice of certificate issuance)
 - A deposit of ten (10) separate in-vitro plants (1 plant per tube), no more than two weeks old, firmly rooted in one percent agar are required for deposit at NLGRP, which prepares tissue cultures for preservation. It is recommended that plantlets be sent by an overnight delivery service to minimize the risk of damage.
 - Payment information is listed under [Fees](#).

Seed

- An applicant needs to provide an original deposit of materials for seed-reproduced plants which shall be made within three months of the filing date of the application or prior to issuance of the certificate, whichever occurs first. Deposit consists of 3,000 viable untreated seeds of the variety; additionally, for first-generation hybrids, 3,000 seeds of each parent needed to reproduce the variety in addition to the variety seed sample.
- Seed samples from within the U.S. should be sent directly to NLGRP at the following address via commercial carriers (i.e. FedEx, UPS, etc.) rather than the U.S. Postal Service.

USDA-ARS-NLGRP

Attn: PVP Coordinator

1111 South Mason St.

Fort Collins, CO 80521-4500

Sending Material from outside the United States

- Seed and potato plantlets: Please email NLGRP at NLGRP-PVP-Coordinator@usda.gov to request an NLGRP Import Instruction letter and import documents (if required).
- Do not send material until you have complete instructions from NLGRP. Seed and potato plantlets shipped without proper documentation from non-US sources may be destroyed.

Contact Information

Email: PVPOmail@usda.gov