



United States Department of Agriculture

Agricultural Marketing Service

Creating Opportunities for American Farmers and Businesses

Dear Stakeholder,

The Plant Variety Protection Office (PVPO) verifies variety names (denominations) in a number of ways before a Plant Variety Protection (PVP) certificate is issued. The best way to ensure your variety name is not already in use internationally is to check The International Union for the Protection of New Varieties of Plants (UPOV) database. Registration for this database is free.

In order to obtain PVP, a variety must be new, distinct, uniform, and stable and have a permanent variety name. In the US, variety names for agricultural (corn, soybean, etc.) and vegetable crops are established from the name that the variety is first sold under, in accordance with the Federal Seed Act (FSA). That variety name is permanent once a sale has occurred, and it cannot be changed or re-used.

The US does not have a variety name registration system. Many other countries have a formal registration system which requires breeders to register new varieties. The USDA's Seed Regulatory and Testing Division (SRTD) performs a voluntary variety name clearance, where a seed developer submits a proposed variety name and SRTD checks to see if a conflict exists within the US market. SRTD maintains a list of [cleared variety names](#) that breeders can check to see if a name conflict exists in the US only. As part of the PVP application process for sexually propagated varieties, we ask that applicants receive a SRTD name clearance confirmation before we issue a PVP certificate.

The situation is different for asexually and tuber propagated varieties because they don't fall under the FSA. For these crops, the PVPO recommends that applicants check their variety name with the [UPOV Plant Variety Database \(PLUTO\)](#). To be safe, it is recommended that all applicants, including those of sexually and tuber propagated varieties, check the UPOV PLUTO database for variety name conflicts.

As a final check, before issuing a PVP certificate for any crop, the PVPO searches the UPOV PLUTO database to determine if that variety name has been used before. If variety name conflicts are found, the PVPO informs the applicant to work out a solution.

If you have questions, please contact our office using the numbers and links below.

Thank you for your interest in the PVPO,

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