

Overview

Plant variety protection in India

The protection afforded to plant varieties and farming communities reflects the importance of the agricultural industry in India and the need to balance commercial exploitation with sufficient agricultural output, innovation and benefit sharing.

India's sui generis system of plant variety protection i.e. The Protection of Plant Varieties and Farmers' Rights Act, 2001 (PPVFR Act) introduces commercial exclusivity and recognition of plant breeders and farmers rights and contributions for conservation, improvement and making available of plant genetic resources. It reconciles also the reasonable sharing and disclosure requirements to meet agricultural demands, accelerate agricultural innovation, development and the needs of the populace. The Act is also unique for its overarching ambit of protection in that whole farming communities can avail of its provisions.

REGISTRATION, DUS TESTING AND EXCLUSIVE RIGHTS

While protection of new plant varieties is for novelty, distinctiveness, uniformity and stability (DUS), novelty is not a criterion in the registration of an extant variety and this form of protection is unique to India. Commensurately, DUS testing involves subjecting plant varieties to repeated propagation to ensure uniformity across yields and verification of traits and characteristics distinguishing these from existing varieties.

Plant breeders and farmers can avail limited protection under the PPVFR Act and registration grants exclusive rights to produce, market, sell, distribute and even import or export the variety. Registration

strengthens market position and supports commercialization strategies for plant breeders and agribusinesses. The duration of protection depends on the plant variety.

ADVISORY, REPRESENTATION AND ENFORCEMENT

Our law firm makes representations for its clients before the Protection of Plant Varieties and Farmers' Rights Authority, National Green Tribunal and the High Courts. Our team with relevant domain knowledge and experience, monitor progress at DUS testing centres and raise concerns before the Authority. The team has the expertise to handle all the matters from filing, prosecution, contentious and enforcement-related issues involved under the PPVFR Act.

EXPERIENCED PLANT VARIETY PROTECTION LAWYERS IN INDIA

Whether seeking registration under the PPVFR Act, navigating DUS testing requirements, or enforcing plant breeders' and farmers' rights, Anand & Anand provides strategic support at the intersection of agriculture and intellectual property law. Contact our experienced attorneys to safeguard innovation and strengthen your intellectual property portfolio in India.

RELATED INDUSTRIES

IT AND E-COMMERCE LAWS

OUR PRACTICES

COPYRIGHT
CORPORATE
DESIGN
LITIGATION
PATENTS
TRADEMARK

Related News & Insights

VIEW ALL

News & Updates, Thought Leadership • November 28, 2026

Can 3D Printing Infringe Intellectual Property Rights?

A product that once required a factory, specialised machinery and a manufacturing facility can now be reproduced using a digital design file and a 3D printer.

News & Updates, Thought Leadership • November 25, 2026

Who Owns an Online Course? Copyright Protection for Digital Education in India

An online course may appear to be a single product on a learning platform, but its creation involves several distinct intellectual assets. A recorded lecture

---

News & Updates, Thought Leadership • November 21, 2026

Who Owns India's IP Data? Commercial Scraping and Copyright Protection

Patent applications, trademark registrations, design records and intellectual property judgments form an important part of India's public IP infrastructure.

News & Updates, Thought Leadership • November 18, 2026

Can Foreign Copyright Owners Sue Indian Broadcasters Abroad? The Territorial Reach of Copyright Disputes

A few seconds of weather footage broadcast in New Delhi ended up at the center of a federal copyright lawsuit in California. A news broadcaster based in

---