

Appropriate Legal System for Protection of Plant Innovations in Afghanistan

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Abstract : Because of the importance and effect of plant innovations on economy, industry, and especially agriculture, they have been on the core attention of legislators at the national level, and have been a topic of international documents related to intellectual innovations in the recent decades. For protection of plant innovations, two legal systems (i.e. particular system based on International Convention for protection of new variety of plants, and the patent system) have been considered. Ease of access to the support and the level of support in each of these systems are different. Our attempt in this paper, in addition to describing and analyzing the characteristics of each system, is to suggest the compatible system to the industry and agriculture of Afghanistan. Due to the lack of sufficient industrial infrastructure and academic research, the particular system based on the International Convention on the protection of new variety of plants is suggested. At the same time, appropriate industrial and legal infrastructures, as well as laboratories and research centers should be provided in order that plant innovations under the patent system could also be supported.

Keywords : new varieties of plant, patent, agriculture, Afghanistan

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