

## **GB – UNITED KINGDOM**

### CABI BIOSCIENCE, UK CENTRE (IMI)

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#### 1. Requirements for Deposit

##### (a) Kinds of Microorganisms that May Be Deposited

Nematodes, fungal isolates (including yeasts) and bacteria (including actinomycetes), other than known human and animal pathogens that can be preserved without significant change to their properties by methods of preservation in use. Organisms up to and including ACDP Category 2 deposits are accepted by the Collection.

Notwithstanding the foregoing, IMI reserves the right to refuse to accept any material for deposit which in the opinion of the Curator presents an unacceptable risk or is technically unsuitable to handle. IMI will accept organisms which do not significantly change after long-term nitrogen freezing or freeze-drying. A statement regarding potential pathogenicity and storage conditions is required when a deposit is made.

##### (b) Technical Requirements and Procedures

###### (i) Form and Quantity

The IMI prefers fungi to be submitted as healthy, clean, sporing cultures on agar slants suitable for preparing suspensions for freeze-drying and liquid nitrogen storage. The minimum number of replicates to be supplied by the depositor when making his deposit should be six.

###### (ii) Time Required for Viability Testing

The average length of time required for testing the viability of fungi accepted by the IMI is 14 days, but depositors should be aware that in some cases viability testing may take as long as 21 days.

(iii) Depositor Checks and Renewal of Stocks

Depending on the number and conditions of the cultures sent for deposit, the IMI either prepares frozen and lyophilized batches direct from the depositor's material or from subcultures derived from it. New batches are prepared as necessary for the renewal of diminishing stocks. The depositor is required to test for authenticity samples from all batches of his microorganism prepared by the IMI.

Whichever method is used for preparing batches of samples for distribution, the IMI nevertheless stores a portion of the original material supplied by the depositor.

(c) Administrative Requirements and Procedures

(i) General

*Language.* The official language of the IMI is English. Communications in any other language are not accepted.

*Contract.* The IMI application form (CC PF1), which the depositor is required to complete, constitutes a contract by which he is bound:

- to provide all necessary information requested by the IMI;
- to replace the microorganism at his expense if the IMI is no longer able to furnish samples of it;
- to pay all necessary fees;
- to indemnify the IMI against any claims which may be brought against it as a consequence of the release of samples, unless such claims result from negligence on the part of the IMI;
- not to withdraw his deposit during the required storage period;
- to authorize the IMI to furnish samples according to the appropriate patent requirements.

After the deposit and acceptance procedure is complete, the depositor is sent a standard letter (form CC PF3) reminding him of his contractual obligations.

*Import and/or Quarantine Regulations.* Plant pathogenic fungi not indigenous to the United Kingdom are subject to import regulations. The IMI holds a permit for the import of such organisms and will advise the depositor of any necessary procedures.

(ii) Making the Original Deposit

*Requirements to Be Met by the Depositor.* As well as the IMI application form CC PF1 referred to in (i), above, depositors are required to complete the IMI accession form (CC PF2) for Budapest Treaty deposits. The IMI does not require a special form to be completed in the event of a later indication or amendment of the scientific description and/or proposed taxonomic designation, or for a request for attestation that the IMI has received such information.

*Official Notifications to the Depositor.* The receipt is issued on form CC PF3, which is the IMI version of the mandatory “international form” BP/4. The viability statement is issued on form CC PF5, which is the IMI version of the mandatory “international form” BP/9. A standard form (CC PF4) is used for notifying the depositor of refusal to accept a microorganism for deposit, but standard forms are not used for other official notifications.

*Unofficial Notifications to the Depositor.* The IMI acknowledges delivery of cultures, but this does not constitute acceptance. The IMI does not assign an accession number to the microorganism until it has been shown to be viable. After a positive result of the viability test has been obtained, the IMI will, if requested, telephone or telex this information along with the accession number before the issue of the official documentation.

*Supply of Information to a Patent Agent.* The IMI does not routinely ask the depositor for the name and address of his patent agent. However, if requested, the IMI will supply copies of the receipt and viability statement to both the depositor and his patent agent.

(iii) Converting a Previous Deposit

The IMI does not permit the conversion of deposits not originally made for patent purposes to Budapest Treaty deposits. Deposits previously made for patent purposes outside the provisions of the Treaty may be converted provided that the depositor supplies the IMI with a new sample of the deposited microorganism and checks the authenticity of all batches prepared from it. The administrative requirements for conversion are similar to those to be met in respect of an original deposit made under the Treaty. All conversions are subject to the storage fee normally levied for Budapest Treaty deposits, regardless of whether any fees had been paid previously in respect of those deposits.

(iv) Making a New Deposit

The depositor is required to complete model form BP/2 when making a new deposit and to send with it copies of the relevant documents required by Rule 6.2. The receipt and viability statement for a new deposit are issued on forms CC PF3 and CC PF5, which are the IMI versions of mandatory “international forms” BP/5 and BP/9, respectively.

## 2. Furnishing of Samples

### (a) Requests for Samples

The IMI advises third parties of the correct procedures to follow in order to make a valid request. However, in the case of requests requiring proof of entitlement, the IMI does not supply copies of request forms; these must be obtained from the relevant industrial property office.

Notwithstanding any entitlement to receive samples under patent regulations, the IMI will furnish samples of plant pathogens that require a permit to be worked with in the United Kingdom only to third parties in the United Kingdom who have such a permit. The IMI will supply requesting parties who do not hold a permit with the necessary application form and will furnish samples when the requesting party confirms that he has obtained a permit. When responding to requests from overseas (other than from the United States of America), the IMI assumes that the requesting party has met the import requirements of his own country. In the case of requests from the United States of America, samples of plant pathogens are sent via the United States Department of Agriculture quarantine authority.

All samples furnished by the IMI are from batches of its own preparations which, whenever possible, have been made direct (i.e., without subculture) from material supplied by the depositor.

### (b) Notification of the Depositor

Depositors are notified by letter when samples of their microorganism have been furnished to third parties.

### (c) Cataloguing of Budapest Treaty Deposits

The IMI does not list Budapest Treaty deposits in its published catalog.

## 3. Schedule of Fees

	<u>GBP</u>
(a) Storage of each strain	600
(b) Issuance of a viability statement	80
(c) Furnishing of a sample	55
(d) Issuance of an attestation	25
(e) Communication of information	25

The fees paid in the United Kingdom are subject to Value Added Tax at the current rate.

## 4. Guidance for Depositors

The IMI makes available detailed notes for the guidance of depositors.