

BMT/13/2 Add.
ORIGINAL: English
DATE: January 4, 2012

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS GENEVA

WORKING GROUP ON BIOCHEMICAL AND MOLECULR TECHNIQUES, AND DNA-PROFILING IN PARTICULAR

Thirteenth Session Brasilia, November 22 to 24, 2011

ADDENDUM

REPORTS ON DEVELOPMENTS IN UPOV CONCERNING BIOCHEMICAL AND MOLECULAR TECHNIQUES

Document prepared by the Office of the Union

Working Group on Biochemical and Molecular Techniques and DNA Profiling in particular

Thirteenth Session

REPORT ON DEVELOPMENTS IN UPOV

Brasilia, November 21, 2011

OVERVIEW

- Membership / Examination of Laws
- New website
- Council
- Consultative Committee
- CAJ & CAJ-AG
- TC
- Other developments

UPOV: INDEPENDENT INTERGOVERNMENTAL ORGANIZATION

The International Convention for the Protection of New Varieties of Plants

established in 1961

The International Union for the Protection of New Varieties of Plants

Union internationale pour la protection des obtentions végétales

MEMBERSHIP OF UPOV

70 Members

New Members

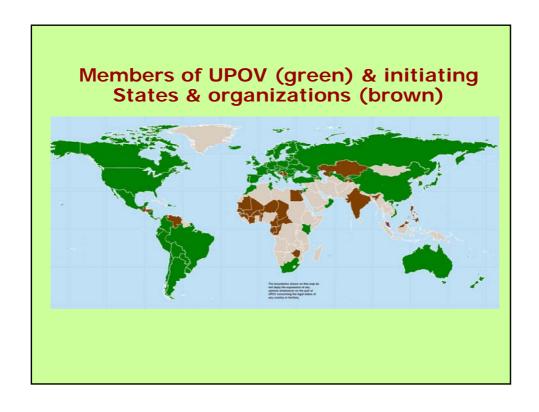
Peru as of Aug. 8, 2011

Former Yugoslav Republic of as of May 4, 2011

Macedonia

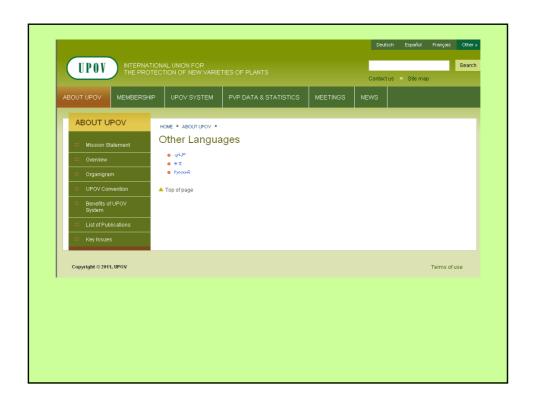
<u>Laws examined</u> <u>Council session</u> <u>Advice</u>

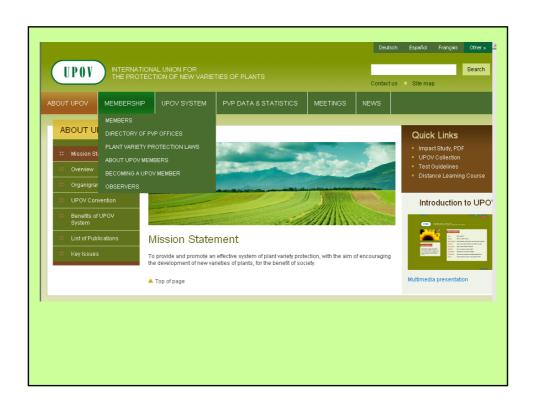
Republic of Tajikistan October 21, 2010 Positive **Republic of Serbia** April 8, 2011 Positive





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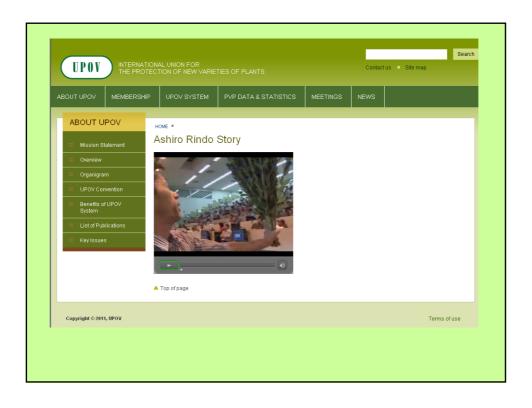


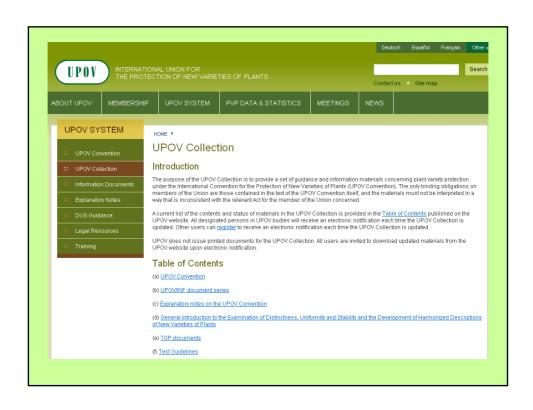
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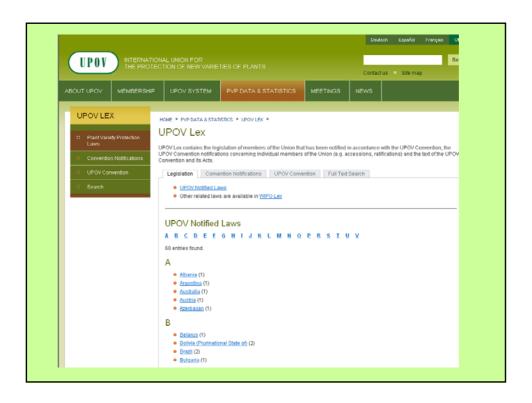


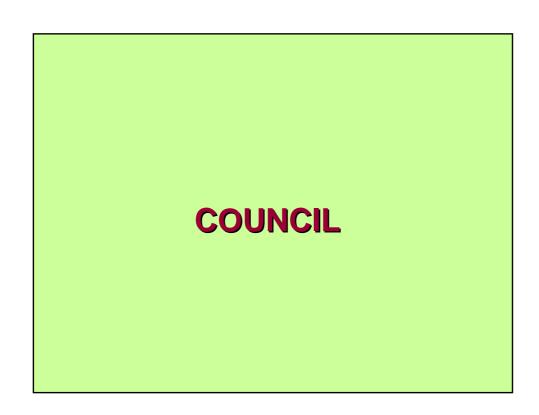
UPOV Collection: physical collection

- SET OF BINDERS with PRINTED DOCUMENTS
 - two sets per member of the Union
 - one set per observer State
 - one set per observer organization
- In the first instance only (and for new members and observers), printed versions of all documents in the "UPOV Collection", except for Test Guidelines, would be provided with the binders
- Members of the Union, observer States and observer organizations will be notified, electronically, of updates and will need to print the documents









COUNCILELECTED

for a term of three years ending in 2013

Chair of the Administrative and Legal Committee

Mr. Lü Bo (China)

Vice-Chair of the Administrative and Legal Committee

Mr. Martin Ekvad (European Union)

Chair of the Technical Committee

Mr. Joël Guiard (France)

<u>Vice-Chair of the Technical Committee</u>

Mr. Alejandro Barrientos-Priego (Mexico)

COUNCIL

ELECTED

for a term of three years ending in 2014

Chair of:

TWA: Mrs. Robyn Hierse (South Africa)

TWC: Mr. Sami Markkanen (Finland)

TWF: Mrs. Carensa Petzer (South Africa)

TWO: Mr. Nik Hulse (Australia)

TWV: Mr. François Boulineau (France)

BMT: Mr. Alejandro Barrientos Priego (Mexico)



COUNCIL					
INFORM	MATION MATERIALS ADOPTED OCTOBER 2010				
Latest reference	Explanatory Notes on:				
UPOV/EXN/VAR/1	Definition of Variety under the 1991 Act of the UPOV Convention				
UPOV/EXN/CAL/1	Conditions and Limitations Concerning the Breeder's Authorization in Respect of Propagating Material under the UPOV Convention				
	INF documents				
UPOV/INF/4/1	Financial Regulations and Rules of UPOV				
UPOV/INF/10/1	Internal Audit				
UPOV/INF/12/3	Explanatory Notes on Variety Denominations under the UPOV Convention				
UPOV/INF/15/1	Guidance for Members of UPOV on Ongoing Obligations and Related Notifications				
UPOV/INF/16/1	Exchangeable Software				
UPOV/INF/17/1	Guidelines for DNA-Profiling: Molecular Marker Selection and Database Construction ("BMT Guidelines")				

COUNCIL INFORMATION MATERIALS ADOPTED OCTOBER 2011 Latest reference INF documents UPOV/INF/6/2 Guidance for the preparation of laws based on the 1991 Act of the UPOV Convention (Revision) UPOV/INF/16/2 Exchangeable Software (Revision) UPOV/INF/18/1 Possible use of Biochemical and Molecular Markers in the Examination of Distinctness, Uniformity and Stability (DUS) UPOV/INF-EXN/1 List of INF-EXN Documents and Latest Issue Dates

COUNCIL

INFORMATION MATERIALS ADOPTED (reminder)

Guidance for the preparation of laws based on the 1991 Act of the UPOV Convention (document UPOV/INF/6)

PART I: EXAMPLE TEXT FOR ARTICLES
PART II: NOTES BASED ON INFORMATION

MATERIALS

(available in English, French, German, Spanish, Arabic, Chinese, Russian, Bahasa Indonesian)

COUNCIL

TGP DOCUMENTS ADOPTED OCTOBER 2010

Document reference	Title
TGP/0/3	List of TGP Documents and Latest Issue Dates
TGP/5	Experience and Cooperation in DUS Testing:
Section 2/3	UPOV Model Form for the Application for Plant Breeders' Rights (Revision)
TGP/7/2	Development of Test Guidelines (Revision)
TGP/8/1	Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability
TGP/14/1	Glossary of Terms Used in UPOV Documents

COUNCIL

TGP DOCUMENTS ADOPTED OCTOBER 2011

Document reference	Title
TGP/0/4	List of TGP Documents and Latest Issue Dates
TGP/5	Experience and Cooperation in DUS Testing:
Section 10/2	Notification of Additional Characteristics (Revision)
TGP/7/3	Development of Test Guidelines (Revision)
TGP/11/1	Examination of Stability

COUNCIL

UPOV

INTERNATIONALER
VERAND
ZUM SCHUTZ VON
PFLANZENGOFTHUNGEN
GEHF, SCHWEIZ

GEHF, SCHWEIZ

GEHF, SCHWEIZ

GEHEVE, SUGSE

UPOV Press Release No. 85

Geneva, April 8, 2011

UPOV Council Holds Extraordinary Session

Experience of members of the Union in the Examination of New Plant Varieties

The Council welcomed the report made at the forty-seventh session of the Technical Committee, held in Geneva from April 4 to 6, 2011, that the number of genera and species for which members of the Union had practical experience in the examination of distinctness, uniformity and stability (DUS) had exceeded 2,500 in 2011. That number had increased by 19% from 2,254 in 2010, to 2,679 in 2011. The Council noted that information on members of the Union with practical experience in DUS examination was freely accessible via the GENIE database.

CONSULTATIVE COMMITTEE

CONSULTATIVE COMMITTEE

Observers

- Established a working group to review the rules concerning observers and recommend appropriate changes
- Granted observer status to:
 - Association for Plant Breeding for the Benefit of Society (APBREBES): Council, CAJ, TC, TWPs
 - European Coordination Via Campesina (ECVC): Council, CAJ, TC, TWPs
- Extended observer status to:
 - CropLife International: CAJ, TC, TWPs
 - Asia Pacific Seed Association (APSA): CAJ, TC, TWPs

CONSULTATIVE COMMITTEE

 The Consultative Committee approved the assistance of the Office of the Union to the International Treaty on Genetic Resources for Food and Agriculture (ITPGRFA) in explaining the content and search options in the Plant Variety Database in the context of the ITPGRFA research project.

ADMINISTRATIVE AND LEGAL COMMITTEE (CAJ)

CAJ/ CAJ-AG OVERVIEW OF THE DEVELOPMENT OF INFORMATION MATERIALS Latest reference **Explanatory Notes on:** UPOV/EXN/BRD Definition of Breeder under the 1991 Act CAJ-AG of the UPOV Convention Acts in Respect of Harvested Material under the 1991 Act of the October 2011 **UPOV** Convention CAJ-AG/11/6/3 & CAJ-AG **Essentially Derived Varieties under the** 1991 Act of the UPOV Convention Draft 1 (revision) Matters arising after the grant of a breeder's right **Propagation and Propagating Material UPOV/INF/5 UPOV** model plant breeders' rights gazette

TECHNICAL COMMITTEE (TC)

TECHNICAL COMMITTEE (TC) TGs APPROVED

NEW TEST GUIDELINES (11)	
TG/ACERO	Acerola, Barbados-cherry, West Indian- cherry
TG/AGAPA	African Lily, Agapanthus, Blue Lily, Lily of the Nile
TG/BOUGA	Bougainvillea
TG/CACAO	Cacao
TG/CAMEL	Camellia
TG/DRAGON	Dragon Fruit, Strawberry pear
TG/HIBIS	Rose-of-Sharon, shrub-althaea
TG/RUMEX	Dock, Garden sorrel, sorrel, sorrel dock, sour dock
TG/SETARIA	Foxtail Millet, Italian Millet, Hungary Millet
TG/TOREN	Bluewings, Torenia, Wishbone-flower
TG/VRIES	Vriesea

TECHNICAL COMMITTEE (TC) TGs APPROVED

REVISIONS OF TEST GUIDELINES	(8)
TG/44/11	Tomato
TG/51/7	Gooseberry
TG/52/6	Red and White Currant
TG/56/4	Almond
TG/57/7	Flax, Linseed
TG/84/4	Japanese Plum
TG/99/4	Olive
TG/184/4	Cardoon, Globe Artichoke, Cardoon
PARTIAL REVISIONS OF TEST GU	IDELINES (2)
TG/13/10 Rev. (TC/47/2, TC/47/24)	Lettuce
TG/55/7 Rev. (TC/47/2, TC/47/24)	Spinach

TECHNICAL COMMITTEE (TC) TGs APPROVED

98. The TC agreed that the wording of document TGP/7/2, as adopted by the Council at its forty-fourth ordinary session, held in Geneva on October 21, 2010, with regard to Chapter 4.1.4 should not be followed in the Test Guidelines to be adopted at its forty-seventh session. It agreed that the Test Guidelines to be adopted by the TC should incorporate the amended wording for Chapter 4.1.4, as follows:

Alternative 1: "Unless otherwise indicated, for the purposes of distinctness, all observations on single plants should be made on $\{x\}$ plants or parts taken from each of $\{x\}$ plants and any other observations made on all plants in the test, disregarding any off-type plants."

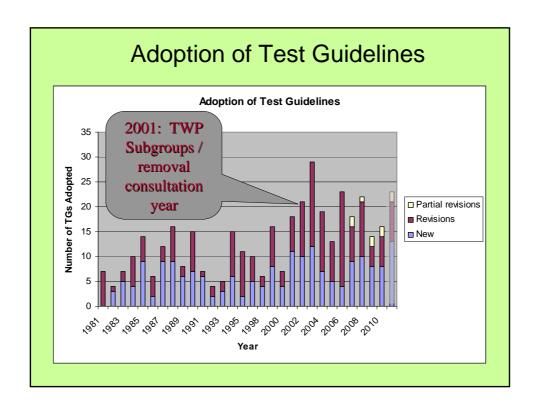
Alternative 2: "Unless otherwise indicated, for the purposes of distinctness, all observations on single plants should be made on $\{x\}$ plants or parts taken from each of $\{x\}$ plants and any other observations made on all plants in the test, disregarding any off-type plants. In the case of observations of parts taken from single plants, the number of parts to be taken from each of the plants should be $\{y\}$."

99. The TC noted that the Council, at its forty-fifth ordinary session to be held on October 20, 2011, would need to adopt the revised text for document TGP/7 before the Test Guidelines could be adopted. Therefore, it agreed to adopt the Test Guidelines subject to the Council adopting the necessary revision to document TGP/7.

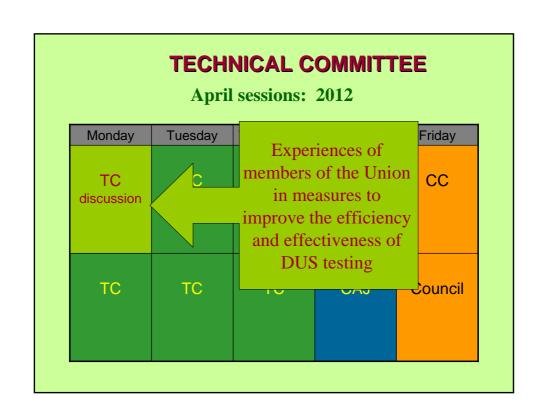
TECHNICAL COMMITTEE (TC) TGs adopted

Test Guidelines for Mandarins (Citrus; Group 1) (document TG/201/1) to be referred back to the TWF for further consideration

Test Guidelines for Canna (document TG/CANNA(proj.7)) and Eucalyptus (document TG/EUCAL(proj.6)) be referred back to the TWO for further consideration.



TECHNICAL COMMITTEE April sessions: 2002-2011						
Monday	Tuesday	Wednesday	Thursday	Friday		
TC-EDC	тс	тс	CAJ	CC		
TC	тс	тс	CAJ	Council		



TECHNICAL COMMITTEE (TC)

In considering how to improve the effectiveness of the TC work, the following measures were agreed:

- (a) to display documents under consideration at the session on the screen in the language of the original document.
- (b) to add an indication in document reference of the language.
- (c) to consider ways of improving the quality of draft Test Guidelines submitted by the TWPs for adoption to the TC. In that regard, the TC noted the importance of all necessary information being provided by the Leading Expert by the specified date, the importance of the role of the TWP chairpersons and the importance of posting the draft Test Guidelines on the UPOV website sufficiently in advance of the TC-EDC meeting in order that comments could be made before the TC-EDC meeting.
- (d) The TC-EDC to hold a two-day meeting in Januara

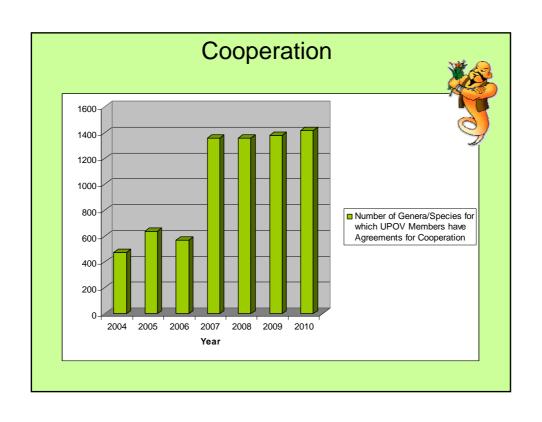
GENIE Database

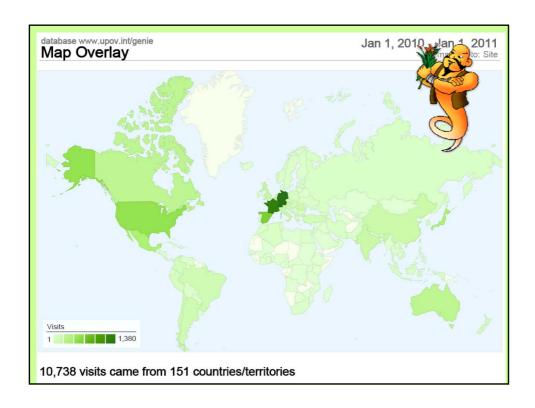
Protection offered by UPOV members DUS information

- UPOV Test Guidelines
- practical experience (UPOV members)
- cooperation in DUS examination

Variety denomination related information









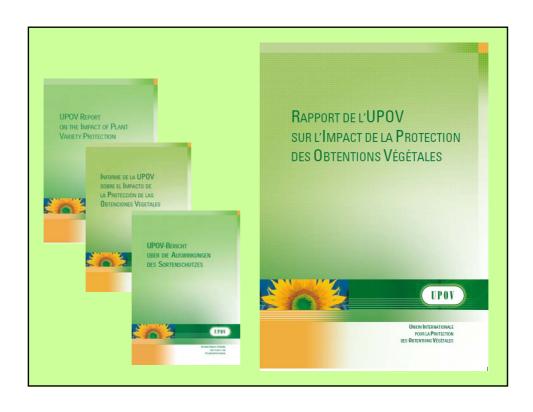
Broader items

TC/47/26 page 16

Preparatory workshops

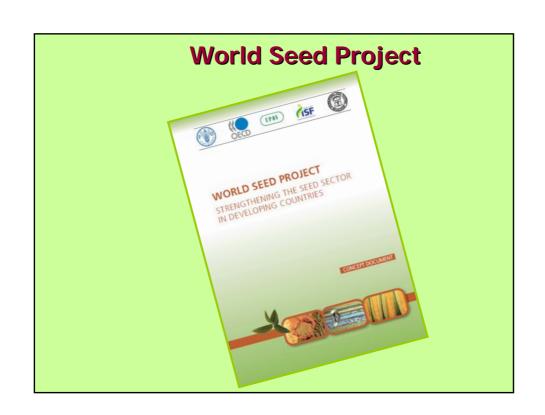
- 92. The TC considered document TC/47/10.
- 93. The TC noted the report of the preparatory workshops held in 2010 and agreed the proposed program for 2011. It agreed that consideration should be given to the inclusion of items for molecular techniques, essentially derived varieties, variety identification and the relationship between the UPOV Convention and other international treaties.

OTHER DEVELOPMENTS













Seminar on PVP & Technology Transfer: the Benefits of Public-Private Partnership April 11-12, 2011

Closing remarks by the Chairs

http://www.upov.int/en/documents/pp_seminar_april_2011/upov_sem_ge_11_1_rev.html

Use of Plant Variety Protection by National Research Centers

Chair: Enriqueta Molina Conclusions – Session 1

Plant Variety Protection:

- Promotes private sector involvement in research and development
- A tool for technology transfer
- Provides a legal framework for financial investment
- Encourages innovation in breeding aims, particularly for the development of new or niche markets
- Focuses investment on meeting the needs of farmers and consumers

1. Ryudai Oshima, NARO

Chair: Enriqueta Molina

- 2. Jenn James, Grasslanz
- 3. Shadrack R. Moephuli, ARC
- 4. Filipe de Moraes Teixeira, EMBRAPA
- 5. Yves Lespinasse, INRA

Technology Transfer by the Private Sector

Chair: Kitisri Sukhapinda Conclusions – Session 2

Private sector:

- An effective means of delivering varieties to farmers
- Assessment of the market potential of varieties
- · Link between public research and the needs of farmers
- · Provides a channel for income for public sector research
- Facilitates strategic associations and coordinated technology transfer
- 1. Willi Wicki, DSP

Chair: Kitisri Sukhapinda

- 2. Barry Barker, Masstock Arable
- 3. Diego Risso, URUPOV
- 4. Evans Sikinyi, KY

International Research Centers

Chair: David Boreham Conclusions – Session 3

- PVP provides a mechanism to facilitate dissemination of varieties to farmers: open access does not ensure widespread dissemination or use
- PVP provides a system to increase availability of varieties suited to farmers' needs
- PVP provides incentives for SME's, particularly local breeders and seed distributors
- The breeders' exemption provides a mechanism to facilitate access to germplasm
- The use of PVP is consistent with the ITPGRFA and SMTA
- 1. Lloyd Le Page, CGIAR

Chair: David Boreham

- 2. Ruaraidh Sackville Hamilton, IRRI
- 3. Ian Barker, Syngenta

