



CAJ/53/4

ORIGINAL: English

DATE: March 10, 2006

**INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS**  
GENEVA

**ADMINISTRATIVE AND LEGAL COMMITTEE**

**Fifty-Third Session**  
**Geneva, April 6, 2006**

**ENFORCEMENT OF PLANT BREEDERS' RIGHTS**

*Document prepared by the Office of the Union*

1. At the fifty-first session of the Administrative and Legal Committee (hereinafter referred to as "CAJ"), which was held in Geneva on April, 7, 2005, the Vice Secretary-General introduced document CAJ/51/5 entitled "Program for the development of explanatory notes on the 1991 Act of the UPOV Convention" and referred, in particular, to the proposed invitation to international breeders' organizations to present their views and concerns in the field of enforcement of plant breeders' rights (paragraph 88 of document CAJ/51/6). That proposal was considered by the Consultative Committee at its sixty-ninth session, on April 8, 2005. The Consultative Committee agreed that a meeting would be convened on the afternoon of October 25, 2005, after the fifty-second session of the CAJ, in order to invite international organizations of breeders to express their views on issues concerning the enforcement of plant breeders' rights. It was decided that the discussions in that meeting would then be considered by the Consultative Committee at its seventieth session on October 26, 2005. The CAJ requested, at its fifty-second session, on October 24, 2005, that an item on the "Enforcement of plant breeders' rights" be included in the draft agenda of its fifty-third session.

2. The Meeting on the Enforcement of Plant Breeders' Rights took place on October 25, 2005. A total of 106 participants attended the Meeting from 45 members of the Union, five observer States, two intergovernmental organizations and four international non-governmental organizations. Mr. Edgar Krieger, Executive Secretary of the International Community of Breeders of Asexually Reproduced Ornamental and Fruit-Tree Varieties

(CIOPORA), and Mr. Bernard Le Buanec, Secretary General of the International Seed Federation (ISF), made presentations.

3. Miss Enriqueta Molina Macías (Mexico), President of the Council, made an oral report on the Meeting on Enforcement at the seventieth session of the Consultative Committee. It was decided to include an item in the draft agenda of its seventy-first session, on April 7, 2006, to continue discussions on the enforcement of plant breeders' rights. The Consultative Committee requested that the Office of the Union prepare a document summarizing the proposals and concerns expressed by the two organizations, identifying which of those proposals might fall within the competencies of UPOV and possible activities which UPOV might consider appropriate.

4. The outcome of the considerations by the Consultative Committee at the seventy-first session will be reported to the CAJ at its fifty-fourth session, on October 16 and 17, 2006.

*5. The CAJ is invited to take note of the contents of this document.*

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