

Technical Committee

TC/53/10 Add.

**Fifty-Third Session
Geneva, April 3 to 5, 2017**

Original: English
Date: April 11, 2017

**ADDENDUM TO REPORT ON DEVELOPMENTS IN UPOV INCLUDING RELEVANT MATTERS
DISCUSSED IN THE LAST SESSIONS OF THE ADMINISTRATIVE AND LEGAL COMMITTEE, THE
CONSULTATIVE COMMITTEE AND THE COUNCIL**

Document prepared by the Office of the Union

Disclaimer: this document does not represent UPOV policies or guidance

The Annex to this document contains a copy of a presentation on “Report on developments in UPOV including relevant matters discussed in the last sessions of the Administrative and Legal Committee, the Consultative Committee and the Council” made at the fifty-third session of the Technical Committee.

[Annex follows]

TECHNICAL COMMITTEE Fifty-third Session

REPORT ON DEVELOPMENTS IN UPOV

including relevant matters discussed in the last sessions of the
Administrative and Legal Committee,
the Consultative Committee and the Council

Peter Button
Vice Secretary-General, UPOV

Geneva, April 3, 2017

UPOV

International Union for the Protection of New Varieties of Plants

UPOV status

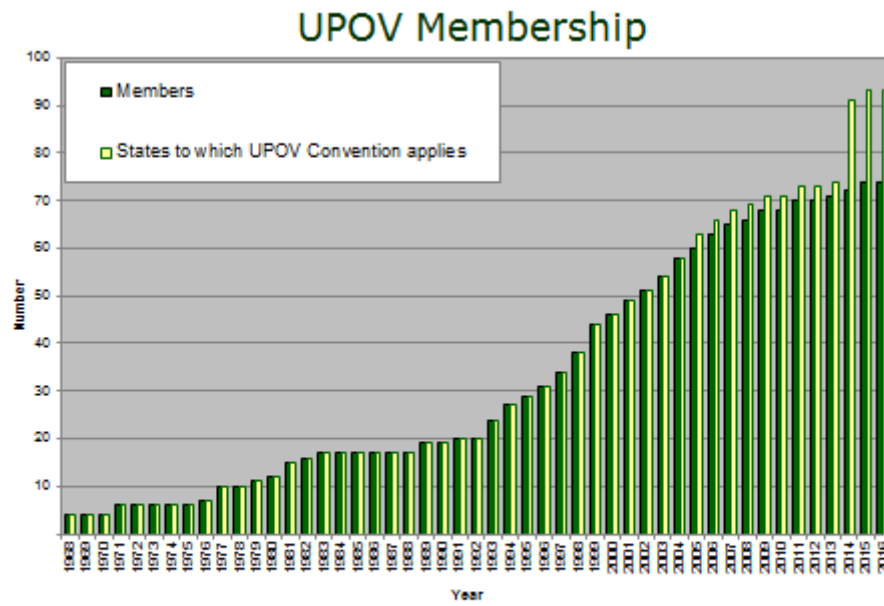


Members of UPOV (74) covering 93 States

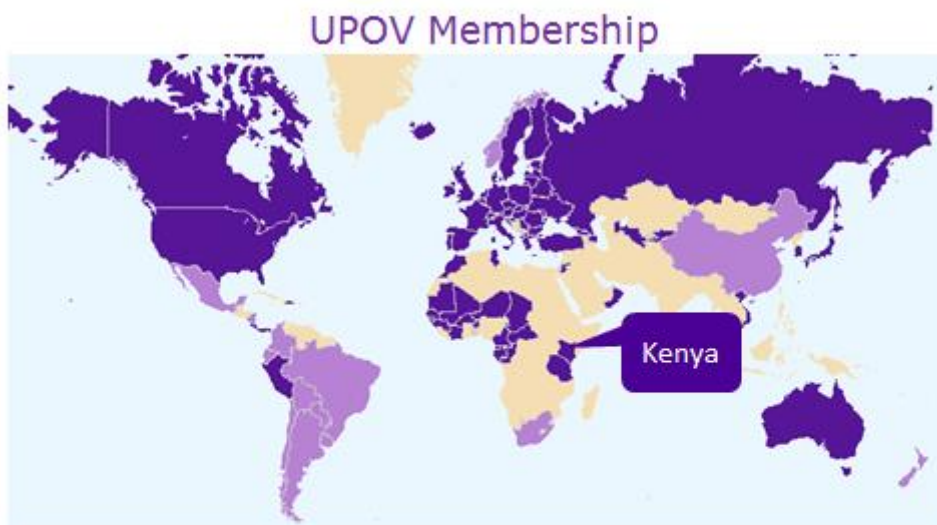
Initiating States (16) and Organization (1)

States (24) and Organization (1) in contact with the UPOV Office

The boundaries shown on this map do not imply the expression of any opinion whatsoever on the part of UPOV concerning the legal status of any country or territory.



UPOV

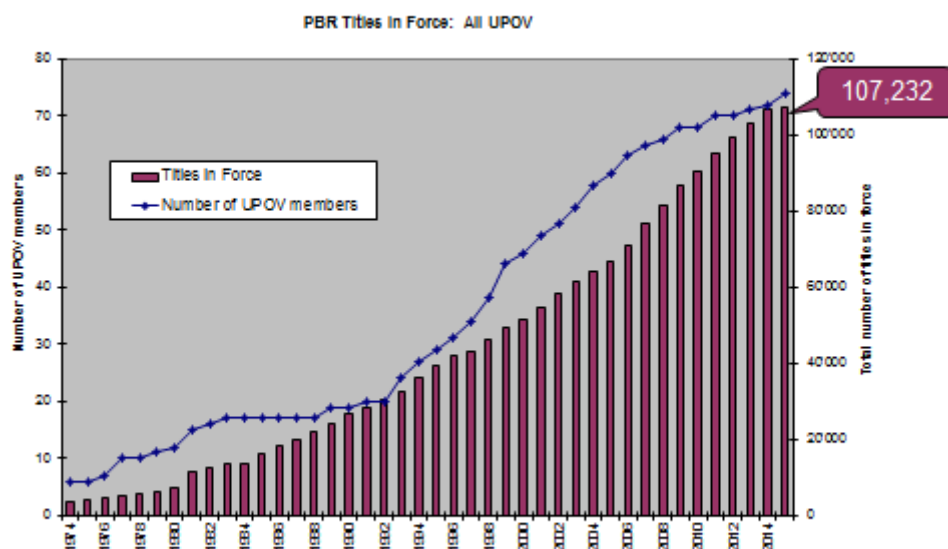


1991 Act: 56 members – Other Acts: 18 members

The boundaries shown on this map do not imply the expression of any opinion whatsoever on the part of UPOV concerning the legal status of any country or territory.

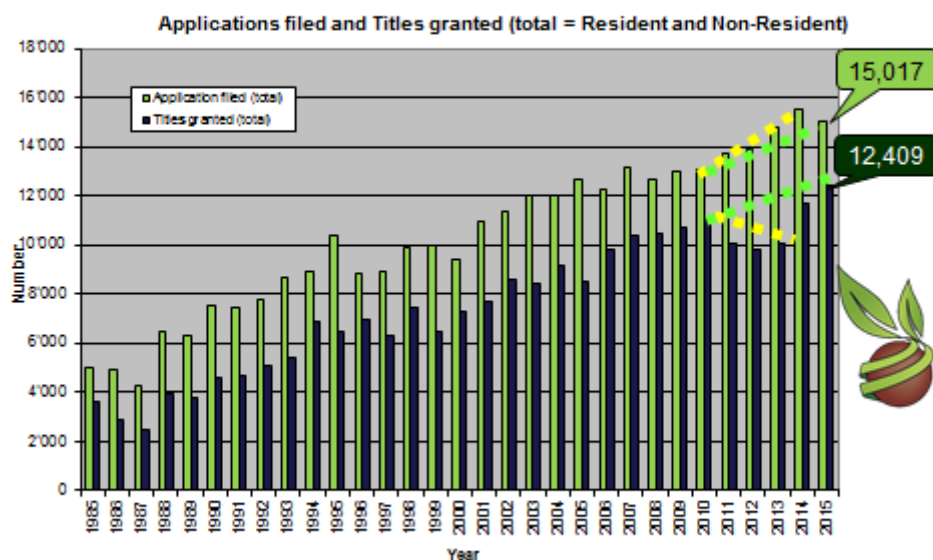
UPOV

Plant variety protection statistics (C/50/7)



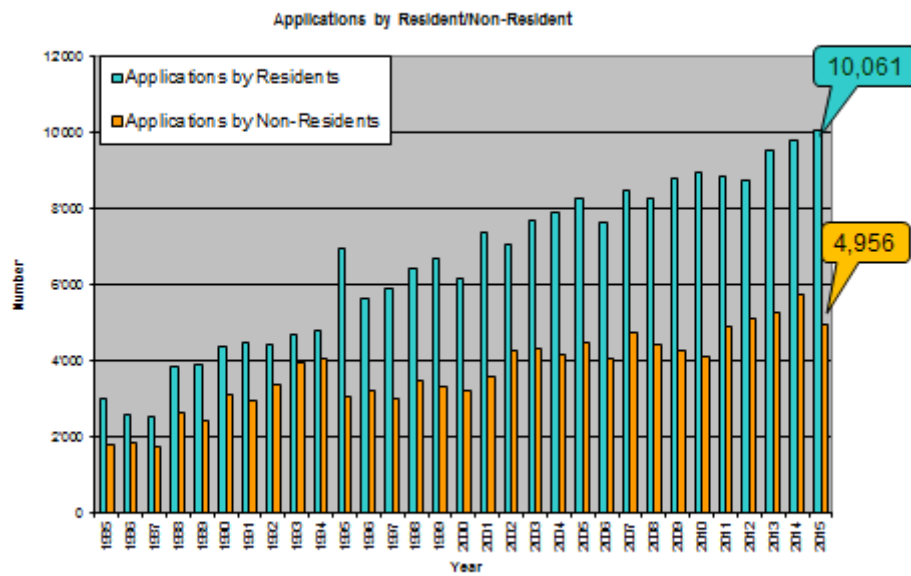
5

Plant variety protection statistics (C/50/7)



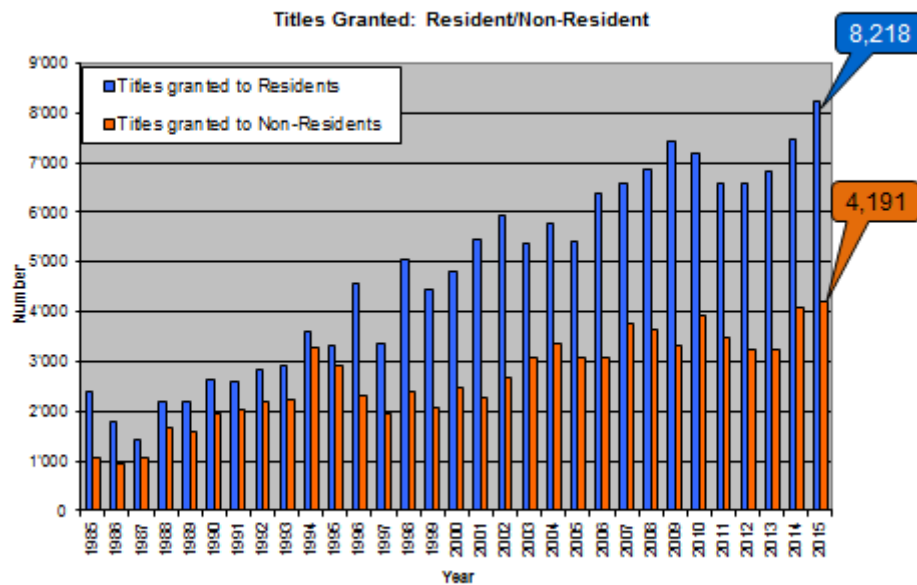
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Plant variety protection statistics (C/50/7)



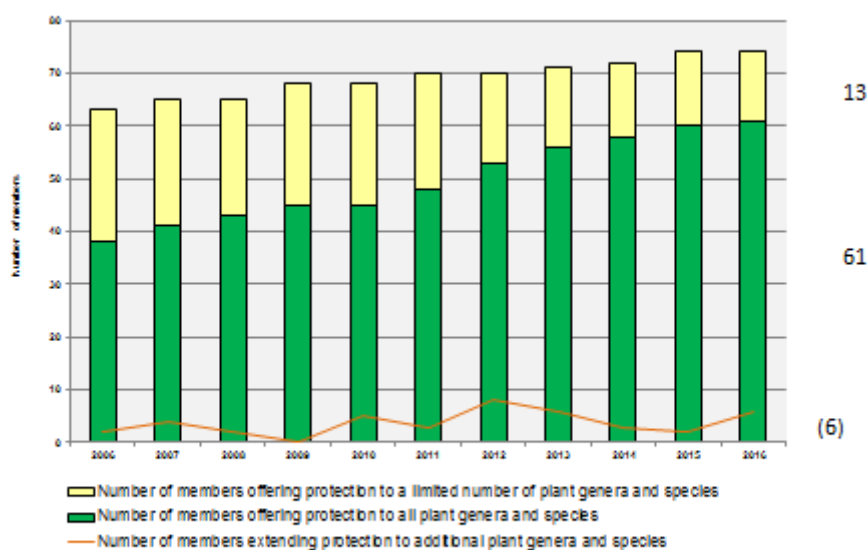
7

Plant variety protection statistics (C/50/7)



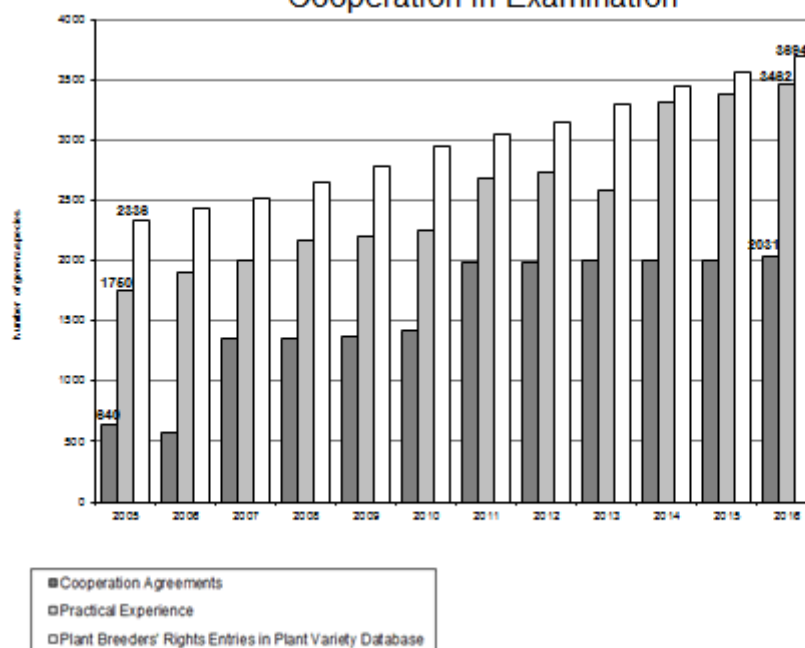
8

Taxa protected by the members of the Union (C/50/6)



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Cooperation in Examination





C/50/12
ORIGINAL: English
DATE: October 17, 2016

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
Geneva

COUNCIL

**Fiftieth Ordinary Session
Geneva, October 28, 2016**

PERFORMANCE REPORT FOR THE 2014-2015 BIENNIUM

Document prepared by the Office of the Union

Disclaimer: this document does not represent UPOV policies or guidance

1. This document presents the Performance Report for the 2014-2015 Biennium on the basis of the Program and Budget for the 2014-2015 Biennium adopted by the Council (see document C/47/4 Rev. "Program and Budget for the 2014-2015 Biennium").
2. The performance report for the 2014-2015 Biennium provides information on expenditure, total number of posts for the Office of the Union and results and performance indicators by subprogram on the basis of the program and budget adopted by the Council. This document also provides a view of trends over time.



Evaluation of the International Union for the Protection of New Varieties of Plants

IOD Evaluation Section, WIPO

October, 2016



Recommendation



Elections - for a term of three years ending in 2019...

The screenshot shows the UPOV (Union for the Protection of New Varieties of Plants) website. The header features the UPOV logo on the left and a search bar on the right. Below the header is a navigation menu with links: ABOUT UPOV, MEMBERSHIP, UPOV SYSTEM, PVP DATA & STATISTICS, MEETINGS, and NEWS. The main content area is titled "Officers" and lists the President and Vice-President of the Council. The President is Mr. Ramundo Lavignolle, and the Vice-President is Mr. Marien Valstar. The website is designed with a green and white color scheme.

UPOV

Search

Contact us Site map YouTube

ABOUT UPOV MEMBERSHIP UPOV SYSTEM PVP DATA & STATISTICS MEETINGS NEWS

HOME • ABOUT UPOV •

Officers

President, Council / Président, Conseil / Präsident, Rat / Presidente, Consejo

Mr. Ramundo Lavignolle, Presidente del directorio, Instituto Nacional de Semillas (INASE), Venezuela 162: 11*, C1095AAD Buenos Aires, Argentina
tel.: +54 11 32205432 e-mail: rlavignolle@inase.gov.ar

Vice-President, Council / Vice-président, Conseil / Vizepräsident, Rat / Vicepresidente, Consejo

Mr. Marien Valstar, Senior Policy Officer, Seeds and Plant Propagation Material, Ministry of Economic Affairs, DG AGRO, The Hague, Netherlands
tel.: +31 70 3 790 911 e-mail: m.valstar@minlz.nl

UPOV


	<p>Chair, Administrative and Legal Committee (CAJ) / Président, Comité administratif et juridique (CAJ) / Vorsitzender, Verwaltungs- und Rechtsausschuß (CAJ) / Presidente, Comité Administrativo y Jurídico (CAJ)</p> <p>Mr. Anthony Parker, Commissioner, Plant Breeders' Rights Office, Canadian Food Inspection Agency (CFIA), Ottawa, Canada (tel.: +1 613 7737188 e-mail: anthony.parker@inspection.gc.ca)</p>
	<p>Vice-Chair, Administrative and Legal Committee (CAJ) / Vice-président, Comité administratif et juridique (CAJ) / Stellvertretender Vorsitzender, Verwaltungs- und Rechtsausschuß (CAJ) / Vicepresidente, Comité Administrativo y Jurídico (CAJ)</p> <p>Mr. Patrick Ngwediagi, Registrar, Plant Breeders' Rights Office, Ministry of Agriculture, Food Security and Cooperatives, Dar es Salaam, United Republic of Tanzania (tel.: +255 22 2861404 e-mail: ngwedi@yahoo.com)</p>

UPOV

	<p>Chair, Technical Committee / Président, Comité technique / Vorsitzender, Technischer Ausschuß / Presidente, Comité Técnico</p> <p>Mr. Kees van Ettekov, Head of Variety Testing Department, Naktuinbouw NL, Sotaweg 22, Postbus 40, NL-2370 AA Roelofarendsveen, Netherlands (tel.: +31 71 332 6128 e-mail: c.v.ettekov@naktuinbouw.nl)</p>
	<p>Vice-Chair, Technical Committee / Vice-président, Comité technique / Stellvertretender Vorsitzender, Technischer Ausschuß / Vicepresidente, Comité Técnico</p> <p>Mr. Nik Hulse, Chief of Plant Breeders' Rights, Plant Breeder's Rights Office, IP Australia, Woden, Australia (tel.: +61 2 6283 7982 e-mail: nik.hulse@ipaustralia.gov.au)</p>

UPOV

Harmonization, Resources and Assistance

		Harmonization	Resources	Training & assistance
IMPLEMENTATION	PVP Law	• UPOV Convention	• UPOV Lex	<ul style="list-style-type: none"> Distance Learning course Trainers UPOV events & activities Assistance by individual UPOV members
	➤ Application		project	
	➤ Variety Denominations		TO database	
	➤ DUS Testing		IE Database changeable ware	
		(cooperation)		

UPOV

Program for EXN/INF

Reference	Explanatory Notes on:	Timetable
UPOV/EXN/EDV/2 (revision)	Essentially Derived Varieties	Proposed for adoption Council in April 2017
UPOV/EXN/PPM/1	Propagating Material	Proposed for adoption Council in April 2017

Program for EXN/INF

<i>Reference</i>	<i>Explanatory Notes on:</i>	<i>Timetable</i>
UPOV/EXN/EDV/2 (possible revision)	Essentially Derived Varieties	possible revision to be considered by CAJ in October 2017
UPOV/EXN/CAL (possible revision)	Conditions and Limitations	possible revision to be considered by CAJ in October 2017
UPOV/EXN/PRP (possible revision)	Provisional Protection	possible revision to be considered by CAJ in October 2017
UPOV/INF/5 (revision)	UPOV model plant breeders' rights gazette	Deferred by CAJ pending EAF developments
UPOV/INF/12 (revision)	Variety Denominations	WG-DEN
UPOV/INF/16 (revision)	Exchangeable Software	Council in October 2017
UPOV/INF/22 (revision)	Software and Equipment Used by Members of the Union	Council in October 2017

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UPOV Communication strategy

- New UPOV logo
- Stakeholder features
- UPOV Youtube channel



UPOV

UPOV

UPOV



UPOV

BREEDERS

[ABOUT UPOV](#)[MEMBERSHIP](#)[UPOV SYSTEM](#)[PVP DATA & STATISTICS](#)[MEETINGS](#)[NEWS](#)

STAKEHOLDERS FEATURES

- Breeders
- Farmers and Growers
- Policy makers
- General Public

HOME • STAKEHOLDERS FEATURES • BREEDERS •
Breeders

UPOV Information

- UPOV Membership
- UPOV Objectives
- UPOV Convention (Scientific & Administrative Materials)
- List of Varieties protected by members of the Union
- Cooperation in Examination
- Calendar of meetings
- Full text of UPOV

Resources

- Databases (see below)
- Test Guidelines
- Directory of UPOV Offices
- UPOV Distance Learning Courses
- UPOV Youtube channel

Key Topics

- DBI and Contracts
- Examination of protected varieties
- History of breeders

Databases

**PLUTO**
Information on plant varieties, particularly variety denominations

**GENE**
Information on GEP (variety specific) protected by members and information related to DUS

UPOV Lex
UPOV Lex contains the legislation of members of the Union

FAQs for breeders

- Where do I apply for protection of a variety?
- Can I obtain protection for more than one country from a single application?
- Who is responsible for enforcing plant breeders' rights?
- Can I protect an existing plant or variety that I discover?
- Does the UPOV Convention allow a variety to be refused protection because it is substantially modified?
- Can I use plant variety protection to protect the following:
 - a) Plant or animal material (e.g. fruit, seed)
 - b) Chemical or other substances (e.g. drugs, pesticides)
 - c) Plant breeding techniques (e.g. tissue culture)?
- Can I protect a hybrid variety under the UPOV system?
- Does UPOV allow molecular techniques (DNA profiles) in the examination of Distinctness, Uniformity and Stability (DUS)?

UPOV

FARMERS AND GROWERS

[ABOUT UPOV](#)[MEMBERSHIP](#)[UPOV SYSTEM](#)[PVP DATA & STATISTICS](#)[MEETINGS](#)[NEWS](#)

STAKEHOLDERS FEATURES

- Breeders
- Farmers and Growers
- Policy makers
- General Public

HOME • STAKEHOLDERS FEATURES • FARMERS AND GROWERS •
Farmers and Growers

UPOV Information

- UPOV Membership
- UPOV Objectives
- Calendar of meetings
- Full text of UPOV

Resources

- PLUTO database
- Benefits of UPOV (Access & Institutions)
- UPOV Youtube channel

Key Topics

- DBI and Contracts
- Compensation on the Benefits of Plant Variety Protection
- DBI, Farmers and Growers (DBI 12)
- DBI, Breeding & Extension

Farmer perspectives



FAQs for farmers

- Who do farmers and growers need to consult on DBI?
- Can a farmer use seed of a protected variety without the authorization of the breeder?
- Can a farmer obtain seed of a protected variety without the authorization of the breeder?
- What is the effect of plant variety protection on varieties that are not protected (e.g. traditional varieties, landraces, etc.)?
- How do I know if a variety is protected?
- Is it possible for subsistence farmers to exchange or exchange material of protected varieties against other plant seeds within the local community?
- Under the UPOV system, breeders decide the conditions and limitations under which they authorize the reproduction of their protected varieties. Can farmers, for instance, be allowed to exchange seeds of protected varieties freely within the local community?

UPOV

POLICY MAKERS

ABOUT UPOV | MEMBERSHIP | UPOV SYSTEM | PVP DATA & STATISTICS | MEETINGS | NEWS

HOME > STAKEHOLDERS FEATURES > POLICY MAKERS >

Policy makers

UPOV Information

- UPOV website & website links
- UPOV brochures
- UPOV documents
- Guidance on how to become a member of UPOV
- Guidance for members of UPOV on how to notify an accession to the UPOV Act or the UPOV Convention
- Guidance for members of UPOV
- FAQs

Resources

- Introduction to UPOV (document)
- UPOV Collection (database & electronic database)
- UPOV Law database (database of members)
- Plant variety protection database

Key Topics

- Introduction to the benefits of Plant Variety Protection for Farmers and Growers (PVP)
- Plant Variety Protection: The benefits of Plant Variety Protection (PVP)
- Responding to the challenge of a changing world (PVP and Sustainable Development Goals)
- Benefits & Sustainable Development

Situation in UPOV

(Click to enlarge)

Impact of plant variety protection (videos)

Videos of:

- AVRDC
- FAO/IAHR
- UPOV/AVRDC/IAHR/CGIAR
- UPOV/AVRDC/IAHR/CGIAR

Importance of plant variety protection (videos)

Videos of:

- UPOV/AVRDC/IAHR/CGIAR/FAO/IAHR/CGIAR
- UPOV/AVRDC/IAHR/CGIAR/FAO/IAHR/CGIAR
- UPOV/AVRDC/IAHR/CGIAR/FAO/IAHR/CGIAR

UPOV

GENERAL PUBLIC

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General Public

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- UPOV/AVRDC/IAHR/CGIAR/FAO/IAHR/CGIAR

Key Topics

- Introduction to the benefits of Plant Variety Protection for Farmers and Growers (PVP)
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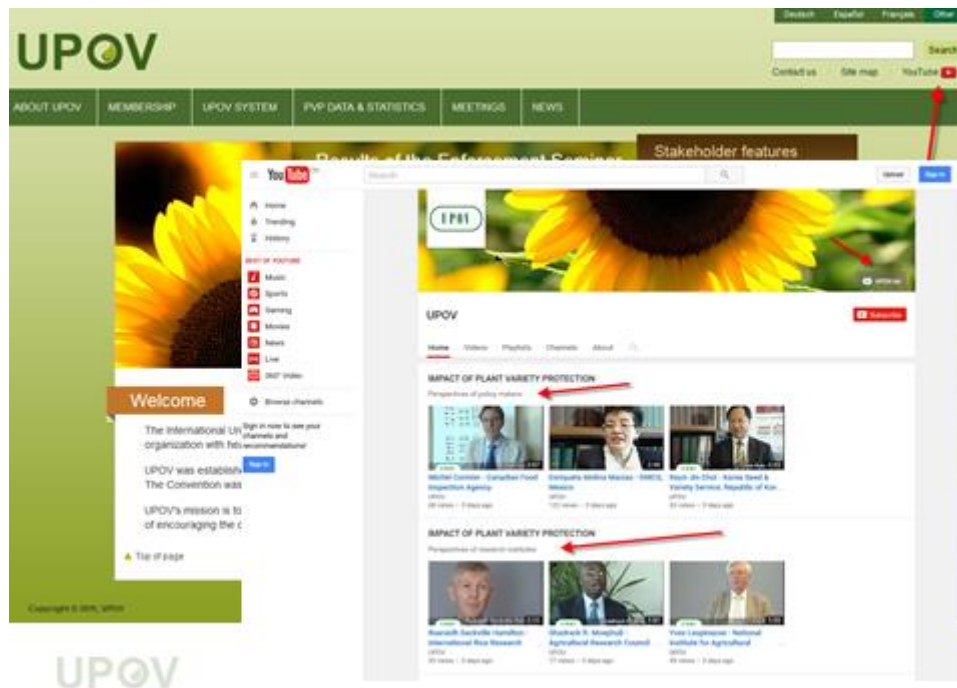
Examples of the use of plant variety protection

[Video: PVP in Uruguay](#)

[Video: PVP in Uruguay](#)
Use of Plant Variety Protection by the Faculty of Agronomy of the Universidad de Uruguay
Transcriptions: ES, DE

[Agris India Story Lines](#)

UPOV



WG-ISC

October 2016:

The Consultative Committee agreed the
draft mandate and terms of reference for a
Working Group on a
Possible International System of Cooperation
(WG-ISC)
as follows:

UPOV

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Purpose

Responsibilities

1. To prepare proposals for consideration by the Consultative Committee concerning a possible ISC that would:
 - (a) not affect the responsibility of the members of the Union in relation to the grant and protection of breeders' rights, or other international obligations;
 - (b) be relevant for all members of the Union, irrespective of the Act of the UPOV Convention by which they are bound;
 - (c) would not affect the existing flexibility of members of the Union to formulate policy and to address their own specific needs and circumstances according to the relevant Act of the UPOV Convention;
 - (d) be based on voluntary participation by members of the Union according to their measures for participation;
 - (e) allow members of the Union to choose to participate in selected elements of an ISC;
 - (f) be based on voluntary cooperation between members of the Union;
 - (g) not affect cooperation with, and between, members of the Union that did not participate in an ISC;
 - (h) be based on filing of applications with individual members of the Union and not with the Office of the Union;
 - (i) not be based on examination of applications by the Office of the Union;
 - (j) not affect the determination and payment of fees by individual members of the Union;
 - (k) not affect the right of each member of the Union to conduct its own examination for the granting of breeders' rights;
 - (l) be based as far as possible on existing UPOV initiatives and materials, including in particular: the GENIE database; the Electronic Application Form (EAF) project; the UPOV similarity search tool for variety denomination purposes; and UPOV information materials.

Purpose

Voluntary

1. To prepare proposals for consideration by the Consultative Committee concerning a possible ISC that would:
 - (a) not affect the responsibility of the members of the Union in relation to the grant and protection of breeders' rights, or other international obligations;
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Purpose

Inclusive

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Purpose

Efficient

1. To prepare proposals for consideration by the Consultative Committee concerning a possible ISC that would:
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2. For the above proposals, to provide the Consultative Committee with an analysis of the:
 - (a) the need for an ISC;
 - (b) advantages and disadvantages of the proposals, compared to existing arrangements;
 - (c) existence of a legal basis under the Acts of the UPOV Convention;
 - (d) impact on domestic legislation, administrative procedures, rights and policy framework, in relation to the relevant Act of the UPOV Convention, for the PVP Offices of UPOV members;
 - (e) potential advantages and disadvantages for:
 - (i) society in the member states of the Union;
 - (ii) PVP Offices of members of the Union, including:
 - costs and income
 - number of applications and income received for applications;
 - (iii) domestic and foreign breeders, including small- and medium-sized enterprises (SMEs);
 - (iv) farmers; and
 - (v) UPOV.

WG-ISC: identify needs of UPOV members and review how the issues raised by breeders correspond to those needs

UPOV



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- [Calendar of Meetings](#)
- [Meeting Documents](#)
- [Seminars & Symposia](#)
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Symposium on Possible Interrelations between the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) and the International Convention for the Protection of New Varieties of Plants (UPOV Convention) (UPOV-ITPGRFA/SYM/GE/16)

October 26, 2016 (Geneva, Switzerland)

UPOV

*Closing remarks by the Co-Moderators:
Mr. Muhamad Sabran,
Chairperson of the Seventh Session of the Governing Body, ITPGRFA and
Mr. Raimundo Lavignolle,
Vice-President of the Council of UPOV*

- We have seen the objectives and benefits of both treaties: UPOV Convention, ITPGRFA;
- It is important to interpret and implement the two treaties in a mutually supportive way in the context of each Contracting Party;
- In order to succeed in these objectives, it is important for the two organizations to work together and to provide the necessary support;
- The Symposium highlights the need to involve all stakeholders in this process.

UPOV

The screenshot shows the UPOV website interface. At the top is the UPOV logo and a search bar. Below the logo is a navigation menu with links: ABOUT UPOV, MEMBERSHIP, UPOV SYSTEM, PVP DATA & STATISTICS, MEETINGS (highlighted), and NEWS. On the right of the navigation bar are links for Contact us, Site map, and YouTube. The main content area is titled 'MEETINGS' and includes a breadcrumb trail 'HOME » MEETINGS ». The featured event is the 'Seminar on Propagating and Harvested Material in the Context of the UPOV Convention (UPOV/SEM/GE/16)' held on 'October 24, 2016 (Geneva, Switzerland)'. A sidebar on the left under the 'MEETINGS' heading lists 'Home', 'Calendar of Meetings', and 'Meeting Documents'.

UPOV



Jun Koide

UPOV

High Level Study Tour (Japan, July 2016)



Koshihikari

Tsuyahime

UPOV

STUDY in VIET NAM (Noleppa, S. (2017) (interim report))

Annual land productivity developments since Viet Nam joined
UPOV in 2006 in
Rice, Corn (maize) and Sweet Potatoes

- **1995-2005:** increase in yield mainly through increased level of inputs – no detectable increase due to plant breeding
- **2006-2016:** annual land productivity increase due to plant breeding
 - Rice 1.7 %
 - Corn 2.1 %
 - Sweet potatoes 3.1 %

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STUDY in VIET NAM (Noleppa, S. (2017) (interim report))

Without those developments since 2006,
current annual yields in Viet Nam would be lower by:

- Rice 16 %
- Corn 19 %
- Sweet potatoes 27 %

UPOV

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STUDY in VIET NAM
(Noleppa, S. (2017) (interim report))

Annual value added:

- Arable farming \$2.3 billion
- Horticulture \$1.0 billion
- Floriculture \$ 0.2 billion

- GDP added upstream/downstream (value chains)
 \$1.5 billion

TOTAL ADDED: \$5 billion

UPOV