



TWO/48/21

ORIGINAL: English

DATE: August 7, 2015

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
Geneva

TECHNICAL WORKING PARTY FOR ORNAMENTAL PLANTS AND FOREST TREES

Forty-Eighth Session
Cambridge, United Kingdom, September 14 to 18, 2015

REPORT ON DEVELOPMENTS WITHIN UPOV

Document prepared by the Office of the Union

Disclaimer: this document does not represent UPOV policies or guidance

1. The Annex to this document contains a copy of a presentation "Reports on Developments within UPOV" to be made by the Office of the Union at the forty-eighth Session of the Technical Working Party for Ornamental Plants and Forest Trees.

[Annex follows]

TECHNICAL WORKING PARTY FOR ORNAMENTAL PLANTS AND FOREST TREES Forty-Eighth 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

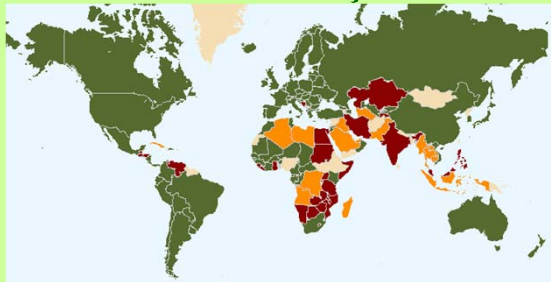
Cambridge, United Kingdom, September, 2015

OVERVIEW

- Membership & Statistics
- Chairmanship of UPOV bodies
- UPOV Collection & other documents
- Publications, Activities and Training
- Developments in other International Fora

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UPOV status: May 2015



Members of UPOV (72)

Initiating States (17) and Organization (1)

States (23) and Organization (1) in contact with the UPOV Office

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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.

MEMBERSHIP OF UPOV

72 Members

New Members

OAPI

as of July 10, 2014

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OAPI

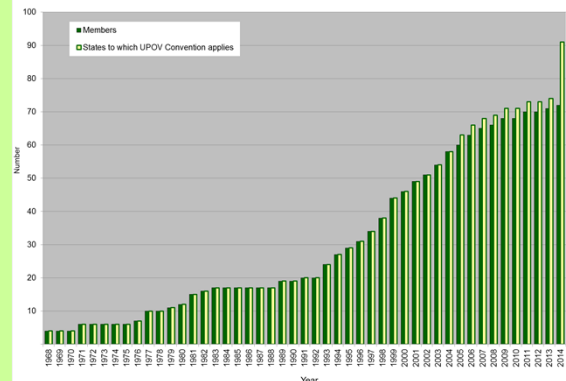
(Organisation Africaine de la Propriété Intellectuelle)
Member as of July 10, 2014



(17 States: Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, Equatorial Guinea, Gabon, Guinea, Guinea-Bissau, Mali, Mauritania, Niger, Senegal, Togo)

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Development of UPOV



MEMBERSHIP OF UPOV 72 Members

Ratification of 1991 Act

Canada as of July 19, 2015

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SITUATION in UPOV

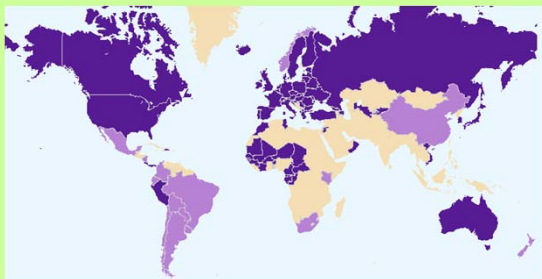
Examination of Laws

	<u>Council session</u>	<u>Advice</u>
Plant Breeders' Rights Act of Zanzibar	October 16, 2014	Positive
Draft Law of Egypt	March 27, 2015	Positive

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UPOV Membership Territories covered

1991 Act: 53 members – Other Acts: 19 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

SITUATION in UPOV

Organizations Granted Observer Status

	<u>UPOV BODIES</u>
South Centre	Council, CAJ
World Farmers' Organization (WFO)	Council, CAJ, TC

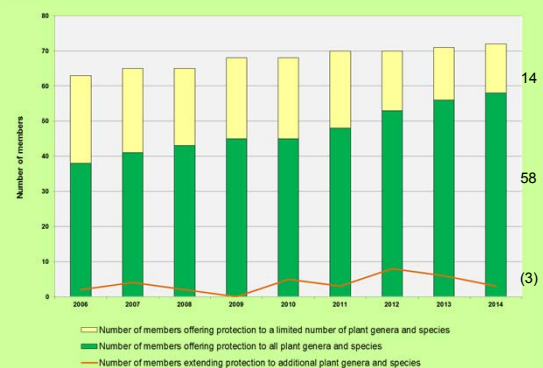
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OVERVIEW

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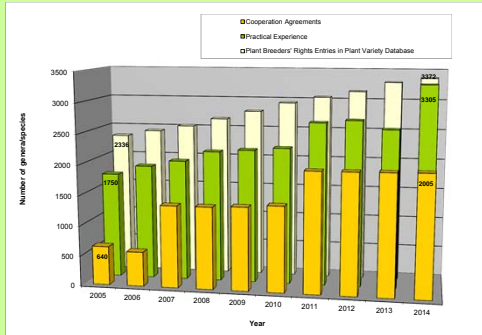
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Taxa protected by the members of the Union (C/48/6)



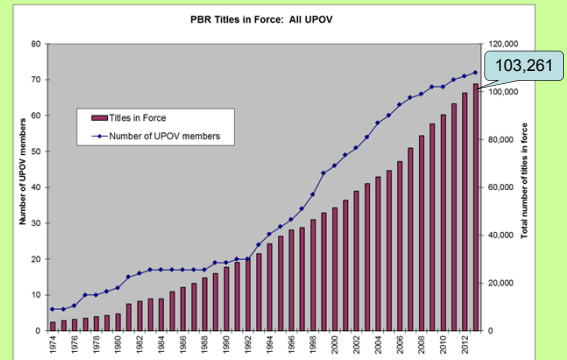
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Cooperation in examination (C/48/5)



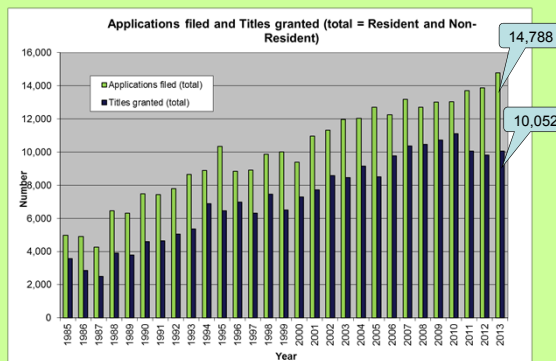
13

Titles in Force (document C/48/7)



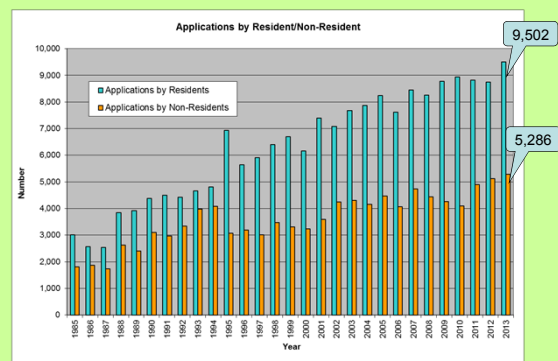
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Applications filed / Titles granted (document C/48/7)



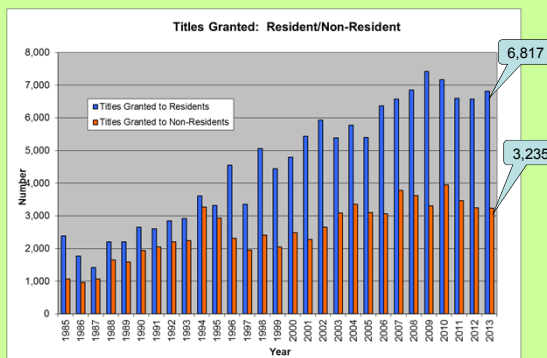
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Applications by Resident / Non-Resident (document C/48/7)



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Titles granted by Resident / Non-Resident (document C/48/7)









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OVERVIEW

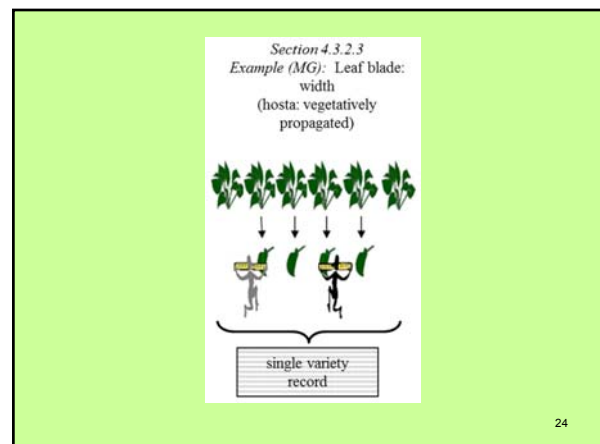
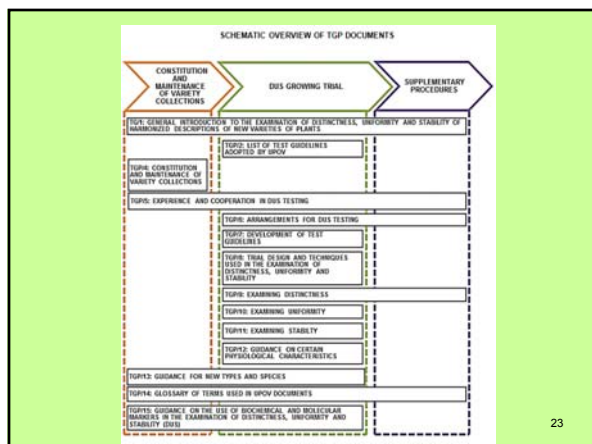
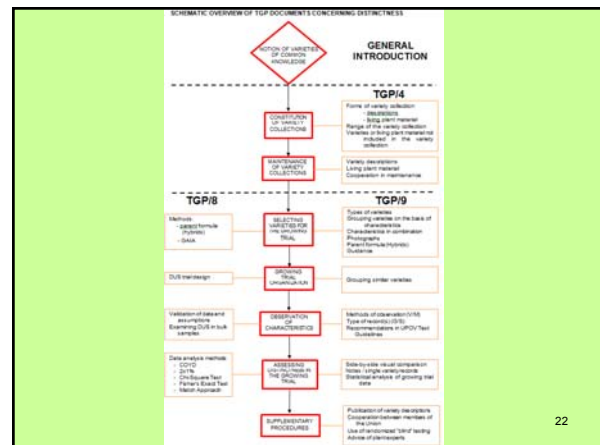
- Membership & Statistics
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- Developments in other International Fora

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CHAIRMANSHIP OF UPOV BODIES for a term of three years ending in 2017			
	TWA	Mr. Tanvir Hossain	(Australia)
	TWC	Mr. Adrian Roberts	(United Kingdom)
	TWF	Mr. Katsumi Yamaguchi	(Japan)
	TWO	Mr. Kenji Numaguchi	(Japan)
	TWV	Ms. Swenja Tams	(Germany)
	BMT	Mr. Kees van Ettehoven	(Netherlands)

OVERVIEW
<ul style="list-style-type: none"> Membership & Statistics Chairmanship of UPOV bodies UPOV Collection & other documents Publications, Activities and Training Developments in other International Fora
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CHANGES IN TGP DOCUMENTS
TGP/9: Examining Distinctness <ul style="list-style-type: none"> New section: Guidance on number of plants to be examined (for Distinctness) Schematic overview of TGP documents concerning distinctness Photographs (link to explanation in TGP/7) Single record for a group of plants or parts of plants
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CHANGES IN TGP DOCUMENTS

TGP/14: Glossary of Terms used in UPOV Documents

"2.4 Apex/Tip Shape Characteristics

[...]"

"2.4.2 [...] Generally, it is not necessary to separate the apex shape characteristic into differentiated tip and apex characteristics.

[...]"

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TEST GUIDELINES ADOPTED IN 2015

NEW TEST GUIDELINES

Drafter	TWP	English
NZ	TWF	Feijoa, Pineapple Guava, Guavasteen
JP	TWA	Adzuki Bean; Azuki Red Bean; Chinese Red Bean
ZA	TWO	Aloe
JP	TWO	China Aster, Annual Aster
GB	TWO	Campanula, Bell Flower
KE/BR	TWA/ TWV	Cassava
JP	TWA	Adlay, Job's tears
JP	TWO	Cosmos
FR	TWV	Cucurbita maxima X Cucurbita moschata
FR	TWV	Bottle Gourd; Calabash; Calabash Gourd; White-flower Gourd
MX	TWF	Pecan Nut
BR	TWA	Bread Grass, Palisade Grass, Palisade Signal Grass, Signal Grass; Basilisk Signal Grass, Signal Grass, Spreading Liverseed Grass, Surinam Grass; Creeping Signal Grass, Koronivia Grass; Congo Grass, Congo Signal Grass, Ruzi Grass

TEST GUIDELINES ADOPTED IN 2015

REVISIONS OF TEST GUIDELINES

Drafter	TWP	English
NL	TWO	Carnation, Clove Pink, Pink, Sweet William
DE	TWO	Large-flower Pelargonium; Regal Pelargonium; Crisped-leaf Pelargonium
ES	TWA	Broomcorn, Durra, Feterita, Forage Sorghum, Grain sorghum, Great Millet, Kaffir-corn, Milo, Shallu, Sorghum, Sweet sorghum; Chicken-corn, Shattercane, Sordan, Sorghum x Sudan Grass, Sorghum-sudangrass, Sudan grass
ZA	TWF	Apple Rootstocks
FR	TWV	Lentil

TEST GUIDELINES ADOPTED IN 2015

PARTIAL REVISIONS OF TEST GUIDELINES

Drafter	TWP	English
NL	TWV	French Bean
NL	TWV	Spinach
ES	TWV	Cucumber, Gherkin
NL/FR	TWV	Sweet Pepper, Hot Pepper, Paprika, Chili
NL	TWO	Gladiolus
ES	TWF	Mandarins
FR	TWO	Buddleia, Butterfly-bush
UA	TWV	Garden Sorrel
JP	TWV	Shiitake

TEST GUIDELINES ON THE UPOV WEBSITE

The screenshot shows the UPOV website interface. The top navigation bar includes links for ABOUT UPOV, MEMBERSHIP, UPOV SYSTEM, PVP DATA & STATISTICS, MEETINGS, and NEWS. The main content area is titled 'TEST GUIDELINES' and includes a sidebar with filters for Name, List All, and Search. The main text area contains links for Introduction, List all Test Guidelines by TG Reference, and List all Test Guidelines by Botanical Name, Common Name in English, Common Name in French, Common Name in Spanish, and Common Name in German. A red arrow points to the 'Superseded Test Guidelines' link at the bottom of the page.

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SUPERSEDED TEST GUIDELINES

The screenshot shows the UPOV website interface with a red box highlighting a notice: "These Test Guidelines have been superseded by a later version. The latest adopted version of Test Guidelines can be found at http://www.upov.int/test_guidelines/en/test.jsp". Below this notice, a table lists superseded guidelines for Wheat, Vitis, and Triticum aestivum L. The table includes columns for the draft number, drafter, title, and a link to the document.

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TECHNICAL COMMITTEE			
March: 2016			
Monday	Tuesday	Wednesday	Thursday
TC	TC	TC Discussion	
TC	TC	TC	

(a) Variety descriptions and the role of plant material;
(b) Quality parameters for DUS examination;
(c) Facilitating development of databases;
(d) Minimum distance between varieties.

INFORMATION MATERIALS ADOPTED IN 2014	
Document reference	Title
UPOV/INF/16/4	Exchangeable software (Revision)
UPOV/INF/22/1	Software and equipment used by members of the Union
UPOV/INF-EXN/6	List of INF-EXN Documents and Latest Issue Dates (Revision)
TGP/2/2	List of Test Guidelines Adopted by UPOV (Revision)
TGP/5	Notification of Additional Characteristics and States of Expression (Revision)
TGP/7/4	Development of Test Guidelines (Revision)
TGP/8/2	Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability (Revision)
TGP/14/2	Glossary of Terms Used in UPOV Documents (Revision) and Supplement (Correction - Spanish)
TGP/0/7	List of TGP Documents and Latest Issue Dates

INFORMATION MATERIALS ADOPTED IN 2015	
Document reference	Title
UPOV/INF/4/4	Financial Regulations and Rules of UPOV (Revision)
UPOV/INF/15/3	Guidance for Members of UPOV (Revision)
UPOV/INF-EXN/7 (revision)	List of Documents and Latest Issue Dates
UPOV/INF/4/4 (revision)	Financial Regulations and Rules
UPOV/INF/15/3 (revision)	Guidance for Members of UPOV

Proposed Program for Explanatory Notes



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Program for Development of Explanatory Notes		
Reference	Explanatory Notes on:	CAJ/71 Proposals:
UPOV/EXN/PPM/1 (New)	Propagating Material	Draft 4: CAJ in October 2015
UPOV/EXN/CAN/2 (revision)	Cancellation	Draft 3: Council October 2015
UPOV/EXN/EDV/2 (revision)	Essentially Derived Varieties	Draft 6: CAJ in October 2015
UPOV/EXN/HRV/2 (revision)	Harvested Material	to be discontinued
UPOV/EXN/NUL/2 (revision)	Nullity	Draft 3: Council October 2015
UPOV/EXN/PRP/2 (revision)	Provisional Protection	Draft 3: Council October 2015
UPOV/INF/16/5 (revision)	Exchangeable Software	Council in October 2015
UPOV/INF/22/2 (revision)	Software and Equipment Used by Members of the Union	Council in October 2015

OVERVIEW

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7,000 documents scanned...



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UPOV Diplomatic Conferences

Unless otherwise agreed by the Council, not been superseded can represent UPOV

See [UPOV Collection](#) for guidance and info

UPOV sessions: [previous of the week](#)

Meetings by Topic: [UPOV Diplomatic Conferences](#)

- UPOV/COP1: March 4 to March 19, 1991 (Geneva)
- UPOV/COP2/PCO: October 9 to October 23, 1978 (Geneva)
- UPOV/COP2: November 7 to November 10, 1972 (Geneva)

Meetings by Topic: [Council](#)

- COP: September 24 to September 26, 1991 (Geneva)
- COP: September 10 to September 12, 1985 (Geneva, Switzerland)
- COP: November 7 to November 9, 1983 (Geneva, Switzerland)
- COP: September 13 to September 15, 1981 (Geneva, Switzerland)
- COP: September 28 to September 30, 1979 (Geneva, Switzerland)

Meetings by Topic: [Technical Committee](#)

UPOV sessions: [previous of the week](#)

Meetings by Topic: [Technical Committee](#)

- TCO1: November 12 to November 13, 1985 (Geneva, Switzerland)
- TCO2: November 6 to November 7, 1984 (Geneva, Switzerland)
- TCO3: September 3 to September 4, 1983 (Geneva, Switzerland)
- TCO4: November 18 to November 19, 1982 (Geneva, Switzerland)
- TCO5: September 14 to September 15, 1981 (Geneva, Switzerland)
- TCO6: November 10 to November 12, 1980 (Geneva, Switzerland)
- TCO7: March 18 to March 19, 1980 (Geneva, Switzerland)
- TCO8: November 12 to November 14, 1979 (Geneva, Switzerland)
- TCO9: March 26 to March 28, 1979 (Geneva, Switzerland)
- TCO10: November 13 to November 15, 1978 (Geneva, Switzerland)

31 - 42 / 40 [Previous 10 items](#)

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UPOV CAJ/11/3 ORIGINAL: English DATE: March 2, 2015

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS Geneva

ADMINISTRATIVE AND LEGAL COMMITTEE
Seventy-First Session
Geneva, March 26, 2015

VARIETY DENOMINATIONS
Document prepared by the Office of the Union
(Disclaimer: This document does not represent UPOV policies or guidance)

EXECUTIVE SUMMARY

1. The purpose of this document is to report on work concerning the possible development of a UPOV similarity search tool for variety denomination purposes and to consider the possible revision of document UPOV/INF/12/4 "Explanatory Notes on Variety Denominations under the UPOV Convention".

2. The CAJ is invited to:

- note the work on the possible development of a UPOV similarity search tool for variety denomination purposes for the Working Group for the Development of a UPOV Denomination Similarity Search Tool (WG-DIST), including the tool study, as set out in paragraph 4 to 13;
- consider the proposed revision of document UPOV/INF/12 in relation to changes of registered variety denominations, as set out in paragraph 21, and subject to agreement by the CAJ, to present that guidance for adoption by the Council at its forty-ninth ordinary session, to be held in October 2015;
- invite the WG-DIST to consider the comments by the CAJ-AG, at its sixth session, on the proposals in document UPOV/INF/12/5 Draft 2 concerning Sections 2.2.2 (b), 2.3.1 (i) and (ii), and 2.3.3 as set out in paragraph 21, and;
- consider the proposals of the CAJ-AG under Sections 2.2.2 (c), 4(x) and 4(y) at its seventy-second session, as set out in paragraph 28.

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OVERVIEW

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UPOV INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

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

Benefits of UPOV

Quick Links

- Introduction to UPOV
- Situation in UPOV
- Benefits of UPOV
- UPOV Collection
- Test Guidelines
- Distance Learning Course
- Seminars & Symposia
- Admission of New Members

Frequently Asked Questions

GENE Database

UPOV Law

Plant Variety Database (PLVDT)

News & Upcoming Events

Welcome


The International Union for the Protection of New Varieties of Plants (UPOV) is an intergovernmental organization with headquarters in Geneva (Switzerland).

UPOV was established by the International Convention for the Protection of New Varieties of Plants. The Convention was adopted in Paris in 1961 and it was revised in 1972, 1978 and 1991.

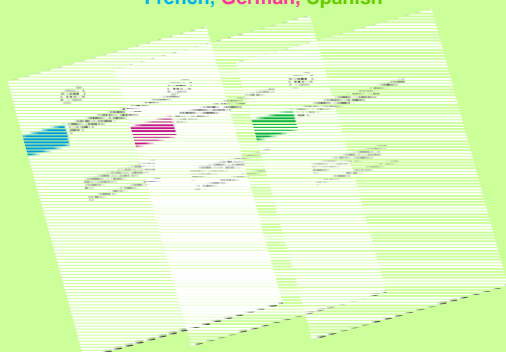
UPOV's mission is to provide and promote an effective system of plant variety protection, with the aim of encouraging the development of new varieties of plants, for the benefit of society.

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Benefits of the UPOV System:
UPOV Trilogy Publication: French & Spanish



Seminar on Essentially Derived Varieties (EDVs) French, German, Spanish



Distance Learning Courses: 2015 English, French, Spanish

Code	Course	Study period	Registration period
DL-205	Introduction to the UPOV System	Oct. 19 to Nov. 23	Jan. 1 to Mar. 29 and Aug. 7 to Sep. 27
DL-305A	Administration of Plant Breeders' Rights	Feb. 16 to Mar. 22	n/a
DL-305B	DUS Examination	Apr. 20 to May 24	Jan. 1 to Mar. 29
DL-305	Examination of applications for Apr. 20 to May 24 plant breeders' rights	Apr. 20 to May 24	Jan. 1 to Mar. 29

Distance Learning Courses: 2016 English, German, French, Spanish

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Improving the effectiveness of the TC, TWP and Preparatory Workshops

Technical Committee Fifty-First Session

March 23-25, 2015

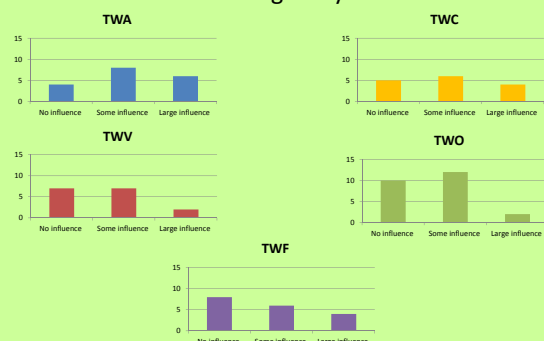
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SURVEY 2014/ TWPs General information

	TWA	TWC	TWF	TWO	TWV
Total Number of Participants	58	29	44	51	38
Total Number of Participating Countries / organizations	34	16	23	21	20
Number of replies (i.e. participants)	19	18	22	24	20
%	33%	62%	50%	47%	53%

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How much does the Technical Visit influence whether or not you attend the Technical Working Party?



	TWA	TWC	TWF	TWO	TWV	Av	scale
Scale: not important (1), slightly important (2), moderately important (3), very important (4), essential (5)							
a) visit to PVP Office	2.7	N/A	2.9	2.9	3.3	3.0	/5 MODERATELY IMPORTANT
b) visit to DUS testing station and field trials	4.4	3.7	3.6	3.8	4.2	3.9	/5 VERY IMPORTANT
c) to view plants/trials linked to Test Guidelines discussed during the TWP session	3.9	N/A	3.6	3.6	4.0	3.8	/5 VERY IMPORTANT
d) to link it with specific topics during the week (e.g. TGP documents)	3.7	3.3	3.2	3.7	3.3	3.4	/5 MODERATELY IMPORTANT
e) view DUS testing methods	3.9	3.7	3.6	3.7	3.7	3.7	/5 VERY IMPORTANT
f) visit breeders' facilities	3.2	N/A	3.4	3.2	2.9	3.2	/5 MODERATELY IMPORTANT
g) view seed production/propagation facilities	2.8	N/A	2.6	2.4	2.6	2.6	/5 MODERATELY IMPORTANT
h) view of local agriculture/horticulture	3.0	N/A	3.5	3.1	2.9	3.1	/5 MODERATELY IMPORTANT
i) training on harmonization of variety descriptions (TWA only)	3.8	0.0	0.0	0.0	0.0	3.8	/5 MODERATELY IMPORTANT

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Q. 3) What would be your preference for the format of the technical visit?								
Scale: not suitable (1), acceptable (2), moderate preference (3), strong preference (4)								
	TWA	TWC	TWF	TWO	TWV	Av.	scale	
a) full day technical visit	3.2	2.4	3.0	2.3	2.6	2.7	/4	MODERATE PREFERENCE
b) half-day technical visit	2.7	3.4	2.5	3.0	3.4	3.0	/4	MODERATE PREFERENCE
c) organize the TWP session in a convenient location for the meeting, even if means that it's a long distance for the technical visit	2.6	2.9	2.3	2.7	2.6	2.6	/4	MODERATE PREFERENCE
d) organize the TWP session close to a DUS testing station to allow easy access (e.g. daily), even if it means around 1 hour more commuting time each day to the TWP meeting venue	2.4	1.5	1.5	2.0	2.0	1.9	/4	ACCEPTABLE

	TWA	TWC	TWF	TWO	TWV	Av.	scale	
Scale: very poor (1), poor (2), satisfactory (3), good (4), very good (5)								
2.4. were you able to view all presentations projected on screen easily?	4.2	4.1	4.2	3.3	4.1	4.0	/5	GOOD
2.5. were you satisfied with the work program of the week (appropriate time given to documents)?	3.8	4.2	4.2	4.1	3.8	4.0	/5	GOOD
2.6. were you satisfied with the introduction and the presentation of documents?	4.0	4.1	4.4	4.3	4.1	4.2	/5	GOOD
Scale: not useful (1), moderately useful (2), useful (3), very useful (4)								
2.7. were the name badges useful?	3.0	3.3	3.1	3.3	3.3	3.2	/4	USEFUL
2.8. was the list of participants useful?	3.8	3.7	3.8	3.7	3.7	3.7	/4	VERY USEFUL
2.9. was the summary of the purpose and proposed decisions at the beginning of document TWPIXX/22 useful?	3.4	3.3	3.6	3.4	3.4	3.4	/4	USEFUL
Scale: very poor (1), poor (2), satisfactory (3), good (4), very good (5)								
2.10. was the time spent on the introduction of documents appropriate?	3.9	3.3	4.2	4.2	3.9	3.9	/5	GOOD
2.11. were you satisfied with the way in which Test Guidelines were presented/discussed at the TWPs	3.5	N/A	4.2	4.0	3.8	3.9	/5	GOOD

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Improving the effectiveness of the TC, TWPs and Preparatory Workshops

PROPOSALS

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Possible measures for improving the effectiveness the TWPs GENERAL

- To be **more specific for each TWP**, e.g.:
 - Technical visit,
 - Matters to be discussed,
 - Workplan (e.g. time allocated for TGP vs. TG)
- To Update document: **"Guidance Note: UPOV Technical Working Party arrangements"** (meeting arrangement and technical visit):
 - Name badges
 - Participant lists on large poster board
 - Notice board for announcement

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Possible measures for improving the effectiveness the TWPs GENERAL Cont'd

- To review the document: "Guidance Note: UPOV Technical Working Party arrangements" and include **the key points in a cover letter** (e.g. encourage national workshop in conjunction with the session to take advantage of international experts presence in the country; indicate earliest date for the first TWP and latest date for the last TWP to be organized after the TC)
- To **announce the next TWP venue on the first day of the session** so participants have sufficient time to reflect on suggestion for the agenda and the technical visit (invite the host to explain the intended program, e.g. technical visit)
- To introduce a **session for open discussion** in a similar way to the session in the TC

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Possible measures for improving the effectiveness the TWPs

WORKPLAN

- To **circulate the proposed TWP schedule** of the week in advance
- To **provide links to the documents in the program** of the week on the UPOV website

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Possible measures for improving the effectiveness the TWP

DOCUMENTS

- **Decision paragraph** to be continued in TWP documents
- **Executive summary** to be added to TWP documents

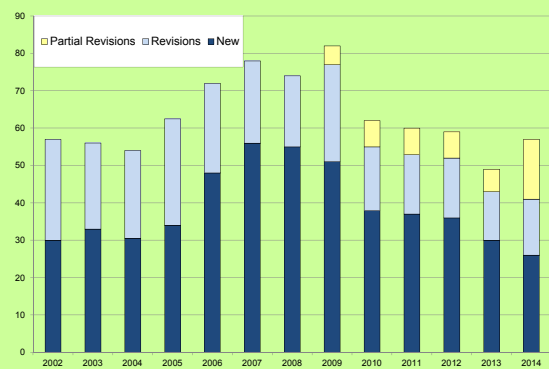
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Possible measures for improving the effectiveness the TWP

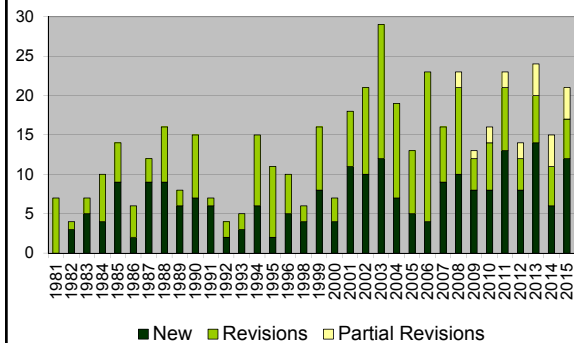
TEST GUIDELINES

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Total number of Test Guidelines discussed in TWPs



Adoption of Test Guidelines



Possible measures for improving the effectiveness the TWP

TEST GUIDELINES

- To add **information on the responsible TWP** for Test Guidelines on the UPOV website
- To consider a **multi-annual working plan** for Test Guidelines

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Possible measures for improving the effectiveness of the Preparatory Workshops:

- To invite/ encourage **experienced experts** from members of the Union to participate in the preparatory workshop
- To organize **small groups** of participants with different levels of experience for the group exercises (as far as practical)
- To **renew exercises** for the preparatory workshops on a regular basis
- To organize E-workshops and workshop in conjunction with preparatory workshop on the **use of the Web-based TG template, and guidance on the presentation of Test Guidelines at the sessions**
- **Pre-recorded e-workshops** to be made available on the website

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Proposals presented to the TWP in 2014 should **not be considered further**

- Survey in 2015
- Change in the invitation and its distribution
- Presentation of documents (already improved since 2014)
- Request for participants to provide their comments in advance for TGP documents
- Separate annual meeting to discuss TGP documents
- Change on the day of the preparatory workshop (Sunday)

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OECD Scheme for the Certification of Seeds Moving in International Trade

- Annual Meeting (June, 2015)
- The Annual Meeting (AM) agreed to organize a joint OECD/UPOV/ISTA/AOSA workshop on biochemical and molecular techniques back-to-back with the AM in 2016

International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)

- ITPGRFA Platform for the Co-Development and Transfer of Technologies
- Public-Private Partnerships in Pre-breeding
- Interrelations between ITPGRFA, UPOV and WIPO

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SUMMARY

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OAPI
(Organisation Africaine de la Propriété Intellectuelle)
Member as of July 10, 2014

(17 States: Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Comoros, Congo, Côte d'Ivoire, Equatorial Guinea, Gabon, Guinea, Guinea-Bissau, Mali, Mauritania, Niger, Senegal, Togo)

Distance Learning Courses: 2015
English, French, Spanish

Code	Course	Multi period	Registration period
DL105	Introduction to the UPOV System	Oct 19 to Nov 23	Jan 1 to Mar 25 and Aug 7 to Sep 27
DL106	Administration of Plant Breeders' Rights	Feb 16 to Mar 22	19
DL107	Oral Examination	Apr 22 to May 24	Jan 1 to Mar 25
DL108	Examination of applications for Apr 2016 to May 24 plant breeders' rights	Jan 1 to Mar 25	

Distance Learning Courses: 2016
german, French, Spanish

CHAIRMANSHIP OF UPOV BODIES
for a term of three years ending in 2017

	TWA Mr. Tawfik Hossain (Australia)
	TWC Mr. Adrian Roberts (United Kingdom)
	TWJ Mr. Kazumasa Yamaguchi (Japan)
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	TWV Mr. Svenja Tams (Germany)
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Improving the effectiveness of the TC, TWP and Preparatory Workshops

PROPOSALS