INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

WORKING GROUP FOR THE DEVELOPMENT OF A UPOV DENOMINATION SIMILARITY SEARCH TOOL

Third Meeting
Geneva, October 2, 2015

REVISION OF UPOV/INF/12 "EXPLANATORY NOTES ON VARIETY DENOMINATION UNDER THE UPOV CONVENTION"

prepared by the Office of the Union

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1.   The purpose of this document is to provide the Working Group for Variety Denomination Search Tool (WG-DST) with an overview of the work of the WG-DST in relation to a possible revision of document UPOV/INF/12 "Explanatory Notes on Variety Denominations under the UPOV Convention".

2.   The WG-DST is invited to note the overview provided in this document.

3.   The following abbreviations are used in this document:

    CAJ: Administrative and Legal Committee
    CAJ-AG: Administrative and Legal Committee Advisory Group
    TC: Technical Committee
    WG-DST: Working Group for Variety Denomination Search Tool

OVERVIEW

4.   The CAJ, at its sixty-ninth session, held in Geneva, on April 10, 2014, noted that the TC, at its fiftieth session, held in Geneva, from April 7 to April 9, 2014, had welcomed the establishment of a working group for the development of a UPOV similarity search tool and had invited experts to contribute to its work. Furthermore, the CAJ agreed with the TC that there were some challenges concerning linguistic and alphabet aspects which should be considered by the working group when defining the objectives of its work (see document CAJ/69/13 "Report", paragraph 80).

5.   The CAJ, at its seventy-first session, held in Geneva, on March 26, 2015, decided to invite the WG-DST to consider the comments by the CAJ-AG on the proposals in document UPOV/INF/12/5 Draft 2 concerning Sections 2.2.2 (b), 2.3.1 (c) and (d), and 2.3.3 (see document CAJ/71/10 "Report on the Conclusions", paragraph 35).

6.   The WG-DST, at its second meeting, held in Geneva, on June 9, 2015, considered document WG-DST/2/2 "Revision of UPOV/INF/12 'Explanatory notes on variety denominations under the UPOV Convention'" (see document UPOV/WG-DST/2/6 "Report", paragraph 20).

7.   The WG-DST agreed to consider Section 2.3.3 (a) further at its fourth meeting, on the basis of the conclusions of the CAJ at its seventy-second session, on October 26 and 27, 2015, on the WG-DST proposals (see document UPOV/WG-DST/2/6 "Report", paragraph 27).

8.   The WG-DST agreed to invite the CAJ to consider whether to develop a list of non-acceptable terms for variety denominations as an additional feature for the UPOV denomination search tool (see document UPOV/WG-DST/2/6 "Report", paragraph 12).

9.   The WG-DST agreed that the list of non-acceptable terms could include, for example, botanical names. With regard to the inclusion of offensive terms, it agreed that it could be problematic to develop such a list (see document UPOV/WG-DST/2/6 "Report", paragraph 13).

10.   The WG-DST, at its third meeting, to be held in Geneva, on October 2, 2015, will be invited to consider non-acceptable terms on the basis of document UPOV/WG-DST/3/3 "Non-acceptable terms".

11.   The WG-DST, at its second meeting, agreed to recommend that consideration be given to avoiding re-use of denominations. However, it clarified that it would be important to consider only denominations of varieties (i.e. plant groupings that meet the definition of variety in Article 1 (vi) of the 1991 Act) and, in addition, to expand the content of PLUTO database to include all recognized varieties, including these that had not been, or were no longer, registered/protected (see document UPOV/WG-DST/2/6 "Report", paragraph 30).

12.   The WG-DST, at its third meeting, will be invited to consider the expansion of the content of PLUTO database on the basis of document UPOV/WG-DST/3/4 "Content of the PLUTO database".

13.   The WG-DST is invited to note the overview provided in this document.

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