



C/44/2

ORIGINAL: English

DATE: September 30, 2010

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
GENEVA

COUNCIL

Forty-Fourth Ordinary Session
Geneva, October 21, 2010

ANNUAL REPORT OF THE SECRETARY-GENERAL FOR 2009

(forty-first year)

1. This document contains the Annual Report of the Secretary General for 2009. In addition, it provides, in Annex III, a performance report for the 2008-2009 biennium, as set out in document C/41/4 “Draft Program and Budget for the 2008-2009 Biennium” (see paragraph 29), approved by the Council at its forty-first ordinary session, held in Geneva on October 25, 2007.

Table of contents

I. COMPOSITION OF THE UNION	3
Members	3
Situation in Relation to the Convention and its Various Acts	3
Future Members.....	4
II. SESSIONS OF THE COUNCIL AND ITS SUBSIDIARY BODIES	5
Council	5
Consultative Committee	7
Administrative and Legal Committee, Technical Committee, Technical Working Parties and Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular	10
III. COURSES, SEMINARS, WORKSHOPS, MISSIONS, IMPORTANT CONTACTS	10
Individual activities	10
Distance Learning Course	20
IV. RELATIONS WITH STATES AND ORGANIZATIONS.....	21
V. PUBLICATIONS	21
ANNEX I: Members of the Union	
ANNEX II: Overview of Missions in 2009	
ANNEX III: Performance Assessment Report for the 2008-2009 Biennium	
Appendix: Students Registered for the UPOV Distance Learning Course (DL-205)	

I. COMPOSITION OF THE UNION

Members

2. On December 31, 2009, the Union had 68 members. On October 22, 2009, Oman deposited its instrument of accession to the Convention. The 1991 Act of the UPOV Convention entered into force in respect of Oman on November 22, 2009.

3. Following the entry into force of the Treaty of Lisbon amending the Treaty on the European Union and the Treaty establishing the European Community on December 1, 2009, the European Community has been replaced and succeeded by the European Union.

4. The 68 members of the Union, on December 31, 2009, were the following: Albania, Argentina, Australia, Austria, Azerbaijan, Belarus, Belgium, Bolivia (Plurinational State of), Brazil, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, European Union, Finland, France, Georgia, Germany, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Kenya, Kyrgyzstan, Latvia, Lithuania, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Oman, Panama, Paraguay, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Kingdom, United States of America, Uruguay, Uzbekistan and Viet Nam.

Situation in Relation to the Convention and its Various Acts

5. On May 12, 2009, Slovakia, which was already a member of the Union, deposited its instrument of accession of the 1991 Act of the UPOV Convention and became bound by that Act on June 12, 2009.

6. On December 31, 2009, the situation of the members of the Union in relation to the Convention and its various Acts was as follows:

(a) Belgium was bound by the 1961 Convention as amended by the 1972 Act;

(b) 22 members were bound by the 1978 Act, namely: Argentina, Bolivia, Brazil, Canada, Chile, China, Colombia, Ecuador, France, Ireland, Italy, Kenya, Mexico, New Zealand, Nicaragua, Norway, Panama, Paraguay, Portugal, South Africa, Trinidad and Tobago and Uruguay;

(c) 45 members were bound by the 1991 Act, namely: Albania, Australia, Austria, Azerbaijan, Belarus, Bulgaria, Costa Rica, Croatia, Czech Republic, Denmark, Dominican Republic, Estonia, European Union, Finland, Georgia, Germany, Hungary, Iceland, Israel, Japan, Jordan, Kyrgyzstan, Latvia, Lithuania, Morocco, Netherlands, Oman, Poland, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Singapore, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tunisia, Turkey, Ukraine, United Kingdom, United States of America, Uzbekistan and Viet Nam.

7. Annex I provides the status of the members of the Union in relation to the Convention and its various Acts, as of December 31, 2009.

Future Members

8. Under Article 34(3) of the 1991 Act, “[a]ny State which is not a member of the Union and any intergovernmental organization shall, before depositing its instrument of accession, ask the Council to advise it in respect of the conformity of its laws with the provisions of this Convention.”

9. By letter dated March 9, 2009, Peru requested the examination of its legislation for conformity with the 1991 Act of the UPOV Convention (“1991 Act”) on the basis of the Decision 345 of the Commission of the Cartagena Agreement on the Common Provisions for the Protection of the Rights of Breeders of Plant Varieties of October 21, 1993 and the consolidated text of the Draft Supreme Decree establishing the Regulations for the Protection of Rights of Breeders of Plant Varieties.

10. By Note dated September 9, 2009, Oman requested the examination of the Law on the Protection of Breeders’ Rights in New Varieties of Plants.

11. By letter dated September 10, 2009, Guatemala requested the examination of the Draft Law No. 4013 on the Protection of New Varieties of Plants of 2009.

12. At its twenty-sixth extraordinary session, held in Geneva on April 3, 2009, the Council examined the conformity of the legislation of Peru with the 1991 Act of the UPOV Convention.

13. In respect of Peru, the Council decided to:

“(a) take note of the analysis in document C(Extr.)/26/2;

“(b) take a positive decision on the conformity of the legislation of Peru (Decision 345 on Common Provisions for the Protection of the Rights of Breeders of Plant Varieties and the Draft Supreme Decree establishing the Regulations for the Protection of Rights of Breeders of Plant Varieties) with the provisions of the 1991 Act of the International Convention for the Protection of New Varieties of Plants; which allows that, once the Regulations of the Draft Supreme Decree are adopted, with no changes, and in force, Peru may deposit its instrument of accession to the 1991 Act; and

“(c) authorize the Secretary-General to inform the Government of Peru of that decision.”

14. At its forty-third ordinary session, held in Geneva on October 22, 2009, the Council examined the conformity of the Law on the Protection of Breeders’ Rights in New Varieties of Plants of Oman and the Draft Law No. 4013 on the Protection of New Varieties of Plants of 2009 of Guatemala with the 1991 Act of the UPOV Convention.

15. In respect of Oman, the Council decided to:

“(a) take note of the analysis in document C/43/14;

“(b) take a positive decision on the conformity of the Law on the Protection of Breeders’ Rights in New Varieties of Plants of the Sultanate of Oman with the provisions of the 1991 Act of the International Convention for the Protection of New Varieties of

Plants, which allows the Sultanate of Oman to deposit its instrument of accession to the 1991 Act; and

“(c) authorize the Secretary-General to inform the Government of the Sultanate of Oman of that decision.”

16. In respect of Guatemala, the Council decided to:

“(a) take note of the analysis in document C/43/15 and the information provided by the Delegation of Guatemala that intends to delete the second sentence of paragraph 4 of Article 43 of the Draft Law “[t]his obligation shall also apply to varieties covered by the breeder’s right under Article 15 of this Law”;

“(b) subject to the introduction in the Draft Law of the changes identified in document C/43/15 concerning the correction of cross references and the deletion of “[t]his obligation shall also apply to varieties covered by the breeder’s right under Article 15 of this Law” in paragraph 4 of Article 43 of the Draft Law, take a positive decision on the conformity of the Draft Law No. 4013 on the Protection of New Varieties of Plants of 2009 of Guatemala with the provisions of the 1991 Act of the International Convention for the Protection of New Varieties of Plants, which allows that, once the changes recommended in document C/43/15 concerning the correction of cross references and the deletion of “[t]his obligation shall also apply to varieties covered by the breeder’s right under Article 15 of this Law” in paragraph 4 of Article 43 of the Draft Law, have been introduced in the Draft Law and the Draft Law is adopted and the Law in force, Guatemala may deposit its instrument of accession to the 1991 Act; and

“(c) authorize the Secretary-General to inform the Government of Guatemala of that decision.”

II. SESSIONS OF THE COUNCIL AND ITS SUBSIDIARY BODIES

Council

17. The Council held its twenty-sixth extraordinary session on April 3, 2009, under the chairmanship of Mr. Doug Waterhouse (Australia), President of the Council. The session was attended by 38 members of the Union, two observer States and three observer organizations. The report of that session is presented in document C(Extr.)/26/4. At that session, the Council:

(a) examined the conformity of the legislation of Peru (Decision 345 on Common Provisions for the Protection of the Rights of Breeders of Plant Varieties and the Draft Supreme Decree establishing the Regulations for the Protection of Rights of Breeders of Plant Varieties) with the 1991 Act of the UPOV Convention; and

(b) noted an oral report on the work of the seventy-seventh session of the Consultative Committee, held on the morning of April 3, 2009.

18. The Council held its forty-third ordinary session on October 22, 2009, also under the chairmanship of Mr. Doug Waterhouse. The session was attended by 42 members of the Union, four observer States and four observer organizations. The report of that session is presented in document C/43/17. At that session, the Council:

(a) examined the Law on the Protection of Breeders' Rights in New Varieties of Plants of Oman and the Draft Law No. 4013 on the Protection of New Varieties of Plants of 2009 of Guatemala for conformity with the 1991 Act of the UPOV Convention;

(b) noted an oral report on the work of the seventy-eighth session of the Consultative Committee, held on October 21 and 22, 2009;

(c) adopted the following documents:

- (i) TGP/0/2 "List of TGP Documents and Latest Issue Dates";
- (ii) TGP/12/1 "Guidance on Certain Physiological Characteristics";
- (iii) TGP/13/1 "Guidance for New Types and Species";
- (iv) UPOV/INF/6/1 "Guidance for the preparation of laws based on the 1991 Act of the UPOV Convention";
- (v) UPOV/INF/12/2 "Explanatory Notes on Variety Denominations under the UPOV Convention";
- (vi) UPOV/INF/13/1 "Guidance on How to Become a Member of UPOV";
- (vii) UPOV/INF/14/1 "Guidance for Members of UPOV on How to Ratify, or Accede to, the 1991 Act of the UPOV Convention";
- (viii) UPOV/EXN/GEN/1 "Explanatory Notes on Genera and Species to be Protected under the 1991 Act of the UPOV Convention";
- (ix) UPOV/EXN/NAT/1 "Explanatory Notes on National Treatment under the 1991 Act of the UPOV Convention";
- (x) UPOV/EXN/NOV/1 "Explanatory Notes on Novelty under the UPOV Convention";
- (xi) UPOV/EXN/PRI/1 "Explanatory Notes on the Right of Priority under the UPOV Convention";
- (xii) UPOV/EXN/PRP/1 "Explanatory Notes on Provisional Protection under the UPOV Convention";
- (xiii) UPOV/EXN/EDV/1 "Explanatory Notes on Essentially Derived Varieties under the 1991 Act of the UPOV Convention";
- (xiv) UPOV/EXN/EXC/1 "Explanatory Notes on Exceptions to the Breeder's Right under the 1991 Act of the UPOV Convention";
- (xv) UPOV/EXN/NUL/1 "Explanatory Notes on the Nullity of the Breeder's Right under the UPOV Convention";

(xvi) UPOV/EXN/CAN/1 “Explanatory Notes on the Cancellation of the Breeder’s Right under the UPOV Convention”; and

(xvii) UPOV/EXN/ENF/1 “Explanatory Notes on the Enforcement of Breeders’ Rights under the UPOV Convention”;

(d) noted the report of the Secretary-General on the activities of the Union in 2008 and the report on the activities in the first nine months of 2009;

(e) noted the interim financial statement for 2008, the status of payment of contributions and the Working Capital Fund participations;

(f) approved the proposals contained in the Draft Program and Budget for the 2010-2011 Biennium, including the amount of contributions from members of the Union, the proposed maximum ceiling of expenditure in the regular budget and the total number of posts for the Office of the Union;

(g) approved the work program for the sixty-first session of the Administrative and Legal Committee (CAJ);

(h) approved the programs of work of the Technical Committee (TC) and Technical Working Parties (TWPs) as set out in document C/43/10;

(i) approved the calendar of meetings in 2010;

(j) elected, in each case for a term of three years ending with the forty-sixth ordinary session of the Council, in 2012:

(i) Mr. Keun-Jin Choi (Republic of Korea), President of the Council;

(ii) Ms. Kitisri Sukhapinda (United States of America), Vice-President of the Council;

(k) noted documents and oral reports on the situation in the legislative, administrative and technical fields related to plant variety protection, as presented by members and observers, and noted that a revised version of document C/43/7 would be produced if further data for 2008 were received; and

(l) awarded a UPOV Gold Medal to Mr. Doug Waterhouse, President of the Council of UPOV from October 2006 until October 2009.

Consultative Committee

19. The Consultative Committee held its seventy-seventh session on April 3, 2009, under the chairmanship of Mr. Doug Waterhouse (Australia), President of the Council. In addition to the preliminary examination of the legislation of Peru (Decision 345 on Common Provisions for the Protection of the Rights of Breeders of Plant Varieties and the Draft Supreme Decree establishing the Regulations for the Protection of Rights of Breeders of Plant Varieties) (see paragraph 17 (a) above), the Consultative Committee:

(a) decided to establish an *Ad hoc* Working Group on the Financial Regulations and Rules of UPOV (“FRR Working Group”);

(b) agreed that the composition of the Consultative Group, after reflecting relevant personnel changes and developments concerning the members of the Union, be considered as the basis for the composition of the FRR Working Group. It agreed that there should be some flexibility in the composition of the FRR Working Group to allow for additions, as considered appropriate by the President of the Council, in conjunction with the Office of the Union. The Consultative Committee noted that the FRR Working Group would be chaired by the Vice Secretary-General;

(c) agreed an approach for the consideration of document UPOV/INF/4/1 “Financial Regulations and Rules of UPOV” and noted that that approach would include consideration of the matters raised by Germany in its letter to the Vice Secretary-General of July 4, 2008;

(d) agreed to extend the terms of reference of the FRR Working Group to enable it to assist the Office of the Union in its preparation of proposals concerning an external audit committee and internal audit provisions for UPOV, for consideration by the FRR Working Group, at its meeting in October 2009, and by the Consultative Committee at its seventy-ninth session;

(e) endorsed the structure of the Draft Program and Budget of the Union for the 2010-2011 Biennium as a basis for the preparation of the Draft Program and Budget of the Union for the 2010-2011 Biennium;

(f) endorsed the medium-term work program of the Office of the Union for the period 2012-2015;

(g) approved the procedure and timetable for the appointment of the new Vice Secretary-General;

(h) took note of the presentation providing examples of information that was being collected for the “Assistance” webpage, invited Delegations to send proposals to the Office of the Union by May 15, 2009, concerning the development of guidance with regard to ensuring that entries in the “Assistance” webpage follow UPOV policies and priorities concerning assistance and requested the Office of the Union to prepare a document for consideration by the Consultative Committee at its seventy-eighth session;

(i) endorsed UPOV’s participation in the World Intellectual Property Organization (WIPO) conference on “Mobilizing Resources for Development”;

(j) noted the developments concerning the Convention on Biological Diversity (CBD), the Food and Agriculture Organization of the United Nations (FAO), WIPO and the Second World Seed Conference; and

(k) was informed of developments in the Council for TRIPS concerning the review of Article 27.3(b) of the Agreement on Trade-Related Aspects of Intellectual Property Rights (“TRIPS Agreement”).

20. The Consultative Committee held its seventy-eighth session on October 21, 2009, under the chairmanship of Mr. Doug Waterhouse (Australia), President of the Council. In addition to the preliminary examination of the Law on the Protection of Breeders' Rights in New Varieties of Plants of Oman and the Draft Law No. 4013 on the Protection of New Varieties of Plants of 2009 of Guatemala (see paragraph 18 (a) above), the Consultative Committee:

(a) took note of information provided concerning biodiversity, plant genetic resources and plant variety protection, and developments in the Council for TRIPS concerning the review of Article 27.3(b) of the TRIPS Agreement;

(b) undertook a preliminary examination of documents proposed for adoption by the Council (see paragraph 18 (c) above), and recommended their adoption by the Council;

(c) undertook a preliminary examination of the Draft program and budget of the Union for the 2010-2011 biennium;

(d) noted that, on the basis of guidance by the FRR Working Group, which was to hold its first meeting in Geneva on October 22, 2009, document UPOV/INF/4/1 Draft 2 "Financial Regulations and Rules of UPOV" and proposals concerning an audit committee and internal audit provisions for UPOV would be prepared for its consideration at its seventy-ninth session, to be held in Geneva in March 2010;

(e) based on the preparatory work of the *Ad hoc* Sub-Committee of the Consultative Committee, which held its first meeting in Geneva on October 20, 2009, made decisions on the next steps concerning the procedure for the appointment of a new Vice Secretary-General;

(f) took note of matters concerning the granting of observer status to States, intergovernmental organizations and international non-governmental organizations in UPOV bodies and access to UPOV documents, and agreed to propose the creation of separate documents for the Rules governing the granting of observer status in UPOV bodies and the Rules governing access to UPOV documents for its consideration at its eightieth session;

(g) noted the status of the examination of laws of those States and organizations which had initiated the procedure for acceding to the UPOV Convention and agreed to broaden the scope of the document to include reports on States and intergovernmental organizations which had been in contact with the Office of the Union for assistance in the development of laws based on the UPOV Convention;

(h) approved the framework for implementing UPOV policies and priorities concerning assistance;

(i) agreed that, unless otherwise agreed by the Council, documents which set out UPOV policies or guidance, once approved by the relevant UPOV Committees, as appropriate, must be adopted by the Council. In cases where a rapid presentation of a UPOV policy or guidance was required, such that adoption could not be achieved by presentation of a document to the Council, approval would be sought by correspondence from the representatives to the Council of the members of the Union. In the particular case of Test Guidelines, the Consultative Committee agreed to propose to the Council that it endorsed the practice whereby Test Guidelines were adopted by the TC on behalf of the Council on the basis of the program of work of approved by the Council, without the individual Test Guidelines being submitted to the Council for review.

Administrative and Legal Committee, Technical Committee, Technical Working Parties and Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular

21. The CAJ held its fifty-ninth session on April 2, 2009, and its sixtieth session on October 19, 2009, respectively. The Administrative and Legal Committee Advisory Group (CAJ-AG) held its fourth session on October 23, 2009.

22. The TC held its forty-fifth session from March 30 to April 1, 2009. The Enlarged Editorial Committee (TC-EDC) held meetings on January 8 and on March 30 and 31, 2009. The Technical Working Party for Agricultural Crops (TWA) held its thirty-eighth session in Seoul, Republic of Korea, from August 31 to September 4, 2009. The Technical Working Party on Automation and Computer Programs (TWC) held its twenty-seventh session in Alexandria, Virginia, United States of America, from June 16 to 19, 2009. The Technical Working Party for Fruit Crops (TWF) held its fortieth session in Angers, France, from September 21 to 25, 2009. The Technical Working Party for Ornamental Plants and Forest Trees (TWO) held its forty-second session in Angers, France, from September 14 to 18, 2009. The Technical Working Party for Vegetables (TWV) held its forty-third session in Beijing, China, April 20 to 24, 2009. Each of those Technical Working Party sessions was preceded by a preparatory workshop. The *Ad hoc* Subgroup of Technical and Legal Experts of Biochemical and Molecular Techniques (BMT Review Group) held a meeting in Geneva, on April 1, 2009. There was no meeting of the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT) in 2009.

23. Further information on the work of the CAJ, TC, TWPs and BMT is contained in documents C/43/9, C/44/9, C/43/10 and C/44/10.

III. COURSES, SEMINARS, WORKSHOPS, MISSIONS, IMPORTANT CONTACTS

Individual activities

24. On January 15 and 16, in Sarajevo, Bosnia and Herzegovina, the Office provided assistance to the Government of Bosnia and Herzegovina in establishing the preliminary version of its Draft Law on the Protection of New Varieties of Plants using the 1991 Act of the UPOV Convention, taking into account the recommendations of the Council.

25. On January 22, the Office received the visit of Prof. Kamal Puri, Director, Intellectual Property Commercialisation Unit, Professor of Intellectual Property, Queensland University of Technology, Brisbane, Australia. UPOV's possible collaboration in the Masters Program for Intellectual Property, for a part unit on plant breeder's right, was discussed.

26. On January 26, in Paris, France, the Office attended a meeting of the Organizing Committee of the Second World Seed Conference.

27. From January 27 to 29, in Paris, the Office participated in the Sixth Meeting of the Technical Working Group on Varietal Identity and Varietal Purity and a Meeting of the Extended Advisory Group of the Organisation for Economic Co-operation and Development (OECD).

28. From January 26 to 29, in Port of Spain, Trinidad and Tobago, the Government of the Republic of Trinidad and Tobago and the Intellectual Property Office of the Ministry of Legal

Affairs, in collaboration with the Office and the United States Patent and Trademark Office (USPTO), organized a Regional Seminar on New Plant Variety Protection under the UPOV Convention. It was attended by 54 participants, including 37 local participants, 16 regional participants from Antigua and Barbuda, Barbados, Belize, Dominica, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, and one WIPO regional expert. Lectures were provided on the basic aspects of plant breeders' rights under the UPOV Convention, with special focus on the Caribbean region, and general aspects of DUS examination. A technical visit to the Cocoa Research Unit was also organized. After the seminar, all regional participants were invited to take the UPOV distance learning course DL-205 free of charge, and to register for Session II (November 2 to December 6, 2009).

29. On February 16 and 17, in Baku, Azerbaijan, the Office provided assistance to the Government of Azerbaijan in revising its Law on Selection Achievements of 1996 with a view to further improving the plant variety protection system in that country.

30. On February 24 and 25, in Moscow, Russian Federation, at the invitation of the Ministry of Agriculture, the Office held a bilateral discussion with the State Commission of the Russian Federation for Selection Achievements Test and Protection concerning assistance that the State Commission could provide to Russian speaking countries in the field of plant variety protection.

31. From March 1 to 4, in Aleppo, Syrian Arab Republic, a presentation was made on behalf of the Office at a Regional Workshop on Plant Variety Protection organized by the International Center for Agricultural Research in the Dry Areas (ICARDA).

32. From March 2 to 6, in Cape Town, South Africa, the Office participated in the Annual Congress of the African Seed Trade Association (AFSTA). On the occasion of this Congress, on March 3, a "Workshop on Plant Variety Protection – A Key to Economic Development" was organized by UPOV, in coordination with AFSTA. Lectures were provided by experts from the African Regional Intellectual Property Organization (ARIPO), the African Intellectual Property Organization (OAPI), AFSTA, Kenya and the Office.

33. From March 8 to 10, in Cairo, Egypt, the Office provided assistance to the Government of Egypt in drafting necessary amendments to "Book IV of Law No. 82 of 2002" on plant variety protection in accordance with the 1991 Act of the UPOV Convention.

34. At the "Seed and Plant Variety Protection Legal Frameworks Workshop" for selected Southern African Development Community (SADC) countries, from March 9 to 12, in Pretoria, South Africa, at the invitation of the Seed Science Center of Iowa State University, a presentation was made on behalf of the Office to assist those countries in the development of their seed acts and plant variety protection legislation.

35. From April 2 to 8, in Paris, France, the Office attended the Seventh meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing (WG-ABS) of the CBD.

36. On April 9, also in Paris, the Office had a meeting with the *Comité de la protection des obtentions végétales* (CPOV). On the same day, it attended the Medal Award Ceremony for Mr. Joël Guiard, Deputy Director, *Groupe d'étude et de contrôle des variétés et des semences* (GEVES), who was awarded the "*médaille de Chevalier dans l'Ordre National du Mérite*".

37. From April 22 to 24, in Beijing, People's Republic of China, the Office participated in the Second Meeting of the East Asia Plant Variety Protection Forum and an International Seminar on Plant Variety Protection, organized by the Ministry of Agriculture (MOA), the State Forestry Administration (SFA) and the State Intellectual Property Office (SIPO) of the People's Republic of China, in cooperation with the Ministry of Agriculture, Forestry and Fisheries (MAFF) of Japan, the Association of Southeast Asian Nations (ASEAN) and the Office. Some 50 officials from the 10 ASEAN member States, China, Japan and the Republic of Korea participated in the second meeting of the Forum. The international seminar was attended by some 70 participants.

38. On April 23, also in Beijing, the Office delivered a speech at the Celebration Ceremony for the Tenth Anniversary of the People's Republic of China's accession to the UPOV Convention. On that occasion, special presentational editions of document UPOV/INF/6/1 Draft 2 "Guidance for the preparation of laws based on the 1991 Act of the UPOV Convention" in Chinese were presented to Dr. Zhang Taolin, Vice Minister, Ministry of Agriculture, to Dr. h. c. Tian Lipu, Commissioner, State Intellectual Property Office, and to Mr. Jia Zhibang, Administrator, State Forestry Administration.

39. From April 26 to 28, in Muscat, Sultanate of Oman, WIPO and UPOV, in cooperation with the Government of the Sultanate of Oman, jointly organized a Sub-Regional Workshop on Geographical Indications and Plant Variety Protection for the Gulf Cooperation Council (GCC) countries. The Workshop was attended by two participants from each of the GCC Countries (Bahrain, Kuwait, Qatar, Saudi Arabia and United Arab Emirates) and by some 30 Omani participants. Representatives of Morocco and the United States of America gave lectures.

40. On April 28, consultations were held in Muscat, Sultanate of Oman, to finalize the Draft Law on Protection of Breeders' Rights in New Varieties of Plants with officials from the Ministry of Agriculture, the Ministry of Commerce and Industry and the Ministry of Justice.

41. On May 6, in Alnarp, Sweden, the Office provided a full-day training session on plant variety protection in the training program organized by the Swedish International Development Cooperation Agency (Sida) entitled "Genetic Resources and Intellectual Property" (GRIP Course).

42. On May 11, in Rabat, Morocco, the Office had meetings with officials from the Ministry of Industry, Commerce and New Technologies, the Ministry of Agriculture, Rural Development and Marine Fisheries, and the *Institut national de la recherche agronomique* (INRA). The meeting program also included a visit to the *Société Nationale de Commercialisation de Semences S.A.* (Sonacos).

43. On May 11, the Office received the visit of Prof. Olivier De Schutter, United Nations (UN) Special Rapporteur on the Right to Food, Office of the United Nations High Commissioner for Human Rights (UNHCHR), who was accompanied by Mrs. Federica Donati, Human Rights Officer, Special Procedures Division, ESCR Unit, Office of the UNHCHR, and Mr. Gaëtan Vanloqueren, PhD, *Université catholique de Louvain* (UCL), Adviser to the UN Special Rapporteur on the Right to Food. The Special Rapporteur explained that he intended to devote his 2009 report to the UN General Assembly to the impact of intellectual property rights in agriculture on the right to food. In this regard, he wished to hear UPOV's views about what steps may be taken to ensure a fair access to the

benefits of biotechnological innovations, as well as how to reconcile the rights of plant breeders with those of farmers, particularly in developing countries.

44. On May 12, the Office had a telephone discussion with Mr. Rex Raimond, Senior Mediator, Meridian Institute, Dillon, United States of America. The purpose of the call was to discuss a project funded by the International Development Research Centre (IDRC) and managed by the Meridian Institute, with the collaboration of the Public Intellectual Property Resource for Agriculture (PIPRA). The goals of the project are to identify strategies for effectively managing intellectual property (IP) and assess IP related issues that affect the distribution of improved conventional and GMO seed varieties for smallholder farmers in East Africa.

45. On May 12, at WIPO headquarters, Geneva, the Office participated in the first meeting of the Carbon Neutrality Project Main Working Group established by WIPO. The Carbon Neutrality Project, launched by WIPO's Director General, "is aimed at the internal implementation and monitoring of selected measures that will lead the Organization towards minimizing the effect its activities have on the environment, the longer term goal being a neutral impact on the environment." During the reporting period, the Office participated in eight meetings of the Main Working Group, five meetings of the technical members of the Subsidiary Working Group on Travel and nine meetings of the Subsidiary Working Group on Mobility.

46. On May 12, in Meknes, Morocco, the Office gave lectures at a half-day seminar on plant variety protection (*La protection des variétés végétales - un élément clé de l'innovation dans les secteurs agricole et agroalimentaire*), jointly organized by the *Office marocain de la propriété industrielle et commerciale*, the University Moulay Ismail Meknès, the Ministry of Agriculture, Rural Development and Marine Fisheries, and INRA.

47. On May 14, the Office had a telephone conference with the members of the Organizing Committee of the Second World Seed Conference.

48. On May 15, the Office received the visit of Mr. Carlos Villalobos Arias, Vice-Minister, Ministry of Agriculture and Livestock of Costa Rica, and Mrs. Laura Thompson, Ambassador, Permanent Representative, Permanent Mission of Costa Rica at Geneva. The purpose of the visit was to enhance the participation of Costa Rica in UPOV activities and bodies, and to discuss preparatory work for a seminar planned to take place in Costa Rica in October 2009.

49. From May 18 to 22, in Washington, D.C., United States of America, the Office made presentations at a program on "Plant Variety Protection under the UPOV Convention", which was organized by the Global Intellectual Property Academy of the USPTO. The Office provided the 23 participants with information and materials to assist them in providing training on plant variety protection according to the UPOV Convention. Prior to the event, the participants took part in the UPOV Distance Learning Course.

50. From May 25 to 27, in Antalya, Turkey, the Office participated in the World Seed Congress 2009. At a session of the Breeders' Committee of the International Seed Federation (ISF), the Office gave a briefing on recent developments within UPOV.

51. From June 1 to 5, in Tunis, Tunisia, the Office participated in the Third Session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and

Agriculture (ITPGRFA). The Office made a statement in the context of agenda item 14 “Implementation of Article 9, Farmers’ Rights”.

52. On June 3, the Office received the visit of Mr. Valeriy Khadzhyatov, Chairman of the State Service of Right Protection for Plant Varieties, Ministry of Agrarian Policy of Ukraine. The purpose of the visit was to discuss developments in Ukraine.

53. On June 8, the Office attended the relevant part of the meeting of the Council for TRIPS at the headquarters of the World Trade Organization (WTO), in Geneva.

54. From June 9 to 11, in Chisinau, Republic of Moldova, the Office organized the “Regional Training on Plant Variety Protection under the UPOV Convention for Certain Countries in the Eurasian Region” (Eurasian PVP Training), in cooperation with the State Agency on Intellectual Property (AGEPI) of the Republic of Moldova, the State Commission for Crops Variety Testing and Registration of the Republic of Moldova, the USPTO, and the MAFF of Japan. The Eurasian PVP Training was attended by 30 participants from 12 UPOV members (Belarus, Estonia, Georgia, Japan, Kyrgyzstan, Poland, Republic of Moldova, Russian Federation, Slovakia, Ukraine, United States of America, Uzbekistan) and 3 non-member countries (Armenia, Kazakhstan, Tajikistan). In addition, some 50 local participants from various governmental institutions, including the Ministry of Agriculture and Food Industry, the State Commission for Crops Variety Testing and Registration, the Scientific Research Institute of Plant Industry and the AGEPI were also present.

55. On June 10, in Paris, France, the Office participated in the Seventh Technical Working Group Meeting on Varietal Identity and Varietal Purity of the OECD, and on June 11 and 12, it attended the OECD Annual Seed Meeting.

56. On June 11, at WIPO headquarters, the Office made a presentation entitled “Introduction to UPOV and to the Protection of New Varieties of Plants under the UPOV Convention” at the WIPO Interregional Intermediate Seminar on Industrial Property. The Seminar was attended by 76 participants of intellectual property offices, of which, 25 were from UPOV members, 48 from observer States and 3 from other organizations.

57. On June 15, in Sand Hutton, United Kingdom, the Office participated in the Science Symposium launch event of the Food and Environment Research Agency (Fera).

58. On June 16, in Wageningen, Netherlands, the Office lectured at the Twelfth International Course of Plant Variety Protection. Prior to the course in Wageningen, the students were given the opportunity to participate in the UPOV Distance Learning Course.

59. On June 22 and 23, in Seoul, Republic of Korea, the Office gave lectures at the Training Course on Plant Variety Protection, organized by the Korea Seed & Variety Service (KSVS) and supported by the Korean International Cooperation Agency (KOICA). Fourteen government officials from two UPOV members and eight other countries participated.

60. On June 23, the Office received the visit of Mr. Madoka Koshibe, Immediate Past President of the Asia & Pacific Seed Association (APSA) and President of Mikado Kyowa Seed Co., Ltd. The purpose of the visit was to discuss activities in the Asian region.

61. On June 25, the Office received the visit of Mrs. Diana Violeta Hasbún Villacorta, Director, Intellectual Property Registry of El Salvador, to discuss the procedure for becoming

a member of UPOV and possibilities to organize activities to raise awareness about UPOV and benefits of UPOV membership for El Salvador.

62. On June 26, the Office had a meeting with Mrs. Tanya Prayag-Gujadhur, Second Secretary, Permanent Mission of Mauritius at Geneva. The purpose was to discuss developments since the examination of the Plant Breeder's Rights Bill of Mauritius by the Council on October 21, 2004.

63. On June 29, in Geneva, at the Centre William Rappard of the WTO, the Office gave a presentation on the International Convention for the Protection of New Varieties of Plants at the WIPO-WTO Colloquium for Teachers of Intellectual Property. The Colloquium was attended by 21 teachers, of which 10 were from UPOV members.

64. On June 30, in Geneva, the Office organized a meeting of the Organizing Committee of the Second World Seed Conference at UPOV headquarters.

65. On July 1, the Office received the visit of Mr. Emmanuel Sackey, Head, Technical Department, ARIPO, to discuss cooperation between ARIPO and UPOV.

66. On July 2, the Office received the visit of Mrs. Grace Issahaque, Principal State Attorney, Registrar-General's Department, Ministry of Justice of Ghana, who briefed the Office about the progress made in the drafting of Ghana's Plant Variety Bill.

67. On July 2, the Office received the visit of Mrs. Gloria Zelaya Laguna, Director, New Varieties of Plants, Intellectual Property Register of Nicaragua to discuss accession to the 1991 Act of the UPOV Convention.

68. On July 9, at WIPO headquarters, Geneva, the Office made a presentation to 21 journalists from the Sultanate of Oman, during a study visit organized by WIPO.

69. On July 13, the Office gave a presentation at the WIPO Summer School on Intellectual Property.

70. On July 13 and 14, at the International Conference Center of Geneva, the Office participated in relevant parts of the WIPO Conference on Intellectual Property and Public Policy Issues.

71. From July 14 to 16, in Harare, Zimbabwe, the Office participated in a Regional Seminar on Plant Varieties and Breeders' Rights, jointly organized by ARIPO, WIPO and UPOV. The Seminar was attended by 22 governmental officials from Botswana, Ghana, Kenya, Malawi, Mozambique, Sudan, Uganda, United Republic of Tanzania, Zambia and Zimbabwe.

72. On August 14, in Paris, France, the Office attended a meeting of the Organizing Committee of the Second World Seed Conference.

73. On August 28, in Seoul, Republic of Korea, the Office made a presentation at the International Symposium on "The Impact of Plant Variety Protection", organized in connection with the thirty-eighth session of the TWA.

74. From August 31 to September 2, in Tsukuba, Japan, the Office gave lectures at the Training Course on the Protection of Plant Breeders' Rights organized by the Japan International Cooperation Agency (JICA). Twelve government officials from two UPOV members and eight other countries participated. In parallel with the JICA Training Course, the students were given the opportunity to participate in the UPOV Distance Learning Course.
75. From September 8 to 10, at FAO headquarters in Rome, Italy, the Office jointly organized the Second World Seed Conference 2009 "Responding to the challenges of a changing world: The role of new plant varieties and high quality seed in agriculture", in conjunction with FAO, OECD, ISF and the International Seed Testing Association (ISTA). Some 350 participants attended. The Conference was intended to raise awareness of the importance of new plant varieties and high quality seed in responding to challenges in agriculture and to provide information on how governments can develop an enabling environment to encourage plant breeding and the production and distribution of high quality seed. The Conference, which was aimed at policy makers, government officials, plant breeders, seed specialists, researchers, farmers' organizations and consumer organizations, comprised a two-day "Expert Forum", followed by a one-day "Policy Forum". The conclusions of the Conference can be found at: <http://www.worldseedconference.org/en/worldseedconference/home.html>.
76. On September 15, in Alnarp, Sweden, the Office provided a full-day training session on plant variety protection in the Sida training program on "Plant Breeding and Seed Production". Twenty-seven breeders from African and Asian countries participated.
77. On September 24, at UPOV headquarters, the Office met with a delegation from Guatemala, which included H.E. Mr. Oscar Erasmo Velásquez, Vice-Minister of Economy and H.E. Mr. Eduardo Sperisen-Yurt, Ambassador, Permanent Mission of Guatemala to the WTO and WIPO in Geneva, in order to discuss the procedure to become a member of the Union.
78. On September 24, the Office attended a meeting of legal counsels of international organizations in Geneva, organized by the Permanent Mission of Switzerland at Geneva.
79. On September 24, the Office received the visit of a delegation from the Sultanate of Oman, which included Mr. Khalid Saeed Al-Shuaibi, Director General of Organizations and Commercial Relations, Ministry of Commerce and Industry, and Mrs. Fatima Al-Ghazali, Plenipotentiary Minister of the Permanent Mission of the Sultanate of Oman in Geneva. The procedure to become a member of the Union was discussed.
80. On September 24, the Office received the visit of Mr. Johannes Christian Wichard, Director, Federal Ministry of Justice of Germany and a future Deputy Director General of WIPO. The role of intellectual property in a changing world was discussed.
81. On September 25, the Office received the visit of Mr. Shakeel Bhatti, Secretary of the International Treaty on Plant Genetic Resources for Food and Agriculture. Matters related to databases were discussed.
82. On September 28 and 29, in Madrid, Spain, the Office gave a lecture and attended the Seminar on the Protection of New Varieties of Plants organized by the Ministry of Environment and Rural and Marine Affairs of Spain.

83. On September 28 and 29, in São Paulo, Brazil, the Office attended the Second Congress of the American Seed Organization (SAA). The Office made a presentation on the use of contracts on the basis of the UPOV Symposium on Contracts in Relation to Breeders' Rights, which was held in Geneva on October 31, 2008.

84. On September 30, at the WTO headquarters in Geneva, the Office attended the session "Intellectual Property, Sustainability and the Food System: Trends and New Directions" of the WTO Public Forum 2009 entitled "Global Problems, Global Solutions: Towards Better Global Governance". The session was moderated by Mrs. Caroline Dommen, Quaker United Nations Office (QUNO), with the panel comprised of Mr. Geoff Tansey, Member and Trustee of the Food Ethics Council, Mr. François Meienberg, Campaign Director of Agriculture, Biodiversity and Intellectual Property of the Berne Declaration, Mr. Olivier De Schutter, UN Special Rapporteur on the Right to Food, and Professor Carlos Correa, Director of the Master Program on Science and Technology Policy and Management of the University of Buenos Aires.

85. On October 2, in Geneva, at WIPO/UPOV headquarters, the Office made a presentation on UPOV and the UPOV Convention to participants in a Master of Laws (LL.M.) Program in Intellectual Property, organized by WIPO and the University of Turin in cooperation with the International Training Centre of the International Labour Organization (ILO) and the Government of Italy.

86. On October 2, in Paris, France, the Office attended a meeting of the Organizing Committee of the Second World Seed Conference.

87. On October 5 and 6, in Santo Domingo, Dominican Republic, at the invitation of the Ministry of Agriculture of the Dominican Republic, the Office participated in a Seminar on the Protection of New Varieties of Plants. Participants were mainly local breeders from the private and public sectors, as well as governmental officials. The aim of the seminar was to explain the plant breeder's rights system to potential users of the system. Questions concerned the application of the breeder's right, its use by public research institutions and universities and the need for developing an implementing regulation based on national legislation.

88. On October 8 and 9, in San José, Costa Rica, at the invitation of the National Seed Office (OFINASE) of Costa Rica, the Office participated in a Seminar on the Implementation of the Protection of New Varieties of Plants. Participants were local and regional breeders and governmental officials. The seminar was focused on the use of the breeder's rights as a tool for promoting breeding activities including, in particular, public research institutions. Questions were raised in respect to the relationship of the UPOV Convention with other international treaties, in particular those related to access to plant genetic resources.

89. On October 8 and 9, in Hamburg, Germany, the Office met with representatives of the International Community of Breeders of Asexually Reproduced Ornamental and Fruit Plants (CIOPORA), at their headquarters, to discuss DUS-related matters.

90. On October 16, the Office had a video-conference meeting with students of the JICA Training Course on the Protection of Plant Breeders' Rights (see paragraph 74 above). The students, who had completed the UPOV Distance Learning Course DL-205 during the JICA Training Course, had the opportunity to put questions to the Office on matters related to UPOV.

91. On October 21, in New York, at the United Nations headquarters, the representative of the WIPO Office at New York made an intervention on behalf of UPOV at a session of the Third Committee of the United Nations General Assembly on the Report of the Special Rapporteur on the Right to Food, and distributed a Note from the representatives of the members of the Union to the Council of UPOV on that report.
92. On October 26, in Krakow, Poland, the Office participated in a meeting of the Intellectual Property Committee of ISF.
93. On October 27 and 28, in Angers, France, the Office participated in an observer capacity in a session of the Administrative Council of the Community Plant Variety Office of the European Union (CPVO).
94. From November 3 to 6, in Paris, France, the Office participated in the Extended Advisory Group Meeting of the OECD Seed Schemes, in meetings of the Ad hoc Working Group on the possible review of the Vegetable Seed Scheme and the Ad hoc Working Group on the Certification of Seed for Trials, and in the Technical Working Group Meeting on Varietal Identity and Varietal Purity.
95. On November 4 and 5, at WIPO headquarters, the Office made presentations on UPOV and the UPOV Convention at the WIPO General Course on Intellectual Property (DL-101).
96. On November 5 and 6, at WIPO headquarters, the Office participated in a WIPO Donor Conference (http://www.wipo.int/meetings/en/doc_details.jsp?doc_id=130161). The Office assisted WIPO in identifying suitable presenters on how private investment is encouraged in Africa through effective plant variety protection according to the UPOV Convention (Mr. Bas Smit, Kordes Roses East Africa Ltd) and the impact of plant variety protection in the Republic of Korea (Dr. Jinyoung Yoon).
97. On November 5 and 6, in Ratingen, Germany, the Office gave a lecture at the Fleuroselect Members Breeders' Conference.
98. From November 9 to 11, in Bangkok, Thailand the Office attended the Asian Seed Congress 2009 and made a presentation at the Standing Committee on Intellectual Property Rights on "Recent Developments in UPOV". At the fringes of the Congress, on November 10, the Office had a follow-up meeting on the Second World Seed Conference with representatives of FAO, ISF, ISTA and OECD. The outline of a joint project to create an enabling environment for plant breeding and quality seed was discussed. On November 11, the Office met with Thai officials to discuss the requirements for an effective system of plant variety protection.
99. From November 9 to 15, in Montreal, Canada, the Office attended the eighth meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing of the CBD.
100. From November 16 to 20, in Santa Cruz de la Sierra, Bolivia, the Office, in cooperation with the Spanish Plant Variety Office (OEVV), the Spanish Agency for International Cooperation for Development (AECID) and WIPO, organized the Eighth Training Course for Ibero-American Countries on the Protection of New Varieties of Plants. The Course was attended by 25 experts directly involved, or expected to be involved in the future, in DUS examination, from 15 countries. Lectures were given by experts from Bolivia, Spain,

the CPVO and the Office. As a preparation, 12 participants were given the opportunity to take the UPOV Distance Learning Course DL-205.

101. On November 17 and 18, in Jakarta, Indonesia, the Office attended the Fourth National Seminar on Plant Variety Protection, the objective of which was to explain the benefits of plant variety protection and to provide guidance on the drafting of a legislation in conformity with the 1991 Act of the UPOV Convention.

102. On November 23 and 24, in Quito, Ecuador, at the invitation of the Ecuadorian Institute of Intellectual Property (IEPI), the Office participated in a Seminar on the Protection of New Varieties of Plants. UPOV was invited to give lectures on the differences between the 1978 and 1991 Acts of the UPOV Convention, the relationship between the UPOV Convention and other international treaties, a summary of the conclusions of the Symposium on Contracts, held in Geneva on October 21, 2008, and the UPOV Report on the Impact of Plant Variety Protection. Participants were mainly local breeders from the private and public sectors.

103. On November 25 and 26, in San Salvador, El Salvador, at the invitation of the Registry for Intellectual Property of El Salvador, the Office participated in a Seminar on the Protection of New Varieties of Plants. The meeting was organized by the National Center of Registers (CNR), which is the national authority responsible for intellectual property, including plant breeder's rights. A proposal for a draft legislation for plant breeder's rights was presented; however it was clarified that the draft had not been developed by the national authority and that further discussions and consultations were required. The Office of UPOV offered to assist in the drafting of the above-mentioned legislation, if requested.

104. On November 25 and 26, in The Hague, Netherlands, the Office made a presentation on "The Impact of Plant Variety Protection under the UPOV Convention" at a Conference on "GMOs in European Agriculture and Food Production", organized by the Ministry of Agriculture, Nature and Food Quality of the Netherlands.

105. On November 26 and 27, in Gaborone, Botswana, the Office attended the Twelfth Session of the Council of Ministers of ARIPO and delivered a speech during the opening ceremony. The Council of Ministers approved a program on traditional knowledge and genetic resources.

106. On November 30, in Eschborn, Germany, the Office participated at an expert discussion organized by the *Deutsche Gesellschaft für Technische Zusammenarbeit* (GTZ) on the subject of "IP Rights in Agriculture" and delivered a presentation on "Plant variety protection according to the UPOV Convention".

107. On December 2, 2009, in Antalya, Turkey, the Office attended the First ECOSA International Seed Trade Conference in Antalya, Turkey, from December 2 to 4, 2009, which was organized by the Economic Cooperation Organization Regional Seed Association (ECOSA) with the support of the Turkish Seed Union, the Economic Cooperation Organization (ECO), FAO and ICARDA. UPOV participated as a member of the International Organizing Committee and a presentation was given on the topic "Plant Variety Protection: A Key for Seed Industry Development".

108. On December 3 and 4, in Angers, France, the Office attended the Annual Meeting of the CPVO and its examination offices.

109. On December 4, in Seodun-dong Suwon, Republic of Korea, the Office gave a lecture at a Symposium on “Ten Years of Plant Variety Right Protection in the Republic of Korea” organized by the Korean Society for Seed Science and Industry (KOSID), the Korea Seed and Variety Service (KSVS) and the Korea Seed Association (KOSA).

110. From December 7 to 12, at WIPO headquarters, the Office participated in the fifteenth session of WIPO’s Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC).

111. On December 8, in Paris, France, the Office was invited by the *Groupement National Interprofessionnel des Semences et plants* (GNIS) to discuss the status of plant variety protection in West and Central Africa and UPOV membership of the African Intellectual Property Organization (OAPI) with a delegation from OAPI.

112. On December 7, in Manila, Philippines, the Office met with representatives of the Bureau of Plant Industry of the Department of Agriculture, which is responsible for plant variety protection.

113. From December 8 to 10, in Los Baños, Philippines, the Office attended the International Workshop on “Improving Guidelines for the Testing and Release of New Breeding Lines” organized by the International Rice Research Institute (IRRI) and made a presentation on “Harmonization of variety registration protocols and standards: widening the opportunities for international exchange and utilization”.

114. On December 9, in Geneva, the Office received the visit of Mr. Emmanuel Sackey, Head, Technical Department, ARIPO, to discuss cooperation between ARIPO and UPOV.

115. On December 14, the Office received the visit of Mr. Muhammad Ismail, Deputy Director, Intellectual Property Organisation of Pakistan, Mr. Saeed Iqbal, Seed Certification Officer, Senior Examiner (IPR), Federal Seed Certification & Registration Department, Pakistan, and Mr. Ahsan Nabeel, Third Secretary, Permanent Mission of Pakistan in Geneva. Discussions took place on the Draft Bill on Plant Breeder’s Rights of 2009, in relation to the 1991 Act of UPOV Convention and on the procedure to become a member of UPOV.

116. On December 17, the Office received the visit of Mrs. Victoria Henson-Apollonio and Mr. Peter Munyi, both team members of the Central Advisory Service on Intellectual Property (CAS-IP) of the Consultative Group on International Agricultural Research (CGIAR).

117. On December 18, the Office received the visit of a Delegation from the Permanent Mission of Algeria in Geneva. The impact of plant variety protection and membership of UPOV was explained.

Distance Learning Course

118. Two sessions of the UPOV Distance Learning Course DL-205 in English, French, German and Spanish were held from May 4 to June 7, 2009 and from November 2 to December 6, 2009, respectively. A breakdown of the students participating in the DL-205 course is provided in Annex III.

IV. RELATIONS WITH STATES AND ORGANIZATIONS

119. The Office provided assistance on plant variety protection legislation to the following members of the Union: Azerbaijan, Brazil, Kyrgyzstan, Nicaragua and Oman.

120. The Office provided information on the elements required for the deposit of an instrument of accession to, or ratification of the 1991 Act of the UPOV Convention, to the following members of the Union: Chile, Nicaragua, Oman and Slovakia.

121. The Office provided advice and assistance on the development of plant variety protection legislation according to the 1991 Act of the UPOV Convention and/or on the procedure to accede to the UPOV Convention to potential members of the Union. The Office provided written or oral comments, paid visits to authorities or received representatives of the respective States and Organizations in order to provide the requested advice. In this respect, the Office had contacts with Algeria, Armenia, Bahrain, Bosnia and Herzegovina, Egypt, El Salvador, Ghana, Guatemala, India, Indonesia, Kazakhstan, Kuwait, Mauritius, Oman, Pakistan, Peru, Philippines, Qatar, Saudi Arabia, Serbia, Sudan, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Turkmenistan, United Arab Emirates, United Republic of Tanzania, ARIPO and OAPI.

122. The Office participated in meetings of, and/or held discussions with the following organizations in order to coordinate activities and/or to provide information on UPOV: ARIPO, ASEAN, CAS-IP (CGIAR), the CBD Secretariat, ICARDA, IRRI, ISTA, the ITPGRFA Secretariat, OAPI, OECD, SADC, UNHCHR, WIPO and the WTO Council for TRIPS.

123. The Office met regularly with professional associations in order to follow developments in the practical application of plant variety protection at a global and regional level. Of particular relevance were meetings with AFSTA, APSA, CIOPORA, ECOSA, ESA, ISF and SAA.

124. Annex II contains an overview of the missions undertaken by the staff of the Office.

V. PUBLICATIONS

125. The Office of the Union published:

(a) updated editions of the information leaflet “What it is, What it does” on UPOV and plant variety protection in English, Arabic, Chinese, French, German, Russian and Spanish (UPOV publication No. 437);

(b) six updated discs of the “UPOV-ROM Plant Variety Database”;

(c) 17 documents adopted by the Council at its forty-third ordinary session held on October 22, 2009 and published on the UPOV website:

(i) TGP/0/2 “List of TGP Documents and Latest Issue Dates”;

(ii) TGP/12/1 “Guidance on Certain Physiological Characteristics”;

- (iii) TGP/13/1 “Guidance for New Types and Species”;
- (iv) UPOV/INF/6/1 “Guidance for the preparation of laws based on the 1991 Act of the UPOV Convention”;
- (v) UPOV/INF/12/2 “Explanatory Notes on Variety Denominations under the UPOV Convention”;
- (vi) UPOV/INF/13/1 “Guidance on How to Become a Member of UPOV”;
- (vii) UPOV/INF/14/1 “Guidance for Members of UPOV on How to Ratify, or Accede to, the 1991 Act of the UPOV Convention”;
- (viii) UPOV/EXN/GEN/1 “Explanatory Notes on Genera and Species to be Protected under the 1991 Act of the UPOV Convention”;
- (ix) UPOV/EXN/NAT/1 “Explanatory Notes on National Treatment under the 1991 Act of the UPOV Convention”;
- (x) UPOV/EXN/NOV/1 “Explanatory Notes on Novelty under the UPOV Convention”;
- (xi) UPOV/EXN/PRI/1 “Explanatory Notes on the Right of Priority under the UPOV Convention”;
- (xii) UPOV/EXN/PRP/1 “Explanatory Notes on Provisional Protection under the UPOV Convention”;
- (xiii) UPOV/EXN/EDV/1 “Explanatory Notes on Essentially Derived Varieties under the 1991 Act of the UPOV Convention”;
- (xiv) UPOV/EXN/EXC/1 “Explanatory Notes on Exceptions to the Breeder’s Right under the 1991 Act of the UPOV Convention”;
- (xv) UPOV/EXN/NUL/1 “Explanatory Notes on the Nullity of the Breeder’s Right under the UPOV Convention”;
- (xvi) UPOV/EXN/CAN/1 “Explanatory Notes on the Cancellation of the Breeder’s Right under the UPOV Convention”; and
- (xvii) UPOV/EXN/ENF/1 “Explanatory Notes on the Enforcement of Breeders’ Rights under the UPOV Convention”;

(d) a leaflet of the “Declaration from the Second World Seed Conference”, which was held in Rome, from September 8 to 10, 2009;

(e) the following Test Guidelines were adopted and published on the UPOV website:

Document No. N° du document Dokument-Nr. No del documento	English	Français	Deutsch	Español	Botanical name Nom botanique Botanischer Name Nombre botánico
NEW TEST GUIDELINES					
TG/250/1	Yam	Igname	Yamswurzel	Ñame	<i>Dioscorea alata</i> L.; <i>Dioscorea polystachya</i> Turcz.; <i>Dioscorea japonica</i> Thunb.
TG/251/1	Oleander, Rose Bay, Rose-laurel	Laurier rose, Oléandre	Oleander	Adelfa, Baladre, Laurel Rosa, Pascua	<i>Nerium oleander</i> L. (<i>Nerium indicum</i> Mill.)
TG/252/1	Asparagus-bean, Pea-bean, Yard-long-bean, Chinese long-bean	Dolique asperge, Haricot asperge	Spargelbohne	Caupí, Judía espárrago, Judía de vaca	<i>Vigna unguiculata</i> (L.) Walp. subsp. <i>sesquipedalis</i> (L.) Verdc.
TG/253/1	Bird cherry	Merisier à grappes	Traubenkirsche	Cerezo de racimo	<i>Prunus padus</i> L.
TG/254/1	Rubber	Hevea	Parakautschukbaum	Árbol del caucho, Hule	<i>Hevea</i> Aubl.
TG/255/1	Colocasia	Colocasia	Colocasia	Colocasia	<i>Colocasia esculenta</i> (L.) Schott; <i>Colocasia gigantea</i> (Blume) Hook. f.
TG/256/1	Granadilla, Passion fruit	Barbadine, Fruit de la passion	Passionsfrucht, Purpurgranadilla	Granadilla, Maracuyá	<i>Passiflora edulis</i> Sims
TG/257/1	fall phlox, fall pink, garden phlox, panicked phlox, perennial phlox, perennial pink, summer phlox, sweet William	-	-	-	<i>Phlox paniculata</i> L.
REVISIONS OF TEST GUIDELINES					
TG/2/7	Maize	Maïs	Mais	Chícharo, Maíz	<i>Zea mays</i> L.
TG/7/10	Pea	Pois	Erbse	Guisante, Arveja	<i>Pisum sativum</i> L.
TG/28/9	Zonal Pelargonium, Horseshoed pelargonium; Ivy-leaved Pelargonium, Hanging geranium, Ivy geranium, Ivy-leaf pelargonium	Géranium, Pelargonium zonale; Géranium-lierre	Zonal-Pelargonie; Efeublättrige Pelargonie	Geranio zonal, geranio malvón, geranio de hierro, geranio de sardina, pelargonio	<i>Pelargonium</i> Zonale Group (<i>Pelargonium</i> ×hortorum L. H. Bailey, <i>Pelargonium</i> -Zonale- Hybridae), <i>Pelargonium peltatum</i> (L.) Hér (<i>Pelargonium</i> - <i>Peltatum</i> - Hybridae) and hybrids between those species and other species of <i>Pelargonium</i> L'Hér. ex Ait.
TG/45/7	Cauliflower	Chou-fleur	Blumenkohl	Coliflor	<i>Brassica oleracea</i> L. convar. <i>botrytis</i> (L.) Alef. var. <i>botrytis</i> (<i>Brassica cauliflora</i> Litzg.)
PARTIAL REVISIONS OF TEST GUIDELINES					
TG/89/6 Rev.	Swede	Chou-navet, Rutabaga	Kohlrübe	Colinabo	<i>Brassica napus</i> L. var. <i>napobrassica</i> (L.) Rchb.
TG/155/4 Rev.	Pumpkin	Giraumon, Potiron	Riesenkürbis	Calabaza, Zapallo	<i>Cucurbita maxima</i> Duch.
TG/209/1 Rev.	Dendrobium	Dendrobium	Dendrobium, Baumwucherer	Dendrobium	<i>Dendrobium</i> Sw.
TG/220/1 Rev.	Verbena, Vervain	Verveine	Verbene, Eisenkraut	Verbena	<i>Verbena</i> L.

(f) the following corrected Test Guidelines were published on the UPOV website:

Document No. N° du document Dokument-Nr. No del documento	English	Français	Deutsch	Español	Botanical name Nom botanique Botanischer Name Nombre botánico
TG/26/5 Corr.	Chrysanthemum	Chrysanthème	Chrysantheme	Crisantemo	Chrysanthemum ×morifolium Ramat. (Chrysanthemum ×grandiflorum Ramat.); Chrysanthemum pacificum Nakia (Ajania pacifica Bremer and Humphries) and hybrids between them
TG/86/5 Corr.	Anthurium	Anthurium	Flamingoblume	Anthurium	Anthurium Schott
TG/94/6 Corr.	Ling, Scots Heather	Callune	Besenheide	Calluna	Calluna vulgaris (L.) Hull
TG/176/4 Corr.	Osteospermum; -	Ostéospermum; -	Osteospermum; -	Osteospermum; -	Osteospermum L.; hybrids with Dimorphotheca Vaill.
TG/225/1 Corr.	Waxflower	Chamelaucium	Chamelaucium	Chamelaucium	Chamelaucium Desf. and hybrids with Verticordia plumosa Desf. (Druce)
TG/241/1 Corr.	Nemesia	Nemesia	Nemesia	Nemesia	Nemesia Vent.

126. The Council is invited to note this report.

ANNEX I

MEMBERS OF THE UNION

December 31, 2009

This document provides the status of the members of the Union in relation to the Convention and its various Acts, as of December 31, 2009 (see Articles 31 and 32 of the 1961 Convention, Article 32(1) of the 1978 Act and Article 34(2) of the 1991 Act).

- 1st line: International Convention for the Protection of New Varieties of Plants of December 2, 1961
- 2nd line: Additional Act of November 10, 1972
- 3rd line: Act of October 23, 1978
- 4th line: Act of March 19, 1991

Member	Date of signature	Date of deposit of instrument of ratification, acceptance, approval or accession	Date of entry into force
Albania	- - - -	- - - September 15, 2005	- - - October 15, 2005
Argentina	- - - -	- - November 25, 1994 -	- - December 25, 1994 -
Australia	- - - -	- - February 1, 1989 December 20, 1999	- - March 1, 1989 January 20, 2000
Austria	- - - -	- - June 14, 1994 June 1, 2004	- - July 14, 1994 July 1, 2004
Azerbaijan	- - - -	- - - November 9, 2004	- - - December 9, 2004
Belarus	- - - -	- - - December 5, 2002	- - - January 5, 2003
Belgium	December 2, 1961 November 10, 1972 October 23, 1978 March 19, 1991	November 5, 1976 November 5, 1976 - -	December 5, 1976 February 11, 1977 - -
Bolivia (Plurinational State of)	- - - -	- - April 21, 1999 -	- - May 21, 1999 -

C/44/2
Annex I, page 2

Member	Date of signature	Date of deposit of instrument of ratification, acceptance, approval or accession	Date of entry into force
Brazil	- - - -	- - April 23, 1999 -	- - May 23, 1999 -
Bulgaria	- - - -	- - - March 24, 1998	- - - April 24, 1998
Canada	- - October 31, 1979 March 9, 1992	- - February 4, 1991 -	- - March 4, 1991 -
Chile	- - - -	- - December 5, 1995 -	- - January 5, 1996 -
China	- - - -	- - March 23, 1999 -	- - April 23, 1999 -
Colombia	- - - -	- - August 13, 1996 -	- - September 13, 1996 -
Costa Rica	- - - -	- - - December 12, 2008	- - - January 12, 2009
Croatia	- - - -	- - - August 1, 2001	- - - September 1, 2001
Czech Republic ^{1/}	- - - -	- - - October 24, 2002	- - January 1, 1993 November 24, 2002
Denmark	November 26, 1962 November 10, 1972 October 23, 1978 March 19, 1991	September 6, 1968 February 8, 1974 October 8, 1981 April 26, 1996	October 6, 1968 February 11, 1977 November 8, 1981 April 24, 1998
Dominican Republic	- - - -	- - - May 16, 2007	- - - June 16, 2007

^{1/} Continuation of the accession of Czechoslovakia (instrument deposited on November 4, 1991; State bound on December 4, 1991).

C/44/2
Annex I, page 3

Member	Date of signature	Date of deposit of instrument of ratification, acceptance, approval or accession	Date of entry into force
Ecuador	- - -	- - July 8, 1997 -	- - August 8, 1997 -
Estonia	- - - -	- - - August 24, 2000	- - - September 24, 2000
European Union	- - - -	- - - June 29, 2005	- - - July 29, 2005
Finland	- - - -	- - March 16, 1993 June 20, 2001	- - April 16, 1993 July 20, 2001
France	December 2, 1961 November 10, 1972 October 23, 1978 March 19, 1991	September 3, 1971 January 22, 1975 February 17, 1983 -	October 3, 1971 February 11, 1977 March 17, 1983 -
Georgia	- - - -	- - - October 29, 2008	- - - November 29, 2008
Germany	December 2, 1961 November 10, 1972 October 23, 1978 March 19, 1991	July 11, 1968 July 23, 1976 March 12, 1986 June 25, 1998	August 10, 1968 February 11, 1977 April 12, 1986 July 25, 1998
Hungary	- - - -	- - March 16, 1983 December 1, 2002	- - April 16, 1983 January 1, 2003
Iceland	- - - -	- - - April 3, 2006	- - - May 3, 2006
Ireland	- - September 27, 1979 February 21, 1992	- - May 19, 1981 -	- - November 8, 1981 -
Israel	- - - October 23, 1991	November 12, 1979 November 12, 1979 April 12, 1984 June 3, 1996	December 12, 1979 December 12, 1979 May 12, 1984 April 24, 1998

C/44/2
Annex I, page 4

Member	Date of signature	Date of deposit of instrument of ratification, acceptance, approval or accession	Date of entry into force
Italy	December 2, 1961 November 10, 1972 October 23, 1978 March 19, 1991	June 1, 1977 June 1, 1977 April 28, 1986 -	July 1, 1977 July 1, 1977 May 28, 1986 -
Japan	- - October 17, 1979 -	- - August 3, 1982 November 24, 1998	- - September 3, 1982 December 24, 1998
Jordan	- - - -	- - - September 24, 2004	- - - October 24, 2004
Kenya	- - - -	- - April 13, 1999 -	- - May 13, 1999 -
Kyrgyzstan	- - - -	- - - May 26, 2000	- - - June 26, 2000
Latvia	- - - -	- - - July 30, 2002	- - - August 30, 2002
Lithuania	- - - -	- - - November 10, 2003	- - - December 10, 2003
Mexico	- - July 25, 1979 -	- - July 9, 1997 -	- - August 9, 1997 -
Morocco	- - - -	- - - September 8, 2006	- - - October 8, 2006
Netherlands	December 2, 1961 November 10, 1972 October 23, 1978 March 19, 1991	August 8, 1967 January 12, 1977 August 2, 1984 October 14, 1996	August 10, 1968 February 11, 1977 September 2, 1984 April 24, 1998
New Zealand	- - July 25, 1979 December 19, 1991	- - November 3, 1980 -	- - November 8, 1981 -

C/44/2
Annex I, page 5

Member	Date of signature	Date of deposit of instrument of ratification, acceptance, approval or accession	Date of entry into force
Nicaragua	- - -	- - August 6, 2001 -	- - September 6, 2001 -
Norway	- - - -	- - August 13, 1993 -	- - September 13, 1993 -
Oman	- - - -	- - - October 22, 2009	- - - November 22, 2009
Panama	- - - -	- - April 23, 1999 -	- - May 23, 1999 -
Paraguay	- - - -	- - January 8, 1997 -	- - February 8, 1997 -
Poland	- - - -	- - October 11, 1989 July 15, 2003	- - November 11, 1989 August 15, 2003
Portugal	- - - -	- - September 14, 1995 -	- - October 14, 1995 -
Republic of Korea	- - - -	- - - December 7, 2001	- - - January 7, 2002
Republic of Moldova	- - - -	- - - September 28, 1998	- - - October 28, 1998
Romania	- - - -	- - - February 16, 2001	- - - March 16, 2001
Russian Federation	- - - -	- - - March 24, 1998	- - - April 24, 1998

C/44/2
Annex I, page 6

Member	Date of signature	Date of deposit of instrument of ratification, acceptance, approval or accession	Date of entry into force
Singapore	- - -	- - June 30, 2004	- - July 30, 2004
Slovakia ¹	- - - -	- - - May 12, 2009	- - January 1, 1993 June 12, 2009
Slovenia	- - - -	- - - June 29, 1999	- - - July 29, 1999
South Africa	- - October 23, 1978 March 19, 1991	October 7, 1977 October 7, 1977 July 21, 1981 -	November 6, 1977 November 6, 1977 November 8, 1981 -
Spain	- - - March 19, 1991	April 18, 1980 April 18, 1980 - June 18, 2007	May 18, 1980 May 18, 1980 - July 18, 2007
Sweden	- January 11, 1973 December 6, 1978 December 17, 1991	November 17, 1971 January 11, 1973 December 1, 1982 December 18, 1997	December 17, 1971 February 11, 1977 January 1, 1983 April 24, 1998
Switzerland	November 30, 1962 November 10, 1972 October 23, 1978 March 19, 1991	June 10, 1977 June 10, 1977 June 17, 1981 August 1, 2008	July 10, 1977 July 10, 1977 November 8, 1981 September 1, 2008
Trinidad and Tobago	- - - -	- - December 30, 1997 -	- - January 30, 1998 -
Tunisia	- - - -	- - - July 31, 2003	- - - August 31, 2003
Turkey	- - - -	- - - October 18, 2007	- - - November 18, 2007
Ukraine	- - - -	- - October 3, 1995 December 19, 2006	- - November 3, 1995 January 19, 2007

¹ Continuation of the accession of Czechoslovakia (instrument deposited on November 4, 1991; State bound on December 4, 1991).

C/44/2
Annex I, page 7

Member	Date of signature	Date of deposit of instrument of ratification, acceptance, approval or accession	Date of entry into force
United Kingdom	November 26, 1962 November 10, 1972 October 23, 1978 March 19, 1991	September 17, 1965 July 1, 1980 August 24, 1983 December 3, 1998	August 10, 1968 July 31, 1980 September 24, 1983 January 3, 1999
United States of America	- - October 23, 1978 October 25, 1991	- - November 12, 1980 January 22, 1999	- - November 8, 1981 February 22, 1999
Uruguay	- - - -	- - October 13, 1994 -	- - November 13, 1994 -
Uzbekistan	- - - -	- - - October 14, 2004	- - - November 14, 2004
Viet Nam	- - - -	- - - November 24, 2006	- - - December 24, 2006

Total: 68 members

[Annex II follows]

ANNEX II

OVERVIEW OF MISSIONS IN 2009

Mission	Location/Month	Staff
Legal consultation meeting	Sarajevo, Bosnia and Herzegovina (January)	Jördens, Huerta
Meeting of the Organizing Committee of the Second World Seed Conference Meeting of the Technical Working Group on Varietal Identity and Varietal Purity of the OECD Meeting of the Extended Advisory Group of the OECD	Paris, France (January)	Button
Regional Seminar on New Plant Variety Protection under the UPOV Convention	Port of Spain, Trinidad and Tobago (January)	Jördens, Lavignolle
Legal consultation meeting	Baku, Azerbaijan (February)	Jördens
Meeting with plant variety protection authorities in the Russian Federation	Moscow, Russian Federation (February)	Jördens
ICARDA Regional Workshop on Plant Variety Protection	Aleppo, Syrian Arab Republic (March)	Boreham (GB)
AFSTA Annual Congress Workshop on Plant Variety Protection – A Key to Economic Development”	Cape Town, South Africa (March)	Jördens Jördens, Sikinyi (KE)
Legal consultation meeting	Cairo, Egypt (March)	Jördens, Lavignolle
“Seed and Plant Variety Protection Legal Frameworks Workshop” for selected SADC countries	Pretoria, South Africa (March)	Sikinyi (KE)
Seventh meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing (WG-ABS) of the CBD Meeting with the <i>Comité de la protection des obtentions végétales</i> (CPOV) Medal Award Ceremony at GEVES	Paris, France (April)	Jördens Jördens, Button

Mission	Location/Month	Staff
Preparatory Workshop TWV and forty-third session of TWV Second Meeting of the East Asia Plant Variety Protection Forum International Seminar on Plant Variety Protection Ceremony for the Tenth Anniversary of the People's Republic of China's accession to the UPOV Convention	Beijing, People's Republic of China (April)	Button, Tabata Jördens, Button Jördens, Button Jördens, Button, Tabata
Sub-Regional Workshop on Geographical Indications and Plant Variety Protection for the Gulf Cooperation Council (GCC) countries Legal consultation meeting	Muscat, Sultanate of Oman (April)	Jördens, Huerta
Full-day training session on plant variety protection as part of Sida's "Genetic Resources and Intellectual Property Course" (GRIP Course)	Alnarp, Sweden (May)	Jördens
Consultation meeting with government officials of Morocco Half-day seminar on plant variety protection	Rabat, Morocco (May) Meknes, Morocco (May)	Jördens
Training Program on "Plant Variety Protection under the UPOV Convention"	Washington, D.C., United States of America (May)	Jördens (by video-conference), Button, Lavignolle, Kim
World Seed Congress 2009 (ISF)	Antalya, Turkey (May)	Jördens
Third Session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)	Tunis, Tunisia (June)	Jördens
Meeting of the Council for TRIPS (WTO headquarters)	Geneva, Switzerland (June)	Tabata
Regional Training on Plant Variety Protection under the UPOV Convention for Certain Countries in the Eurasian Region (Eurasian PVP Training)	Chisinau, Republic of Moldova (June)	Jördens, Tabata
Seventh Technical Working Group Meeting on Varietal Identity and Varietal Purity of the OECD OECD Annual Seed Meeting	Paris, France (June)	Button

Mission	Location/Month	Staff
WIPO Interregional Intermediate Seminar on Industrial Property	Geneva (June)	Huerta
Science Symposium launch event of the Food and Environment Research Agency (Fera)	Sand Hutton, United Kingdom (June)	Button
Twelfth International Course of Plant Variety Protection (Natkuinbouw)	Wageningen, Netherlands (June)	Huerta
Preparatory Workshop TWC and twenty-seventh session of TWC	Alexandria, Virginia, United States of America (June)	Button, Lavignolle
Training Course on Plant Variety Protection	Seoul, Republic of Korea (June)	Jördens, Kim
WIPO-WTO Colloquium for Teachers of Intellectual Property	Geneva, Switzerland (June)	Jördens
Meeting of the Organizing Committee of the Second World Seed Conference	Geneva, Switzerland (June)	Jördens, Button
Study visit at WIPO headquarters for journalists from the Sultanate of Oman	Geneva, Switzerland (July)	Jördens
WIPO Summer School on Intellectual Property	Geneva, Switzerland (July)	Jördens
WIPO Conference on Intellectual Property and Public Policy Issues	Geneva, Switzerland (July)	Jördens, Button
Regional Seminar on Plant Varieties and Breeders' Rights	Harare, Zimbabwe (July)	Lavignolle, Kim
Meeting of the Organizing Committee of the Second World Seed Conference	Paris, France (July)	Button
International Symposium on "The Impact of Plant Variety Protection"	Seoul, Republic of Korea (August)	Jördens, Button, Lavignolle, Kim
Preparatory Workshop TWA and thirty-eighth session of TWA	Seoul, Republic of Korea (August)	Button, Lavignolle
JICA Training Course on the Protection of Plant Breeders' Rights	Tsukuba, Japan (August/September)	Jördens
Second World Seed Conference 2009 "Responding to the challenges of a changing world: The role of new plant varieties and high quality seed in agriculture"	Rome, Italy (September)	Jördens, Button, Lavignolle
Full-day training session on plant variety protection as part of Sida's "Plant Breeding and Seed Production Course"	Alnarp, Sweden (September)	Jördens

Mission	Location/Month	Staff
Preparatory Workshop TWO and forty-second session of TWO	Angers, France (September)	Button, Rovere
Preparatory Workshop TWF and fortieth session of TWF	Angers, France (September)	Button, Sanchez-Vizcaino
Meeting of Legal Counsels of International Organizations in Geneva	Geneva, Switzerland (September)	Huerta
Seminar on the Protection of New Varieties of Plants	Madrid, Spain (September)	Huerta
SAA Second Congress	São Paolo, Brazil (September)	Lavignolle
WTO Public Forum 2009 entitled "Global Problems, Global Solutions: Towards Better Global Governance"	Geneva, Switzerland (September)	Jördens, Button
Study visit to WIPO headquarters by Students of the Master of Laws, University of Turin, Italy	Geneva, Switzerland (October)	Huerta
Meeting of the Organizing Committee of the Second World Seed Conference	Paris, France (October)	Button
Seminar on the Protection of New Varieties of Plants	Santo Domingo, Dominican Republic (October)	Lavignolle
Seminar on the Protection of New Varieties of Plants	San José, Costa Rica (October)	Lavignolle
Consultation meeting with CIOPORA representatives	Hamburg, Germany (October)	Button
JICA Training Course on the Protection of Plant Breeders' Rights	Tsukuba, Japan (October)	Jördens, Button (by video-conference)
ISF Intellectual Property Committee	Krakow, Poland (October)	Jördens, Button
Administrative Council of the CPVO	Angers, France (October)	Jördens
Extended Advisory Group Meeting of the OECD Seed Schemes OECD Ad hoc Working Group on the possible review of the Vegetable Seed Scheme OECD Ad hoc Working Group on the Certification of Seed for Trials Meeting of the Technical Working Group on Varietal Identity and Varietal Purity of the OECD	Paris, France (November)	Lavignolle
WIPO General Course on Intellectual Property (DL-101)	Geneva, Switzerland (November)	Huerta

Mission	Location/Month	Staff
WIPO Donor Conference	Geneva, Switzerland (November)	Button
Fleuroselect Members Breeders' Conference	Ratingen, Germany (November)	Jördens
Asian Seed Congress 2009 Follow-up meeting on the Second World Seed Conference	Bangkok, Thailand (November)	Button
Eighth meeting of the Ad Hoc Open-ended Working Group on Access and Benefit-sharing of the Convention on Biological Diversity of the CBD	Montreal, Canada (November)	Jördens
Eighth Training Course for Ibero-American Countries on the Protection of New Varieties of Plants	Santa Cruz de la Sierra, Bolivia (November)	Lavignolle
Fourth National Seminar on Plant Variety Protection	Jakarta, Indonesia (November)	Jördens
Seminar on the Protection of New Varieties of Plants	Quito, Ecuador (November)	Lavignolle
Seminar on the Protection of New Varieties of Plants	San Salvador, El Salvador (November)	Lavignolle
Conference on "GMOs in European Agriculture and Food Production"	The Hague, Netherlands (November)	Button
Twelfth Session of the Council of Ministers of ARIPO	Gaborone, Botswana (November)	Jördens
Expert discussion on "IP Rights in Agriculture"	Eschborn, Germany (November)	Jördens
First ECOSA International Seed Trade Conference	Antalya, Turkey (December)	Jördens
Annual Meeting of the CPVO and its Examination Offices	Angers, France (December)	Lavignolle
Symposium on "Ten Years of Plant Variety Right Protection in the Republic of Korea"	Seodun-dong Suwon, Republic of Korea (December)	Button
Fifteenth Session of WIPO's Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC)	Geneva, Switzerland (December)	Tabata
Consultation meeting with GNIS and OAPI representatives	Paris, France (December)	Jördens

Mission	Location/Month	Staff
Consultation meeting with national authorities	Manila, Philippines (December)	Button
IRRI International Workshop on “Improving Guidelines for the Testing and Release of New Breeding Lines”	Los Baños, Philippines (December)	Button

[Annex III follows]

ANNEX III

PERFORMANCE ASSESSMENT REPORT FOR THE 2008-2009 BIENNIUM

1. This report summarizes achievements during the 2008-2009 biennium. It is an update of the report on “Selected Results of UPOV in 2008”, which was presented to the Council at its forty-third ordinary session on October 22, 2009 (document C/43/2, Annex II). It is structured to follow the 2008-2009 Program and Budget (document C/41/4), as adopted by the Council at its forty-first ordinary session on October 25, 2007.
2. The text offers evaluative assessments on the progress made towards the achievements of objectives at the level of sub-programs, followed by performance tables summarizing information on objectives, expected results and performance indicators. As sub-program UV.1 provides the framework for policy making, management and coordination of the Union as well as UPOV’s overall program, which is carried out by the Secretary-General under the guidance of UPOV’s Governing Bodies (Council and Consultative Committee), it is not subject to this performance assessment.

PERFORMANCE REPORT FOR THE 2008-2009 BIENNIUM

Sub-program UV.2: Improved Services to Members of the Union / Ensuring an Effective System of Plant Variety Protection

In the legal and administrative, as well as in the technical areas, the Union has produced and adopted a considerable number of basic documents which enhance the understanding and the implementation of the provisions of the Convention in an internationally harmonized and effective way, and thus, further improve the quality of protection and reduce its cost at a national or regional level.

- Objectives:**
- ◆ To maintain and improve the quality of protection provided by the UPOV system.
 - ◆ To provide and develop the legal and technical basis for international cooperation in a harmonized approach to plant variety protection according to the 1991 Act of the UPOV Convention.

Expected results

1. Increased international harmonization of the implementation of the UPOV Convention

Results Achieved: Selected Performance Indicators

1. Administrative and legal guidance on how to implement the UPOV Convention proposed to or adopted by the UPOV Council or its Committees

- Draft information materials concerning the UPOV Convention approved by the CAJ in 2008 and 2009
 - Explanatory Notes on Essentially Derived Varieties under the UPOV Convention
 - Explanatory Notes on Exceptions to the Breeder's Right under the UPOV Convention
 - Explanatory Notes on Genera and Species to be Protected under the 1991 Act of the UPOV Convention
 - Explanatory Notes on National Treatment under the 1991 Act of the UPOV Convention
 - Explanatory Notes on Novelty under the UPOV Convention
 - Explanatory Notes on the Cancellation of the Breeder's Right under the UPOV Convention
 - Explanatory Notes on the Enforcement of Breeders' Rights under the UPOV Convention
 - Explanatory Notes on the Nullity of the Breeder's Right under the UPOV Convention
 - Explanatory Notes on the Right of Priority under the UPOV Convention
 - Explanatory Notes on Variety Denominations under the UPOV Convention
 - Guidance for Members of UPOV on How to Ratify, or Accede to, the 1991 Act of the UPOV Convention
 - Guidance for the preparation of laws based on the 1991 Act of the UPOV Convention
 - Guidance on How to Become a Member of UPOV
 - Proposed addition to the Explanatory Notes on Novelty under the UPOV Convention
 - Proposed addition to the Explanatory Notes on Provisional Protection under the UPOV Convention
- Standard References for the UPOV Model Application Form and Linear Blank Forms approved by the CAJ in 2009

Expected results

1. Increased international harmonization of the implementation of the UPOV Convention (continued)

Results Achieved: Selected Performance Indicators

- Draft information materials concerning the UPOV Convention considered by the CAJ-AG in 2008 and 2009 on:
 - Explanatory Notes on Acts in Respect of Harvested Material under the UPOV Convention
 - Explanatory Notes on Conditions and Limitations Concerning the Breeder's Authorization
 - Explanatory Notes on Essentially Derived Varieties under the UPOV Convention (revision)
 - Explanatory Notes on the Definition of Breeder under the 1991 Act of the UPOV Convention
 - Explanatory Notes on the Definition of Variety under the 1991 Act of the UPOV Convention
 - Explanatory Notes on the Enforcement of Breeders' Rights under the UPOV Convention
 - Guidance for the preparation of laws based on the 1991 Act of the UPOV Convention

Expected results

2. Increased international harmonization of technical specificities for the examination of distinctness, uniformity and stability (DUS) of new varieties

Results Achieved: Selected Performance Indicators

2. Guidance on the examination of distinctness, uniformity and stability of new varieties proposed to, or adopted by, the UPOV Council or its Committees
- TGP documents previously approved by the Technical Committee (TC)* / adopted by the Council** and published on the UPOV website in the 2008-2009 Biennium:
 - TGP/02** "List of TGP Documents and Latest Issue Dates" (Revision)
 - TGP/2/1* "List of Test Guidelines Adopted by UPOV"
 - TGP/4/1** "Constitution and Maintenance of Variety Collections"
 - TGP/5 "Experience and Cooperation in DUS Testing"
 - Introduction**
 - Section 1/2** Model Administrative Agreement for International Cooperation in the Testing of Varieties (Revision)
 - Section 2/2** UPOV Model Form for the Application for Plant Breeders' Rights (Revision)
 - Section 4/2** UPOV Model Form for the Designation of the Sample of the Variety (Revision)
 - Section 5/2** UPOV Request for Examination Results and UPOV Answer to the Request for Examination Results (Revision)
 - Section 6/2** UPOV Report on Technical Examination and UPOV Variety Description (Revision)
 - Section 7/2** UPOV Interim Report on Technical Examination (Revision)
 - Section 11/1** Examples of Policies and Contracts for Material Submitted by the Breeder
 - TGP/6/1* "Arrangements for DUS Testing"
 - TGP/7/1* "Development of Test Guidelines"
 - TGP/9/1** "Examining Distinctness"
 - TGP/10/1** "Examining Uniformity"
 - TGP/12/1** "Guidance on Certain Physiological Characteristics"
 - TGP/13/1** "Guidance for New Types and Species"

Expected results

Results Achieved: Selected Performance Indicators

2. *Increased international harmonization of technical specificities for the examination of distinctness, uniformity and stability(DUS) of new varieties*
(continued)

- Drafts of the following TGP documents and guidelines advanced in the CAJ, TC and/or the Technical Working Parties:
 - 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/11 “Examining Stability”
 - TGP/14 “Glossary of [Technical, Botanical and Statistical] Terms Used in UPOV Documents”
 - Guidelines for DNA-Profiling: Molecular Marker Selection and Database Construction (“BMT Guidelines”)

- 38 Test Guidelines^(*) adopted or revised by the TC, comprising:
 - 18 new Test Guidelines: TWA (2); TWA/TWF (1); TWA/TWO (1); TWF (2); TWO (4); TWO/TWF (2); TWO/TWV (1); TWV (5)
 - Africa: ZA (1)
 - Americas: BR (2), MX (2)
 - Asia/Pacific: CN (1), JP (3.5)
 - Europe: FR (3), GB (2), HU (1), NL (1.5), SK (1)

 - 16 revised Test Guidelines: TWA (2), TWA/TWV (2), TWF (3), TWO (4), TWV (5)
 - Americas: CA (1), UY (1)
 - Asia/Pacific: JP/KR/CN (1), JP (1), NZ (1)
 - Europe: DE (3), DK (1), ES/DE (1), FR (1.5), GB (1), HU (0.5), NL (2), NL/FR (1)

 - 4 partial revisions of Test Guidelines: TWA/TWV (1), TWO (2), TWV (1)

^(*) Number in brackets: 0.5 means that there was shared responsibility with another Technical Working Party or with a Leading Expert from another member of the Union.

Expected results Results Achieved: Selected Performance Indicators

Test Guidelines advanced in the Technical Working Parties

2008

- 62 draft Test Guidelines advanced by the Technical Working Parties, comprising
 - 43 new Test Guidelines: TWA (6), TWA/TWO/TWV (1), TWF (10), TWO (18), TWO/TWF (1), TWV (7)
 - Africa: ZA (1)
 - Americas: AR (1), BR (6), MX (2)
 - Asia/Pacific: CN (3), JP (4), KR (2), SG (2)
 - Asia/
Pacific-Europe: AU/DK (1), JP/NL (1)
 - Europe: ES (1), FR (4), FR/ES (1), GB (2), HU (1), NL (4), QZ (1), UA (1)
 - Near/Middle East: IL (5)
 - 19 revisions: TWA (2), TWA/TWV (1), TWF (3), TWO (6), TWV (5), TWV/TWA (2)
 - Americas: BR (1)
 - Asia/Pacific: AU (1)
 - Europe: DE (2), FR (6), FR/HU (1), GB (2), NL (4), QZ (2)

Total of 19 members of the Union involved in drafting Test Guidelines (AR, AU, BR, CN, DE, DK, ES, FR, GB, HU, IL, JP, KR, MX, NL, QZ, SG, UA, ZA).

2009

- 56 draft Test Guidelines advanced by the Technical Working Parties, comprising:
 - 33 New Test Guidelines: TWA (7); TWA/TWV (1); TWF (6); TWO (16); TWV (3):
 - Africa: KE (1); ZA (1)
 - Americas: AR (1); BR (2); MX (3)
 - Asia-Pacific: CN (3); JP (6); KR (2)
 - Asia-Pacific / Europe: AU/DK (1)
 - Europe: ES (1); FR (2); GB (2); NL (4); QZ (1); UA (1)
 - Near-Middle East / Asia-Pacific: IL/KR (1)
 - Near-Middle East / Europe: IL/QZ (1)
 - 21 Revisions: TWA (3); TWF (8); TWO (4); TWV (6):
 - Africa: ZA (2)
 - Americas: BR (1)
 - Asia-Pacific: NZ (1)
 - Asia-Pacific / Europe: AU/ES (1)
 - Europe: DE (3); ES (1); FR (5); NL (5); QZ (2)
 - 2 Partial revisions: TWF (1), TWV (1)
 - Europe: ES (1); FR (1)

Total of 20 members of the Union involved in drafting Test Guidelines (AR, AU, BR, CN, DE, DK, ES, FR, GB, HU, IL, JP, KE, KR, MX, NL, NZ, QZ, UA, ZA).

Expected results

2. Increased international harmonization of technical specificities for the examination of distinctness, uniformity and stability (DUS) of new varieties (continued)

Results Achieved: Selected Performance Indicators

Participation in Technical Working Party Sessions

2008

- 343 experts representing 37 members of the Union (members), 2 observer States (obs) and 4 observer organizations (orgs) participated in the Technical Working Parties as follows:

TWA (South Africa):
23 members (53 participants) / 2 obs (3) / 2 orgs (1)

TWC (Republic of Korea):
15 members (29 participants)

TWF (Portugal):
19 members (35 participants) / 2 orgs (2)

TWO (Netherlands):
21 members (50 participants) / 1 org (1)

TWV (Poland):
22 members (52 participants) / 1 org (2)

BMT (Spain)
24 members (97 participants) / 4 orgs (18)

2009

- 208 experts representing 25 members of the Union (members), and 4 observer organizations (orgs) participated in the Technical Working Parties as follows:

TWA (Republic of Korea):
20 members (42 participants) / 4 orgs (3)

TWC (United States of America):
16 members (29 participants) / 2 orgs (2)

TWF (France):
15 members (40 participants) / 3 orgs (4)

TWO (European Union):
17 members (42 participants) / 1 org (2)

TWV (China):
17 members (42 participants) / 1 org (2)

Participation in Preparatory Workshops for the Technical Working Party Sessions

2008

- 190 experts representing 31 members / 2 obs / 2 orgs participated in the Preparatory Workshops as follows:

TWA: 9 members (18 participants) / 2 obs (3)

TWC: 4 members (9 participants)

TWF: 7 members (18 participants) / 1 org (1)

TWO: 14 members (27 participants) / 1 org (14)

TWV: 12 members (31 participants) / 1 org (2)

2009

- 98 experts representing 21 members / 2 orgs participated in the Preparatory Workshops as follows:

TWA: 10 members (34 participants)

TWC: 6 members (12 participants)

TWF: 5 members (9 participants) /

TWO: 13 members (25 participants) / 1 org (1)

TWV: 6 members (15 participants) / 1 org (2)

Drafts of UPOV Guidelines for DNA-profiling: molecular marker selection and database construction (BMT Guidelines) advanced in the CAJ, TC, TWPs and the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT)

Expected results	Results Achieved: Selected Performance Indicators
<i>3. Clarification of the role of publication of variety descriptions</i>	<p>3. <i>Policy on publication of variety descriptions proposed to or adopted by the UPOV Council</i></p> <p>Project to consider the publication of variety descriptions:</p> <ul style="list-style-type: none">• The TC agreed that no further meeting of the <i>Ad hoc</i> Working Group on the Publication of Variety Descriptions (WG-PVD) should be arranged unless or until specific proposals were developed for the consideration of the WG-PVD by the TC or by aTWP.
<i>4. Improved accessibility of information relevant for examination of applications</i>	<p>4. <i>Databases</i></p> <ul style="list-style-type: none">• Program agreed by the TC for the improvement of the UPOV-ROM Plant Variety Database as follows:<ul style="list-style-type: none">(a) introduction of the UPOV code;<ul style="list-style-type: none">- <i>64% of the entries contained in the UPOV-ROM supplied with UPOV codes</i>(b) improving the ease of contributing data to the UPOV-ROM through the development of a data submission table allowing data to be provided without the use of TAG format;<ul style="list-style-type: none">- <i>under development</i>(c) providing training in the use of the UPOV-ROM;<ul style="list-style-type: none">- <i>training in the use of the UPOV-ROM incorporated in relevant UPOV workshops and Distance Learning Course DL-205 "Introduction to the UPOV System of Plant Variety Protection under the UPOV Convention".</i>(d) development of web-based version of Plant Variety Databases.<ul style="list-style-type: none">- <i>to be provided as part of the arrangement between UPOV and the World Intellectual Property Organization (WIPO) (UPOV-WIPO arrangement), concerning the UPOV Plant Variety Database</i>• Standardized classification of genera and species for improved database performance: approximately 450 new UPOV codes created (total number of UPOV codes: 6,582 (approximately 6,350 in 2008, 6,150 in 2007) and 32 UPOV codes amended)• GENIE database updated for:<ul style="list-style-type: none">- UPOV codes (see above)- status of protection by genus / species within UPOV (based on documents C/42/6, C/43/6)- information on cooperation in examination (based on documents C/42/6, C/43/5)- experience in DUS testing (based on documents TC/44/4, TC/45/4)- variety denomination classes

Sub-Program UV.3: Extending the Coverage of Protection of New Varieties of Plants

The Union has assisted a number of States in the implementation of plant variety protection based on the UPOV Convention. It has also provided advice to governments, mainly of developing countries and countries in transition to a market economy, in the adoption of relevant legislation.

- Objectives:**
- ◆ To assist States and certain organizations, particularly governments of developing countries and countries in transition to a market economy, in the preparation and enactment of legislation conforming with the 1991 Act of the UPOV Convention.
 - ◆ To assist States and certain organizations in the accession to the 1991 Act of the UPOV Convention.
 - ◆ To assist States and certain organizations in implementing an effective plant variety rights system in line with the 1991 Act of the UPOV Convention.

Expected results

Results Achieved: Selected Performance Indicators

1. Introduction of a legal basis of plant variety protection in line with the 1991 Act of the UPOV Convention by a growing number of States and intergovernmental organizations

1.1 Number of comments on laws and regulations.

Algeria, Bahrain, Bosnia and Herzegovina, Cambodia, Egypt, El Salvador, Ghana, Guatemala, Indonesia, Lao People's Democratic Republic, Mauritius, Oman, Pakistan, Peru and United Republic of Tanzania

1.2 Comments provided on laws and regulations which are known to have been taken into account by States and intergovernmental organizations.

Bosnia and Herzegovina, Egypt, El Salvador, Ghana, Guatemala, Oman, Peru and United Republic of Tanzania

2. Implementation of plant variety protection

2. Number of training activities initiated/implemented.

Training activities initiated by the Office and implemented by members of the Union:

- Study tour in Europe (CPVO of European Union, France, Switzerland, and the Office) for plant variety protection experts from Azerbaijan, Kazakhstan, and Kyrgyzstan with the assistance of an expert from Ukraine, June 2008

Training activities organized by UPOV:

- National Workshop on Plant Variety Protection under the UPOV Convention, Phnom Penh, Cambodia, February 2008
- National Workshop on Plant Variety Protection under the UPOV Convention, Vientiane, Lao People's Democratic Republic, February 2008
- National Workshop on Plant Variety Protection under the UPOV Convention, Hanoi, Viet Nam, February 2008
- National Workshop on Plant Variety Protection under the UPOV Convention, Singapore, February 2008
- Training program on "Plant Variety Protection under the UPOV Convention", Alexandria, Virginia, United States of America, February 2008
- National Workshop on the Protection of New Varieties of Plants under the UPOV Convention, Almaty, Kazakhstan, March 2008
- Regional Seminar on Plant Variety Protection under the UPOV Convention and Workshop on the Examination of New Varieties of Plants, Tunis, Tunisia, June 2008
- Regional Training Course on Plant Variety Protection under the UPOV Convention, Johannesburg, South Africa, July 2008

Expected results	Results Achieved: Selected Performance Indicators
2. <i>Implementation of plant variety protection</i> (continued)	<p>Training activities organized by UPOV (<i>continued</i>):</p> <ul style="list-style-type: none">– Workshop on Trial Design and Data Handling, Jeju, Republic of Korea, August 2008– Fourth West and Central Asian Regional Workshop on Plant Variety Protection under the UPOV Convention, Antalya, Turkey, October 2008– XXI Pan-American Seed Seminar, Cartagena de Indias, Colombia, October 2008– Seventh Training Course for Ibero-American Countries on the Protection of New Varieties of Plants, Santa Cruz de la Sierra, Bolivia, November 2008– UPOV/APSA Joint Workshop on Plant Variety Protection, Hyderabad, India, November 2008– International Seminar on the Enforcement of Plant Breeders' Rights, Quito, Ecuador, November 2008– Regional Seminar on New Plant Variety Protection under the UPOV Convention, Port of Spain, Trinidad and Tobago, January 2009– Workshop on Plant Variety Protection – A Key to Economic Development, Cape Town, South Africa, March 2009– Sub-Regional Workshop on Geographical Indications and Plant Variety Protection for the Gulf Cooperation Council (GCC) countries, Muscat, Sultanate of Oman, April 2009– Training program on “Plant Variety Protection under the UPOV Convention”, Washington, D.C., United States of America, May 2009– Regional Training on Plant Variety Protection under the UPOV Convention for Certain Countries in the Eurasian Region, Chisinau, Republic of Moldova, June 2009– Regional Seminar on Plant Varieties and Breeders' Rights, Harare, Zimbabwe, July 2009– Second World Seed Conference 2009 “Responding to the challenges of a changing world: The role of new plant varieties and high quality seed in agriculture”, Rome, Italy, September 2009– Seminar on the Protection of New Varieties of Plants, Santo Domingo, Dominican Republic, October 2009– Seminar on the Protection of New Varieties of Plants, San José, Costa Rica, October 2009– Eighth Training Course for Ibero-American Countries on the Protection of New Varieties of Plants, Santa Cruz de la Sierra, Bolivia, November 2009– Seminar on the Protection of New Varieties of Plants, Quito, Ecuador, November 2009– Seminar on the Protection of New Varieties of Plants, San Salvador, El Salvador, November 2009 <p>UPOV made presentations at:</p> <ul style="list-style-type: none">– International Organization of Vine and Wine (OIV) Expert Group meeting on “Ressources génétiques et sélection de la vigne”, Paris, France, March 2008– OIV Expert Group meeting on “Droit et information du consommateur”, Paris, France, March 2008– WIPO study visit of senior officials from Sudan, Geneva, Switzerland, April 2008– Swedish International Development Cooperation Agency (Sida) Course “Genetic Resources and Intellectual Property”, Svalöf, Sweden, May 2008– Ninth Meeting of the Conference of the Parties to the Convention on Biological Diversity (COP9), Bonn, Germany, May 2008– ISF World Seed Congress 2008 and ISF Breeders' Committee, Prague, Czech Republic, May 2008– Eleventh Plant Variety Protection Course, Naktuinbouw, Wageningen, Netherlands, June 2008

Expected results	Results Achieved: Selected Performance Indicators
2. <i>Implementation of plant variety protection</i> (continued)	<p>UPOV made presentations at (<i>continued</i>):</p> <ul style="list-style-type: none">– Interregional Seminar organized by WIPO, WIPO/UPOV headquarters, Geneva, Switzerland, June 2008– Training Course on Plant Variety Protection organized by the Korean International Cooperation Agency (KOICA), Seoul, Republic of Korea, June 2008– International Seminar for Better Understanding of Plant Variety Protection, Tokyo, Japan, July 2008– WIPO-WTO Colloquium for Teachers of Intellectual Property, Geneva, Switzerland, July 2008– WIPO Summer School on Intellectual Property, Geneva, Switzerland, July 2008– First Meeting of the East Asia Plant Variety Protection Forum, Tokyo, Japan, July 2008– Briefing session on plant variety protection organized by the Department of Agriculture of Thailand, Bangkok, Thailand, July 2008– Workshop organized by the Society for Techno-innovation of Agriculture, Forestry and Fisheries (STAFF), Tokyo, Japan, August 2008– Training Course on the Protection of Plant Breeders' Rights, organized by Japan International Cooperation Agency (JICA), Tskuba, Japan, October 2008– Third Senior Officials Meeting on Agriculture of the Economic Coordination Organization (ECO), Baku, Azerbaijan, September 2008– Sida Advanced International Training Programme on Plant Variety Breeding and Seed Production, Svalöv, Sweden, September 2008– ICARDA Regional Workshop on Plant Variety Protection, Aleppo, Syrian Arab Republic, March 2009– AFSTA Annual Congress, Cape Town, South Africa, March 2009– “Seed and Plant Variety Protection Legal Frameworks Workshop” for selected SADC countries, Pretoria, South Africa, March 2009– Second Meeting of the East Asia Plant Variety Protection Forum, Beijing, People's Republic of China, April 2009– International Seminar on Plant Variety Protection, Beijing, People's Republic of China, April 2009– Tenth Anniversary of the People's Republic of China's accession to the UPOV Convention, Beijing, People's Republic of China, April 2009– Swedish International Development Cooperation Agency (Sida) Course “Genetic Resources and Intellectual Property”, Alnarp, Sweden, May 2009– Seminar on plant variety protection (“La protection des variétés végétales – un élément clé de l'innovation dans les secteurs agricole et agroalimentaire”), Meknes, Morocco, May 2009– ISF World Seed Congress 2009 and ISF Breeders' Committee, Antalya, Turkey, May 2009– WIPO Interregional Intermediate Seminar on Industrial Property, Geneva, June 2009– Twelfth International Course of Plant Variety Protection, Wageningen, Netherlands, June 2009– KSVS/KOICA Training Course on Plant Variety Protection, Seoul, Republic of Korea, June 2009– WIPO-WTO Colloquium for Teachers of Intellectual Property, Geneva, June 2009– Study visit for journalists from the Sultanate of Oman organized by WIPO, Geneva, July 2009– WIPO Summer School on Intellectual Property, Geneva, July 2009– International Symposium on “The Impact of Plant Variety Protection”, Seoul, Republic of Korea, August 2009

Expected results	Results Achieved: Selected Performance Indicators
<i>2. Implementation of plant variety protection (continued)</i>	<p>UPOV made presentations at (<i>continued</i>):</p> <ul style="list-style-type: none">– JICA Training Course on the Protection of Plant Breeders' Rights, Tsukuba, Japan, August/September 2009, and October 2009 (by video-conference)– Seminar on the Protection of New Varieties of Plants, Madrid, Spain, September 2009– Second Congress of the American Seed Organization (SAA), São Paulo, Brazil, September 2009– Sida Training Program on Plant Breeding and Seed Production, Alnarp, Sweden, September 2009– Master of Laws (LL.M) in Intellectual Property organized by WIPO and the University of Turin in cooperation with the ILO International Training Centre, Geneva, October 2009– WIPO General Course on Intellectual Property (DL-101), Geneva, November 2009– Fleuroselect Members Breeders' Conference, Ratingen, Germany, November 2009– Asian Seed Congress 2009, Bangkok, Thailand, November 2009– Fourth National Seminar on Plant Variety Protection, Jakarta, Indonesia, November 2009– Twelfth Session of the Council of Ministers of ARIPO, Gaborone, Botswana, November 2009– Expert discussion organized by the <i>Deutsche Gesellschaft für Technische Zusammenarbeit</i> (GTZ) on the subject of "IP Rights in Agriculture", Eschborn, Germany, November 2009– First ECOSA International Seed Trade Conference, Antalya, Turkey, December 2009– Symposium on "Ten Years of Plant Variety Right Protection in the Republic of Korea", Seodun-dong Suwon, Republic of Korea, December 2009– International Workshop on "Improving Guidelines for the Testing and Release of New Breeding Lines", Los Baños, Philippines, December 2009
<i>3. Participation in UPOV distance learning courses</i>	<p><i>3. Number of participants in the UPOV distance learning courses</i></p> <p>UPOV DL-205 "Introduction to the UPOV System of Plant Variety Protection under the UPOV Convention"</p> <p>Total number of participants in 2008-2009: 892 (438 in 2008; 454 in 2009)</p> <p>(for a breakdown of the students participating in the DL-205 Course, see Appendix)</p>
<i>4. Geographical expansion of the UPOV system</i>	<p><i>4. Additional members of the Union</i></p> <p>Costa Rica, Georgia, Oman</p>
<i>5. Number of genera and species for which protection is offered</i>	<p><i>5. Number of genera/species protected by members of the Union.</i></p> <p>At the end of 2009, a total of 45 members of the Union offered protection for all plant genera and species (43 in 2008, 41 in 2007) and 23 members of the Union offered protection for a limited number of plant genera and species (22 in 2008, 24 in 2007).</p> <p>Number of plant genera and species with PBR entries in the UPOV-ROM Plant Variety Database: 2,940 in August 2010 (2,790 in Aug. 2009; 2,654 in Aug. 2008; 2,522 in August 2007)</p>

Expected results	Results Achieved: Selected Performance Indicators
<i>6. Strengthening of international cooperation and specialization in plant variety protection</i>	<p><i>6.1 General cooperation</i></p> <p>Authorities which will provide existing DUS reports to any member of the Union: AU</p> <p>Authorities which will, for any species for which they have experience in DUS examination, provide existing DUS reports to any member of the Union: CA, DE, QZ, UY</p> <p>Authorities which will accept DUS reports from any other member of the Union: AU (except <i>Solanum tuberosum</i> L.), CH</p> <p>Authorities which will accept existing DUS reports from other members of the Union for varieties of any taxa which are vegetatively propagated and for which the DUS tests were conducted in a controlled environment greenhouse: CA</p> <p><i>6.2 Number of specific bilateral and regional arrangements on plant variety protection.</i></p> <p>Agreement for cooperation in variety testing extends to approximately 1,379 genera or species – excluding general cooperation as in 5.1 (see document C/43/5) (1,360 in 2008)</p> <p><i>6.3 Publication of information on available experience in DUS testing</i></p> <p>Practical experience in examination of DUS reported for approximately 2,209 genera or species (2,170 in 2008; 2,000 in 2007) - see document TC/45/4</p>
<i>7. Incentives for the development of agriculture and the overall economy of the States and intergovernmental organizations concerned</i>	<p><i>7.1 Number of titles granted.</i></p> <p>10,445 titles granted by members of the Union in 2008 (10,361 in 2007) (see document C/43/7)</p> <p><i>7.2 Number of titles in force</i></p> <p>81,364 titles in force with members of the Union at the end of 2008 (72,565 at the end of 2007) (see document C/43/7)</p>

APPENDIX

STUDENTS REGISTERED FOR THE UPOV DISTANCE LEARNING COURSE (DL-205)
DURING THE 2008-2009 BIENNIUM

Category	Students from	Number of students
<u>Category 1</u> Officials of members of the Union	Argentina, Australia, Belarus, Bolivia, Brazil, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Czech Republic, Ecuador, Estonia, European Community, France, Germany, Hungary, Israel, Japan, Kenya, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Paraguay, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Slovakia, South Africa, Spain, Switzerland, Tajikistan, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Kingdom, United States of America, Uruguay, Uzbekistan, Viet Nam	694 (456 in 2006-2007)
<u>Category 2</u> Officials of observer States / intergovernmental organizations	CGIAR/FAO, Costa Rica, Croplife International, El Salvador, FAO, Ghana, Guatemala, India, Iran (Islamic Republic of), Mauritius, OAPI, Pakistan, Peru, Saudi Arabia, Serbia, Swaziland, Tajikistan, Thailand, United Republic of Tanzania, Zambia, Zimbabwe	48 (39 in 2006-2007)
<u>Category 3 (Paying)</u>	Argentina, Austria, Belgium, Brazil, Denmark, France, Germany, Israel, Mexico, Netherlands, New Zealand, South Africa, Spain, Switzerland, United Kingdom, United States of America	43 (63 in 2006-2007)

<u>Others</u>		
Plant Variety Protection Course, Wageningen (Netherlands)	Armenia, Brazil, China, Croatia, Egypt, Ethiopia, Georgia, Ghana, Indonesia, Kenya, Netherlands, New Zealand, Nigeria, Pakistan, Republic of Moldova, Sudan, the former Yugoslav Republic of Macedonia, Turkey, United Republic of Tanzania, Viet Nam, Zimbabwe	43
Japan International Cooperation Agency Training Course (JICA)	Cambodia, Indonesia, Malaysia, Myanmar, Philippines, Sri Lanka, Syria, Thailand, Viet Nam	20
Fourth West and Central Asian Regional Workshop on Plant Variety Protection under the UPOV Convention (WCA)	Azerbaijan, Iran (Islamic Republic of), Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Uzbekistan	15
Training Course for Ibero-American Countries on the Protection of New Varieties of Plants, Santa Cruz de la Sierra (Bolivia)	Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay	12
UPOV Regional Seminar on Plant Varieties and Breeders' Rights organized by WIPO, UPOV and ARIPO, Harare, Zimbabwe	Ghana, Sudan, Uganda, Zambia, Zimbabwe	7
Training program on "Plant Variety Protection under the UPOV Convention", Washington, D.C., United States of America	Brazil, Bulgaria, CGIAR, European Union, Indonesia, INGER, Mexico, New Zealand, Oman, Republic of Korea, Uruguay	10
TOTAL		892 (678 in 2006-2007)

[End of Annex III and of document]