



C/45/3

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

**COUNCIL**

**Forty-Fifth Ordinary Session**  
**Geneva, October 20, 2011**

REPORT ON ACTIVITIES DURING THE FIRST NINE MONTHS OF 2011

*prepared by the Office of the Union*

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## I. COMPOSITION OF THE UNION

### Members and Future Members

1. As of September 30, 2011, the Union comprised 70 members: 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, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Tunisia, Turkey, Ukraine, United Kingdom, United States of America, Uruguay, Uzbekistan and Viet Nam.

2. Under Article 34(3) of the 1991 Act, “any 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.”

3. By letter dated February 22, 2011, the Republic of Serbia requested the examination of the Draft Law on the Protection of Plant Breeder’s Rights for conformity with the 1991 Act of the UPOV Convention.

4. At its twenty-eighth extraordinary session, held in Geneva on April 8, 2011, the Council examined the conformity of the Draft Law on the Protection of Plant Breeder’s Rights of the Republic of Serbia with the 1991 Act of the UPOV Convention.

5. The Council decided to:

“(a) note the analysis in document C(Extr.)/28/2 and the information provided by the Delegation of Serbia that it intended to amend Article 28 “Provisional Protection” of the Draft Law and paragraph 1 of Article 41 of the Draft Law on “Obsolescence of Lawsuit Due to Violation of Breeders’ Rights”, as provided in paragraph 1 of document C(Extr.)/28/2 Add.;

“(b) take a positive decision on the conformity of the Draft Law on the Protection of Plant Breeders’ Rights of the Republic of Serbia with the provisions of the 1991 Act of the International Convention for the Protection of New Varieties of Plants, which allowed the Republic of Serbia, once the Law of 2009 was amended as presented in the Draft Law in Annex II and in paragraph 1 of document C(Extr.)/28/2 Add., with no additional changes, and the amended Law was in force, to deposit its instrument of accession to the 1991 Act; and

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

### Situation in Relation to the Various Acts of the Convention

6. Forty-seven members were bound by the 1991 Act as of September 30, 2011.

7. As of September 30, 2011, one member was bound by the 1961 Convention as amended by the 1972 Act and 22 members were bound by the 1978 Act.

8. Annex I provides the status of the members of the Union in relation to the Convention and its various Acts, as of September 30, 2011.

## II. SESSIONS OF THE COUNCIL AND ITS SUBSIDIARY BODIES

### Council

9. The Council held its twenty-eighth extraordinary session on April 8, 2011, under the chairmanship of Mr. Choi Keun Jin (Republic of Korea), President of the Council. At that session, the Council:

(a) examined the conformity of the Draft Law on the Protection of Plant Breeder's Rights of the Republic of Serbia with the 1991 Act of the UPOV Convention (see paragraph 4 above);

(b) noted the oral report by the President on the eighty-first session of the Consultative Committee;

(c) approved the launch of a web-based version of the Plant Variety Database and agreed that the web-based version of the Plant Variety Database should be made freely accessible to all users; and

(d) considered and approved a draft press release.

### Consultative Committee

10. The Consultative Committee held its eighty-first session on April 8, 2011, under the chairmanship of Mr. Choi Keun Jin (Republic of Korea). At that session, in addition to the provision of advice to the Council (see paragraph 9 above), the Consultative Committee:

(a) noted the financial situation in relation to the Program and Budget for the 2010-2011 Biennium, and considered that the structure and contents presented to the Consultative Committee provided a good basis for the preparation of the Draft Program and Budget of the Union for the 2012-2013 Biennium, subject to certain changes;

(b) endorsed the proposal for the designation of the External Auditor of UPOV;

(c) endorsed the plans concerning the celebration of the Fiftieth Anniversary of the UPOV Convention;

(d) noted the developments of relevance to UPOV in other international fora;

(e) approved the revised list of documents and links that were proposed to be included in the UPOV Collection, and the arrangements for the posting of the UPOV Collection on the freely accessible area of the UPOV website, with the possibility for individuals to electronically "subscribe" to the UPOV Collection;

(f) agreed to the proposal for meeting documents to be posted in both Word and PDF formats following the restructuring of the UPOV website in the context of the arrangements for the Fiftieth Anniversary;

(g) endorsed the approach for including UPOV data in WIPO Lex, as a basis for providing a UPOV search facility;

(h) noted the developments concerning the program for improvements to the Plant Variety Database, recommended to the Council to approve the launch of a web-based version of the Plant Variety Database and that it should be made freely accessible to all users;

(i) approved the proposal for updating documents previously adopted by the Council;

(j) approved the proposed arrangements for new members of the Union to be invited to make a brief presentation at the Consultative Committee;

(k) considered a draft press release and recommended to the Council that it approve that draft press release, subject to developments in the Council; and

(l) noted the request of the Association for Plant Breeding for the Benefit of Society (APBREBES) of April 5, 2011, to attend meetings of the Working Group on Rules Concerning Observers. The Consultative Committee had recalled that APBREBES would have the opportunity to present its views at the forty-fifth ordinary session of the Council on October 20, 2011.

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

11. The Administrative and Legal Committee (CAJ) held its sixty-third session on April 7, 2011. The Technical Committee (TC) held its forty-seventh session from April 4 to 6, 2011. The Enlarged Editorial Committee (TC-EDC) held meetings on January 6 and on April 4 and 5, 2011. The Technical Working Party for Agricultural Crops (TWA) held its fortieth session in Brasilia, Brazil, from May 16 to 20, 2011. The Technical Working Party on Automation and Computer Programs (TWC) held its twenty-ninth session in Geneva, Switzerland, from June 7 to 10, 2011. The Technical Working Party for Fruit Crops (TWF) will hold its forty-second session in Hiroshima, Japan, from November 14 to 18, 2011. The Technical Working Party for Ornamental Plants and Forest Trees (TWO) will hold its forty-fourth session in Fukuyama City, Hiroshima Prefecture, Japan, from November 7 to 11, 2011. The Technical Working Party for Vegetables (TWV) held its forty-fifth session in Monterey, California, United States of America, from July 25 to 29, 2011. The Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT) will hold its thirteenth session in Brasilia, Brazil, from November 22 to 24, 2011. Each of the Technical Working Party and BMT sessions was/will be preceded by a preparatory workshop.

12. Further information on the work of the CAJ, TC, TWPs and BMT is contained in documents C/45/9 and C/45/10.

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

#### Individual activities

13. On January 11 and 12, in Lomé, Togo, the Office of the Union (the “Office”) held consultations with the Government of Togo on legislative and accession procedures to become a member of UPOV.

14. On January 19 and 20, at WIPO/UPOV headquarters, the Office participated in a working session between WIPO and Mauritius government officials on the draft industrial property and copyright laws of Mauritius. The Office made a presentation on Plant Breeder’s Rights.

15. On January 25, in Essen, Germany, the Office attended a meeting of the working group on DUS of the International Community of Breeders of Asexually Reproduced Ornamental and Fruit Plants (CIOPORA), and made a presentation on the principles for DUS examination under the UPOV Convention.

16. From January 26 to 28, in Tokyo, Japan, the Office participated in a “Study tour and meeting regarding the plant variety protection system in Japan”, organized for high-level officials from Brunei Darussalam, Cambodia, Lao People’s Democratic Republic, Myanmar and Thailand. The Office gave lectures on plant variety protection under the UPOV Convention.

17. On February 1, the Office participated in a conference call with representatives of the Food and Agriculture Organization of the United Nations (FAO), the Organisation for Economic Co-operation and Development (OECD), the International Seed Federation (ISF) and the International Seed Testing Association (ISTA) to discuss progress on the World Seed Project. Further conference calls took place on February 21, April 21, May 13, June 7, 14 and 24, July 12, 18 and 21, and September 2.

18. On February 2, the Office received the visit of Mr. Ian Barker, Head, Agricultural Partnerships, Syngenta Foundation for Sustainable Agriculture, Switzerland, to discuss UPOV’s “Seminar on Plant Variety Protection and Technology Transfer: The Benefits of Public Private Partnership”, to be held in Geneva, on April 11 and 12, 2011.

19. On February 3, the Office took part in a five-minute on-air interview on Turkish TV to explain about the UPOV system. During the interview, a representative of the Turkish Breeders and Seed Association reported that May 11 would be the “Plant Breeders’ Day” in Turkey and invited UPOV to join in an event planned for that day (see paragraph 34 below).

20. From February 7 to 9, in Manila, Philippines, the Office attended the East Asia Plant Variety Protection Forum (EAPVP) Training on Enhancing PVP Technical Skills, where it made a number of presentations on UPOV and the examination of Distinctness, Uniformity and Stability (“DUS”).

21. On February 16, the Office received the visit of Ms. Linda Collette, newly appointed Secretary of the FAO Commission on Genetic Resources for Food and Agriculture (CGRFA).

22. On February 17, the Office received the visit of Mrs. Caroline Dommen, Representative, Global Economic Issues, Quaker United Nations Office (QUNO), Geneva.

23. From February 21 to 25, in Geneva, the Office attended parts of the Second Session of WIPO's Intersessional Working Group of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore.
24. On February 23 and 24, in Tegucigalpa, Honduras, the Office provided advice on the Bill which was examined by the Council in 2000 and the procedure to become a member of UPOV.
25. From March 8 to 10, in Lilongwe, Mali, the Office participated in the Annual Congress of the African Seed Trade Association (AFSTA). In conjunction with the Congress, on March 7, the Office organized a Workshop on Plant Variety Protection.
26. From March 14 to 18, in Bali, Indonesia, the Office attended the Fourth Session of the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA).
27. From March 21 to 23, in Accra, Ghana, the Office participated in a consultative meeting on the Ghana Plant Variety Protection Bill with the Council for Scientific and Industrial Research (CSIR).
28. On April 11 and 12, in Geneva, the Office organized a "Seminar on Plant Variety Protection and Technology Transfer: The Benefits of Public-Private Partnership". The seminar was attended by some 90 participants (see [http://www.upov.int/en/documents/pp\\_seminar\\_april\\_2011/upov\\_sem\\_ge\\_11\\_1\\_rev.html](http://www.upov.int/en/documents/pp_seminar_april_2011/upov_sem_ge_11_1_rev.html)).
29. On April 13, in Rome, Italy, the Office participated in the events to celebrate CIOPORA's fiftieth anniversary. The Office made a presentation at the CIOPORA International Conference on Plant Breeders' Rights, and attended the Gala Dinner, where it made a short address.
30. From April 18 to 22, in Bamako, Mali, the Office participated in a national seminar entitled "*Séminaire d'information et de sensibilisation à l'intention des experts des centres de recherche agricole et des décideurs en matière d'agriculture du Mali*" (seminar for information and creating awareness for experts from agricultural research institutions and policy makers for agriculture from Mali), organized by the African Intellectual Property Organization (OAPI). The Office made several presentations.
31. From April 27 to 29, in Rome, Italy, the Office participated in the Fifth Session of the Intergovernmental Technical Working Group on Plant Genetic Resources for Food and Agriculture of the CGRFA.
32. From May 2 to 6, in Alexandria, Virginia, United States of America, the Office and the Global Intellectual Property Academy of the United States Patent and Trademark Office (USPTO) organized the fourth USPTO/UPOV Training Course "Plant Variety Protection under the UPOV Convention", where the Office made a number of presentations. The event was attended by 15 participants, who were required to successfully complete the UPOV Distance Learning Course.
33. On May 4, 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).

34. On May 11, in Ankara, Turkey, the Office participated in the “Plant Breeders’ Day”, event organized by BISAB, a Turkish Breeders’ Association, where it made a presentation on “An overview of UPOV and recent developments”.

35. On May 12 and 13, in Brasilia, Brazil, the Office participated in the “GAIA Workshop”, organized by the National Service for the Protection of Cultivars of Brazil with the assistance of experts from the *Groupe d’étude et de contrôle des variétés et des semences* (GEVES) of France.

36. On May 13, the Office received the visit of Mr Abdul Wahab Al-Mandhari, Advisor to His Excellency the Sultan of Oman, Chairperson of the Public Authority for Crafts Industries.

37. On May 18, in Mendoza, Argentina, the Office participated as a speaker in the “*Congreso Nacional de Viveros de Vid, Olivo y Frutales de Hoja Caduca*”. A presentation was made on “Plant variety protection in the world”.

38. On May 20, at UPOV headquarters, the Office met with the Mr. Marcel Bruins, Secretary General, ISF, to discuss a project on electronic application forms.

39. On May 24, at the headquarters of the World Trade Organization (WTO), the Office made a presentation on the UPOV Convention at the WIPO-WTO Advanced Course on Intellectual Property for Government Officials.

40. From May 24 to 26, in Makassar, Indonesia, the Office attended the Fourth EAPVP Forum.

41. On May 29, in Belfast, United Kingdom, the Office visited the Agri-Food Biosciences Institute, Plant Testing Station, Crossnacreevy, which is responsible for DUS testing in the United Kingdom for herbage crops.

42. On May 30, also in Belfast, the Office participated in the World Seed Congress organized by ISF. The Office was invited to make an address at the opening ceremony and to provide a briefing on recent developments within UPOV at the meeting of the ISF Breeders’ Committee.

43. On June 1 and 2, in Zanzibar, United Republic of Tanzania, the Office participated and gave lectures at a Stakeholders’ Workshop on Plant Breeders’ Rights and met with governmental officials from Mainland Tanzania and from the Working Group responsible for drafting the plant breeders’ rights legislation of Zanzibar.

44. From June 6 to 10, in Montreal, Canada, the Office attended the First Meeting of the *Ad Hoc* Open-ended Intergovernmental Committee for the Nagoya Protocol on Access and Benefit-sharing (ICNP 1), established by the Parties to the Convention on Biological Diversity (CBD).

45. On June 9, at WIPO headquarters, the Office made a presentation on the “Protection of New Plant Varieties according to the International Convention for the Protection of New Variety of Plants” at the WIPO Interregional Intermediate Seminar on Industrial Property.

46. On June 14, at WIPO/UPOV headquarters, the Office participated in a WIPO “Seminar on How the Private and the Public Sectors Use IP to Enhance Agricultural Productivity” and made a presentation entitled “The importance of public-private partnerships: findings of an International Union for the Protection of New Varieties of Plants (UPOV) - Seminar in April 2011”.
47. On June 21, in Wageningen, Netherlands, the Office lectured at the Fourteenth International Course on Plant Variety Protection. Prior to the course in Wageningen, the students participated in the UPOV Distance Learning Course.
48. On June 22, at WIPO headquarters, the Office gave a presentation on the UPOV Convention at the WIPO-WTO Colloquium for Teachers of Intellectual Property.
49. On June 22 and 23, in Angers, France, the Office attended a meeting of the Administrative Council of the Community Plant Variety Office of the European Union (CPVO), as an observer. It also participated in the “Seminar on the impact of the EU plant variety protection system”, where it was invited to make a presentation on “UPOV and CPVO: an effective cooperation”.
50. On June 28, at UPOV/WIPO headquarters, the Office met with two members of the Parliament of Chile.
51. On June 28 and 29, in Rome, Italy, at the fringes of the FAO Conference in Rome, the Office and the other representatives of the Steering Committee of the World Seed Project (FAO, OECD, ISTA and ISF) met with delegates of three potential participant countries.
52. From July 4 to 8, in Lomé, Togo, the Office attended a national seminar entitled “*Séminaire d’information et de sensibilisation à l’intention des experts des centres de recherche agricole et des décideurs en matière d’agriculture du Togo*” (Seminar for information and creating awareness for experts from agricultural research institutions and policy makers for agriculture from Togo), organized by OAPI. In the afternoon of July 8, the Office met with H.E. Mr. El Hadj Bakalawa Fofana, Minister of Industry, Free Zone and Technological Innovations.
53. On July 11 and 12, in Seoul, Republic of Korea, the Office give lectures on UPOV at the Korean International Cooperation Agency (KOICA).
54. On July 13 and 14, also in Seoul, the Office participated in the “Symposium on Plant Variety Protection Future Strategy for Enhancing the Effectiveness of the PVP System”, organized by the Korea Seed & Variety Service (KSVS) on the occasion of the Tenth Anniversary of the Republic of Korea depositing its instrument of accession to the UPOV Convention and the Fiftieth Anniversary of the UPOV Convention. The Office made a presentation on UPOV and was invited to Chair Session 2 “Enhancing the effectiveness of the PVP system in the next 10 years”.
55. On July 13, in Geneva, at the WIPO Summer School on Intellectual Property, the Office gave a presentation on the protection of new varieties of plants under the UPOV Convention.
56. On July 18 and 19, in Rome, Italy, the Office attended the Thirteenth Regular Session of the Commission on Genetic Resources for Food and Agriculture (CGRFA-13).



57. On July 21 and 22, in Brisbane, Australia, at the Queensland University of Technology (QUT), lectures were given by Mr. Doug Waterhouse, on behalf of the Office, on plant variety protection under the UPOV system, as part of the QUT Master Program of Intellectual Property Law.
58. On July 23, in Koforidua, Ghana, the Office participated in an information session for Parliamentarians on the Plant Breeders' Rights Bill of Ghana and the 1991 Act of the UPOV Convention.
59. From July 25 to 29, in Accra, Ghana, the Office participated in a Regional Workshop on the ARIPO Framework on Plant Variety Protection under the UPOV Convention.
60. On August 3 and 4, in Moscow, Russian Federation, the Office met with government officials to discuss developments in UPOV.
61. On August 18, at UPOV headquarters, the Office hosted a meeting to discuss electronic application forms. The meeting was attended by: the Office; WIPO Internet Services Section, WIPO Standards Section; WIPO Global Database Service; the CPVO, accompanied by experts from the Bundessortenamt (Germany), GEVES (France) and Naktuinbouw (Netherlands); and ISF, accompanied by experts from Monsanto, Nunhems Netherlands B.V., Rijk Zwaan Zaadteelt en Zaadhandel B.V. and Syngenta.
62. On August 19, the Office received the visit of Mr. Jonathan Woolley, Director, and Mrs. Caroline Dommen, Representative, Global Economic Issues, from QUNO, Geneva.
63. On August 25, the Office received the visit of Mr. Clive Stannard, expert for a research project on the economics of the Multilateral System of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), to discuss cooperation between UPOV and the ITPGRFA.
64. On August 29 and 30, in Mexico City, Mexico, the Office participated in a preparatory meeting and in the "International Symposium on Plant Breeder Rights", organized to mark the fiftieth anniversary of the *Servicio Nacional de Inspección y Certificación de Semillas* (SNICS) and of the UPOV Convention. The Office made presentations on the "Protection of New Varieties of Plants under the UPOV Convention" and "Benefits of the 1991 Act of the UPOV Convention".
65. From August 29 to September 4, in Ashiro, Japan, the Office coordinated the filming of video material featuring the Ashiro Rindo (gentians) story, used to illustrate the benefits of the plant variety protection system under the UPOV Convention.
66. On August 30, in Geneva, the Office met with representatives of the Trans Farm Africa Initiative, who presented their project on plant variety protection in Africa.
67. On September 5 and 6, in Bangkok, Thailand, the Office attended an EAPVP Forum "Workshop on the UPOV Technical Basics", where it made a number of presentations on UPOV and the examination of distinctness, uniformity and stability (DUS).
68. From September 7 to 9, in Tsukuba, Japan, the Office gave lectures on plant variety protection under the UPOV Convention at the Training Course on "Internationally Harmonized Plant Variety Protection System" organized by the Japan International

Cooperation Agency (JICA). Students of the JICA Training Course were given the opportunity to participate in the UPOV Distance Learning Course.

69. On September 16, 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”.

70. On September 20, as part of a study visit of high-level officials from the Palestinian Authority to WIPO, the Office gave a presentation on the UPOV Convention.

71. On September 20, in Geneva, the Office attended a reception organized by CropLife International and the International Food & Agriculture Trade Policy Council (IPC), on the occasion of the WTO Public Forum.

72. On September 22, at UPOV/WIPO headquarters, the Office met with a delegation from the Intellectual Property Office of Pakistan composed of Mr. Sajjad Ahmad, Director General, Mr. Hameedullah Jan Afridi, Chairman and Mr. Meesaq Arif, Director, Admin/Human Resources. The delegation was accompanied by Mr. Ahsan Nabeel, Third Secretary, Permanent Mission of Pakistan at Geneva.

73. On September 27, in Bogota, Colombia, the Office participated in an international seminar entitled “*La Propiedad Intelectual en Variedades Vegetales y su Observancia*” (Intellectual Property in Plant Varieties and its Enforcement), organized by the Colombian Agricultural Institute (ICA) as part of the Fiftieth Anniversary celebrations of the UPOV Convention. The Office made presentations on “Introduction to UPOV” and “Benefits of the UPOV system for technology transfer”.

74. On September 28, also in Bogota, Colombia, the Office attended the opening ceremony of the Proflora Flower Trade Show.

75. From September 27 to 29, in Santiago, Chile, the Office attended the Third Congress of the Seed Association of the Americas (SSA), where a presentation was made on “The importance of the UPOV System in the Context of World Food Security”.

76. On September 30, in Geneva, the Office received the visit of Mr. Tejan-Cole, Legal Counsel, African Agricultural Technology Foundation (AATF).

77. On September 30, in Geneva, the Office received the visit of Mr. Khalid Saeed Al-Shuaibi, Director General of Organization and Commercial Relations, Ministry of Commerce and Industry of the Sultanate of Oman, and Mrs. Fatima Al Ghazali, Plenipotentiary Minister of the Permanent Mission of the Sultanate of Oman in Geneva.

78. On September 30, in Geneva, the Office met with Mr. Gift Sibanda, Director General and Mr. Emmanuel Sackey, Head, Technical Department, African Regional Intellectual Property Organization (ARIPO).

79. During the reporting period, the Office continued to participate in the Carbon Neutrality Project, launched by WIPO’s Director General, and which “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.” The Office participated in one meeting of the Subsidiary Working Group on Travel and in two meetings of the Subsidiary Working Group on Mobility.

#### Distance Learning Course

80. A session of the UPOV Distance Learning Course DL-205 in English, French, German and Spanish was held from May 9 to June 12, 2011. A breakdown of the students participating in the DL-205 course is available in Annex II.

#### IV. RELATIONS WITH STATES AND ORGANIZATIONS

81. The Office provided assistance on plant variety protection legislation to the following members: Chile and South Africa.

82. 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 Ireland, Montenegro, Peru, Serbia, Tajikistan, the former Yugoslav Republic of Macedonia and Togo.

83. 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, Brunei Darussalam, Cambodia, Cyprus, Ethiopia, Ghana, Honduras, Honduras, India, Indonesia, Lao People’s Democratic Republic, Malaysia, Mauritius, Myanmar, Pakistan, Philippines, Sudan, Thailand, Uganda, United Republic of Tanzania, Zimbabwe and ARIPO.

84. The Office met with representatives of international organizations to coordinate activities or to provide information on UPOV. The Office participated in meetings of, and discussions with ARIPO, CBD, FAO, ISTA, the ITPGRFA Secretariat, OAPI, OECD, the WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore and the WTO Council for TRIPS.

85. The Office met with the following professional associations in order to follow developments in the practical application of plant variety protection at a global and regional level: AFSTA, the Asia and Pacific Seed Association (APSA), CIOPORA, ESA, ISF and the Seed Association of the Americas (SAA).

V. PUBLICATIONS

86. The Office published:

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

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

(c) the following Test Guidelines were adopted on the basis of the documents indicated, as amended by the TC at its forty-seventh session, and will be published on the UPOV website, subject to the Council adopting the necessary revision to document TGP/7 as set out in document C/45/13, Annex I):

Document No. N <sup>o</sup> . du document Dokument-Nr. No del documento	English	Français	Deutsch	Español	Botanical name Nom botanique Botanischer Name Nombre botánico
<b><u>NEW TEST GUIDELINES</u></b>					
TG/ACERO(proj.4)	acerola, Barbados-cherry, West Indian-cherry	cerise de Cayenne, cerisier de Barbade, cerisier des Antilles	Barbadoskirsche, Westindische Kirsche	Acerola, Someruco	Malpighia emarginata DC
TG/AGAPA(proj.4)	African Lily, Agapanthus, Blue Lily, Lily of the Nile	Agapanthe, Fleur d'amour	Agapanthus, Schmucklilie	Agapanto, Estrella de mar	Agapanthus L'Hér.
TG/BOUGA(proj.5)	Bougainvillea	Bougainvillée, Bougainvillier	Bougainvillee	Bugambilia, Buganvilla	Bougainvillea Comm. ex Juss.
TG/CACAO(proj.4)	Cacao	Cacaoyer	Kakao	Cacao	Theobroma cacao L.
TG/CAMEL(proj.4)	Camellia	Camélia	Kamelie	Camelia	Camellia L. (excluding Camellia sinensis L. O.Kuntze)
TG/DRAGON(proj.5)	Dragon Fruit, Strawberry pear	Pitahaya, Fruit du dragon, Œil de dragon	Pitahaya, Drachen-Frucht	Pitahaya	Hylocereus undatus (Haw.) Britton et Rose
TG/HIBIS(proj.7)	Rose-of-Sharon, shrub-althaea	Hibiscus de Syrie	Hibiskus, Echter Roseneibisch	Alteia-Arbustiva, Hibisco Colunar, Hibisco da Siria, Rosa de Sharao	Hibiscus syriacus L.
TG/RUMEX(proj.7)	Dock, Garden sorrel, sorrel, sorrel dock, sour dock	Grande oseille, Oseille commune	Wiesensauerampfer, Großer Sauerampfer	Acedera común	Rumex acetosa L.
TG/SETARIA(proj.5)	Foxtail Millet, Italian Millet, Hungary Millet	Millet d'Italie, Millet des oiseaux, Setaire d'Italie	Italienhirse, Kolbenhirse	Dana, Mijo de cola de zorro, Mijo de Hungria	Setaria italica L., Setaria italica (L.) P.Beauv.
TG/TOREN(proj.4)	Bluewings, Torenia, Wishbone-flower	Torenia	Torenie	Legazpia blanco, Torenia	Torenia L.
TG/VRIES(proj.6)	Vriesea	Vriesea	Vriesea	Vriesea	Vriesea Lindl.
<b><u>REVISIONS OF TEST GUIDELINES</u></b>					
TG/44/11(proj.5)	Tomato	Tomate	Tomate	Tomate	Lycopersicon lycopersicum (L.) Karst. ex. Farw.
TG/51/7(proj.4)	Gooseberry	Groseillier à maquereau	Stachelbeere	Agrazón, Grosellero Silvestre, Uve crespá	Ribes uva-crispa L.
TG/52/6(proj.4)	Red and White Currant	groseillier commun, groseillier rouge	Rote Johannisbeere, Weiße Johannisbeere	grosellero común, grosellero rojo	Ribes rubrum L., Ribes sylvestre (Lam.) Mert. et W.Koch, Ribes vulgare Lam., Ribes sativum (Rchb.) Syme

Document No. N° du document Dokument-Nr. No del documento	English	Français	Deutsch	Español	Botanical name Nom botanique Botanischer Name Nombre botánico
TG/56/4(proj.4)	Almond	Amandier	Mandel	Almendro	Prunus dulcis (Mill.) D.A.Webb, Prunus amygdalus (L.)
TG/57/7(proj.6)	Flax, Linseed	Lin	Lein, Flachs	Lino	Linum usitatissimum L.
TG/84/4(proj.4)	Japanese Plum	Prunier japonais	Ostasiatische Pflaume	Ciruelo japonés	Prunus salicina Lindl.
TG/99/4(proj.4)	Olive	Olivier	Ölbaum, Olive	Olivo	Olea europaea L.
TG/184/4(proj.3)	Cardoon, Globe Artichoke, Cardoon	Artichaut, Cardon	Artischocke; Artichoke; Cardy; Gemüseartichoke- Cardy; Kardonentartichoke	Alcachofa; Cardo	Cynara cardunculus L., Cynara scolymus L.
<b><u>PARTIAL REVISIONS OF TEST GUIDELINES</u></b>					
TG/13/10 Rev. (TC/47/2, TC/47/24)	Lettuce	Laitue	Salat	Lechuga	Lactuca sativa L.
TG/55/7 Rev. (TC/47/2, TC/47/24)	Spinach	Épinard	Spinat	Espinaca	Spinacia oleracea L.

87. *The Council is invited to note this report.*

[Annexes follow]

## ANNEX I

## MEMBERS OF THE UNION

September 30, 2011

This document provides the status of the members of the Union in relation to the Convention and its various Acts, as of September 30, 2011 (see Articles 31 and 32 of the 1961 Convention, Article 32(1) of the 1978 Act and Article 34(2) of the 1991 Act).

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

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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 <sup>1/</sup>	- - - -	- - - 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

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

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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



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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 -

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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 -
Peru	- - - -	- - - July 8, 2011	- - - August 8, 2011
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

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Annex I, page 6

Member	Date of signature	Date of deposit of instrument of ratification, acceptance, approval or accession	Date of entry into force
Russian Federation	- - -	- - March 24, 1998	- - April 24, 1998
Singapore	- - -	- - June 30, 2004	- - July 30, 2004
Slovakia <sup>1</sup>	- - -	- - 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
The former Yugoslav Republic of Macedonia	- - -	- - April 4, 2011	- - May 4, 2011
Trinidad and Tobago	- - -	- - December 30, 1997 -	- - January 30, 1998 -
Tunisia	- - -	- - July 31, 2003	- - August 31, 2003

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

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Annex I, page 7

Member	Date of signature	Date of deposit of instrument of ratification, acceptance, approval or accession	Date of entry into force
Turkey	- - -	- - October 18, 2007	- - November 18, 2007
Ukraine	- - -	- October 3, 1995 December 19, 2006	- November 3, 1995 January 19, 2007
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: 70 members

[Annex II follows]

## ANNEX II

STUDENTS REGISTERED FOR THE  
UPOV DISTANCE LEARNING COURSE (DL-205)

Session I, 2011: May/June		
Category	Students from	Number of students
<u>Category 1</u> Officials of members of the Union	Argentina, Bolivia, Brazil, Chile, European Union, France, Hungary, Italy, Japan, Kenya, Kyrgyzstan, Mexico, Netherlands, Poland, Republic of Korea, Spain, Switzerland, Tunisia, Ukraine, United Kingdom, Uruguay, Uzbekistan, Viet Nam	154
<u>Category 2</u> Officials of observer States / intergovernmental organizations / others	Ghana, Guatemala, Honduras, Lebanon, Peru	5
<u>Category 3 (Paying)</u>	France, Germany, India, Indonesia, Mexico, Netherlands, Philippines, Thailand, United States of America, Viet Nam	13
<u>Category 4</u> Selective participants – waiver of fee	Bosnia and Herzegovina, Mauritius, United Republic of Tanzania, United States of America	4
<u>Special sessions for:</u> <ul style="list-style-type: none"> <li>• Korea International Cooperation Agency (KOICA) Course</li> <li>• Plant Variety Protection Course, Wageningen (Netherlands)</li> <li>• African Intellectual Property Organization (OAPI)</li> </ul>	Algeria, Cambodia, Cameroon, Cyprus, Egypt, Ethiopia, Equatorial Guinea, Guatemala, Islamic Republic of Iran, Morocco, Myanmar, Norway, Oman, Sudan, Syria, Tajikistan, Uganda, United Republic of Tanzania, United States of America, Uganda	19
<b>TOTAL</b>		<b>207</b>

	English	French	German	Spanish
Session I, 2011: Total by language	96	12	1	98

[End of Annex II and of document]