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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

COUNCIL

Forty-Sixth Ordinary Session Geneva, November 1, 2012

REPORT ON ACTIVITIES DURING THE FIRST NINE MONTHS OF 2012

prepared by the Office of the Union

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ANNEX I: Members of the Union

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Abbreviations used in this document:

CAJ:	Administrative and Legal Committee
TC:	Technical Committee
TC-EDC:	Enlarged Editorial Committee
TWPs:	Technical Working Parties
TWA:	Technical Working Party for Agricultural Crops
TWC:	Technical Working Party on Automation and Computer Programs
TWF:	Technical Working Party for Fruit Crops
TWO:	Technical Working Party for Ornamental Plants and Forest Trees
TWV:	Technical Working Party for Vegetables
BMT:	Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular
DUS:	Distinctness, Uniformity and Stability

I. COMPOSITION OF THE UNION

Members and Future Members

1. As of September 30, 2012, 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. No requests were received for examination of laws by the Council at its twenty-ninth extraordinary session, which was held in Geneva on March 30, 2012.

Situation in Relation to the Various Acts of the Convention

4. Forty-nine members were bound by the 1991 Act as of September 30, 2012.

5. As of September 30, 2012, one member was bound by the 1961 Convention as amended by the 1972 Act and 20 members were bound by the 1978 Act.

6. Annex I provides the status of the members of the Union in relation to the Convention and its various Acts, as of September 30, 2012.

II. SESSIONS OF THE COUNCIL AND ITS SUBSIDIARY BODIES

Council

7. The Council held its twenty-ninth extraordinary session on March 30, 2012, under the chairmanship of Mr. Choi Keun Jin (Republic of Korea), President of the Council. At that session, the Council:

(a) noted the report by the President on the eighty-third session of the Consultative Committee;

(b) approved the change of venue for the forty-fifth session of the TWO, to be held from August 6 to 10, 2012, and the preparatory workshop on August 5, 2012, from Seoul to Jeju, and noted that the corresponding revision would be made to the “Calendar of Meetings in 2012” (document C/45/8 Rev.2);

(c) adopted the revision of the following documents:

- UPOV/INF/4 “Financial Regulations and Rules of UPOV” (document UPOV/INF/4/2); and
- UPOV/INF-EXN “List of INF-EXN Documents and Latest Issue Dates” (document UPOV/INF-EXN/2);

(d) extended the appointment of the Vice Secretary-General from December 1, 2012, until November 30, 2015, and expressed its appreciation for his excellent performance;

(e) considered and approved a draft press release.

Consultative Committee

8. The Consultative Committee held its eighty-third session on March 30, 2012, under the chairmanship of Mr. Choi Keun Jin (Republic of Korea). At that session, in addition to the provision of advice to the Council on the adoption of documents, the extension of the appointment of the Vice Secretary General and the Press Release, the Consultative Committee:

(a) noted the report of the third meeting of the Working Group on Rules Concerning Observers, which had taken place on March 29, 2012;

(b) recommended to the Council to adopt the revision of the “Rules Governing the Granting of Observer Status to States, Intergovernmental Organizations and International Non-Governmental Organizations in UPOV Bodies” and the revision of the “Rules Governing Access to UPOV Documents”;

(c) granted observer status to the African Seed Trade Association (AFSTA) for the Council, the Administrative and Legal Committee (CAJ), the Technical Committee (TC) and the Technical Working Parties (TWP);

(d) noted the developments on access to UPOV documents and publication of information, and further noted that:

(i) the scanning and posting on the UPOV website of important documents that are only available in paper format would be planned according to available resources;

(ii) relevant members of the Union had been invited, in December 2011, to provide a consolidated list of genera and species in order to include notifications by members of the Union on plant genera and species in UPOV Lex later in 2012;

(iii) the posting on the UPOV website of the date of granting of observer status in the list of observers in UPOV bodies would be planned according to available resources;

(iv) the publishing on the UPOV website of the information concerning the President and Vice-President of the Council and the Chairs and Vice-Chairs of the UPOV bodies, with the appropriate contact information, and the publishing on the UPOV website of the photographs of the Secretary-General and of the Vice Secretary-General would be arranged as soon as possible;

(v) the establishment of a UPOV channel on YouTube for hosting of UPOV videos would be done in conjunction with the development of a coherent image for UPOV publication and presentation materials, for consistency with the redesigned UPOV website;

(e) agreed that consideration of the use of electronic communication of meetings should be considered at its eighty-fourth session, on the basis of a document to be prepared by the Office of the Union;

(f) agreed that the “Symposium on the benefits of plant variety protection for farmers and growers”, to be held in Geneva on November 2, 2012, be open for attendance to the public, subject to room capacity, with priority being given to participants from members of the Union, observer States and observer organizations; approved the webcasting of the Symposium; agreed the explanation of the aim of the Symposium; endorsed the plans for the draft program of the Symposium; and agreed to the inclusion of one speaker from those recommended by the Association for Plant Breeding for the Benefit of Society (APBREBES) to give a presentation in accordance with the aim of the Symposium;

(g) requested the Office of the Union to prepare a document on the UPOV policy for financing speakers and participants, for consideration at its eighty-fourth session, to be held in Geneva, on October 31, 2012; and

(h) noted the developments of relevance to UPOV in other international fora, and

(i) approved the participation of the Office of the Union in the World Intellectual Property Organization (WIPO) Framework for Designing National Intellectual Property Strategies for Development;

(ii) approved the contribution of the Office of the Union in the development of the WIPO Questionnaire "A tool to assess the current status of the national intellectual property system, strategic objectives and needs in line with national development priorities".

9. Further information on the work of the Consultative Committee is contained in document C(Extr.)/29/4.

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

10. The Administrative and Legal Committee (CAJ) held its sixty-fifth session on March 29, 2012. The Technical Committee (TC) held its forty-eighth session from March 26 to 28, 2012. The Enlarged Editorial Committee (TC-EDC) held meetings on January 11 and 12 and on March 26 and 27, 2012. The Technical Working Party for Agricultural Crops (TWA) held its forty-first session in Angers, France, from May 21 to 25, 2012. The Technical Working Party on Automation and Computer Programs (TWC) held its thirtieth session in Chisinau, Republic of Moldova, from June 26 to 29, 2012. The Technical Working Party for Fruit Crops (TWF) held its forty-third session in Beijing, China, from July 30 to August 3, 2012. The Technical Working Party for Ornamental Plants and Forest Trees (TWO) held its forty-fifth session in Seoul, Republic of Korea, from August 6 to 10, 2012. The Technical Working Party for Vegetables (TWV) held its forty-sixth session near the city of Venlo, Netherlands, from June 11 to 15, 2012. Each of the Technical Working Party sessions was preceded by a preparatory workshop.

11. Further information on the work of the CAJ, TC and TWPs is contained in documents C/46/9 "Progress report of the work of the Administrative and Legal Committee" and C/46/10 "Progress report of the work of the Technical Committee, the Technical Working Parties and the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular".

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

Individual activities

12. On January 5, in Geneva, the Office participated in a conference call with representatives of the World Seed Project Steering Committee (Food and Agriculture Organization of the United Nations (FAO), International Seed Federation (ISF), International Seed Testing Association (ISTA), Organisation for Economic Co-operation and Development (OECD) and UPOV) to discuss progress on the World Seed Project. Further conference calls took place on January 10 and 26, February 14, March 16, April 10 and 13, May 9, June 1, July 3 and 25, August 17 and 23, September 3, 13 and 25.

13. On January 11, in Geneva, the Office met with H.E. Mr. Kasmirhan Tahir, Ambassador and Permanent Representative of Brunei Darussalam, Permanent Mission of Brunei Darussalam to the United Nations Office, World Trade Organization and other International Organizations.

14. On January 13 and 14, in Arusha, United Republic of Tanzania, the Office participated in a meeting of the World Seed Project Steering Committee. The Steering Committee met with government officials and representatives of the seed sector in the United Republic of Tanzania.

15. On January 14, also in Arusha, the Office had a short meeting with Mr. Patrick Ngwediagi, Registrar, Plant Breeders' Rights Office, Ministry of Agriculture, Food Security and Cooperatives (MAFC), concerning the draft law on plant variety protection in mainland Tanzania and developments regarding cooperation in the development of a law for Zanzibar.

16. On January 18, in Geneva, the Office met with officials from the Queensland University of Technology (QUT) of Brisbane, Australia, during their study visit to the headquarters of the World Intellectual Property Organization (WIPO), namely Professor Rosalind Mason, Head, School of Law, and Professor Kamal Puri, Director, WIPO-QUT Master of Intellectual Property Law Program and General Manager. The Office made a general presentation on UPOV.
17. On January 19, in Geneva, the Office received the visit of Ms. Rasoanaivo, Counselor, Permanent Mission of Madagascar in Geneva, and an intern of the Permanent Mission, and explained the UPOV system of plant variety protection and the procedure for becoming a UPOV member.
18. On January 23, 24 and 26, in Peru, the Office organized three seminars on plant variety protection in cooperation with the *Instituto Nacional de Defensa de la Competencia y de la Protección de la Propiedad Intelectual* (INDECOPI) and with the financial support of the United States Patent and Trademark Office (USPTO). The seminars were held in Lima, Trujillo and Iquitos, respectively. The Office made presentations on UPOV, plant variety protection under the UPOV Convention, and the benefits of becoming a member of UPOV. At the fringes of the Seminar in Lima, the Office met with Mr. Hebert Tassano, President, Executive Council, INDECOPI, and Mr. Bruno Merchor, Director of Inventions and New Technologies, INDECOPI, to discuss developments in Peru with regard to the implementation of plant variety protection.
19. From January 24 to 27, in Paris, France, the Office attended the OECD Seed Scheme meetings and took part in the OECD's Extended Advisory Group Meeting, the *Ad hoc* Working Group of Experts on Biochemical and Molecular Techniques in Describing and/or Identifying Varieties, and the Technical Working Group on Varietal Identity and Purity.
20. From January 26 to February 1, in Tokyo, Chiba, Tsukuba and Hachimantai, Japan, the Office participated in a study tour and related meetings for high-ranking officials responsible for plant variety protection from Cambodia, Indonesia and the Lao People's Democratic Republic.
21. Between February 14 and 22, in Geneva, the Office participated in parts of the twentieth session of WIPO's Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC).
22. On February 21, in Geneva, the Office received the visit of Mrs. Fatima Al Ghazali, Plenipotentiary Minister, Permanent Mission of Oman. The organization of a workshop in Oman to raise awareness on plant variety protection was discussed (see paragraph 39).
23. On February 24, in Phnom Penh, Cambodia, the Office participated in a Plant Variety Protection Awareness Raising Seminar, hosted by the Ministry of Agriculture, Forestry and Fisheries of Cambodia, in cooperation with the Ministry of Agriculture, Forestry and Fisheries of Japan within the framework of the East Asia Plant Variety Protection Forum (EAPVP Forum) cooperation activities.
24. From February 27 to 29, in Pattaya, Thailand, the Office participated in parts of the Asia Pacific Seed Association (APSA) Congress 2011, which had been twice postponed. The Office made a presentation on "UPOV Convention: Breeder's exemption and exceptions for farmers" at the Pre-Congress Workshop on Plant Breeder's Rights, Patents and Access to Biodiversity and Genetic Resources, held on February 27, and provided an "Update on UPOV activities" at the Standing Committee Meeting on Intellectual Property Rights, held on February 29. At the fringes of the APSA Congress, a meeting of the World Seed Project Steering Committee was held.
25. On February 28, at the headquarters of the World Trade Organization (WTO) in Geneva, the Office attended the relevant parts of the meeting of the Council for Trade Related Aspects of Intellectual Property Rights (Council for TRIPS).
26. From March 5 to 8, in Zanzibar, United Republic of Tanzania, the Office participated in the Twelfth African Seed Trade Association (AFSTA) Annual Congress, where it made a presentation on latest developments at UPOV. The Office also organized a pre-AFSTA Congress Workshop on Plant Variety Protection, on March 5.
27. On the evening of March 8, 2012, in Zanzibar, United Republic of Tanzania, the World Seed Project Steering Committee was invited to a dinner hosted by Hon. Prof. Maghembe, Minister of Agriculture, Food Security and Cooperatives (MAFC), which was also attended by government officials and representatives of the Tanzania Seed Trade Association (TASTA).

28. On March 9, 2012, also in Zanzibar, the World Seed Project Steering Committee held its second meeting with government officials and representatives from the seed sector from the United Republic of Tanzania (see paragraph 12).
29. On March 13, in Geneva, the Office received a courtesy visit by Ms. Catalina Gaviria Bravo, Commercial Counselor, Permanent Mission of Colombia to the WTO in Geneva, and Mr. Juan Camilo Saretzki-Forero, First Secretary, Permanent Mission of Colombia to the United Nations in Geneva.
30. On March 20, at WTO headquarters in Geneva, the Office made a presentation on “Plant variety protection: law, policy and development” at the WIPO-WTO Advanced Course on Intellectual Property for Government Officials.
31. During the week of March 26, in Geneva, the Office met with Mr. Nik Hulse, Senior Examiner of Plant Breeder’s Rights, Plant Breeder’s Rights Office, IP Australia, to discuss the development of a web-based Test Guidelines template.
32. From April 16 to 18, in Accra, Ghana, the Office participated in meetings of the World Seed Project Steering Committee. The Steering Committee met with H.E. Mr. Kwesi Ahwoi, Minister for Food and Agriculture, Mrs. Grace Ama Issahaque, Principal State Attorney, Registrar-General’s Department, Ministry of Justice, other government officials and representatives from the seed sector in Ghana.
33. On April 19, in Belgrade, Serbia, the Office participated in a “Conference on Plant Breeders’ Rights and UPOV Membership”, organized by the Plant Protection Directorate of the Ministry of Agriculture, Trade, Forestry and Water Management (MATFWM) of Serbia, in cooperation with the Dutch Embassy in Belgrade and USAID Agribusiness Project. The Office gave a presentation on “Introduction to the UPOV system and benefits from UPOV membership; improved access to new varieties in recently acceded countries”.
34. From April 23 to 27, in Alexandria, Virginia, United States of America, the USPTO, in cooperation with UPOV, organized a training course on “Plant Variety Protection Under the UPOV Convention”. The aim of the course is to provide training for individuals (“trainers”) who will provide training to others on plant breeders’ rights under the UPOV Convention. In advance of the USPTO/UPOV training course, all participants were required to successfully complete the UPOV Distance Learning Course DL-205 “Introduction to the UPOV System of Plant Variety Protection under the UPOV Convention”.
35. On April 23 and 24, in Geneva, the Office participated in a meeting concerning the WIPO Framework for Designing National Intellectual Property Strategies for Development in order to contribute to thematic module 2 “Agriculture, Rural Development and IP”.
36. On April 24, in Miami, United States of America, the Office participated in the open part of the Annual General Meeting of the International Community of Breeders of Asexually Reproduced Ornamental and Fruit Varieties (CIOPORA), and made a presentation on latest developments in UPOV.
37. On April 25, also in Miami, the Office was invited to make a presentation at the CIOPORA International Intellectual Property Conference on “New developments in UPOV with specific reference to the Americas”.
38. On April 27, in Geneva, the Office received the visit of H.E. Mr. Nicolas Niemtchinow, Ambassador of France, who deposited the instrument of ratification of the 1991 Act of the UPOV Convention.
39. On May 1 and 2, in Muscat, Oman, the Office participated in a Workshop on the Implementation and Raising Awareness of Plant Variety Protection, jointly organized by UPOV and the Government of Oman with the financial support of USPTO. On the fringes of the Workshop, the Office met with the Secretary General of the Research Council, Dr. Hilal Bin Ali Al-Hinal, and his team, and with the Minister for Agriculture and Fisheries, H.E. Dr. Fuad Bin Ja’afar Al-Sajwani.
40. Between May 7 and 18, in Geneva, the Office received the visit of Mr. Patrick Maluku, Plant Examiner, Plant Variety Protection Office, Kenya Plant Health Inspectorate Services (KEPHIS), who received training on the contribution of data to the UPOV Plant Variety Database. Training was provided by the Office and WIPO colleagues in the Brand Database Unit.
41. On May 8, in Uppsala, Sweden, the Office provided a full-day training session on plant variety protection in the Advanced International Training Program “Genetic Resources and Intellectual Property Rights”, organized by the Swedish University of Agricultural Sciences (SLU) and funded by the Swedish International Development Agency (Sida). The program was attended by participants from Chile, China, the

- Democratic People's Republic of Korea, India, Jordan, Kenya, Malawi, Nepal, Pakistan, Peru, Sudan, Uganda and Zimbabwe.
42. On May 9, in Geneva, the Office was invited by H.E. Mr. Angelos Pangratis, Ambassador and Permanent Representative of the European Union to the WTO, and H.E. Mrs. Mariangela Zappia, Ambassador and Permanent Observer of the European Union to the United Nations Office in Geneva, to a reception to celebrate the "Day of Europe".
43. On May 10, at UPOV headquarters in Geneva, the Office organized a meeting on Electronic Application Forms, with the possibility of participation by WebEx. The meeting was attended by: the Office; WIPO; the Community Plant Variety Office (CPVO), accompanied by experts from the *Groupe d'étude et de contrôle des variétés et des semences* (GEVES, France) and Naktuinbouw (Netherlands); CIOFORA, and ISF, accompanied by experts from Monsanto, Nunhems Netherlands B.V., Pioneer, Rijk Zwaan Zaadteelt en Zaadhandel B.V. and Syngenta.
44. On May 10 and 11, at WIPO headquarters in Geneva, the Office participated in WIPO's "Intellectual Property, Innovation and Food Security: Workshop for Sustainable Wheat Production in East Africa – A Case Study on the Role of Intellectual Property".
45. On May 15, in London, United Kingdom, the Office attended the Annual Dinner of the British Society of Plant Breeders (BSPB).
46. On May 23, the Office received the visit of Mr. Samuel A. Moreno, General Director of Legal Affairs of Negotiation, Ministry of Trade and Industries of Panama, and Mrs. Zoraida Rodríguez, Legal Counsellor, Permanent Mission of Panama to the WTO in Geneva, and discussed the procedure for accession to the 1991 Act of the UPOV Convention.
47. On May 24, the Office received the visit of Mrs. Wéré Régine Gazaro, Director, Department of the Protection of Industrial Property, African Intellectual Property Organization (OAPI). The visit included a demonstration on the use of the GENIE Database.
48. On May 24, the Office received the visit of Mrs. Jiang Zehui, Chair, China Flower Association, who was accompanied by officials of the Ministry of Foreign Affairs, the Ministry of Finance, the State Forestry Administration, the International Network for Bamboo and Rattan (INBAR), the Chinese Academy of Forestry and the China Flower Association.
49. On May 24, the Office received the visit of Mrs. Shahrinah Yusof Khan, Deputy Registrar, Head of Patents, Patent Registry Office of Brunei Darussalam, and discussed the procedure for becoming a UPOV member.
50. On May 25, in Geneva, the Office received a visit from Mr. Ken-Ichiro Natsume, Head, WIPO Japan Office.
51. From May 28 to 30, in Bangkok, Thailand, the Office participated in the Fifth East Asia Plant Variety Protection Forum (EAPVP Forum) Meeting and at the International Seminar on Impact of Plant Variety Protection. The Office made a presentation on "UPOV and the impact of plant variety protection" On the fringes of these events, individual discussions were held with EAPVP Forum countries.
52. On June 5, at the International Centre of the Lomonosov Moscow State University in Geneva, the Office gave a lecture on the "Introduction to Protection of New Plant Varieties" to students participating in the WIPO Course on Introduction to International Intellectual Property Law.
53. On June 5, at WTO headquarters in Geneva, the Office attended the relevant parts of the meeting of the Council for Trade Related Aspects of Intellectual Property Rights (Council for TRIPS).
54. From June 12 to 14, in Harare, Zimbabwe, the Office participated in the "Expert Review Meeting on the ARIPO Draft Legal Framework on the Protection of New Varieties of Plants", organized by the African Regional Intellectual Property Organization (ARIPO), in cooperation with UPOV and with the financial assistance of the USPTO. At the fringes of the Expert Meeting the Office had consultations on legislation matters and membership of UPOV with the Principals from the Department of Agriculture of Zimbabwe, and experts from Ghana and the United Republic of Tanzania.

55. 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." On June 15, the Office participated in a meeting of the Main Working Group.
56. From June 18 to 22, the Office received the visit of Mr. Jay Sanderson, Lecturer, Member of the Australian Centre for Intellectual Property in Agriculture (ACIPA), Griffith Law School of Australia, who is conducting research on UPOV and the UPOV Convention.
57. On June 19, in Wageningen, Netherlands, the Office provided a full-day training session on UPOV at the 15th International Course on Plant Variety Protection, organized by Naktuinbouw, and participated in the course. The course was attended by participants from Australia, Belgium, Brazil, Cameroon, Costa Rica, Croatia, Honduras, India, Italy, Lebanon, Morocco, Netherlands, Poland, Serbia, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey and Uganda. Participants were offered the possibility to hold bilateral discussions with UPOV representatives. The participant from Honduras requested assistance in the procedure to become a UPOV member. Participants from Lebanon and from the former Yugoslav Republic of Macedonia asked about the possibility of organizing activities in order to raise awareness on the benefits of plant variety protection.
58. On June 20, at WTO headquarters in Geneva, the Office gave a presentation on the "Protection of Biotechnology and New Varieties of Plants" at the WIPO-WTO Colloquium for Teachers of Intellectual Property.
59. On June 21, at WIPO headquarters in Geneva, 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.
60. From June 26 to 28, in Rio de Janeiro, Brazil, the Office participated in the International Seed Federation (ISF) World Seed Congress 2012.
61. From July 3 to 6, in New Delhi, India, the Office attended the Second meeting of the Open-ended *Ad Hoc* Intergovernmental Committee on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization to the Convention on Biological Diversity (ICNP-2).
62. On July 4, in Rome, Italy, the Office made a presentation on "Plant Varieties Protection and Licensing" at the "Technology Licensing for Developing Countries: Dos and Don'ts" Course, organized by the International Development Law Organization (IDLO). The course was attended by participants from Argentina, Brazil, Bulgaria, Cambodia, Egypt, Kenya, Lebanon, Nepal, Nigeria, Pakistan, Peru, Philippines, Romania, South Africa, Sri Lanka, the former Yugoslav Republic of Macedonia, Uganda and Viet Nam.
63. On July 6, at WIPO headquarters in Geneva, the Office made a presentation on "The protection of new varieties of plants under the UPOV Convention" at the WIPO Summer School on Intellectual Property. The WIPO Summer School was attended by participants from Australia, Austria, Belgium, Brazil, Cameroon, Canada, Chile, China, Colombia, Democratic People's Republic of Korea, Ecuador, Germany, Greece, India, Italy, Japan, Mexico, Morocco, Netherlands, Nigeria, Poland, Qatar, Republic of Korea, Romania, Russian Federation, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tunisia, United Kingdom, United States of America and Venezuela.
64. From July 9 to 13, in Geneva, the Office attended parts of the twenty-second session of WIPO's Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC).
65. From July 9 to 13, in Helsinki, Finland, the Office attended the Annual Meeting of the OECD Seed Schemes, including meetings of the OECD's Extended Advisory Group (EAG), the *Ad hoc* Working Group of Experts on Biochemical and Molecular Techniques in Describing and/or Identifying Varieties and the Technical Working Group on Varietal Identity and Purity.
66. From July 10 to 12, in Seoul, Republic of Korea, the Office gave lectures on UPOV at the "Plant Variety Protection and DUS Testing" training course, organized by the Korea Seed & Variety Service (KSVS) and the Korean International Cooperation Agency (KOICA). The course was attended by participants from Cambodia, Dominican Republic, Egypt, Ghana, Guatemala, Indonesia, Jordan, Kenya, Lao People's Democratic Republic, Morocco, Myanmar, Nicaragua, Philippines, Tajikistan, Uganda and United Republic of

Tanzania. Participants were offered the possibility to hold bilateral discussions with UPOV representatives. The participant from Jordan requested assistance and guidance from the Office for the implementation of the plant variety protection system and DUS examination.

67. On July 16 and 17, in Bangkok, Thailand, the Office met with officials of the Department of Agriculture (DOA) to provide assistance in the drafting of the revision of the Plant Variety Protection Act.

68. On July 26 and 27, in Brisbane, Australia, at the Queensland University of Technology (QUT) Master Program of Intellectual Property Law, lectures were given by Mr. Doug Waterhouse, on behalf of the Office, on plant variety protection under the UPOV system.

69. On August 7 and 8, in Brasilia, Brazil, at the invitation of Mr. Shakeel Bhatti, Secretary of the International Treaty on Genetic Resources for Food and Agriculture (ITPGRFA), the Office attended a meeting to discuss the options for the establishment and intended activities of a "Platform for the Co-Development and Transfer of Technologies" within the context of the ITPGRFA. The meeting was co-organized by the Ministry of Agriculture, Livestock and Food Supply and the Ministry of the Environment of Brazil, the Brazilian Research Corporation (EMBRAPA) and the Indonesian Agency for Agricultural Research and Development (IAARD).

70. On August 21 and 22, in Angers, France, Mr. Sebastian Pérez del Castillo, Analyst-Programmer, WIPO Internet Services Section, met with CPVO experts, on behalf of the Office, to gain information on the CPVO online application system in the context of electronic application forms.

71. On August 29, in Geneva, the Office participated in a conference call with WIPO colleagues and experts in the context of the WIPO Framework for Designing National Intellectual Property Strategies for Development in order to contribute to thematic module 2 "Agriculture, Rural Development and IP" (see paragraph 35).

72. From August 29 to 31, in Santa Cruz de la Sierra, Bolivia (Plurinational State of), the Office attended the XXIII Pan-American Seed Congress, organized by the Latin American Federation of Seed Associations (FELAS).

73. On September 5, the Office received the courtesy visit of Mr. Luis Mayaute Vargas, who recently took office as Counsellor at the Permanent Mission of Peru at Geneva.

74. From September 5 to 7, 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). The course was attended by participants from Cambodia, Indonesia, Malaysia, Myanmar, Philippines, Thailand and Viet Nam. Participants of the JICA Training Course were given the opportunity to participate in the UPOV Distance Learning Course.

75. On September 6, in Seattle, Washington, United States of America, the Office and the other members of the World Seed Project Steering Committee made presentations at the Bill & Melinda Gates Foundation.

76. On September 11, the Office received a visit by Mrs. Caroline Dommen, Representative for Global Economic Issues, Quaker UN Office (QUNO) at Geneva (see paragraph 82).

77. On September 12, in Geneva, the Office met with a Delegation from the Intellectual Property Organization of Pakistan during their study visit to WIPO.

78. On September 12 and 13, in Yaoundé, Cameroon, the Office participated in the fiftieth anniversary celebrations of the African Intellectual Property Organization (OAPI). The Office made a speech of congratulations and displayed the UPOV posters at the event.

79. On September 17, in Geneva, at the invitation of the FAO Liaison Office at Geneva, the Office attended the Information Day "Technology Transfer Within the International Treaty on Plant Genetic Resources for Food and Agriculture", which included discussions on the initiative for "A technology transfer & co-development platform under the International Treaty" (see paragraph 69).

80. On September 19, the Office made presentations, via the Internet, on UPOV, the impact and benefits of the UPOV system, and public/private partnership at the Sixth International Conference on Intellectual Property Rights in Agriculture, which took place in Amman, Jordan.

81. On September 20 and 21, in Peradeniya, Sri Lanka, the Office provided a keynote address on "The importance of new plant varieties and plant variety protection for the benefit of society" at the Annual Symposium of the Department of Agriculture of Sri Lanka.

82. On September 24, at WTO headquarters in Geneva, the Office attended a session on "Agricultural Innovation for the 21st century – Matching the international property framework with farmers' needs", organized by QUNO and the International Institute for Environment and Development (IIED) during the WTO Public Forum 2012.

83. On September 26, in Uppsala, Sweden, the Office provided a full-day training session on plant variety protection in the Advanced International Training Program "Genetic Resources and Intellectual Property Rights" (GRIP-12b), organized by the Swedish University of Agricultural Sciences (SLU) and funded by the Swedish International Development Agency (Sida). The program was attended by participants from Bosnia and Herzegovina, Cameroon, Colombia, Ecuador, Kenya, Mexico, Montenegro, Serbia, South Africa, Thailand, Tunisia, Turkey, Uganda, United Republic of Tanzania and Viet Nam.

84. On September 26, the Office received a visit by Mr. Yoon Bae Kim, President, International Association for the Protection of Intellectual Property (AIPPI).

Distance Learning Course

85. A session of the UPOV Distance Learning Course DL-205 in English, French, German and Spanish was held from May 7 to June 10, 2012. A breakdown of the students participating in the DL-205 course is available in Annex II.

IV. RELATIONS WITH STATES AND ORGANIZATIONS

86. The Office provided assistance on plant variety protection legislation to the following members: Canada, Colombia and Panama.

87. 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 Bahrain, Cambodia, Colombia, France, Honduras, Panama and Serbia.

88. 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 Bosnia and Herzegovina, Brunei Darussalam, Ghana, Lao People's Democratic Republic, Malaysia, Pakistan, Philippines, Thailand, United Republic of Tanzania and Zimbabwe.

89. 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, FAO, IDLO, ISTA, OAPI, OECD, WIPO and WTO.

90. The Office participated in events organized by the following professional associations in order to follow developments in the practical application of plant variety protection at a global and regional level: AFSTA, APSA, CIOPORA, FELAS and ISF.

V. PUBLICATIONS

91. The Office published:

(a) one issue (No. 105) of the UPOV Gazette and Newsletter "Plant Variety Protection" in electronic format;

(b) four updated discs of the “UPOV-ROM Plant Variety Database” (including two updates of 2011);

(c) two documents adopted by the Council at its twenty-ninth extraordinary session held on March 30, 2012 and published on the UPOV website:

UPOV/INF/4/2: Financial Regulations and Rules of UPOV (Revision)

UPOV/INF-EXN/2: List of INF-EXN Documents and Latest Issue Dates (Revision)

(d) the following Test Guidelines were adopted by the TC at its forty-eighth session:

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/276/1	Hemp	Chanvre	Hanf	Cáñamo	<i>Cannabis sativa</i> L.
TG/277/1	Blue Honeysuckle, Bush Honeysuckle; Honeyberry		Blaue Honigbeere		<i>Lonicera caerulea</i> L.
TG/278/1	Buckwheat	Blé noir; Sarrasin	Buchweizen	Alforfón	<i>Fagopyrum esculentum</i> Moench (<i>Fagopyrum</i> <i>sagittatum</i> Gilib.)
TG/279/1	Canna	Balisier; Canna	Blumenrohr	Platanillo	<i>Canna</i> L.
TG/280/1	Heuchera, Coral Flower, Heucherella, Foamy Bells	Heuchera	Purpurglöckchen		<i>Heuchera</i> L., <i>xHeucherella</i> H. R. Wehrh., <i>Heuchera x Tiarella</i>
TG/281/1	Echinacea, Cone flower	Échinacée	Igelkopf		<i>Echinacea</i> Moench.
TG/282/1	Shiitake	Shiitake	Pasaniapilz	Shiitake	<i>Lentinula edodes</i> (Berk.) Pegler <i>Lentinus edodes</i> (Berk.) Sing.
TG/283/1	Oncidium	Orchidée danseuse, Oncidium	Oncidium	Oncidium	<i>Oncidium</i> Sw.
REVISIONS OF TEST GUIDELINES					
TG/98/7	Actinidia, Kiwifruit	Actinidia	Actinidia	Actinidia	<i>Actinidia</i> Lindl.
TG/120/4	Durum wheat, Hard Wheat, Macaroni Wheat	Blé dur	Durumweizen; Hartweizen	Trigo duro	<i>Triticum turgidum</i> L. subsp. <i>durum</i> (Desf.) Husn., <i>Triticum durum</i> Desf., <i>Triticum</i> <i>turgidum</i> subsp. <i>turgidum</i> conv. <i>durum</i> (Desf.) MacKey, <i>Triticum turgidum</i> L.
TG/218/2	Parsnip	Panais	Pastinake	Chirivía	<i>Pastinaca sativa</i> L.
TG/63/7-TG/64/7	Black radish, Oriental radish	Radis rave	Rettich	Rabano de invierno, Rabano negro	<i>Raphanus sativus</i> L. var. <i>niger</i> (Mill.) S. Kerner, = (N) <i>Raphanus sativus</i> L. var. <i>longipinnatus</i> L.H. Bailey
	Radish, Garden Radish, European Radish, Chinese Small Radish, Western Radish	Radis de tous les mois	Radieschen	Rabanito	<i>Raphanus sativus</i> L. var <i>sativus</i> = (S)
PARTIAL REVISIONS OF TEST GUIDELINES					
TG/12/9 Rev.	French Bean	Haricot	Gartenbohne	Judía común, Alubia	<i>Phaseolus vulgaris</i> L.
TG/78/4 Rev.	Kalanchoe	Kalanchoe	Kalanchoe, Flammendes Kätchen	Kalancho	<i>Kalanchoe blossfeldiana</i> Poelln. and its hybrids

Document No. N° du document Dokument-Nr. No del documento	English	Français	Deutsch	Español	Botanical name Nom botanique Botanischer Name Nombre botánico
TG/196/2 Rev.	New Guinea Impatiens	Impatiente de Nouvelle- Guinée	Neu-Guinea- Impatiens	Impatiens de Nueva Guinea	New Guinea Impatiens Group
TG/22/10 Rev.	Strawberry	Fraisier	Erdbeere	Fresa, Frutilla	Fragaria L.

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

[Annexes follow]

ANNEX I

MEMBERS OF THE UNION

September 30, 2012

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).

- 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 -

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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).

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 April 27, 2012	October 3, 1971 February 11, 1977 March 17, 1983 May 27, 2012
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 December 8, 2011	- - November 8, 1981 January 8, 2012
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

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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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

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 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
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

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

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

PARTICIPATION IN THE UPOV DISTANCE LEARNING COURSE (DL-205)

Session I, 2012: May/June		
Category	Participants from	Number of participants
<u>Category 1</u> Officials of members of the Union	Belgium, Bolivia (Plurinational State of), Brazil, Bulgaria, Chile, China, Costa Rica, France, Hungary, Italy, Japan, Latvia, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Peru, Poland, Republic of Korea, Slovakia, Spain, Sweden, United Kingdom	178
<u>Category 2</u> Officials of observer States / intergovernmental organizations / others	Greece, India, Iran (Islamic Republic of), Lebanon, Philippines, Zimbabwe	6
<u>Category 3</u> Other	Argentina, Brazil, France, Israel, United Kingdom	9
TOTAL		193

	English	French	German	Spanish
Session I, 2012: Total by language	64	4	-	125

<u>Special sessions for:</u>	Participants from	Number of participants
– Korea International Cooperation Agency (KOICA) Training Course on Plant Variety Protection	Cambodia, Egypt, Ghana, Guatemala, Indonesia, Jordan, Kenya, Laos, Morocco, Myanmar, Philippines, Timor-Leste, Uganda and United Republic of Tanzania,	14
– International Course on Plant Variety Protection Course (Naktuinbouw, Netherlands)	Austria, Belgium, Cameroon, Croatia, India, Morocco, Netherlands, Serbia, the former Yugoslav Republic of Macedonia, Tunisia, Turkey and Uganda	17
– JICA Training Course on “Internationally Harmonized Plant Variety Protection System”	Cambodia, Indonesia, Malaysia, Myanmar, Philippines, Thailand, Viet Nam	9
TOTAL		40

[End of Annex II and of document]