



C/48/17 Add.

ORIGINAL: English/Spanish

DATE: October 24, 2014

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

COUNCIL

**Forty-Eighth Ordinary Session
Geneva, October 16, 2014**

ADDENDUM TO DOCUMENT C/48/17

REPORTS BY REPRESENTATIVES OF MEMBERS AND OBSERVERS
ON THE LEGISLATIVE, ADMINISTRATIVE AND TECHNICAL FIELDS

Document prepared by the Office of the Union

Disclaimer: this document does not represent UPOV policies or guidance

The following reports were received after the deadline of September 5, 2014 (in the alphabetical order of the names in French):

Members: Annexes I and II: China and Colombia.

[Annexes follow]

ANNEX I

CHINA

Additional development from State Forestry Administration, China

1. Situation in the legislative field

Extension of protection to further genera and species

The 5th batch forestry protection list of new varieties of plants has been published on January 22, 2013 and enforced on April 1, 2013, which includes 120 genera or species as follows:

No.	Chinese Name	UPOV-Code	Latin Name
1	六道木属	ABELI	<i>Abelia</i> R. Br.
2	冷杉属	ABIES	<i>Abies</i> Mill.
3	五加属		<i>Acanthopanax</i> (Decne. et Planch.) Miq.
4	酸竹属		<i>Acidosasa</i> C. D. Chu et C. S. Chao
5	七叶树属	AESCU	<i>Aesculus</i> L.
6	木通属		<i>Akebia</i> Decne.
7	合欢属	ALBIZ	<i>Albizia</i> Durazz.
8	桤木属	ALNUS	<i>Alnus</i> Mill.
9	沙冬青属		<i>Ammopiptanthus</i> Cheng f.
10	紫穗槐属		<i>Amorpha</i> L.
11	柳叶珊瑚属	AUCUB	<i>Aucuba</i> Thunb.
12	小檗属	BERBE	<i>Berberis</i> L.
13	木棉属		<i>Bombax</i> L.
14	叶子花属	BOUGA	<i>Bougainvillea</i> Comm. ex Juss.
15	构属	BROUS	<i>Broussonetia</i> L'Hér. ex Vent.
16	醉鱼草属	BUDDL	<i>Buddleja</i> L.
17	紫珠属		<i>Callicarpa</i> L.
18	沙拐枣		<i>Calligonum mongolicum</i> Turcz.
19	凌霄属	CAMPS	<i>Campsis</i> Lour.
20	旱莲木	CAMPT_ACU	<i>Camptotheca acuminata</i> Decne.
21	锦鸡儿属	CARAG	<i>Caragana</i> Fabr.
22	鹅耳枥属	CARPI	<i>Carpinus</i> L.
23	山核桃属	CARYA	<i>Carya</i> Nutt.
24	决明属		<i>Cassia</i> L.
25	栗属	CASTA	<i>Castanea</i> Mill.
26	木麻黄属	CASUA	<i>Casuarina</i> L.
27	雪松属	CEDRU	<i>Cedrus</i> Trew
28	朴属	CELT	<i>Celtis</i> L.
29	三尖杉属		<i>Cephalotaxus</i> Sieb. et Zucc.

30	紫荆属	CERCS	<i>Cercis</i> L.
31	方竹属		<i>Chimonobambusa</i> Makino
32	流苏树属		<i>Chionanthus</i> L.
33	南酸枣		<i>Choerospondias axillaris</i> (Roxb.) B. L. Burt et A. W. Hill
34	铁线莲属	CLEMA	<i>Clematis</i> L.
35	大青属	CLERO	<i>Clerodendrum</i> L.
36	山茱萸属	CORNU	<i>Cornus</i> L.
37	梅子属	COTON	<i>Cotoneaster</i> Medik.
38	山楂属	CRATA	<i>Crataegus</i> L.
39	柳杉属		<i>Cryptomeria</i> D. Don
40	瑞香属	DAPHN	<i>Daphne</i> L.
41	珙桐属	DAVID	<i>Davidia</i> Baill.
42	牡竹属		<i>Dendrocalamus</i> Nees
43	胡颓子属	ELAEA	<i>Elaeagnus</i> L.
44	杜英属	ELAEO	<i>Elaeocarpus</i> L.
45	麻黄属	EPHED	<i>Ephedra</i> L.
46	杜仲	EUCMM ULM	<i>Eucommia ulmoides</i> Oliv.
47	箭竹属	FARGE	<i>Fargesia</i> Franch.
48	皂荚属	GLEDI	<i>Gleditsia</i> L.
49	榿属		<i>Haloxylon</i> Bunge
50	金缕梅属	HAMAM	<i>Hamamelis</i> L.
51	木槿属	HIBIS	<i>Hibiscus</i> L.
52	沙棘属	HIPPH	<i>Hippophae</i> L.
53	坡垒属	HOPEA	<i>Hopea</i> Roxb.
54	绣球属		<i>Hydrangea</i> L.
55	金丝桃属	HYPER	<i>Hypericum</i> L.
56	山桐子属		<i>Idesia</i> Maxim.
57	冬青属	ILEXX	<i>Ilex</i> L.
58	八角属	ILLIC	<i>Illicium</i> L.
59	大节竹属		<i>Indosasa</i> McClure
60	蓝花楸属	JACAR	<i>Jacaranda</i> Juss.
61	素馨属	JASMI	<i>Jasminum</i> L.
62	麻风树	JATRO CUR	<i>Jatropha curcas</i> L.
63	刺柏属	JUNIP	<i>Juniperus</i> L.
64	油杉属		<i>Keteleeria</i> Carrière
65	紫薇属	LAGER	<i>Lagerstroemia</i> L.
66	落叶松属	LARIX	<i>Larix</i> Mill.
67	胡枝子属	LESPE	<i>Lespedeza</i> Michx.
68	女贞属		<i>Ligustrum</i> L.
69	山胡椒属		<i>Lindera</i> Thunb.
70	枫香属		<i>Liquidambar</i> L.

71	木姜子属		<i>Litsea</i> Lam.
72	滇丁香属	LUCUL	<i>Luculia</i> Sweet
73	苹果属(除水果外)	MALUS	<i>Malus</i> Mill. (except fruits)
74	野牡丹属	MELAS	<i>Melastoma</i> L.
75	楝属	MELIA	<i>Melia</i> L.
76	水杉属	METAS	<i>Metasequoia</i> Miki ex Hu et W. C. Cheng
77	杨梅		<i>Myrica rubra</i> Sieb. et Zucc.
78	白刺属		<i>Nitraria</i> L.
79	红豆属		<i>Ormosia</i> Jackson
80	木犀属	OSMAN	<i>Osmanthus</i> Lour.
81	黄槿		<i>Phellodendron amurense</i> Rupr.
82	楠属		<i>Phoebe</i> Nees
83	石楠属	PHOTI	<i>Photinia</i> Lindl.
84	黄连木属	PISTA	<i>Pistacia</i> L.
85	化香树属		<i>Platycarya</i> Sieb. et Zucc.
86	侧柏属		<i>Platycladus</i> Spach
87	苦竹属		<i>Pleioblastus</i> Nakai
88	金露梅	OTEN_FRU	<i>Potentilla fruticosa</i> L.
89	李属(除水果外)	PRUNU	<i>Prunus</i> L. (except fruits)
90	枫杨属		<i>Pterocarya</i> Kunth
91	青檀属		<i>Pteroceltis</i> Maxim.
92	栎属	QUERC	<i>Quercus</i> L.
93	悬钩子属	RUBUS	<i>Rubus</i> L.
94	接骨木属	SAMBU	<i>Sambucus</i> L.
95	无患子属	SAPIN	<i>Sapindus</i> L.
96	乌柏属	SAPIU	<i>Sapium</i> Jacq.
97	檫木	SASSA_TZU	<i>Sassafras tzumu</i> (Hemsl.) Hemsl.
98	木荷属		<i>Schima</i> Reinw. ex Blume
99	秤锤树属		<i>Sinojackia</i> Hu
100	珍珠梅属	SORBA	<i>Sorbaria</i> (DC) A. Braun
101	花楸属	SORBU	<i>Sorbus</i> L.
102	火焰树属		<i>Spathodea</i> P. Beauv.
103	绣线菊属	SPIRA	<i>Spiraea</i> L.
104	山矾属		<i>Symplocos</i> Jacq.
105	台湾杉属		<i>Taiwania</i> Hayata
106	柽柳属	TAMRX	<i>Tamarix</i> L.
107	柚木	TECTO_GRA	<i>Tectona grandis</i> L. f.
108	夜来香属		<i>Telosma</i> Cov.
109	厚皮香属	TERNS	<i>Ternstroemia</i> Mutis ex Linn. f.
110	吴茱萸属		<i>Tetradium</i> Lour.
111	椴树属	TILIA	<i>Tilia</i> L.

112	香椿属	TOONA	<i>Toona</i> M. Roemer
113	榲桲属		<i>Torreya</i> Arn.
114	越桔属	VACCI	<i>Vaccinium</i> L.
115	荚蒾属	VIBUR	<i>Viburnum</i> L.
116	牡荆属	VITEX	<i>Vitex</i> L.
117	锦带花属	WEIGE	<i>Weigela</i> Thunb.
118	紫藤属	WISTE	<i>Wisteria</i> Nutt.
119	文冠果		<i>Xanthoceras sorbifolium</i> Bunge
120	枣属	ZIZIP	<i>Ziziphus</i> Mill.

[Annex II follows]

COLOMBIA
(2013)

1. Situation in the legislative field

Colombia continues to apply the following legislation to protect the rights of plant breeders: Decision No. 345 of 1993, Decree No. 533 of 1994; Colombian Institute of Agriculture (ICA) Resolution No. 1893 of 1995; Law No. 243 of 1995 approving the UPOV International Convention for the Protection of New Varieties of Plants of December 2, 1961, as Revised at Geneva on November 10, 1972 and October 23, 1978; Decree No. 2687 of 2002, amending Article 7 of Decree No. 533 of 1994; Law No. 1032 of 2006, Criminal Code; and Law No. 1564 of 2012 governing the jurisdiction of the Colombian Agricultural Institute with respect to the infringement of plant breeders' rights.

In Colombia, plant breeders' rights apply to varieties of all botanical genera and species insofar as their cultivation, possession or use is not prohibited for reasons of human, plant or animal health. Accordingly, it is noteworthy that with regard to the applicable regulations, Colombia is now part of the UPOV Convention following the adoption of the 1978 Act and that the accession of Colombia to the 1991 UPOV Act does not substantially vary its system for the protection of plant varieties, because in practice the integration of all the regulations referred to above means that Colombia is applying the rules set forth in the 1991 Act, since the legal regime applicable is in accordance with the 1991 Act of the Convention.

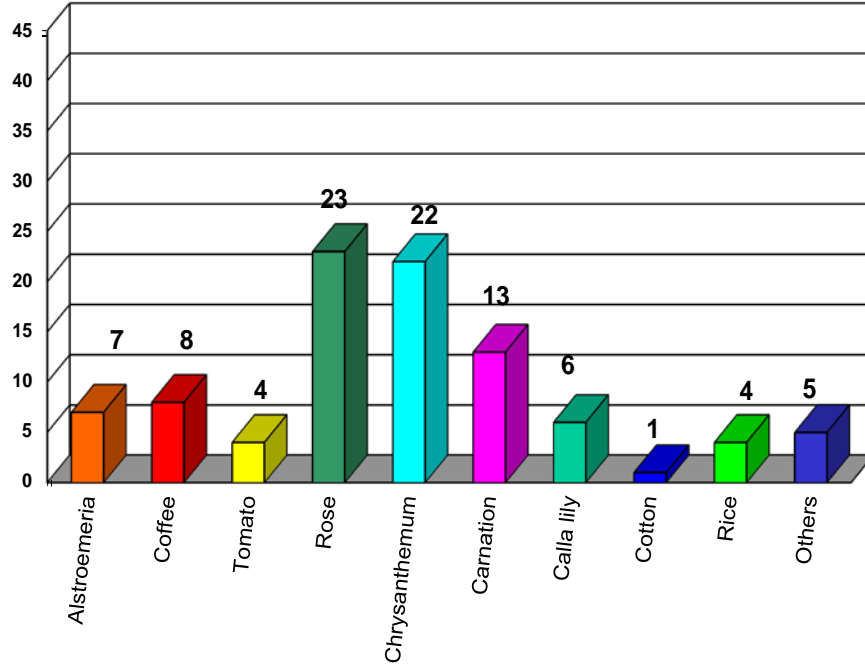
2. Situation in the administrative and technical fields

There have been no changes in the administrative structure or in the administrative procedures and systems of the Technical Department of Seeds of the ICA. Cooperation ties for technical examination have been maintained with various member countries of the Union. As the graph shows, in 2013 applications from 93 different countries were received, analyzed and processed. The main countries were the Netherlands, Colombia, Germany, Italy and the United States of America.

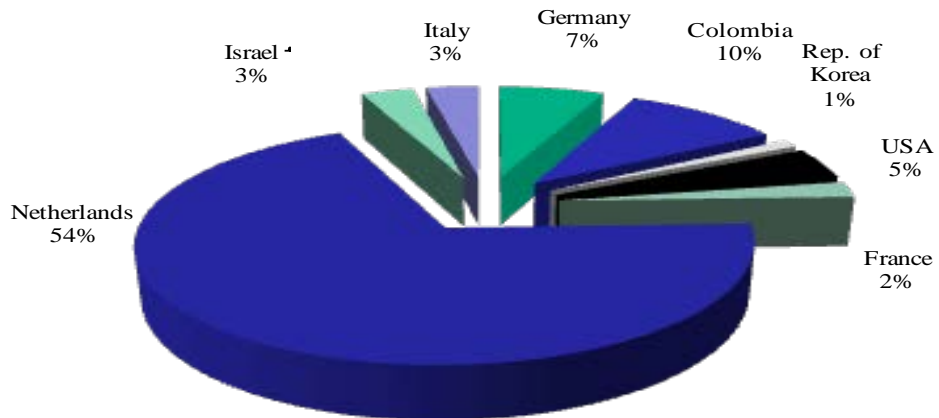
The varieties requested were of the Rose, Chrysanthemum, Carnation, Coffee, Alstroemeria and Tomato species, among others. 20 tests for distinctness, uniformity and stability (DUS) in different species such as soybean, sugarcane and cotton were performed and 90 breeder certificates were issued. Gazette No. 16 on Protected Plant Varieties was prepared and published.

Still with regard to administration, the ICA served as national competent authority for plant breeders' rights and was appointed as technical expert for the identification of protected plant varieties in various court proceedings concerning the violation of plant breeders' rights. Thus, the ICA continued acting as the expert authority, a legal support activity in which it developed various concepts and provided expert opinions on the infringement of plant breeders' rights.

REQUESTS PER SPECIES, 2013 (93)



CERTIFICATES ISSUE PER COUNTRY, 2013 (90)



[End of Annex II and of document]