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# INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

## COUNCIL

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

REPORT ON ACTIVITIES DURING THE FIRST NINE MONTHS OF 2014

*prepared by the Office of the Union*

*Disclaimer: this document does not represent UPOV policies or guidance*

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## I. COMPOSITION OF THE UNION

### Members

1. As of September 30, 2014, the Union comprised 72 members: African Intellectual Property Organization, 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, Serbia, 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.

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

2. Fifty-two members were bound by the 1991 Act as of September 30, 2014.
3. As of September 30, 2014, one member was bound by the 1961 Convention as amended by the 1972 Act and 19 members were bound by the 1978 Act.
4. Annex I provides the status of the members of the Union in relation to the Convention and its various Acts, as of September 30, 2014.

### States/Organizations that have initiated the procedure to become a member of the Union

5. 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."
6. By letter dated March 6, 2014, the African Regional Intellectual Property Organization (ARIPO) requested the examination of the Draft ARIPO Protocol for the Protection of New Varieties of Plants for conformity with the 1991 Act of the UPOV Convention.
7. At its thirty-first extraordinary session, held in Geneva on April 11, 2014, the Council examined the conformity of the Draft ARIPO Protocol for the Protection of New Varieties of Plants with the 1991 Act of the UPOV Convention.
8. The Council decided to:

"(a) note the analysis in this document [C(Extr.)/31/2];

"(b) note that the letters "(c)" and "(d)" of Articles 11, 12(1) and (3), 19(6), in Annex II of document C(Extr.)/31/2, should read "(a)" and "(b)" and that the word "not" should be deleted from Article 27(5) in accordance with the original text of the Draft Protocol;

"(c) take a positive decision on the conformity of the Draft ARIPO Protocol for the Protection of New Varieties of Plants with the provisions of the 1991 Act of the International Convention for the Protection of New Varieties of Plants, which allows:

"(i) the Contracting States to the Protocol that are not members of the Union bound by the 1991 Act, and

"(ii) ARIPO, in relation to the territories of the Contracting States bound by the Protocol,

once the Draft Protocol is adopted with no changes and the Protocol is in force, to deposit their instruments of accession to the 1991 Act; and

"(d) authorize the Secretary-General to inform ARIPO of that decision."

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

### Council

9. The Council held its thirty-first extraordinary session on April 11, 2014, under the chairmanship of Ms. Kitisri Sukhapinda (United States of America), President of the Council. At that session, the Council:

(a) examined the conformity of the Draft ARIPO Protocol for the Protection of New Varieties of Plants with the 1991 Act of the UPOV Convention (see paragraph 8 above);

(b) approved the following change to the calendar of meetings in 2014 and the corresponding revision of document C/47/8 Rev. "Revised Calendar of Meetings in 2014":

CAJ/70      October 13 ~~and 14~~  
(Administrative and Legal Committee Advisory Group: October 14 and 17)

(c) adopted the answers to the frequently asked questions, as set out in the Annex to document C(Extr.)/31/3;

(d) decided to create a special UPOV account to finance extra-budgetary projects agreed by the Council (Project Account) and to transfer the amount of the reserve fund exceeding 15 percent of the total income for the 2012-2013 Biennium to that account;

(e) expressed its appreciation to the Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) for the thanks the Governing Body had offered to UPOV for the practical support UPOV had provided to the ITPGRFA and the Council confirmed its continuing commitment to mutual supportiveness. In response to an invitation by the Governing Body to identify with the Secretary of the ITPGRFA and the Secretariat of the World Intellectual Property Organization (WIPO) possible areas of interrelations among the international instruments of the ITPGRFA, WIPO and UPOV, the Council decided to explore the idea of a joint publication on interrelated issues regarding innovation and plant genetic resources and other suitable initiatives;

(f) noted the work of the Consultative Committee at its eighty-seventh session, held on April 11, 2014, as set out in document C(Extr.)/31/3; and

(g) considered and approved a draft press release.

### Consultative Committee

10. The Consultative Committee held its eighty-seventh session on April 11, 2014, under the chairmanship of Ms. Kitisri Sukhapinda (United States of America). At that session, in addition to the preliminary examination of the Draft ARIPO Protocol for the Protection of New Varieties of Plants (see paragraph 9(a) above), the preparation of the calendar of meetings and the press release, the Consultative Committee:

(a) noted that an electronic mail of April 10, 2014, had been received from the Association for Plant Breeding for the Benefit of Society (APBREBES), addressed to the Office of the Union, with a request to participate in the Consultative Committee in order to present the views of APBREBES on the Draft ARIPO Protocol for the Protection of New Varieties of Plants. The Consultative Committee recalled that document UPOV/INF/19/1 "Rules governing the granting of observer status to States, intergovernmental organizations and international non-governmental organizations in UPOV bodies" provides as follows: "Observer States and certain intergovernmental organizations may be invited by the Office of the Union to participate within an item of the agenda concerning the preliminary examination of their legislation in order to respond to any questions raised by the Consultative Committee, but would not be present during the discussions of the legislation." It noted that a reply in accordance with document UPOV/INF/19/1 would be provided to APBREBES. The Consultative Committee further noted that an electronic mail of April 11, 2014, had been received from APBREBES, addressed to the Office of the Union, requesting that an open letter to UPOV members by the Alliance for Food Sovereignty in Africa (AFSA) be shared with members of the Union. The Consultative Committee noted that copies had been made available;

(b) noted that, on the basis of the risk assessment of UPOV, there had been no internal audit of UPOV in 2013 and the annual work plan of the Audit and Oversight Division (IAOD) for 2014 did not include an internal audit of UPOV. It also noted the information contained in the Independent Advisory Oversight

Committee (IAOC) quarterly reports for 2013 (documents WO/IAOC/28/2, WO/IAOC/29/2, WO/IAOC/30/2 and WO/IAOC/31/2), and in the IAOC Annual Report 2012-2013 (document WO/GA/43/5);

(c) agreed to change the title of the standard item to “Internal Audit and Reports of the WIPO Independent Advisory Oversight Committee”;

(d) noted the plans for the scanning and posting on the UPOV website of important documents that had not been published on the UPOV website;

(e) agreed to the procedure for the checking of translations before posting on the UPOV website;

(f) noted that, to date, the resources of the Office of the Union had not allowed the posting on the UPOV website of the date of granting of observer status in the list of observers in UPOV bodies;

(g) noted the information on consultants used by UPOV in 2013;

(h) recommended to the Council the adoption of the answers to the frequently asked questions, as set out in the Annex to document C(Extr.)/31/3, and requested the Office of the Union of the Union to prepare draft questions and answers with regard to the following matters, on the basis of contributions from the members of the Union:

- the UPOV Convention does not regulate varieties that are not protected by plant breeders’ rights;
- the possibility for subsistence farmers to exchange negligible or unimportant quantities of harvested food produce against other vital goods within the local community;
- under the UPOV system, breeders decide the conditions and limitations under which they authorize the exploitation of their protected varieties. They may, for instance, allow farmers to exchange seeds freely within the local community;
- information on the situation in UPOV with regard to the use of molecular techniques for a wider audience, including the public in general;

(i) noted the developments concerning information materials and databases of variety descriptions;

(j) agreed to invite the International Seed Federation (ISF), the International Community of Breeders of Asexually Reproduced Ornamental and Fruit Plants (CIOPORA) and CropLife International to elaborate the problems faced with the current situation and possible solutions offered by an international filing system, a UPOV quality assurance program and a central examination system for variety denominations, for consideration by the Consultative Committee at its eighty-eighth session in October 2014; The Consultative Committee further agreed to invite ISF, CIOPORA and CropLife International to be present, at the relevant part of the eighty-eighth session, in order to provide further information in response to questions from the Consultative Committee. The Consultative Committee requested the Office of the Union to provide relevant information on the international filing systems of the World Intellectual Property Organization (WIPO) at its eighty-eighth session;

(k) agreed to the separation of the DL-305 course into two separate courses, DL-305-1 “Administration of Plant Breeders’ Rights” and DL-305-2 “DUS Examination”, and approved the program for distance learning courses in 2014 to 2015, as follows:

|                               |                                     |
|-------------------------------|-------------------------------------|
| March 31 to May 11, 2014      | DL-305 single course (English only) |
| May 5 to June 8, 2014         | DL-205 (E, F, G, S)                 |
| October 6 to November 9, 2014 | DL-205 (E, F, G, S)                 |
| February/March 2015           | DL-305-1 (E, F, S)                  |
| April/May 2015                | DL-305-2 (E, F, S)                  |
| October/November 2015         | DL-205 (E, F, G, S)                 |

(l) recommended to the Council to express its appreciation to the Governing Body (GB) of the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) for the thanks the GB had offered for the practical support provided by UPOV to the ITPGRFA and to confirm its commitment to mutual supportiveness. The Consultative Committee requested the Office of the Union to identify with the Secretary of the ITPGRFA and the Secretariat of WIPO possible areas of interrelations among the international instruments of the ITPGRFA, WIPO and UPOV with a view to a possible joint publication on

interrelated issues regarding innovation and plant genetic resources, and other possible initiatives, and to present proposals for consideration by the Consultative Committee at its eighty-eighth session (see paragraph 9(e) above);

(m) noted the developments in relation to the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC) of the World Intellectual Property Organization (WIPO);

(n) noted the developments in relation to the World Trade Organization (WTO);

(o) noted that the UN System CEB High-Level Committee on Management had identified a common approach to After-Service Health Insurance (ASHI) within its Priority Issues for the period 2013-2016, which referred to both the management of funds and the financing of liabilities. It was noted that the CEB Finance and Budget Network had established a working group to analyze and report on the possible approaches to funding and managing ASHI liabilities. The working group was expected to present its conclusions in October 2014. The Consultative Committee agreed to the postponement of the discussion on financing of long-term employee benefits until the conclusions of the working group of the UN CEB Finance and Budget Network became available. It agreed to consider the establishment of a UPOV working group at that time;

(p) recalled that any decision with regard to funds exceeding 15 percent of the total income in future biennia would be considered at the appropriate time in accordance with the Financial Regulations and Rules of UPOV (document UPOV/INF/4/3);

(q) recommended to the Council to create a special UPOV account to finance extra-budgetary projects agreed by the Council (Project Account) and to transfer the amount of the reserve fund exceeding 15 percent of the total income for the 2012-2013 Biennium to that account (see paragraph 9(d) above); and

(r) requested the Office of the Union to prepare a document for consideration at its eighty-eighth session, setting out possible projects, and requested members of the Union to provide proposals to the Office of the Union.

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

11. The CAJ held its sixty-ninth session on April 10, 2014. The TC held its fiftieth session from April 7 to 9, 2014. The TC-EDC held meetings on January 8 and 9 and on April 7 and 8, 2014. The TWC held its thirty-second session in Helsinki, Finland, from June 3 to 6, 2014. The TWF held its forty-fifth session in Marrakesh, Morocco, from May 26 to 30, 2014. The TWO held its forty-seventh session in Nairobi, Kenya, from May 19 to 23, 2014. The TWV held its forty-eighth session in Paestum, Italy, from June 23 to 27, 2014. Each of the TWP sessions was preceded by a preparatory workshop.

12. The TWA will hold its forty-third session in Mar del Plata, Argentina, from November 17 to 21, 2014. The BMT will hold its fourteenth session in Seoul, Republic of Korea, from November 10 to 13, 2014.

13. Further information on the work of the CAJ, TC and TWPs is contained in documents C/48/9 "Progress report of the work of the Administrative and Legal Committee" and C/48/10 "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

14. On January 8, in Geneva, the Office received the visit of Ms. Serin Kang, Mr. Jien Hwang, Mr. Seyoung Jung and Mr. Eunyoun Im, four students from the Gyeongsang National University, Jinju-city, Republic of Korea, who were conducting research on plant variety protection.

15. On January 16, in Geneva, the Office participated in an interview with Ms. Liza Rubach, Research Assistant at the Swiss Graduate Institute of International and Development Studies (IHEID), in relation to an on-going study on "International Geneva" jointly conducted by the IHEID, the University of Geneva, the Swiss Federal Institute of Technology in Lausanne (EPFL) and the University of Lausanne.

16. On January 22, in Geneva, the Office received the visit of Mr. Tejan-Cole, Legal Counsel, African Agricultural Technology Foundation (AATF), to discuss developments at AATF and UPOV.

17. On January 24, in Geneva, the Office participated in an electronic meeting via the Internet with representatives of the World Seed Project Steering Committee (Food and Agriculture Organization of the United Nations (FAO), 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 electronic meetings took place on February 21, March 10, May 12 and September 30.

18. From January 28 to 31, in Edinburgh, United Kingdom, the Office attended the OECD Seed Scheme meetings and made a presentation on UPOV guidance on the use of molecular techniques in DUS examination at the *Ad hoc* Working Group on Biochemical and Molecular Techniques. The Office also took part in the 14<sup>th</sup> Technical Working Group Meeting on Varietal Identity and Purity.

19. On January 31, in Geneva, the Office received the visit of Mr. Mohammed Al-Shabibi, Head, International Trade Section, Ministry of Agriculture and Fisheries of Oman, to discuss the implementation of plant variety protection in Oman and possible cooperation activities.

20. Between February 3 and 7, in Geneva, the Office attended relevant parts of the twenty-sixth session of the Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore of the World Intellectual Property Organization (WIPO IGC).

21. On February 7, in Geneva, the Office met with Mr. Emmanuel Sackey, Chief Examiner, Industrial Property Directorate, ARIPO, to discuss developments in ARIPO.

22. From February 24 to 27, in San Fernando de Henares, Spain, the Office provided lectures at a national training course for DUS experts entitled "*Armonización de los trabajos de distinción, homogeneidad y estabilidad de nuevas variedades para los centros acreditados por la OCVV, normativa española, de la UE y de la UPOV*" (Harmonizing the examination of distinctness, uniformity and stability for new plant varieties in Spanish examination offices accredited by CPVO, Spanish, European Union and UPOV regulations). The training course was jointly organized by the Spanish Plant Variety Office (OEVV), the Community Plant Variety Office (CPVO) of the European Union and UPOV, and was attended by 43 participants from Spain.

23. From February 24 to 28, in Pyeongchang, Republic of Korea, the Office participated in the third meeting of the Open-ended *Ad Hoc* Intergovernmental Committee for the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization (ICNP-3).

24. On February 25, 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).

25. On February 27, in Geneva, the Office organized a study visit to UPOV headquarters for *Groupement technique horticole de Genève* (a Swiss horticultural professional association), in the framework of the association's ordinary general assembly.

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\* Missions relate to events held outside UPOV headquarters.

26. On February 27, in Putrajaya, Malaysia, the Office provided lectures at a High-Level Awareness Raising Session on the Internationally Harmonized Plant Variety Protection System for the Malaysian Plant Variety Board Members and key officials from relevant ministries.
27. On March 3, in Tunis, Tunisia, at the fringes of the AFSTA Congress (see paragraph 30 below), a meeting of the World Seed Project Steering Committee (FAO, ISF, ISTA, OECD and UPOV) was held.
28. On March 3, in Tunis, the Office, jointly with ISTA and OECD, organized a Pre-Congress Workshop on "International systems to develop an enabling environment to provide food security and economic development by strengthening the seed sector".
29. On March 4, 2014, in Tunis, the Office visited the General Directorate of protection and control of quality of agricultural products of the Ministry of Agriculture of Tunisia.
30. From March 4 to 7, in Tunis, the Office participated in the Fourteenth Annual Congress of the African Seed Trade Association (AFSTA).
31. From March 5 to 7, in Port Louis, Mauritius, the Office attended a Workshop on the TRIPS Agreement and IP-Related Matters, organized by the World Trade Organization (WTO), where it made a presentation on plant variety protection. The Office also participated in legal consultations concerning Part V "Plant Variety Protection" of the Draft Industrial Property Act with relevant officials from Mauritius and explained the procedure of becoming a member of UPOV. On March 7, the Office visited the Mauritius Sugarcane Industry Research Institute (MSIRI).
32. On March 10, in Geneva, the Office received the visit of Mr. Madoka Koshibe, past President of the Asia and Pacific Seed Association (APSA), President (Chairman of the Board), Mikado Kyowa Seed Co. Ltd. of Japan.
33. On March 18 and 19, in Nitra, Slovakia, the Office attended a meeting of the CPVO Administrative Council and delivered a lecture on "UPOV perspective and guidance on farm saved seed" at an International Seminar with Slovak breeders.
34. On March 24, in Geneva, the Office provided lectures at a program for a group of Phd. students from the L.N. Gumilyov Eurasian National University of Kazakhstan, organized by WIPO and the University of Business and International Studies (UBIS).
35. Between March 24 and April 4, in Geneva, the Office attended relevant parts of the twenty-seventh session of the WIPO IGC.
36. On March 25, in Geneva, the Office received the visit of Mr. Michael Turner, Seed consultant, to discuss recent developments in relation to plant variety protection in Africa and Asia.
37. From March 25 to 27, in Buenos Aires, Argentina, the Office attended the General Assembly of the World Farmers' Organization (WFO), where it made an address at the opening session of the General Assembly, and a presentation at the "Farmers' Intellectual Capital: Innovation in Practice" event. It also participated in the panel of the thematic session on innovation.
38. On April 1 and 2, in The Hague, Netherlands, the Office attended the Annual General Meeting of CIOPORA.
39. On April 14 and 15, in Yaoundé, Cameroon, the Office participated in information sessions with 24 officials of the African Intellectual Property Organization (OAPI). The objective of the information sessions was to assist OAPI in matters concerning the procedure for the deposit of the instrument of accession to the UPOV Convention, to explain the work of UPOV bodies, the cooperation mechanisms between UPOV members and to provide guidance on the implementation of the UPOV system.
40. On April 23, in Geneva, the Office received the visit of Ms. Margaret Munroe, Swiss Graduate Institute of International and Development Studies (IHEID), in relation to her research work on the relevance of the open innovation paradigm for agricultural development.
41. On April 29, in Paris, France, the Office attended a meeting of the Technical Working Group of the OECD Scheme for the Certification of Forest Reproductive Material Moving in International Trade, and made a presentation on the definition of variety under the UPOV Convention.

42. On May 7, in Rome, at FAO headquarters, the Office attended a meeting of the World Seed Project Steering Committee (FAO, ISF, ISTA, OECD and UPOV) with representatives from Ghana and the United Republic of Tanzania.
43. On May 13, at the United Nations headquarters in Geneva, the Office attended a reception honoring the Board of Directors of the United Nations Foundation.
44. On May 15 and 16, in Brisbane, Australia, at the Queensland University of Technology (QUT), lectures on plant variety protection under the UPOV system were given by Mr. Doug Waterhouse, on behalf of the Office, at the Fifth Edition of the WIPO-QUT Master of Intellectual Property Law. The program was attended by participants from Australia, China, Fiji, Indonesia, Iran (Islamic Republic of), Nepal, Pakistan, Republic of Korea and Thailand.
45. On May 20, in Geneva, the Office received the visit of Mr. Aamir Hasan, Director General, Intellectual Property Organization of Pakistan, to discuss the UPOV system of plant variety protection..
46. From May 26 to 28, in Beijing, China, the Office participated in the ISF World Seed Congress 2014, where it made a presentation on developments in UPOV at the Open Meeting of the Breeders Committee. The Office was also invited to a part of the meeting of the ISF Intellectual Property Committee, on May 26, in order to discuss UPOV's invitation to elaborate the problems faced with the current situation and possible solutions offered by an international filing system, a UPOV quality assurance program and a central examination system for variety denominations, for consideration by the Consultative Committee at its eighty-eighth session in October 2014.
47. On May 27, in Beijing, the Office met with senior officials from the Ministry of Agriculture (MOA) and the State Forestry Administration (SFA) of China to discuss developments in China and UPOV.
48. On June 5 and 6, in Tashkent, Uzbekistan, the Office attended an International Conference "On the Most Important Reserves of Implementing the Food Program in Uzbekistan", where it made an intervention on the UPOV system of plant variety protection during Working Session IV "Introduction of the advanced scientific and technological know-how to improve efficiency and productivity, breeding, seed production and development of new disease resistant varieties of vegetables and grapes, improving their useful properties, taste and quality". At the fringes of the Conference, the Office met with officials from the Ministry of Agriculture and Water Resources to discuss the situation with regard to plant variety protection in Uzbekistan.
49. On June 10, in Geneva, the Office received the visit of Mr. Paulin Edou Edou, Director General of OAPI, who deposited the instrument of accession of OAPI to the UPOV Convention, with OAPI becoming the seventy-second member of the Union on July 10, 2014. On that occasion, a lunch with OAPI representatives and representatives of Permanent Missions at Geneva of OAPI member States was hosted by the Secretary-General of UPOV.
50. From June 10 to 13, in Zagreb, Croatia, the Office attended the Annual Meeting of the OECD Seed Schemes, including meetings of 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.
51. On June 11, in Geneva, the Office received the visit of Ms. Liz Francis, Patents Designs & Plant Variety Rights Manager, Intellectual Property Office of New Zealand, and discussed developments in New Zealand and UPOV.
52. On June 11, 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).
53. On June 13, in Geneva, the Office received the visit of Mr. Eldiyor Toshmatov, Attaché, and Mr. Elyorjon Hamraliev, Finance Officer, Permanent Mission of Uzbekistan, in order to record a video interview in relation to the International Conference "On the Most Important Reserves of Implementing the Food Program in Uzbekistan", Tashkent, on June 5 and 6, 2014 (see paragraph 48).
54. On June 17, in Wageningen, Netherlands, the Office provided a full-day training session on UPOV at the 17th International Course on Plant Variety Protection, organized by Naktuinbouw. The course was attended by participants from the following countries and organization: Albania, Bosnia and Herzegovina,



Croatia, European Union, Ghana, India, Kenya, Nigeria, Senegal, Serbia, the former Yugoslav Republic of Macedonia and Turkey. There was also a participant from Kosovo. Prior to the course, the students participated in the UPOV Distance Learning Course DL-205. Participants were also offered the possibility to hold bilateral discussions with UPOV representatives at the end of the training session. Information was provided to participants from Ghana, India, Kenya, Nigeria, Senegal and the former Yugoslav Republic of Macedonia.

55. On June 23, at WTO headquarters in Geneva, the Office made a presentation on the “Protection of New Varieties of Plants and Biotechnology” at the WIPO-WTO Colloquium for Teachers of Intellectual Property. The Colloquium was attended by participants from the following countries: Argentina, Bosnia and Herzegovina, Brazil, Bulgaria, China, Colombia, Egypt, Ethiopia, India, Kenya, Malaysia, Malawi, Mexico, Morocco, Philippines, Netherlands, Russian Federation, Senegal, Thailand, Uzbekistan, Vietnam, Venezuela and Zimbabwe. There was also a participant from Palestine.

56. On June 27, at WIPO headquarters in Geneva, the Office made a presentation on “The protection of plant varieties and the International Union for the Protection of New Varieties of Plants (UPOV)” at the WIPO-University of Geneva (UNIGE) Summer School on Intellectual Property. The WIPO-UNIGE Summer School was attended by participants from Albania, Armenia, Australia, Belarus, Brazil, Cameroon, Canada, China, Czech Republic, Dominican Republic, Ecuador, France, Germany, Greece, India, Italy, Japan, Latvia, Netherlands, Panama, Poland, Republic of Korea, Romania, Russian Federation, Slovakia, Slovenia, Solomon Islands, Spain, Switzerland, Thailand, United Kingdom, United States of America, Ukraine and Zimbabwe.

57. From June 30 to July 2, in Seoul, Republic of Korea, the Office gave lectures on plant variety protection under the UPOV Convention at the Training Course “Plant Variety Protection and DUS Testing” organized by the Korea International Cooperation Agency (KOICA), in cooperation with the Korea Seed and Variety Service (KSVS). The course was attended by participants from Cambodia, Egypt, Indonesia, Kenya, Myanmar, Philippines, United Republic of Tanzania and Uganda, who were given the opportunity to participate in the UPOV Distance Learning Course DL-205.

58. From June 30 to July 2, in Germany, three UPOV staff visited the *Bundessortenamt* to increase their understanding of practical aspects of DUS examination and the administration of plant breeders’ rights. The staff visited the testing stations of Wurzen, Nossen and Hannover.

59. On July 3, in Geneva, the Office received the visit of Mr. Shakeel Bhatti, Secretary, International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA), to discuss possible areas of interrelations among the international instruments of the International Treaty, WIPO and UPOV with a view to a possible joint publication on interrelated issues regarding innovation and plant genetic resources, and other possible initiatives.

60. On July 3, at the UN headquarters in Geneva, the Office attended the 10<sup>th</sup> Anniversary Celebrations of the International Treaty on Plant Genetic Resources for Food and Agriculture Coming into Force.

61. Between July 7 and 9, in Geneva, the Office attended relevant parts of the twenty-eighth session of the WIPO IGC.

62. On July 8, in Geneva, the Office received the visit of Mr. Juan Carlos Castrillón, Minister, Permanent Mission of Ecuador in Geneva, and Ms. Lilian Carrera, National Director of Plant Variety Protection, Ecuadorian Institute of Intellectual Property (IEPI), to discuss the organization of a seminar on plant variety protection, to be held in Guayaquil, Ecuador, in October 2014.

63. On July 9, 2014, in Kampala, Uganda, the Office participated in the 10K Seed Company Convening, organized by the Alliance for Green Revolution in Africa (AGRA), where it made a presentation on “Introduction to UPOV – Value addition of UPOV to the seed industry in Africa”.

64. On July 10, 2014, in Kampala, the Office met with government officials from the Uganda Registration Services Bureau (URSB) to discuss developments concerning the Plant Breeders’ Bill of Uganda.

65. From July 9 to 11, in Rome, at FAO headquarters, the Office attended the Seventh Session of the Intergovernmental Technical Working Group on Plant Genetic Resources for Food and Agriculture of the FAO Commission on Genetic Resources for Food and Agriculture (CGRFA) and provided a report of the activities undertaken by UPOV in relation to plant genetic resources. On July 10, the Office held a side-event entitled “UPOV: Encouraging the use of Plant Genetic Resources for the Benefit of Society”.

66. On July 15, in Geneva, the Office received the visit of Mr. Yehan Cui, Division Director, Plant Variety Protection Office, Ministry of Agriculture of China, and discussed developments in China and UPOV.
67. On July 16, in Roelofarendsveen, Netherlands, the Office attended a meeting at Naktuinbouw headquarters to discuss developments in the Netherlands and UPOV.
68. On July 17, in Geneva, the Office received the visit of Ms. Susan H. Bragdon, Representative, Food and Sustainability, Quaker United Nations Office (QUNO), Mr. Geoffrey Hawtlin, Senior Technical Advisor, Secretariat of the ITGPRFA, and Prof. Hartwig de Haen, University of Göttingen, to discuss the QUNO project on Food Security, Intellectual Property and Agricultural Trade.
69. On July 24, in Geneva, the Office participated in an interview with Ms. Cathy Savioz, web publisher and media relations, for an article on the UPOV system of plant variety protection to be published in the "Moneta" Journal.
70. On July 25, in Geneva, the Office received the visit of Mr. Cheon Se-Chang, Director General, Mr. Park Hyun-Soo, Senior Deputy Director, and Mr. Jin-O Yoo, Deputy Director, Patent Examination Bureau 1, Korean Intellectual Property Office (KIPO), to discuss the UPOV plant variety protection system.
71. On August 7, in Geneva, the Office received the visit of Ms. Flor García, Counselor, Permanent Mission of Guatemala to the WTO, to discuss the procedure for accession to the UPOV Convention.
72. On August 7 and 8, in Vientiane, Lao People's Democratic Republic, the Office participated in the Seventh Annual Meeting of the East Asia Plant Variety Protection Forum (EAPVP Forum), where it made a presentation on "Developments in UPOV", and in the Symposium "Plant Breeding and Protection of Breeder's Right are Key to Agricultural Development", where it made presentations on the benefits of the plant variety protection system under the UPOV Convention, and the relationship between the UPOV Convention and the other international treaties. These events were attended by participants from the following members of the Association of Southeast Asian Nations (ASEAN): Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, Philippines, Singapore, Thailand and Viet Nam, and also by China, Japan and the Republic of Korea.
73. From August 13 to 21, in Tsukuba, Japan, the Office participated in the training course "Quality Control System of Seeds and Seedlings to Facilitate Distribution of High Quality Seeds", organized by the Japan International Cooperation Agency (JICA), where it gave lectures on plant variety protection under the UPOV Convention. The course was attended by participants from Burkina Faso, Cambodia, Ethiopia, Indonesia, Kenya, Lao People's Democratic Republic, Malaysia, Myanmar, Republic of Moldova, Sri Lanka and Viet Nam, who were given the opportunity to participate in the UPOV Distance Learning Course DL-205.
74. On August 18, in Geneva, the Office participated in an electronic meeting via the Internet with Mr. Shakeel Bhatti, Secretary, ITPGRFA, and Mr. Carsten Fink, Chief Economist, Economics and Statistics Division, WIPO, to discuss a possible joint publication on interrelated issues regarding innovation and plant genetic resources, and other possible initiatives.
75. From August 25 to 29, in Mexico City, the Office provided lectures at the "*Seminario sobre Protección al Derecho de Obtentor*" (Seminar on Plant Breeders' Rights) and "*X Taller Internacional de Evaluación de la Distinción, Homogeneidad y Estabilidad (DHE) de Variedades Vegetales*" (X International Workshop on DUS Examination of Plant Varieties). The seminar and workshop were attended by participants from Brazil, Chile, Colombia, Mexico and Paraguay.
76. On August 22, in Kasaoka, Japan, the Office made a presentation on developments in UPOV at the National Center for Seeds and Seedlings (NCSS), Nishi Nihon Station. The session was attended by DUS experts of the Station.
77. On September 3, in Geneva, the Office met with Prof. John Humphrey, Executive Dean, Faculty of Law, and Prof. Kamal Puri, Professor of IP and Director, WIPO-QUT Master of Laws in Intellectual Property Program, Queensland University of Technology (QUT) of Brisbane, Australia.
78. On September 22, the Office participated in an electronic conference call with Mr. Milan Kondic, Ms. Valerie Erica Marechal and Mr. Robert De Lescaille, World Bank & International Finance Corporation. Mr. Kondic reported on the development on the project "Benchmarking the Business of Agriculture (BBA)".

79. On September 23, in Geneva, the Office received the visit of Ms. Susan H. Bragdon, Representative, Food and Sustainability and Mr. David Elliott, Programme Assistant, Food & Sustainability and Climate Change, Quaker United Nations Office (QUNO), regarding the procedure for the granting of observer status in UPOV bodies.
80. On September 23 and 24, in Paris, France, the Office attended the Technical Working Group Meeting and the Annual Meeting of the OECD Forest Seed and Plant Scheme.
81. From September 23 to 25, in Namur, Belgium, the Office attended "*Le Forum francophone de l'innovation*", organized by l'*Organisation internationale de la Francophonie* (OIF). The Office made a presentation on "Introduction to UPOV" in the workshop for innovation in agriculture.
82. On September 24, in Geneva, the Office made a presentation on UPOV at a meeting of Heads of Intellectual Property Offices for Caribbean countries, with participants from Antigua and Barbuda, Belize, Dominica, Grenada, Haiti, Jamaica, Saint Kitts and Nevis, Saint Lucia and Trinidad and Tobago.
83. On September 25, in Geneva, the Office received the visit of Mr. Regan Asgarali, Controller (Ag.), and Mr. Richard Aching, Manager, Technical Examination, Intellectual Property Office of Trinidad and Tobago, and discussed cooperation activities.
84. On September 25, in Geneva, the Office received the visit of Mr. Mir Yaqub Seyidov, Director, Patent Office, State Committee on Standardization, Metrology and Patents of Azerbaijan, representative to the UPOV Council, and Mr. Niyazi Rahimov, Deputy Head of Administration. They were accompanied by Mr. Ilya Gribkov, Program Officer, Department for Transition and Developed Countries (TDC) of WIPO. The Office provided information on UPOV, including legislative matters.
85. On September 26, in Geneva, the Office received the visit of Mr. Twebaze Bemanya, Registrar General, Ms. Judy Obitre-Gama, Board Secretary, and Mr. Gilbert Agaba, Senior Registration Officer, Intellectual Property Rights, Uganda Registration Services Bureau (URSB), to discuss recent developments in relation to the Plant Variety Protection Bill of Uganda.
86. On September 29, in Geneva, the Office received the visit of Mr. Berhanu Adello, Director General, Ethiopian Intellectual Property Office (EIPO), who was accompanied by Mr. Kifle Shenkoru, Director, Division for Least-Developed Countries of WIPO, to discuss the plant variety protection situation in Ethiopia.
87. On September 29, in Geneva, the Office met with Mr. Maurice Batanga, *Chef de service de la cooperation et des affaires juridiques*, OAPI, and discussed recent developments at OAPI and UPOV.
88. On September 29, in Geneva, the Office received the visit of Mr. Fernando António Dos Santos, Director General, and Mr. Christopher Kiige, Director Industrial Property, ARIPO, to discuss cooperation activities.
89. On September 29, in Geneva, the Office received the visit of Mr. Abdelhafiz Ibrahim Abdelmonim, Legal Advisor, Council of Protection for Copyright, Related Rights, Literacy and Artistic Works, Ministry of Culture of Sudan, and Mr. Yasser Kbashi, Executive Officer, Minister's Executive Office, Ministry of Culture of Sudan. The Office provided information on UPOV and plant variety protection.
90. On September 30, in Geneva, the Office received the visit of Mrs. Grace Issahaque, Principal State Attorney, Ghana, and discussed recent developments in Ghana.

#### Distance Learning Course

91. A session of the UPOV Distance Learning Course DL-205 "Introduction to the UPOV System of Plant Variety Protection under the UPOV Convention" in English, French, German and Spanish was held from May 5 to June 8, 2014.
92. A session of the UPOV Distance Learning Course DL-305 "Examination of applications for plant breeders' rights" in English was held from March 31 to May 11, 2014.
93. A breakdown of the students participating in the UPOV distance learning courses DL-205 and DL-305 is available in Annex II.

#### IV. RELATIONS WITH STATES AND ORGANIZATIONS

94. The Office provided assistance on plant variety protection legislation to the following members: Canada, Colombia, Dominican Republic and Singapore.

95. The Office provided information on the elements required for the deposit of an instrument of accession to, or ratification of the 1991 Act of the UPOV Convention, to the following members: Belgium, Chile, Kenya and OAPI.

96. 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. In this respect, the Office had contacts with ARIPO, Bosnia and Herzegovina, Brunei Darussalam, Cambodia, Egypt, Guatemala Malaysia, Mauritius, Myanmar, Pakistan, Senegal, Tajikistan, Uganda, United Republic of Tanzania and Zimbabwe.

97. The Office met with representatives of intergovernmental organizations to coordinate activities or to provide information on UPOV. The Office participated in meetings of, and discussions with ARIPO, FAO, ISTA, OAPI, OECD, WIPO and WTO.

98. 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, CIOFORA and ISF.

#### V. PUBLICATIONS

99. The Office published:

- (a) 28 updates of the Plant Variety Database (PLUTO);
- (b) the UPOV Trilogy (Publication 357) in English and French, comprising an Executive Summary (Publication 357.1) and the proceedings of the following events:
  - Symposium on Plant Breeding for the Future (2011) (Publication 357.2)
  - Seminar on Plant Variety Protection and Technology Transfer: The Benefits of Public-Private Partnership (2011) (Publication 357.3)
  - Symposium on the Benefits of Plant Variety Protection for Farmers and Growers (2012) (Publication 357.4)
- (c) the Proceedings of the Seminar on Essentially Derived Varieties, held in Geneva, on October 22, 2013 (Publication 358) in English, French, German and Spanish;
- (d) answers to frequently asked questions (FAQs) (see <http://www.upov.int/about/en/faq.html>);
- (e) the following Test Guidelines, which were adopted by the TC at its fiftieth session, held from April 7 to 9, 2014:

| **  | TWP | Document No.<br>No. du document<br>Dokument-Nr.<br>No del documento | English                         | Français                           | Deutsch         | Español          | Botanical name                          |
|---|-----|---|---------------------------------|------------------------------------|-----------------|------------------|---|
| <u>NEW TEST GUIDELINES / NOUVEAUX PRINCIPES DIRECTEURS D'EXAMEN / NEUE PRÜFUNGSRICHTLINIEN / NUEVAS DIRECTRICES DE EXAMEN</u> |     |   |                                 |                                    |                 |                  |   |
| NL  | TWO | TG/298/1  | Brazilian-jasmine               |                                    | Brasilijasmin   |                  | Mandevilla Lindl.,<br>Dipladenia A. DC. |
| NL  | TWO | TG/299/1  | Funkia, Hosta,<br>Plantain Lily | Funkia,<br>Hémérocalce du<br>Japon | Funkie          | Hosta            | Hosta Tratt.                            |
| AU  | TWA | TG/300/1  | Rhodesgrass                     | Herbe de Rhodes                    | Rhodesgras      | Hierba de Rhodes | Chloris gayana Kunth                    |
| CN  | TWO | TG/301/1  | Lilac                           | Lilas                              | Flieder         | Lila             | Syringa L.                              |
| CN  | TWF | TG/302/1  | Litchi, Lychee                  | Litchi                             | Litschi         | Litchi           | Litchi chinensis Sonn.                  |
| MX  | TWF | TG/303/1  | Vanilla                         | Vanillier                          | Vanille-Pflanze | Vainilla, Xanath | Vanilla planifolia Jacks.               |

| **  | TWP | Document No.<br>No. du document<br>Dokument-Nr.<br>No del documento | English               | Français                   | Deutsch               | Español                      | Botanical name   |
|---|-----|---|-----------------------|----------------------------|-----------------------|------------------------------|--|
| <u>REVISIONS OF TEST GUIDELINES / RÉVISIONS DE PRINCIPES DIRECTEURS D'EXAMEN ADOPTÉS / REVISIONEN ANGENOMMENER PRÜFUNGSRICHTLINIEN / REVISIONES DE DIRECTRICES DE EXAMEN ADOPTADAS</u>                                  |     |   |                       |                            |                       |                              |  |
| DE  | TWA | TG/33/7   | Kentucky<br>Bluegrass | Pâturin des prés           | Wieserispe            | Poa de los prados            | Poa pratensis L.   |
| ZA  | TWA | TG/93/4   | Groundnut             | Arachide                   | Erdnuß                | Cacahuete, Maní              | Arachis L.   |
| HU  | TWV | TG/166/4  | Opium/Seed<br>Poppy   | OEillette, Pavot           | Mohn,<br>Schlafmohn   | Adormidera,<br>Amapola, Opio | Papaver somniferum L.  |
| DE  | TWF | TG/187/2  | Prunus<br>Rootstocks  | Porte-greffes de<br>Prunus | Prunus-<br>Unterlagen | Portainjertos de<br>prunus   | Prunus L.  |
| NL  | TWV | TG/198/2  | Chives, Asatsuki      | Ciboulette,<br>Civette     | Schnittlauch          | Cebollino                    | Allium schoenoprasum L.  |
| <u>PARTIAL REVISIONS OF TEST GUIDELINES / RÉVISIONS PARTIELLES DE PRINCIPES DIRECTEURS D'EXAMEN ADOPTÉS / TEILREVISIONEN ANGENOMMENER PRÜFUNGSRICHTLINIEN / REVISIONES PARCIALES DE DIRECTRICES DE EXAMEN ADOPTADAS</u> |     |   |                       |                            |                       |                              |  |
| FR  | TWV | TG/7/10 and<br>document<br>TC/50/32                                 | Pea                   | Pois                       | Erbse                 | Guisante, Arveja             | Pisum sativum L.   |
| FR  | TWF | TG/53/7 Rev.  | Peach                 | Pêcher                     | Pfirsich              | Durazno,<br>Melocotonero     | Prunus persica (L.)<br>Batsch, Persica vulgaris<br>Mill., Prunus L. subg.<br>Persica |
| NL/FR   | TWV | TG/61/7 Rev.  | Cucumber,<br>Gherkin  | Concombre,<br>Cornichon    | Gurke                 | Pepino, Pepinillo            | Cucumis sativus L.   |
| NL/FR   | TWV | TG/104/5 Rev.   | Melon                 | Melon                      | Melone                | Melón                        | Cucumis melo L.  |

100. The Council is invited to note this report.

[Annexes follow]

## ANNEX I

## MEMBERS OF THE UNION

September 30, 2014

This document provides the status of the members of the Union in relation to the Convention and its various Acts, as of September 30, 2014 (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                        |
|--|---|--|---|
| African Intellectual Property Organization | -<br>-<br>-<br>-  | -<br>-<br>-<br>June 10, 2014   | -<br>-<br>-<br>July 10, 2014                    |
| Albania                                    | -<br>-<br>-<br>-  | -<br>-<br>-<br>September 15, 2005  | -<br>-<br>-<br>October 15, 2005                 |
| Argentina                                  | -<br>-<br>-<br>-  | -<br>-<br>November 25, 1994<br>-   | -<br>-<br>December 25, 1994<br>-                |
| Australia                                  | -<br>-<br>-<br>-  | -<br>-<br>February 1, 1989<br>December 20, 1999                                  | -<br>-<br>March 1, 1989<br>January 20, 2000     |
| Austria                                    | -<br>-<br>-<br>-  | -<br>-<br>June 14, 1994<br>June 1, 2004  | -<br>-<br>July 14, 1994<br>July 1, 2004         |
| Azerbaijan                                 | -<br>-<br>-<br>-  | -<br>-<br>-<br>November 9, 2004  | -<br>-<br>-<br>December 9, 2004                 |
| Belarus                                    | -<br>-<br>-<br>-  | -<br>-<br>-<br>December 5, 2002  | -<br>-<br>-<br>January 5, 2003                  |
| Belgium                                    | December 2, 1961<br>November 10, 1972<br>October 23, 1978<br>March 19, 1991 | November 5, 1976<br>November 5, 1976<br>-<br>-                                   | December 5, 1976<br>February 11, 1977<br>-<br>- |
| Bolivia (Plurinational State of)           | -<br>-<br>-<br>-  | -<br>-<br>April 21, 1999<br>-  | -<br>-<br>May 21, 1999<br>-                     |
| Brazil                                     | -<br>-<br>-<br>-  | -<br>-<br>April 23, 1999<br>-  | -<br>-<br>May 23, 1999<br>-                     |

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| Member                       | Date of signature  | Date of deposit of instrument of ratification, acceptance, approval or accession | Date of entry into force   |
|------------------------------|--|--|--|
| Bulgaria                     | -<br>-<br>-  | -<br>-<br>March 24, 1998   | -<br>-<br>April 24, 1998   |
| Canada                       | -<br>October 31, 1979<br>March 9, 1992                                       | -<br>February 4, 1991<br>-   | -<br>March 4, 1991<br>-  |
| Chile                        | -<br>-<br>-  | -<br>December 5, 1995<br>-   | -<br>January 5, 1996<br>-  |
| China                        | -<br>-<br>-  | -<br>March 23, 1999<br>-   | -<br>April 23, 1999<br>-   |
| Colombia                     | -<br>-<br>-  | -<br>August 13, 1996<br>-  | -<br>September 13, 1996<br>-   |
| Costa Rica                   | -<br>-<br>-  | -<br>December 12, 2008   | -<br>January 12, 2009  |
| Croatia                      | -<br>-<br>-  | -<br>August 1, 2001  | -<br>September 1, 2001   |
| Czech Republic <sup>1/</sup> | -<br>-<br>-  | -<br>October 24, 2002  | -<br>January 1, 1993<br>November 24, 2002                                  |
| Denmark                      | November 26, 1962<br>November 10, 1972<br>October 23, 1978<br>March 19, 1991 | September 6, 1968<br>February 8, 1974<br>October 8, 1981<br>April 26, 1996       | October 6, 1968<br>February 11, 1977<br>November 8, 1981<br>April 24, 1998 |
| Dominican Republic           | -<br>-<br>-  | -<br>May 16, 2007  | -<br>June 16, 2007   |
| Ecuador                      | -<br>-<br>-  | -<br>July 8, 1997<br>-   | -<br>August 8, 1997<br>-   |
| Estonia                      | -<br>-<br>-  | -<br>August 24, 2000   | -<br>September 24, 2000  |
| European Union               | -<br>-<br>-  | -<br>June 29, 2005   | -<br>July 29, 2005   |

<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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| Member     | Date of signature   | Date of deposit of instrument of ratification, acceptance, approval or accession | Date of entry into force   |
|------------|---|--|--|
| Finland    | -<br>-<br>-<br>-  | -<br>-<br>March 16, 1993<br>June 20, 2001  | -<br>-<br>April 16, 1993<br>July 20, 2001                                |
| France     | December 2, 1961<br>November 10, 1972<br>October 23, 1978<br>March 19, 1991 | September 3, 1971<br>January 22, 1975<br>February 17, 1983<br>April 27, 2012     | October 3, 1971<br>February 11, 1977<br>March 17, 1983<br>May 27, 2012   |
| Georgia    | -<br>-<br>-<br>-  | -<br>-<br>-<br>October 29, 2008  | -<br>-<br>-<br>November 29, 2008   |
| Germany    | December 2, 1961<br>November 10, 1972<br>October 23, 1978<br>March 19, 1991 | July 11, 1968<br>July 23, 1976<br>March 12, 1986<br>June 25, 1998                | August 10, 1968<br>February 11, 1977<br>April 12, 1986<br>July 25, 1998  |
| Hungary    | -<br>-<br>-<br>-  | -<br>-<br>March 16, 1983<br>December 1, 2002                                     | -<br>-<br>April 16, 1983<br>January 1, 2003                              |
| Iceland    | -<br>-<br>-<br>-  | -<br>-<br>-<br>April 3, 2006   | -<br>-<br>-<br>May 3, 2006   |
| Ireland    | -<br>-<br>September 27, 1979<br>February 21, 1992                           | -<br>-<br>May 19, 1981<br>December 8, 2011                                       | -<br>-<br>November 8, 1981<br>January 8, 2012                            |
| Israel     | -<br>-<br>-<br>October 23, 1991   | November 12, 1979<br>November 12, 1979<br>April 12, 1984<br>June 3, 1996         | December 12, 1979<br>December 12, 1979<br>May 12, 1984<br>April 24, 1998 |
| Italy      | December 2, 1961<br>November 10, 1972<br>October 23, 1978<br>March 19, 1991 | June 1, 1977<br>June 1, 1977<br>April 28, 1986<br>-                              | July 1, 1977<br>July 1, 1977<br>May 28, 1986<br>-                        |
| Japan      | -<br>-<br>October 17, 1979<br>-   | -<br>-<br>August 3, 1982<br>November 24, 1998                                    | -<br>-<br>September 3, 1982<br>December 24, 1998                         |
| Jordan     | -<br>-<br>-<br>-  | -<br>-<br>-<br>September 24, 2004  | -<br>-<br>-<br>October 24, 2004  |
| Kenya      | -<br>-<br>-<br>-  | -<br>-<br>April 13, 1999<br>-  | -<br>-<br>May 13, 1999<br>-  |
| Kyrgyzstan | -<br>-<br>-<br>-  | -<br>-<br>-<br>May 26, 2000  | -<br>-<br>-<br>June 26, 2000   |



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| Member      | Date of signature   | Date of deposit of instrument of ratification, acceptance, approval or accession | Date of entry into force  |
|-------------|---|--|---|
| Latvia      | -<br>-<br>-<br>-  | -<br>-<br>July 30, 2002  | -<br>-<br>August 30, 2002   |
| Lithuania   | -<br>-<br>-<br>-  | -<br>-<br>November 10, 2003  | -<br>-<br>December 10, 2003   |
| Mexico      | -<br>July 25, 1979<br>-   | -<br>July 9, 1997<br>-   | -<br>August 9, 1997<br>-  |
| Morocco     | -<br>-<br>-<br>-  | -<br>-<br>September 8, 2006  | -<br>-<br>October 8, 2006   |
| Netherlands | December 2, 1961<br>November 10, 1972<br>October 23, 1978<br>March 19, 1991 | August 8, 1967<br>January 12, 1977<br>August 2, 1984<br>October 14, 1996         | August 10, 1968<br>February 11, 1977<br>September 2, 1984<br>April 24, 1998 |
| New Zealand | -<br>-<br>July 25, 1979<br>December 19, 1991                                | -<br>-<br>November 3, 1980<br>-  | -<br>-<br>November 8, 1981<br>-   |
| Nicaragua   | -<br>-<br>-   | -<br>-<br>August 6, 2001<br>-  | -<br>-<br>September 6, 2001<br>-  |
| Norway      | -<br>-<br>-<br>-  | -<br>-<br>August 13, 1993<br>-   | -<br>-<br>September 13, 1993<br>-   |
| Oman        | -<br>-<br>-<br>-  | -<br>-<br>-<br>October 22, 2009  | -<br>-<br>-<br>November 22, 2009  |
| Panama      | -<br>-<br>-<br>-  | -<br>-<br>April 23, 1999<br>October 22, 2012                                     | -<br>-<br>May 23, 1999<br>November 22, 2012                                 |
| Paraguay    | -<br>-<br>-<br>-  | -<br>-<br>January 8, 1997<br>-   | -<br>-<br>February 8, 1997<br>-   |
| Peru        | -<br>-<br>-<br>-  | -<br>-<br>-<br>July 8, 2011  | -<br>-<br>-<br>August 8, 2011   |
| Poland      | -<br>-<br>-<br>-  | -<br>-<br>October 11, 1989<br>July 15, 2003                                      | -<br>-<br>November 11, 1989<br>August 15, 2003                              |

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| Member                | Date of signature  | Date of deposit of instrument of ratification, acceptance, approval or accession | Date of entry into force  |
|-----------------------|--|--|---|
| Portugal              | -<br>-<br>-<br>-   | -<br>-<br>September 14, 1995<br>-  | -<br>-<br>October 14, 1995<br>-   |
| Republic of Korea     | -<br>-<br>-<br>-   | -<br>-<br>-<br>December 7, 2001  | -<br>-<br>-<br>January 7, 2002  |
| Republic of Moldova   | -<br>-<br>-<br>-   | -<br>-<br>-<br>September 28, 1998  | -<br>-<br>-<br>October 28, 1998   |
| Romania               | -<br>-<br>-<br>-   | -<br>-<br>-<br>February 16, 2001   | -<br>-<br>-<br>March 16, 2001   |
| Russian Federation    | -<br>-<br>-<br>-   | -<br>-<br>-<br>March 24, 1998  | -<br>-<br>-<br>April 24, 1998   |
| Serbia                | -<br>-<br>-<br>-   | -<br>-<br>-<br>December 5, 2012  | -<br>-<br>-<br>January 5, 2013  |
| Singapore             | -<br>-<br>-<br>-   | -<br>-<br>-<br>June 30, 2004   | -<br>-<br>-<br>July 30, 2004  |
| Slovakia <sup>1</sup> | -<br>-<br>-<br>-   | -<br>-<br>-<br>May 12, 2009  | -<br>-<br>January 1, 1993<br>June 12, 2009                                  |
| Slovenia              | -<br>-<br>-<br>-   | -<br>-<br>-<br>June 29, 1999   | -<br>-<br>-<br>July 29, 1999  |
| South Africa          | -<br>-<br>October 23, 1978<br>March 19, 1991                                 | October 7, 1977<br>October 7, 1977<br>July 21, 1981<br>-                         | November 6, 1977<br>November 6, 1977<br>November 8, 1981<br>-               |
| Spain                 | -<br>-<br>-<br>March 19, 1991  | April 18, 1980<br>April 18, 1980<br>-<br>June 18, 2007                           | May 18, 1980<br>May 18, 1980<br>-<br>July 18, 2007                          |
| Sweden                | -<br>January 11, 1973<br>December 6, 1978<br>December 17, 1991               | November 17, 1971<br>January 11, 1973<br>December 1, 1982<br>December 18, 1997   | December 17, 1971<br>February 11, 1977<br>January 1, 1983<br>April 24, 1998 |
| Switzerland           | November 30, 1962<br>November 10, 1972<br>October 23, 1978<br>March 19, 1991 | June 10, 1977<br>June 10, 1977<br>June 17, 1981<br>August 1, 2008                | July 10, 1977<br>July 10, 1977<br>November 8, 1981<br>September 1, 2008     |

<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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| Member                                    | Date of signature  | Date of deposit of instrument of ratification, acceptance, approval or accession | Date of entry into force  |
|---|--|--|---|
| The former Yugoslav Republic of Macedonia | -<br>-<br>-  | -<br>-<br>-<br>April 4, 2011   | -<br>-<br>-<br>May 4, 2011  |
| Trinidad and Tobago                       | -<br>-<br>-  | -<br>-<br>December 30, 1997<br>-   | -<br>-<br>January 30, 1998<br>-   |
| Tunisia                                   | -<br>-<br>-<br>-   | -<br>-<br>-<br>July 31, 2003   | -<br>-<br>-<br>August 31, 2003  |
| Turkey                                    | -<br>-<br>-<br>-   | -<br>-<br>-<br>October 18, 2007  | -<br>-<br>-<br>November 18, 2007  |
| Ukraine                                   | -<br>-<br>-<br>-   | -<br>-<br>October 3, 1995<br>December 19, 2006                                   | -<br>-<br>November 3, 1995<br>January 19, 2007                            |
| United Kingdom                            | November 26, 1962<br>November 10, 1972<br>October 23, 1978<br>March 19, 1991 | September 17, 1965<br>July 1, 1980<br>August 24, 1983<br>December 3, 1998        | August 10, 1968<br>July 31, 1980<br>September 24, 1983<br>January 3, 1999 |
| United States of America                  | -<br>-<br>October 23, 1978<br>October 25, 1991                               | -<br>-<br>November 12, 1980<br>January 22, 1999                                  | -<br>-<br>November 8, 1981<br>February 22, 1999                           |
| Uruguay                                   | -<br>-<br>-<br>-   | -<br>-<br>October 13, 1994<br>-  | -<br>-<br>November 13, 1994<br>-  |
| Uzbekistan                                | -<br>-<br>-<br>-   | -<br>-<br>-<br>October 14, 2004  | -<br>-<br>-<br>November 14, 2004  |
| Viet Nam                                  | -<br>-<br>-<br>-   | -<br>-<br>-<br>November 24, 2006   | -<br>-<br>-<br>December 24, 2006  |

Total: 72 members

[Annex II follows]

## ANNEX II

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

| Session I, 2014: May/June   |  |                        |
|---|--|------------------------|
| Category  | Participants from  | Number of participants |
| <u>Category 1</u><br>Officials of members of the Union  | Argentina, Brazil, China, Colombia, Costa Rica, Croatia, Estonia, France, Hungary, Italy, Japan, Kenya, Mexico, Paraguay, Poland, Republic of Korea, Singapore, Russian Federation, Slovakia, Spain, Trinidad and Tobago, United Kingdom, United States of America and Uruguay | 68                     |
| <u>Category 2</u><br>Officials of observer States /<br>intergovernmental organizations / others | Cuba and United Republic of Tanzania   | 2                      |
| <u>Category 3</u><br>Other  | Chile, France, Germany, Netherlands, Peru, Singapore, United Kingdom and United States of America  | 8                      |
| <u>Category 4:</u><br>Discretionary waiving of fee for selected students                        | Germany, Italy, Malaysia and Switzerland   | 5                      |
| <b>TOTAL</b>  |  | <b>83</b>              |

|                                    | English | French | German | Spanish |
|------------------------------------|---------|--------|--------|---------|
| Session I, 2014: Total by language | 56      | 2      | 1      | 24      |

| <u>2014 Special sessions for:</u>  | Participants from   | Number of participants |
|--|---|------------------------|
| – Naktuinbouw International Course on Plant Variety Protection Course (Netherlands)          | Algeria, Chile, Cuba, Ecuador, Ethiopia, India, Indonesia, Morocco, Netherlands, New Zealand, Nigeria, Peru, Serbia, South Africa, Sri Lanka, Thailand, Tunisia, United Republic of Tanzania and Zimbabwe | 31                     |
| – JICA Training Course on “Internationally Harmonized Plant Variety Protection System”       | Burkina Faso, Cambodia, Ethiopia, Indonesia, Kenya, Lao People’s Democratic Republic, Malaysia, Moldova, Myanmar, Sri Lanka and Viet Nam  | 11                     |
| – Korea International Cooperation Agency (KOICA) Training Course on Plant Variety Protection | Cambodia, Egypt, Indonesia, Kenya, Myanmar, Philippines, Uganda and United Republic of Tanzania   | 12                     |
| <b>TOTAL</b>   |   | <b>54</b>              |

PARTICIPATION IN THE UPOV DISTANCE LEARNING COURSE (DL-305)

The first session of the DL-305 course (English only) was made available only to officials of members of the Union that had successfully completed the DL-205 course.

| Session I, 2014: March/May                             |  |                        |
|--|--|------------------------|
| Category   | Participants from  | Number of participants |
| <u>Category 1</u><br>Officials of members of the Union | Brazil, Bulgaria, Canada, Chile, Croatia, Estonia, Italy, Kenya, Latvia, Mexico, Netherlands, New Zealand, Poland, Russian Federation, Serbia, Slovakia, Spain, Switzerland, United Kingdom, United and United States of America | 82                     |
| <u>Category 4</u><br>Future paid tutors                |  | 3                      |
| <b>TOTAL</b>   |  | <b>85</b>              |

[Appendix follows]

## APPENDIX

## ACRONYMS AND ABBREVIATIONS

UPOV terms

|        |   |
|--------|---|
| BMT    | Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular                                |
| CAJ    | Administrative and Legal Committee  |
| DL-205 | UPOV distance learning course "Introduction to the UPOV System of Plant Variety Protection under the UPOV Convention" |
| DL-305 | UPOV distance learning course "Examination of Applications for Plant Breeders' Rights"                                |
| DUS    | Distinctness, Uniformity and Stability  |
| EDV    | essentially derived variety   |
| Office | Office of the Union   |
| PBR    | Plant Breeder's Right   |
| TC     | Technical Committee   |
| TC-EDC | Enlarged Editorial Committee  |
| 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  |
| TWP    | Technical Working Party   |
| TWV    | Technical Working Party for Vegetables  |

Acronyms

|             |  |
|-------------|--|
| AATF        | African Agricultural Technology Foundation   |
| AECID       | Spanish Agency for Cooperation and Economic Development                                    |
| AFSTA       | African Seed Trade Association   |
| AIPPI       | International Association for the Protection of Intellectual Property                      |
| AOHE        | Association of European Horticultural Breeders   |
| APBREBES    | Association for Plant Breeding for the Benefit of Society                                  |
| APSA        | Asia and Pacific Seed Association  |
| ARIPO       | African Regional Intellectual Property Organization  |
| ASEAN       | Southeast Asian Nations  |
| ASTA        | American Seed Trade Association  |
| BSPB        | British Society of Plant Breeders  |
| CBD         | Convention on Biological Diversity   |
| CDIP        | WIPO Committee on Development and Intellectual Property                                    |
| CGRFA       | Commission on Genetic Resources for Food and Agriculture                                   |
| CIOPORA     | International Community of Breeders of Asexually Reproduced Ornamental and Fruit Varieties |
| CPVO        | Community Plant Variety Office of the European Union                                       |
| EAPVP Forum | East Asia Plant Variety Protection Forum   |
| ECO         | Economic Cooperation Organization  |
| ECOSA       | ECO Seed Association   |
| ECOSOC      | United Nations Economic and Social Council   |
| EMBRAPA     | Brazilian Research Corporation   |
| ESA         | European Seed Association  |
| FAO         | Food and Agriculture Organization of the United Nations                                    |
| FELAS       | Latin American Federation of Seed Associations   |
| FWCC        | Friends World Committee for Consultation   |
| GEVES       | <i>Groupe d'étude et de contrôle des variétés et des semences</i> of France                |
| GRIP Course | Genetic Resources and Intellectual Property Rights Course                                  |
| GRUR        | <i>Deutsche Vereinigung für gewerblichen Rechtsschutz und Urheberrecht</i>                 |
| IAOC        | WIPO Independent Advisory Oversight Committee  |
| ICARDA      | International Centre for Agricultural Research in Dry Areas                                |
| ICNCP       | International Code of Nomenclature for Cultivated Plants                                   |

|                 |   |
|-----------------|---|
| ICNP            | Open-ended Ad Hoc Intergovernmental Committee for the Nagoya Protocol on Access and Benefit-sharing                   |
| IDLO            | International Development Law Organization  |
| IGC             | WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore   |
| IPSAS           | International Public Sector Accounting Standards  |
| IRRI            | International Rice Research Institute   |
| ISF             | International Seed Federation   |
| ISHS            | International Society for Horticultural Sciences  |
| ISTA            | International Seed Testing Association  |
| ITPGRFA         | International Treaty on Plant Genetic Resources for Food and Agriculture  |
| IUBS Commission | International Commission for the Nomenclature of Cultivated Plants of the International Union for Biological Sciences |
| JICA            | Japan International Cooperation Agency  |
| KEPHIS          | Kenya Plant Health Inspectorate Services  |
| KOICA           | Korea International Cooperation Agency  |
| KSVS            | Korea Seed and Variety Service  |
| OAPI            | African Intellectual Property Organization  |
| OECD            | Organisation for Economic Co-Operation and Development  |
| OEVV            | Spanish Plant Variety Office  |
| PCT             | WIPO Patent Cooperation Treaty  |
| QUNO            | Quaker UN Office  |
| QUT             | Queensland University of Technology   |
| SAA             | Seed Association of the Americas  |
| Sida            | Swedish International Development Agency  |
| TAIEX           | Technical Assistance and Information Exchange Instrument of the European Union  |
| TRIPS           | Trade Related Aspects of Intellectual Property Rights   |
| UN              | United Nations  |
| UNDP            | United Nations Development Programme  |
| UNIDO           | United Nations Industrial Development Organization  |
| UNIGE           | University of Geneva  |
| USPTO           | United States Patent and Trademark Office   |
| WFO             | World Farmers' Organization   |
| WIPO            | World Intellectual Property Organization  |
| WTO             | World Trade Organization  |

[End of appendix and of document]