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|  |  | 5BE2BTWC/31/53B**ORIGINAL:**  English4BDATE:  May 13, 2013 |
| 844BINTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS  |
| 0BGeneva |

829BTechnical working party on automation and computer programs

830BThirty-First Session
Seoul, Republic of Korea, June 4 to 7, 2013

831BUPOV information databases

828BDocument prepared by the Office of the Union

 6BThe purpose of this document is to provide an update on developments concerning the GENIE database, the UPOV Code System and the Plant Variety Database (PLUTO database) and to provide information on UPOV code additions and amendments for checking by the relevant authorities, as follows:

832B[GENIE DATABASE 2](#_Toc356286050)

833B[UPOV CODE SYSTEM 2](#_Toc356286051)

836B[Guide to the UPOV Code System 2](#_Toc356286052)

837B[UPOV code developments 2](#_Toc356286053)

834B[PLANT VARIETY DATABASE 3](#_Toc356286054)

838B[Program for Improvements to the Plant Variety Database (“Program”) 3](#_Toc356286055)

839B[Web-based version of the Plant Variety Database (Program: Section 6) 3](#_Toc356286056)

840B[Provision of assistance to contributors (Program: Section 2) 4](#_Toc356286057)

841B[Data to be included in the Plant Variety Database (Program: Section 3) 4](#_Toc356286058)

842B[CD-ROM version of the Plant Variety Database (Program: Section 6) 4](#_Toc356286059)

843B[Common search platform (Program: Section 7) 4](#_Toc356286060)

835B[Survey of members of the Union on their use of databases and electronic application systems 4](#_Toc356286061)

7BANNEX I GUIDE TO THE UPOV CODE SYSTEM

8BANNEX II AMENDMENTS TO UPOV CODES FOR HYBRIDS

9BANNEX III PROGRAM FOR IMPROVEMENTS TO THE PLANT VARIETY DATABASE

10BANNEX IV REPORT ON DATA CONTRIBUTED TO THE PLANT VARIETY DATABASE BY MEMBERS OF THE UNION AND OTHER CONTRIBUTORS AND ASSISTANCE FOR DATA CONTRIBUTION

# GENIE DATABASE

 11BIt is recalled that the GENIE database (<http://www.upov.int/genie/en/>) has been developed to provide, for example, online information on the status of protection (see document C/46/6), cooperation in examination (see document C/46/5), experience in DUS testing (see document TC/49/4), and existence of UPOV Test Guidelines (see document TC/49/2) for different GENera and specIEs (hence GENIE), and is used to generate the relevant Council and Technical Committee (TC) documents concerning that information. In addition, the GENIE database is the repository of the UPOV codes and also provides information concerning alternative botanical and common names.

# UPOV CODE SYSTEM

## Guide to the UPOV Code System

 12BThe “Guide to the UPOV Code System” (see <http://www.upov.int/genie/en/pdf/upov_code_system.pdf>), as amended by the Technical Committee (TC), at its forty-eighth session, held in Geneva from March 26 to 28, 2012, and the Administrative and Legal Committee (CAJ), at its sixty-fifth session, held on March 29, 2012, is reproduced in Annex I to this document (see documents TC/48/22 “Report on the Conclusions”, paragraphs 95 to 100 and CAJ/65/13 “Report”, paragraphs 38 to 43).

## UPOV code developments

 13BIn 2012, 212 new UPOV codes were created and amendments were made to 5 UPOV codes. The total number of UPOV codes in the GENIE database at the end of 2012 was 7,061.

|  |  |
| --- | --- |
|  | 14BYear |
|  |  |
|  | 15B2005 | 16B2006 | 17B2007 | 18B2008 | 19B2009 | 20B2010 | 21B2011 | 22B2012 |
| 23BNew UPOV codes | 24Bn/a | 25Bn/a | 26Bn/a | 27B300 (approx) | 28B148 | 29B114 | 30B173 | 31B212 |
| 32BAmendments | 33Bn/a | 34Bn/a | 35Bn/a | 36B30 (approx) | 37B17 | 38B6 | 39B12\* | 40B5 |
| 41BTotal UPOV Codes (at end of year) | 42B5,759 | 43B5,977 | 44B6,169 | 45B6,346 | 46B6,582 | 47B6,683 | 48B6,851 | 49B7,061 |

50B\* including changes to UPOV codes resulting from reclassification of *Lycopersicon, Solanum* and *Cyphomandra* (see document TC/47/8).

 51BAs a consequence of the amended procedure for allocating UPOV codes for hybrid genera and species, such that a single UPOV code covers all hybrid combinations of the same genera/species (see document TC/48/22 “Report on the Conclusions”, paragraph 96, and document CAJ/65/13 “Report”, paragraph 13), a number of existing UPOV codes have been amended as indicated in Annex II to this document. The CAJ, at its sixty-sixth session, held in Geneva on October 29, 2012, noted that the publication of the amended UPOV Code System would be arranged in conjunction with the consequential changes of a number of UPOV codes, which would be coordinated with the notification to all members of the Union and other contributors to the PLUTO database (see document CAJ/66/8 “Report on the Conclusions”, paragraph 16).

 52BThe TC, at its forty-ninth session, held in Geneva, from March 18 to 20, 2013, noted the amendments to UPOV codes and the plan of the Office of the Union to prepare tables of UPOV code additions and amendments, for checking by the relevant authorities, for each of the TWPs sessions in 2013 (see document TC/49/41 “Report on the conclusions”, paragraph 91).

 1BThe TWC is invited to note the amendments to UPOV codes and the plan of the Office of the Union to prepare tables of UPOV code additions and amendments, for checking by the relevant authorities, for each of the TWPs sessions in 2013, as set out in paragraph 6 of this document.

# PLANT VARIETY DATABASE

## Program for Improvements to the Plant Variety Database (“Program”)

 53BAnnex III to this document contains the Program as approved by the CAJ, at its fifty-ninth session, held in Geneva on April 2, 2009, and amended by the CAJ at its sixty-fifth session, held in Geneva on March 29, 2012.

 54BThe following paragraphs provide an update on developments concerning the program for improvements to the Plant Variety Database (“Program”) since the thirtieth session of the TWC.

## Web-based version of the Plant Variety Database (Program: Section 6)

### Information on the latest date of submission by the contributors

 55BFor the short-term, information on the latest date of submission by the contributors has been provided for the Plant Variety Database in the form of a pdf document. However, in the longer term, it is planned that the date of submission will be provided for individual data retrieved from the database.

### Search rules

 56BAn explanation of the search rules for the PLUTO database, including the new page that has been provided for searching variety denominations, will be provided and will be demonstrated at the thirty-first session of the TWC.

 57BThe CAJ, at its sixty seventh session, held in Geneva on March 21, 2013, noted the presentation made by the Delegation of the European Union on the Community Plant Variety Office (CPVO) experience in the use of its denomination similarity search tool in the examination of proposed denominations (see document CAJ/67/14 “Report on the conclusions”, paragraph 49).

 58BThe CAJ welcomed the proposal made during the presentation by the CPVO to explore the possibility to develop a UPOV similarity search tool for variety denomination purposes, based on the CPVO search tool, and agreed to include an item to consider that proposal at its sixty-eighth session, to be held in Geneva on October 21, 2013 (see document CAJ/67/14 “Report on the conclusions”, paragraph 50).

### Facility to save search settings

 59BAn explanation of the possibilities to save search settings for the PLUTO database will be provided and will be demonstrated at the thirty-first session of the TWC.

### User registration

 60BThe Consultative Committee, at its eighty–second session, held in Geneva on October 19, 2011, agreed to require users of the PLUTO database to register in order that the use of the PLUTO database could be monitored, with a view to using that feedback for future improvements. It was emphasized that this would mean that the PLUTO database would still be freely accessible. The requirement for users to register was implemented in March, 2013, and an explanation of the registration procedure will be demonstrated at the thirty-first session of the TWC.

### Alphabets

 61BThe CAJ, at its sixty-fifth session, agreed to amend the Program, as set out in Annex III to document CAJ/65/6, with regard to Section 3.2 “Data quality and completeness” and Section 3.3 “Mandatory items”, in order to introduce the possibility for contributors to the PLUTO database to provide data in the original alphabet, in addition to the data being provided in Roman alphabet.

 62BThe necessary arrangements for the inclusion of data in the original alphabet, in addition to the data being provided in Roman alphabet, have been made.

## Provision of assistance to contributors (Program: Section 2)

 63BAnnex IV to this document provides a summary of the contributions to the PLUTO database in 2011 and 2012 and the current situation of members of the Union on data contribution.

 64BWith regard to the assistance provided to contributors, it is recalled that all contributors to the PLUTO database are responsible for the correctness and completeness of the data they supply (see Program, Section 2.4). In cases where assistance is provided to contributors, the contributor will continue to be responsible for the correctness and completeness of the data. Thus, contributors will always be requested to approve any suggested modifications of data they supply, including the addition or amendment of UPOV codes, before the data is entered in the PLUTO database.

## Data to be included in the Plant Variety Database (Program: Section 3)

 65BThe Program in Annex III to this document reflects the modification of Section 3.2 ”Data quality and completeness” (see new TAG <800>), in order to introduce the possibility for contributors to the PLUTO database to provide information on dates on which a variety was commercialized for the first time in the territory of application and other territories. Contributors can now provide information on dates on which a variety was commercialized for the first time in the territory of application and other territories.

## CD-ROM version of the Plant Variety Database (Program: Section 6)

 66BSection 6 of the Program explains that the possibility to create CD-ROM versions of the PLUTO database, without the need for the services of Jouve, will be developed in parallel to the web-based version of the database. The production of the UPOV-ROM by Jouve was terminated at the end of 2012, after which time the WIPO Brand Database Unit has made arrangements to produce a CD-ROM version of the PLUTO database (PLUTO CD‑ROM), which can be provided to members of the Union upon request.

## Common search platform (Program: Section 7)

 67BDocument TWC/31/4 “Variety Denominations” provides background information on a possible future meeting with the International Society for Horticultural Science (ISHS) and other relevant partners to discuss denomination classes and the concept of a common search platform for variety denomination searching purposes.

68B*The TWC is invited to note the developments concerning the program for improvements to the Plant Variety Database (“Program”) since the thirtieth session of the TWC, as set out in paragraphs 10 to 22 of this document.*

# Survey of members of the Union on their use of databases and electronic application systems

 69BThe CAJ, at its sixty-sixth session, held in Geneva on October 29, 2012, requested the Office of the Union to conduct a survey of members of the Union on their use of databases for plant variety protection purposes and also on their use of electronic application systems (see document CAJ/66/8 “Report on the Conclusions”, paragraph 21). The Office of the Union intends to issue that survey after the forty-ninth session of the TC and the sixty-seventh session of the CAJ.

70B*The TWC is invited to note the plans of the Office of the Union to conduct a survey of members of the Union on their use of databases for plant variety protection purposes and on their use of electronic application systems.*

 71B[Annexes follow]

72BGUIDE TO THE UPOV CODE SYSTEM

73B1. PURPOSE

74B1.1 The main purpose of the UPOV Code System is to enhance the usefulness of the UPOV Plant Variety Database by overcoming the problem of synonyms for plant taxa. That is achieved by attributing each taxa a code according to the UPOV Code System (“UPOV code”); synonyms for the same plant taxa are attributed the same UPOV code.

75B1.2 The UPOV Code System is employed in the [GENIE database](http://www.upov.int/genie/en/), which has been developed to provide, for example, online information on the status of protection (see document C/40/6), cooperation in examination (see document C/40/5), experience in DUS testing (see document TC/43/4), and existence of UPOV Test Guidelines (see document TC/43/2) for different GENera and specIEs (hence GENIE), and is also used to generate the relevant Council and Technical Committee (TC) documents concerning that information.

76B2. UPOV CODE CONSTRUCTION

77B2.1 General basis

78B2.1.1 In general, the following UPOV code construction is used for the UPOV Code System:

 79B(a) an alphabetic element of five letters (e.g. XXXXX) indicating the genus (“genus element”);

 80B(b) a three-letter element (e.g. YYY) indicating the species (“species element”);

 81B(c) where relevant, a further element of up to three characters (e.g. ZZ1) indicating a sub‑specific unit (“sub-species element”);

82Bthus,   XXXXX\_YYY\_ZZ1

83B2.1.2 In all cases, the five-letter genus element is to be provided, but the three-letter species element and the sub-specific element are only provided where necessary.

84B2.1.3 As far as possible, the elements try to follow the first letters of the botanical name of that element, e.g.:

85B*Prunus* PRUNU\_

86B*Prunus armeniaca* PRUNU\_ARM

87B2.1.4 In some cases, it is necessary to improvise to ensure that similar taxa have different UPOV codes (e.g. *Platycodon* = “PLTYC\_” and *Platymiscium* = “PLTYM\_”). In cases where the name is shorter than the UPOV code, the last letter of the name is repeated e.g. *Poa*= POAAA.

88B2.1.5 In the case of the sub-specific element, the UPOV code is used in a more flexible way to contain more than one level of ranking, thereby avoiding the need for extra elements in the UPOV code.

89B2.2 Inter-generic and inter-specific hybrids

90B2.2.1 The letter “x” is not used in the UPOV code to indicate hybrids.

91B(Background note: the multiplication sign ‘x’ is used in botany as an optional device to indicate hybridity, but is not part of a name in any sense and may or may not be applied according to the wishes and opinions of a botanical author or editor. What one person considers a hybrid, may not be so considered by another, thus we may see *Solanum tuberosum* or *Solanum* x *tuberosum* if the writer of the second version understands the potato species to be of hybrid origin.)

92B2.2.2 In the case of a genus which is formed as a hybrid between other genera and for which there is a binomial name (e.g. ×*Triticosecale* [= *Triticum* x *Secale*]), the “genus element” of the UPOV code is based on the binomial name. For example, ×*Triticosecale* has the UPOV code “TRITL”.

93B2.2.3 In the case of a genus which is formed as a hybrid between two genera (“hybrid genus”) (e.g. *Alpha* x *Beta*) and for which there is no binomial name, a UPOV code is created for the new “hybrid genus”. The genus element of the UPOV code is produced by combining the first two letters of the female parent genus and the first three letters of the male parent genus. For example, a “hybrid genus” which was formed as a hybrid between *Alpha* (UPOV code: ALPHA) and *Beta* (UPOV code: BETAA) would have the UPOV code “ALBET”.

94B2.2.4 In the case of a species which is formed as a hybrid between two species and for which there is no binomial name (“hybrid species”) (e.g. *Alpha one* x *Alpha two*), a UPOV code is created for the new “hybrid species”. The species element of the UPOV code is produced by combining the first letter of the female parent species and the first two letters of the male parent species. For example, a “hybrid species” which was formed as a hybrid between *Alpha one* (UPOV code: ALPHA\_ONE) x *Alpha two* (UPOV code: ALPHA\_TWO) would have the UPOV code “ALPHA\_OTW”.

95B2.2.5 In the case of a hybrid genus (or species) which is formed as a hybrid between more than two genera (or species) and for which there is no binomial name, the same general approach is followed as for a hybrid between two genera (or species); the sequence of letters used in the UPOV code is based on the order of female parent followed by male parent.

96B2.2.6 In the case of UPOV codes for hybrid genera and species, the UPOV code will not distinguish between two hybrids produced using the same parents. A UPOV code is created for the first hybrid notified to UPOV in accordance with the procedure set out in paragraphs 2.2.3 to 2.2.5. However, if a subsequent request is received for a hybrid involving the same genera/species in a different combination, the Principal Botanical Name will be amended to indicate that the UPOV code covers all combinations involving the same genera/species.

97B*Example:*

98BUPOV code request received for: *Alpha one* x *Alpha two*

|  |  |
| --- | --- |
| 99BUPOV Code | 100BPrincipal Botanical Name |
| 101BALPHA\_OTW | 102B*Alpha one* x *Alpha two* |

103BSubsequently, UPOV code request received for: *Alpha two* x *Alpha one*

104B*or*

105B*(Alpha one* x *Alpha two)* x *Alpha one*

106B*etc.*

|  |  |
| --- | --- |
| 107BUPOV Code | 108BPrincipal Botanical Name |
| 109BALPHA\_OTW | 110BHybrids between *Alpha one* and *Alpha two* |

111B2.3 Grouping classification: *Brassica* and *Beta*

112BA grouping classification is used for UPOV codes within *Beta vulgaris* and part of *Brassica oleracea*. To indicate that a grouping classification is being used for those two species, the first letter of the third element of the UPOV code starts with “G”. A summary of the structuring of the species is presented below:

| 113B*UPOV code*  | 114B*Botanical name* | 115B*Common name* |
| --- | --- | --- |
| 116B**BETAA\_VUL** | 117B**Beta vulgaris L.** |  |
| 118B**BETAA\_VUL\_GV** | 119B**Beta vulgaris L. ssp. vulgaris** | 120B**Beet** |
| 121BBETAA\_VUL\_**G**VA | 122BBeta vulgaris L. ssp. vulgaris var. alba DC. | 123BFodder beet |
| 124BBETAA\_VUL\_**G**VC | 125BBeta vulgaris L. ssp. vulgaris var. conditiva Alef. | 126BBeetroot |
| 127BBETAA\_VUL\_**G**VF | 128BBeta vulgaris L. ssp. vulgaris var. flavescens DC. | 129BLeaf beet |
| 130BBETAA\_VUL\_**G**VS | 131BBeta vulgaris L. ssp. vulgaris var. saccharifera Alef. | 132BSugar beet |
| 133B**BRASS\_OLE\_GA** | 134B**Brassica oleracea L. convar. acephala (DC.) Alef.** | 135B**Kale** |
| 136BBRASS\_OLE\_**G**AM | 137BBrassica oleracea L. convar. acephala (DC.) Alef. var. medullosa Thell. | 138BMarrow-stem kale |
| 139BBRASS\_OLE\_**G**AR | 140BBrassica oleracea L. var. ramosa DC. | 141BCatjang |
| 142BBRASS\_OLE\_**G**AS | 143BBrassica oleracea L. convar. acephala (DC.) Alef. var. sabellica L. | 144BCurly kale |
| 145BBRASS\_OLE\_**G**AV | 146BBrassica oleracea L. convar. acephala (DC.) Alef. var. viridis L. | 147BFodder kale |
| 148B**BRASS\_OLE\_GB** | 149B**Brassica oleracea L. convar. botrytis (L.) Alef.** |  |
| 150BBRASS\_OLE\_**G**BB | 151BBrassica oleracea L. convar. botrytis (L.) Alef. var. botrytis | 152BCauliflower |
| 153BBRASS\_OLE\_**G**BC | 154BBrassica oleracea L. convar. botrytis (L.) Alef. var. cymosa Duch. | 155BBroccoli |
| 156B**BRASS\_OLE\_GC** | 157B**Brassica oleracea L. convar. capitata (L.) Alef. var. capitata (L.) Alef.** | 158B**Cabbage** |
| 159BBRASS\_OLE\_**G**CA | 160BBrassica oleracea L. convar. capitata (L.) Alef. var. capitata L. f. alba DC. | 161BWhite cabbage |
| 162BBRASS\_OLE\_**G**CR | 163BBrassica oleracea L. convar. capitata (L.) Alef. var. capitata L. f. rubra (L.) Thell. | 164BRed cabbage |
| 165BBRASS\_OLE\_**G**CS | 166BBrassica oleracea L. convar. capitata (L.) Alef. var. sabauda L. | 167BSavoy cabbage |
| 168B**BRASS\_OLE\_GGM** | 169B**Brassica oleracea L. convar. oleracea var. gemmifera DC.** | 170B**Brussels sprout** |
| 171B**BRASS\_OLE\_GGO** | 172B**Brassica oleracea L. convar. acephala (DC.) Alef. var. gongylodes L.** | 173B**Kohlrabi** |

174B3. PROCEDURE FOR THE INTRODUCTION AND AMENDMENT OF UPOV CODES

175B3.1 Responsibility for the UPOV Code System

176BThe Office of the Union (Office) is responsible for the UPOV Code System and the individual UPOV codes.

177B3.2 Repository of UPOV Codes

178BThe definitive collection of UPOV codes exists exclusively in the GENIE database.

179B3.3 Introduction of New UPOV Codes / Amendments to UPOV Codes

180B(a) In the first instance, the Office will create a UPOV code on the basis of the Germplasm Resources Information Network (GRIN) database0F[[1]](#footnote-2), or other suitable references if the species concerned are not included in the GRIN database.

181B(b) Where the Office is aware of relevant experts for the genus or species concerned, or is advised of such experts, for example by the proposer of a new UPOV code, it will, wherever possible, check its proposals with those experts before creating the UPOV code.

182B(c) New UPOV codes might be proposed by any party, but it is expected that the majority of proposals will be made by contributors to the Plant Variety Database. Where the Office receives such proposals, it will respond by updating the GENIE database with the new UPOV codes in a timely manner and, in particular, will seek to ensure that new UPOV codes are available to allow their use for the forthcoming edition of the Plant Variety Database. In addition, the Office will add new UPOV codes where it identifies a need.

183B(d) In general, amendments to UPOV codes will not be made as a result of taxonomic developments unless these result in a change to the genus classification of a species. The “Explanatory notes on variety denominations under the UPOV Convention” (document UPOV/INF/12) contain UPOV variety denomination classes; for genera and species not covered by the List of Classes in Annex I to document UPOV/INF/12, the general rule (“one genus / one class”) is that a genus is considered to be a class (see document UPOV/INF/12, Section 2.5.2 and its Annex I). Therefore, it is important that the first element of the UPOV code can be used to sort species into the correct genus. The UPOV codes will also be amended if there are consequences for the content of a variety denomination class where the list of classes applies. Amendments to UPOV codes will be handled by the same procedure as the introduction of new UPOV codes as in paragraphs (a) and (b), above. However, in addition, all members of the Union and contributors of data to the Plant Variety Database will be informed of any amendments.

184B(e) New and amended UPOV codes will be presented to the relevant Technical Working Parties (TWP(s)) for comment at their first available session. If the TWP recommends any change, this will be treated as an amendment according to paragraph (d), above.

185B(f) Checking by Technical Working Party(ies): the Office determines the relevant TWP(s) for checking each UPOV code on the basis of available information.

186B(g) Checking by all authorities: all the experts of the relevant TWP(s) to be invited to check the UPOV codes where:

187B(i) many authorities (e.g. 10 or more) have practical experience in DUS testing (based on GENIE database / document TC/xx/4 (e.g. TC/43/4)), have provided interested experts in the drafting of relevant Test Guidelines and/or have protected varieties (based on UPOV Plant Variety Database); or

188B(ii) they concern genera or species for which a wide review is considered appropriate by the Office (e.g. because it concerns a proposal for a species or sub‑species not previously recognized within the genus, or a proposal for restructuring of the UPOV code).

189B(h) Checking by specific authorities: in cases not covered by (g) above, the experts of the relevant TWP(s) of specific authorities will be invited to check the UPOV codes. The specific authorities being those which have practical DUS testing experience, have provided interested experts in the drafting of relevant Test Guidelines, or which have granted protection for varieties covered by the relevant UPOV code.

190B3.4 Updating of Information Linked to UPOV Codes

191B(a) UPOV codes might need to be updated to take account of, for example, changes in taxonomic classification, new information on common names, etc. In the case of changes of taxonomic classification, this might, although it is emphasized that this is not necessarily the case (see section 3.3 (d), above), result in a need to change the UPOV code. In such cases, the procedure is as explained in section 3.3, above. In other cases, the Office will amend the information linked to the existing UPOV code as appropriate.

192B(b) The TC, the TWPs and individual communications from members and observers of these bodies will be the principal routes by which the Office will update its information.

193B4. PUBLICATION OF UPOV CODES

194B4.1 As explained in Section 3.2, all UPOV codes can be accessed in the GENIE database, which is available on the UPOV website (see <http://www.upov.int/genie/en/>).

195B4.2 In addition, the UPOV codes, together with their relevant botanical and common names and variety denomination class as contained in the GENIE database, are published on the UPOV website (see <http://www.upov.int/genie/en/updates/>). That information is published in a form that facilitates electronic downloading of the UPOV codes.

196B[Annex II follows]

197BAMENDMENTS TO UPOV CODES FOR HYBRIDS

198B[See Excel Spreadsheet]

199B[Annex III follows]

200BPROGRAM FOR IMPROVEMENTS TO THE PLANT VARIETY DATABASE

201B*as approved by the Administrative and Legal Committee (CAJ),
at its fifty-ninth session, held in Geneva on April 2, 2009*

202B*and amended by the CAJ
at its sixty-fifth session, held in Geneva on March 29, 2012*

203B*1. Title of the Plant Variety Database*

204BThe name of the Plant Variety Database will be the “PLUTO Plant Variety Database”, abbreviated to PLUTO as appropriate (PLUTO = **PL**ant varieties in the **U**POV system: **T**he **O**mnibus).

205B*2. Provision of assistance to contributors*

206B2.1 The Office will continue to contact all members of the Union and contributors to the Plant Variety Database that do not provide data for the Plant Variety Database, do not provide data on a regular basis, or do not provide data with UPOV codes. In each case, they will be invited to explain the type of assistance that would enable them to provide regular and complete data for the Plant Variety Database.

207B2.2 In response to the needs identified by members of the Union and contributors to the Plant Variety Database in 2.1, the designated World Intellectual Property Organization (WIPO) staff, in conjunction with the Office, will seek to develop solutions for each of the Plant Variety Database contributors.

208B2.3 An annual report on the situation will be made to the Administrative and Legal Committee (CAJ) and Technical Committee (TC).

209B2.4 With regard to the assistance to be provided to contributors, the UPOV-ROM “General Notice and Disclaimer” states that “[…] All contributors to the UPOV-ROM are responsible for the correctness and completeness of the data they supply. […]”. Thus, in cases where assistance is provided to contributors, the contributor will continue to be responsible for the correctness and completeness of the data.

210B*3. Data to be included in the Plant Variety Database*

211B*3.1 Data format*

212B3.1.1 In particular, the following data format options to be developed for contributing data to the Plant Variety Database:

213B(a) data in XML format;

214B(b) data in Excel spreadsheets or Word tables;

215B(c) data contribution by on-line web form;

216B(d) an option for contributors to provide only new or amended data

217B3.1.2 To consider, as appropriate, restructuring TAG items; for example, where parts of the field are mandatory and other parts not.

218B3.1.3 Subject to Section 3.1.4, the character set for data shall be the ASCII [American Standard Code for Information Interchange] representation, as defined in ISO [International Standards Organization] Standard 646. Special characters, symbols or accents (˜, ˆ, ¨, º, etc.) are not accepted. Only characters of the English alphabet may be used.

219B3.1.4 In the case of data submitted for TAG <520>, <550>, <551>, <552>, <553>, <650> <651>, <652>, <750>, <751>, <752>, <753>, <760>, <950> and <960>, the data must be submitted in Unicode Transformation Format-8 (UTF-8).

220B*3.2 Data quality and completeness*

221BThe following data requirements to be introduced in the Plant Variety Database

| 222BTAG | 223BDescription of Item | 224BCurrent Status  | 225BProposed status | 226BDatabase developments required |
| --- | --- | --- | --- | --- |
| 227B**<000>** | 228B**Start of record and record status**  | 229Bmandatory | 230B**start of record to be mandatory** | 231Bmandatory, subject to development of facility to calculate record status (by comparison with previous data submission), if required |
| 232B**<190>** | 233B**Country or organization providing information** | 234Bmandatory | 235B**mandatory**  | 236Bdata quality check: to verify against list of codes |
| 237B**<010>** | 238B**Type of record and (variety) identifier** | 239Bmandatory | 240B**both mandatory**  | 241B(i) meaning of “(variety) identifier” to be clarified in relation to item <210>;242B(ii) to review whether to continue type of record “BIL”;243B(iii) data quality check: to check against list of types of record |
| 244B**<500>** | 245B**Species--Latin name** | 246Bmandatory until UPOV code provided | 247B**mandatory (even if UPOV code provided)** |  |
| 248B<509> | 249BSpecies--common name in English | 250Bmandatory if no common name in national language (<510>) is given. | 251Bnot mandatory |  |
| 252B<510> | 253BSpecies--common name in national language other than English | 254Bmandatory if no English common name (<509>) is given  | 255BREQUIRED if <520> is provided |  |
| 256B<520> | 257BSpecies--common name in national language other than English in non-Roman alphabet |  | 258Bnot mandatory |  |
| 259B**<511>** | 260B**Species--UPOV Taxon Code**  | 261Bmandatory  | 262B**mandatory** | 263B(i) if requested, the Office to provide assistance to the contributor for allocating UPOV codes;264B(ii) data quality check: to check UPOV codes against the list of UPOV codes; 265B(iii) data quality check: to check for seemingly erroneous allocation of UPOV codes (e.g. wrong code for species) |
| 266BDENOMINATIONS |
| 267B**<540>** | 268B**Date + denomination, proposed, first appearance or first entry in data base** | 269Bmandatory if no breeder’s reference (<600>) is given  | 270B**(i) mandatory to have <540>, <541>, <542>, or <543> if <600> is not provided** 271B(ii) date not mandatory 272B(iii) REQUIRED if <550>, <551>, <552> or <553> are provided | 273B(i) to clarify meaning and rename;274B(ii) data quality check: mandatory condition in relation to other items |
| 275B**<550>** | 276BDate + denomination, proposed, first appearance or first entry in data basein non-Roman alphabet |  | 277Bnot mandatory |  |
| 278B**<541>** | 279B**Date + proposed denomination, published** |  | 280B**see <540>** | 281B(i) to clarify meaning and rename282B(ii) data quality check: mandatory condition in relation to other items |
| 283B<551> | 284BDate + proposed denomination, published in non-Roman alphabet |  | 285Bnot mandatory |  |
| 286B**<542>** | 287B**Date + denomination, approved** | 288Bmandatory if protected or listed | 289B**see <540>** | 290B(i) to clarify meaning and rename;291B(ii) to allow for more than one approved denomination for a variety (i.e. where a denomination is approved but then replaced)292B(iii) data quality check: mandatory condition in relation to other items |
| 293B<552> | 294BDate + denomination, approvedin non-Roman alphabet |  | 295Bnot mandatory |  |
| 296B**<543>** | 297B**Date + denomination, rejected or withdrawn** |  | 298B**see <540>** | 299B(i) to clarify meaning and rename300B(ii) data quality check: mandatory condition in relation to other items |
| 301B<553> | 302BDate + denomination, rejected or withdrawn in non-Roman alphabet |  | 303Bnot mandatory |  |
| 304B<600> | 305BBreeder's reference | 306Bmandatory if existing | 307BREQUIRED if <650> is provided |  |
| 308B<650> | 309BBreeder's reference in non-Roman alphabet |  | 310Bnot mandatory |  |
| 311B<601> | 312BSynonym of variety denomination |  | 313BREQUIRED if <651> is provided |  |
| 314B<651> | 315BSynonym of variety denomination in non-Roman alphabet |  | 316Bnot mandatory |  |
| 317B<602> | 318BTrade name |  | 319BREQUIRED if <652> is provided | 320B(i) to clarify meaning321B(ii) to allow multiple entries |
| 322B<652> | 323BTrade name in non-Roman alphabet |  | 324Bnot mandatory |  |
| 325B**<210>** | 326B**Application number** | 327Bmandatory if application exists | 328B**mandatory if application exists** | 329Bto be considered in conjunction with <010> |
| 330B<220> | 331BApplication/filing date | 332Bmandatory if application exists | 333B**mandatory** | 334Bexplanation to be provided if TAG<220> not completed |
| 335B<400> | 336BPublication date of data regarding the application (protection)/filing (listing) |  | 337Bnot mandatory |  |
| 338B**<111>** | 339B**Grant number (protection)/registration number (listing)** | 340Bmandatory if existing | 341B**(i) mandatory to have <111> / <151> / <610> or <620> if granted or registered**342B(ii) date not mandatory | 343B(i) data quality check: mandatory condition in relation to other items;344B(ii) to resolve any inconsistencies concerning the status of TAG<220> |
| 345B**<151>** | 346B**Publication date of data regarding the grant (protection) / registration (listing)** |  | 347B**see <111>** | 348Bdata quality check: mandatory condition in relation to other items |
| 349B**<610>** | 350B**Start date--grant (protection)/registration (listing)** | 351Bmandatory if existing | 352B**see <111>** | 353B(i) data quality check: mandatory condition in relation to other items;354B(ii) data quality check: date cannot be earlier than <220> |
| 355B**<620>** | 356B**Start date--renewal of registration (listing)** |  | 357B**see <111>** | 358B(i) data quality check: mandatory condition in relation to other items:359B(ii) data quality check: date cannot be earlier than <610>360B(iii) to clarify meaning  |
| 361B<665> | 362BCalculated future expiration date | 363Bmandatory if grant/listing | 364Bnot mandatory |  |
| 365B<666> | 366BType of date followed by “End date” | 367Bmandatory if existing | 368Bnot mandatory |  |
| 369BPARTIES CONCERNED |
| 370B**<730>** | 371B**Applicant’s name**  | 372Bmandatory if application exists | 373B**mandatory if application exists or** REQUIRED if <750> is provided |  |
| 374B<750> | 375BApplicant’s name in non-Roman alphabet |  | 376BNot mandatory  |  |
| 377B**<731>** | 378B**Breeder's name** | 379Bmandatory | 380B**mandatory** | 381Bto clarify meaning of “breeder” according to document TGP/5 (see <733>) |
| 382B<751> | 383BBreeder's name in non-Roman alphabet |  | 384BNot mandatory |  |
| 385B<732> | 386BMaintainer's name | 387Bmandatory if listed | 388BREQUIRED if <752> is provided | 389Bto be accompanied by start and end date (maintainer can change) |
| 390B<752> | 391BMaintainer's name in non-Roman alphabet |  | 392BNot mandatory |  |
| 393B**<733>** | 394B**Title holder's name** | 395Bmandatory if protected | 396B**mandatory if protected** or REQUIRED if <753> is provided | 397B(i) to clarify meaning of “title holder” according to document TGP/5 (see <731>)398B(ii) to be accompanied by start and end date (title holder can change) |
| 399B<753> | 400BTitle holder’s name in non-Roman alphabet |  | 401BNot mandatory |  |
| 402B<740> | 403BType of other party followed by party’s name |  | 404BREQUIRED if <760> is provided |  |
| 405B<760> | 406BType of other party followed by party’s name in non-Roman alphabet |  | 407Bnot mandatory |  |
| 408BINFORMATION REGARDING EQUIVALENT APPLICATIONS IN OTHER TERRITORIES |
| 409B<300> | 410BPriority application: country, type of record, date of application, application number |  | 411Bnot mandatory |  |
| 412B<310> | 413BOther applications: country, type of record, date of application, application number |  | 414Bnot mandatory |  |
| 415B<320> | 416BOther countries: Country, denomination if different from denomination in application |  | 417Bnot mandatory |  |
| 418B<330> | 419BOther countries: Country, breeder’s reference if different from breeder’s reference in application |  | 420Bnot mandatory |  |
| 421B<900> | 422BOther relevant information (phrase indexed) |  | 423BREQUIRED if <950> is provided |  |
| 424B<950> | 425BOther relevant information (phrase indexed) in non-Roman alphabet |  | 426Bnot mandatory |  |
| 427B<910> | 428BRemarks (word indexed) |  | 429BREQUIRED if <960> is provided |  |
| 430B<960> | 431BRemarks (word indexed) in non-Roman alphabet |  | 432Bnot mandatory |  |
| 433B<920> | 434BTags of items of information which have changed since last transmission (optional) |  | 435Bnot mandatory | 436Bto develop option to generate automatically (see 2.1.1.(a)) |
| 437B<998> | 438BFIG |  | 439Bnot mandatory |  |
| 440B<999> | 441BImage identifier (for future use) |  | 442Bnot mandatory | 443Bto create possibility to provide hyperlink to image (e.g. an authority’s webpage) |
| 444BDATES OF COMMERCIALIZATION |
| 445B<800> | 446BCommercialization dates |  | 447Bnot mandatory |  |

448B<800> example: “AB CD 20120119 source status”

 449Bor “AB CD 2012 source status”

450B*3.3 Mandatory and required “items”*

451B3.3.1 With respect to items that are indicated as “mandatory” in Section 3.2, data will not be excluded from the Plant Variety Database if that item is absent. However, a report of the non­compliances will be provided to the contributor.

452B3.3.2 A summary of non-compliances will be reported to the TC and CAJ on an annual basis.

453B3.3.3 With respect to items that are indicated as “REQUIRED” in Section 3.2, data will be excluded from the Plant Variety Database if the required item is absent in Roman alphabet.

454B*3.4 Dates of commercialization*

455B3.4.1 An item will be created in the Plant Variety Database to allow for information to be provided on dates on which a variety was commercialized for the first time in the territory of application and other territories, on the following basis:

456BItem <XXX>: dates on which a variety was commercialized for the first time in the territory of application and other territories (not mandatory)

|  |  |
| --- | --- |
|  | 457BComment |
| 458B(i) Authority providing the [following] information | 459BISO two letter code |
| 460B(ii) Territory of commercialization | 461BISO two letter code |
| 462B(iii) Date on which the variety was commercialized\* for the first time in the territory463B(\*The term “commercialization” is used to cover “sold or otherwise disposed of to others, by or with the consent of the breeder, for purposes of exploitation of the variety” (Article 6(1) of the 1991 Act of the UPOV Convention) or “offered for sale or marketed, with the agreement of the breeder” (Article 6(1)(b) of the 1978 Act of the UPOV Convention), as appropriate. | 464Baccording to the format YYYY[MMDD] (Year[MonthDay]): month and day will not be mandatory if not available |
| 465B(iv) Source of information | 466Bmandatory for each entry in item <XXX>  |
| 467B(v) Status of information | 468Bmandatory for each entry in item <XXX> 469B(to provide an explanation or a reference to where an explanation is provided (e.g. the website of the authority providing the data for this item) |
| 470B*Note: for the same application, the authority in (i) could provide more than one entry for items (ii) to (v). In particular, it could provide information on commercialization in the “territory of application”, but also “other territories”*  |  |

471B3.4.2 The following disclaimer will appear alongside the title of the item in the database:

472B*“The absence of information in [item XXX] does not indicate that a variety has not been commercialized. With regard to any information provided, attention is drawn to the source and status of the information as set out in the fields ‘Source of information’ and ‘Status of information’. However, it should also be noted that the information provided might not be complete and accurate.”*

473B*4. Frequency of data submission*

474BThe Plant Variety Database will be developed in such a way as to allow updating at any frequency determined by the members of the Union. Prior to completion and publication of the web-based version of the Plant Variety Database, no change is proposed to the frequency of updating, i.e. contributors will be requested to update their data on a bimonthly basis. Once that stage is complete, the TC and CAJ will be invited to consider whether to create possibilities for data to be updated on a more frequent basis.

475B*5. Discontinuation of inclusion of general information documents in UPOV-ROM*

476BOn the basis that such information is readily available on the UPOV website, the following general information documents will no longer be included in the UPOV‑ROM:

 477BAddresses of Plant Variety Protection Offices

 478BList of members of the Union

 479BCover with some useful information

 480BUPOV: What it is, what it does (“UPOV flyer”)

 481BList of UPOV publications

482B*6. Web-based version of the Plant Variety Database*

483B6.1 A web-based version of the Plant Variety Database will be developed. The possibility to create CD‑ROM versions of the Plant Variety Database, without the need for the services of Jouve, will be developed in parallel to the web-based version of the database.

484B6.2 An update on the planned timetable for development of a web-based version of the Plant Variety Database will be provided to the TC and CAJ.

485B*7. Common search platform*

486BA report on developments concerning the development of a common search platform will be made to the TC and CAJ. Any proposals concerning a common search platform will be put forward for consideration by the TC and CAJ.

487B[Annex IV follows]

488BREPORT ON DATA CONTRIBUTED TO THE PLANT VARIETY DATABASE BY MEMBERS OF THE UNION AND OTHER CONTRIBUTORS AND ASSISTANCE FOR DATA CONTRIBUTION

|  | 489BContributor | 490BNumber of applications for Plant Breeders’ Rights in 2011  | 491BNumber of new data submissions to the Plant Variety Database in 20111F[[2]](#footnote-3) | 492BNumber of new data submissions to the Plant Variety Database in 20122F[[3]](#footnote-4) | 493BCurrent situation |
| --- | --- | --- | --- | --- | --- |
|  | 494BAlbania | 495B16 (2007) | 496B0 | 497B0 | 498BAwaiting reply to e-mail of 21/1/2013 |
|  | 499BArgentina | 500B231 (2010) | 501B0 | 502B0 | 503BAwaiting submission following e-mail of 21/11/2012 |
| 1.
 | 504BAustralia | 505B330 | 506B6 | 507B5 | 508B[Contributing data]  |
|  | 509B3F[[4]](#footnote-5)\*Austria | 510B2 | 511B4 | 512B4 |  |
|  | 513BAzerbaijan | 514B62 | 515B0 | 516B0 | 517BAwaiting reply to e-mail of 21/11/2012 |
|  | 518BBelarus | 519B59 | 520B0 | 521B1 | 522B[Contributing data] |
|  | 523B\*Belgium | 524B1 | 525B3 | 526B4 |  |
|  | 527BBolivia | 528B10 | 529B0 | 530B0 | 531BAwaiting reply to fax on 23/11/2012 |
|  | 532BBrazil | 533B324 | 534B2 | 535B5 | 536B[Contributing data] |
|  | 537B\*Bulgaria | 538B30 | 539B5 | 540B6 |  |
|  | 541BCanada | 542B305 | 543B5 | 544B6 | 545B[Contributing data] |
|  | 546BChile | 547B92 | 548B3 | 549B3 | 550B[Contributing data] |
|  | 551BChina | 552B1,255 | 553B0 | 554B1 | 555B[Contributing data] |
|  | 556BColombia | 557B114 | 558B0 | 559B0 | 560BAwaiting reply to e-mail of 22/11/2012 |
|  | 561BCosta Rica | 562B5 | 563B0 | 564B0 | 565BAwaiting reply to e-mail of 6/12/2012 |
|  | 566B\*Croatia | 567B32 | 568B1 | 569B1 | 570B[Contributing data] |
|  | 571B\*Czech Republic | 572B92 | 573B6 | 574B4 |  |
|  | 575B\*Denmark | 576B15 | 577B6 | 578B6 |  |
|  | 579BDominican Republic | 580B0 | 581B0 | 582B0 | 583BAwaiting reply to e-mail of 1/11/2012 |
| 1.
 | 584BEcuador | 585B85 | 586B2 | 587B3 | 588B[Contributing data] |
|  | 589B\*Estonia | 590B12 | 591B4 | 592B5 |  |
|  | 593B\*European Union | 594B3,184 | 595B6 | 596B6 | 597B[Contributing data] |
|  | 598B\*Finland | 599B15 (2010) | 600B4 | 601B3 |  |
|  | 602B\*France | 603B109 | 604B6 | 605B6 |  |
|  | 606BGeorgia | 607B11 | 608B0 | 609B0 | 610BAwaiting reply to e-mail of 21/2/2012 |
|  | 611B\*Germany | 612B105 | 613B6 | 614B6 |  |
|  | 615B\*Hungary | 616B31 | 617B5 | 618B6 |  |
|  | 619B\*Iceland | 620B0 | 621B1 | 622B0 |  |
|  | 623B\*Ireland | 624B3 | 625B4 | 626B2 |  |
|  | 627BIsrael | 628B402 | 629B1 | 630B0 | 631BAwaiting reply to e-mail of 28/9/2012 |
|  | 632B\*Italy | 633B8 | 634B6 | 635B6 |  |
|  | 636BJapan | 637B1,126 | 638B2 | 639B1 | 640B[Contributing data] |
|  | 641BJordan | 642B0 (2010) | 643B0 | 644B0 | 645BAwaiting reply to e-mail of 20/11/2012 |
|  | 646BKenya | 647B93 | 648B0 | 649B0 | 650BData contribution planned (assistance provided) |
|  | 651BKyrgyzstan | 652B0 | 653B0 | 654B1 | 655B[Contributing data] |
|  | 656B\*Latvia | 657B6 | 658B3 | 659B2 |  |
|  | 660B\*Lithuania | 661B4 | 662B3 | 663B2 |  |
|  | 664BMexico | 665B145 | 666B0 | 667B1 | 668B[Contributing data] |
|  | 669BMorocco | 670B62 | 671B0 | 672B1 | 673B[Contributing data] |
|  | 674B\*Netherlands | 675B783 | 676B5 | 677B6 |  |
|  | 678BNew Zealand | 679B121 | 680B6 | 681B5 | 682B[Contributing data] |
|  | 683BNicaragua | 684B2 | 685B0 | 686B0 | 687BAwaiting reply to e-mail of 14/11/2012 |
|  | 688B\*Norway | 689B23 | 690B5 | 691B3 |  |
|  | 692BOman | 693B0 (2010) | 694B0 | 695B0 | 696BAwaiting reply to e-mail of 28/8/2012 |
|  | 697BPanama | 698B2 | 699B0 | 700B0 | 701BAwaiting reply to e-mail of 23/8/2012 |
|  | 702BParaguay | 703B17 | 704B0 | 705B0 | 706BAwaiting reply to e-mail of 6/12/2012 |
|  | 707BPeru | 708B29 | 709B0 | 710B0 | 711B[Contributing data]712BData being processed |
|  | 713B\*Poland | 714B70 | 715B4 | 716B6 |  |
|  | 717B\*Portugal | 718B5 | 719B1 | 720B1 |  |
|  | 721BRepublic of Korea | 722B587 | 723B5 | 724B1 | 725B[Contributing data] |
|  | 726BRepublic of Moldova | 727B18 | 728B1 | 729B1 | 730B[Contributing data] |
|  | 731B\*Romania | 732B35 | 733B6 | 734B4 |  |
|  | 735BRussian Federation | 736B452 | 737B5 | 738B5 | 739B[Contributing data] |
|  | 740BSerbia | 741B- | 742B- | 743B- | 744B[New member of the Union] |
|  | 745BSingapore | 746B0 | 747B0 | 748B0 | 749BAwaiting reply to e-mail of 9/10/2012 |
|  | 750B\*Slovakia | 751B16 | 752B4 | 753B5 |  |
|  | 754B\*Slovenia | 755B1 | 756B5 | 757B4 |  |
|  | 758BSouth Africa | 759B285 | 760B0 | 761B2 | 762B[Contributing data] |
|  | 763B\*Spain | 764B61 | 765B6 | 766B6 |  |
|  | 767B\*Sweden | 768B19 | 769B5 | 770B4 |  |
|  | 771B\*Switzerland | 772B72 | 773B4 | 774B5 |  |
|  | 775BThe former Yugoslav Republic of Macedonia | 776B- | 777B0 | 778B0 | 779BNo communication |
|  | 780BTrinidad and Tobago | 781B0 | 782B0 | 783B0 | 784BAwaiting reply to e-mail of 1/11/2012 |
|  | 785BTunisia | 786B35 (2010) | 787B0 | 788B0 | 789BAwaiting reply to e-mail of 23/10/2012 |
|  | 790B\*Turkey | 791B111 | 792B3 | 793B2 |  |
|  | 794BUkraine | 795B1,095 | 796B0 | 797B0 | 798BAwaiting reply to e-mail of 29/8/2012 |
|  | 799B\*United Kingdom | 800B49 | 801B6 | 802B6 |  |
|  | 803BUnited States of America | 804B1,613 | 805B4 | 806B5 | 807B[Contributing data] |
|  | 808BUruguay | 809B68 | 810B0 | 811B1 | 812B[Contributing data] |
|  | 813BUzbekistan | 814B14 | 815B0 | 816B0 | 817BAwaiting submission following e-mail of 5/2/2013 |
|  | 818BViet Nam | 819B52 | 820B0 | 821B0 | 822BAwaiting reply to e-mail of 23/11/2012 |
|  | 823BOECD |  | 824B2 | 825B1 | 826B[Contributing data] |

827B[End of Annex IV and of document]

1. USDA, ARS, National Genetic Resources Program. *Germplasm Resources Information Network - (GRIN)* [Online Database]. National Germplasm Resources Laboratory, Beltsville, Maryland. URL: <http://www.ars-grin.gov/cgi-bin/npgs/html/tax_search.pl> [↑](#footnote-ref-2)
2. 6 indicates that new data was submitted for all six (6) new versions of the UPOV-ROM issued in 2011. [↑](#footnote-ref-3)
3. 3 indicates that new data was submitted for all 3 new versions of the UPOV-ROM issued in 2012. [↑](#footnote-ref-4)
4. \* Data provided via the CPVO. [↑](#footnote-ref-5)