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UNION INTERNATIONALE
POUR LA PROTECTION
DES OBTENTIONS
VÉGÉTALES

GENÈVE, SUISSE

UNIÓN INTERNACIONAL
PARA LA PROTECCIÓN
DE LAS OBTENCIONES
VEGETALES

GINEBRA, SUIZA

INTERNATIONAL UNION
FOR THE PROTECTION
OF NEW VARIETIES
OF PLANTS

GENEVA, SWITZERLAND

PRESS RELEASE

UPOV Press Release 95

Geneva, October 24, 2013

UPOV Council Holds its Forty-Seventh Ordinary Session

The Council of the International Union for the Protection of New Varieties of Plants (UPOV) held its forty-seventh ordinary session on October 24, 2013.

Round-up of key developments:

Positive decision on the Law for the Protection of New Varieties of Plants of Bosnia and Herzegovina

The Council decided that the Law for the Protection of New Varieties of Plants of Bosnia and Herzegovina was in conformity with the provisions of the 1991 Act of the UPOV Convention. Bosnia and Herzegovina is now in a position to deposit its instrument of accession to the 1991 Act of the UPOV Convention.

Plant Breeders' Bill of Ghana

The Council noted that the Plant Breeders' Bill of Ghana that had been presented to the Parliament incorporated the changes in the decision of the Council of November 1, 2012, and agreed that the additional changes, made during the first reading of the Bill by the Parliament of Ghana in June 2013, did not affect the substantive provisions of the 1991 Act of the UPOV Convention. Once the Bill is adopted and the Law is in force, Ghana will be in a position to deposit its instrument of accession to the 1991 Act of the UPOV Convention.

Communication strategy

The Council noted that the Consultative Committee had agreed a communication strategy with the aim of improving the level of understanding of the UPOV system. One of the priorities of the workplan would be the development of stakeholder-focused features on the UPOV website, with a focus on breeders, seed producers / plant propagators, farmers and policy-makers. As part of the strategy, a first set of answers to frequently asked questions was agreed and will be published on the UPOV website.

Matters raised by the International Seed Federation (ISF)

The Council received a report from the Consultative Committee on its consideration of the letter of the International Seed Federation (ISF) on the subject "Application, examination and granting aspects of PBR applications". The Consultative Committee concluded that many of the matters could be addressed through existing and possible future UPOV information materials. Such matters would be considered by the relevant bodies within UPOV, particularly the CAJ and Technical Committee (TC). With regard to the idea of an international filing system, a UPOV quality assurance program and a central examination system for variety denominations, the Consultative Committee requested the Office of the Union and ISF to elaborate the problems faced and possible solutions in relation to ISF's ideas, for consideration at the subsequent session of the Consultative Committee.

Program and Budget of the Union for the 2014-2015 Biennium

The Council approved the Program and Budget for the 2014-2015 biennium, amounting to Sfr6,794,000 (representing a 0.1% decrease from the 2012-2013 Biennium). This budget contains no change in the value of the contribution unit by members of the Union and no change in the total number of posts for the Office of the Union.

Election of the new Chair and the new Vice-Chair of the Administrative and Legal Committee and the Technical Committee

The Council elected, in each case for a term of three years ending with the fiftieth ordinary session of the Council, in 2016:

- (a) Mr. Martin Ekvad (European Union), Chair of the Administrative and Legal Committee;
- (b) Mr. James M. Onsando (Kenya), Vice-Chair of the Administrative and Legal Committee;
- (c) Mr. Alejandro Barrientos-Priego (Mexico), Chair of the Technical Committee; and
- (d) Mr. Kees van Ettehoven (Netherlands), Vice-Chair of the Technical Committee.

Plant Variety Protection Statistics

A total of 56 members of the Union now offer protection to all plant genera and species (53 in 2012), with 15 members of the Union offering protection to a limited number of plant genera and species.

A new record number of titles in force – 99,409 – was recorded in 2012, representing a 4.6 percent increase on figures for 2011 (95,041).

The Council noted that there had been a 1.1 percent increase in the number of applications for plant variety protection (13,867 in 2012; 13,714 in 2011), representing a 0.7 percent decrease in the number of applications by residents (8,751 in 2012; 8,813 in 2011) and a 4.4 percent increase in the number of applications by non-residents (5,116 in 2012; 4,901 in 2011). The number of titles granted decreased from 10,065 in 2011 to 9,822 in 2012 (2.4 percent decrease).

Cooperation in the Examination of New Plant Varieties

In 2012, the number of plant genera and species for which there were agreements between members of the Union for cooperation in the examination of distinctness, uniformity and stability totaled 1,997, compared to 1,991 in 2011.

Adoption of documents

The Council adopted the following documents:

- Guidance for the preparation of laws based on the 1991 Act of the UPOV Convention (Revision) (document UPOV/INF/6/3)
- Explanatory Notes on the Definition of Breeder under the 1991 Act of the UPOV Convention (document UPOV/EXN/BRD/1)
- Explanatory Notes on Acts in Respect of Harvested Material under the 1991 Act of the UPOV Convention (document UPOV/EXN/HRV/1)
- Glossary of Terms Used in UPOV Documents (Revision) (document TGP/14/2)
- Guidance on the Use of Biochemical and Molecular Markers in the Examination of Distinctness, Uniformity and Stability (DUS) (document TGP/15/1)
- Exchangeable Software (Revision) (document UPOV/INF/16/3)
- List of UPOV/INF-EXN Documents and Latest Issue Dates (Revision) (document UPOV/INF-EXN/5)
- List of TGP documents and latest issue dates (Revision) (document TGP/0/6)

All adopted documents will be included in the UPOV Collection (see http://www.upov.int/upov_collection/en/)

Seminar on Essentially Derived Varieties**SEMINAR ON
ESSENTIALLY DERIVED VARIETIES****Geneva, October 22, 2013**

The Seminar considered the following:

- (a) technical and legal views on “predominantly derived”, “essential characteristics” and “differences which result from the act of derivation”, the relationship between Article 14(5)(b)(i) and (iii) of the 1991 Act of the UPOV Convention and the possible impact on breeding and agriculture;
- (b) existing experience in relation to EDVs; and
- (c) the possible role of future UPOV guidance on EDVs in cases before the courts.

The Seminar was open to the public and was attended by 177 participants. Copies of the presentations and a video of the Seminar are available on the UPOV website at:

http://www.upov.int/meetings/en/details.jsp?meeting_id=29782

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