E

UPOV

BMT/13/36
ORIGINAL: English
DATE: January 4, 2012

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

WORKING GROUP ON BIOCHEMICAL AND MOLECULAR TECHNIQUES, AND DNA-PROFILING IN PARTICULAR

Thirteenth Session
Brasilia, November 22 to 24, 2011

REPORT

prepared by the Office of the Union

1. The Working Group on Biochemical and Molecular Techniques and DNA-Profiling in Particular (BMT) held its thirteenth session in Brasilia, Brazil, from November 22 to 24, 2011. The list of participants is reproduced in Annex I to this report.

2. The BMT was welcomed by Mr. Hélcio Campos Botelho, Director of the Department of Intellectual Property Rights, Ministry of Agriculture, Livestock and Food Supply. A copy of his welcoming address is reproduced in Annex II to this document. Annex III to this document contains an address by Mrs. Daniela de Moraes Aviani, Coordinator, National Plant Variety Protection Service (SNPC), Ministry of Agriculture, Livestock and Food Supply.

3. The session was opened by Mr. Andrew Mitchell (United Kingdom), Chairman of the BMT, who welcomed the participants and thanked the hosts.

Adoption of the Agenda

4. The BMT adopted the Agenda as reproduced in document BMT/13/1 Rev. 2, on the basis that agenda item 10 “The use of molecular markers in examining essential derivation” and item 11 “The use of molecular techniques in variety identification” would be considered after agenda item 3 “Reports on developments in UPOV concerning biochemical and molecular techniques”.

Reports on developments in UPOV concerning biochemical and molecular techniques

5. The Office of the Union (the Office) provided a report on developments in UPOV concerning Biochemical and Molecular Techniques, on the basis of document BMT/13/2 and a presentation, which is included in Annex IV to this document.

The use of molecular techniques in examining essential derivation

Use of Molecular Markers for Infringement Detection in Hybrid Crops

6. The BMT received a presentation by Mr. Rogério Alvares de Andrade (Monsanto Company), based on document BMT/13/19, a copy of which is provided in document BMT/13/19 Add..

7. Mrs. Anne Weitz (Community Plant Variety Office (CPVO) of the European Union) and Mr. Joël Guiard (France) requested clarifications in respect of the cases presented as misuses of a variety. They considered that, under the UPOV Convention, the use of a protected variety for the creation of another variety does not require the authorization of the breeder. Mr. Alvares de Andrade explained that his objective was to present a methodology that would identify whether a variety had been obtained by the direct use of a given parental line by using material derived from that parental line.

An EDV Court Case in Wheat in Germany

8. The BMT received a presentation by Mr. Marcel Bruins (International Seed Federation), based on document BMT/13/35.

9. Several experts considered that, taking into account the specificity of the matter and the highly technical aspects involved when dealing with matters related to plant breeders' rights, in particular with cases related to essentially derived varieties, it would be beneficial to have specialized courts.

Molecular Markers used to Distinguish Varieties Obtained by Repeated Backcrossing

10. The BMT received a presentation by Mr. Ivan Schuster (Brazil), based on document BMT/13/20, a copy of which is provided in document BMT/13/20 Add..

The use of molecular techniques in variety identification

The Use of Molecular Techniques in Variety Verification of Rosa *L. Varieties*

11. The BMT received a presentation by Mr. Carlos Godinho (Community Plant Variety Office (CPVO) of the European Union), based on document BMT/13/21.

12. In reply to a question, Mrs. Hedwich Teunissen (Netherlands) explained that it was a project under development and that several methods for DNA analysis were tested to identify

which would provide the best results. After this was established, the DNA of all samples would be extracted using the best performing method.

An Overview of DNA-Based Methods for Variety Identification at INRAN-ENSE (Italian Seed Certification Agency)

13. The BMT received a presentation by Ms. Chiara Delogu (Italy), based on document BMT/13/22, a copy of which is provided in document BMT/13/22 Add..

Development of Functional Markers Associated with Phenotypic Traits for Identification of Rice Varieties

14. The BMT received a presentation by Mrs. Mariela Ibarra Dutra (Uruguay), based on document BMT/13/8, a copy of which is provided in document BMT/13/8 Add..

Development of Functional Markers Associated with Phenotypic Traits for Identification in Soybean

15. The BMT received a presentation by Mrs. Mariela Ibarra Dutra (Uruguay), based on document BMT/13/9, a copy of which is provided in document BMT/13/9 Add..

SSR Markers in Brazilian Soybean (document BMT/13/13)

16. The BMT received a presentation by Mr. Ivan Schuster (Brazil), based on document BMT/13/13, a copy of which is provided in document BMT/13/13 Add..

SSR Markers in Brazilian Wheat

17. The BMT received a presentation by Mr. Ivan Schuster (Brazil), based on document BMT/13/14, a copy of which is provided in document BMT/13/14 Add..

18. In reply to a question from Mr. Jörg Schondelmaier (Saaten-Union Biotec GmbH), Mr. Schuster explained that the software used was Genotypes, which could not detect more than two alleles per marker. Mr. Joël Guiard (France) considered that the consequences in the reduction of the minimum distance between varieties should be taken into account before using molecular markers for DUS examination. Mr. Schuster explained that he was in favor of including molecular information in the application for plant breeders' rights.

The Probability of Random Identity: A Method for Molecular Data Analysis in Variety Characterization

19. The BMT received a presentation by Mr. Ivan Schuster (Brazil), based on document BMT/13/23, a copy of which is provided in document BMT/13/23 Add..

20. In reply to questions from Mrs. Letícia Jungmann Cançado (EMBRAPA), Mr. Schuster explained how the presented approach is used in practice in variety characterization and its range of application.

21. Mr. Schuster explained that the frequency of all alleles in all evaluated markers needs to be known for use of the estimator (PRI[1]) in this method for variety characterization. In reply to a question from Ms. Teunissen (Netherlands) on definition of the population used in this method, Mr. Schuster noted that it is important to have a good reference collection which represents the actual population of commercial varieties.

Use of Molecular Markers to Identify Soybean Varieties: The Experience of a Public Soybean Breeding Program

22. The BMT received a presentation by Mr. Vanoli Fronza (Brazil), based on document BMT/13/25, a copy of which is provided in document BMT/13/25 Add..

Surveillance: Three Approaches to Using SNPs (Single Nucleotide Polymorphisms) to Identify Variety (Inbred Line) Usage

23. The BMT received a presentation by Mr. Barry K. Nelson (Pioneer Hi-Bred International Inc.), based on document BMT/13/29.

24. In reply to a question from Mr. Schondelmaier (Saaten-Union Biotec GmbH), Mr. Nelson exemplified some common names of methodologies used for analysis of such a small number of SNPs.

Use of Molecular Markers to Identify Sugarcane Varieties

25. The BMT received a presentation by Mr. Francisco Claudio da Conceição Lopez (Brazil), based on document BMT/13/27, a copy of which is provided in document BMT/13/27 Add..

Developments Concerning the Variety Tracer Procedure

26. The BMT received a presentation by Ms. Hedwich Teunissen (Netherlands), based on document BMT/13/32, a copy of which is provided in document BMT/13/32 Add..

27. Mrs. Teunissen explained that the improvement was triggered by comments on the methodology used to determine the similarity of plant variey in a court case. Mr. Joël Guiard (France) noted that for species with few varieties of common knowledge, the so called ‘small’ species, it may not be easy to fulfill all the requirements in the proposed methodology. Mrs. Teunissen explained that for gypsophila there were more than 60 varieties, which was considered sufficient number.

28. In reply to a question from Mr. Jörg Schondelmaier (Saaten-Union Biotec GmbH), Mrs. Teunissen explained that the main improvements following comments from the court, were in respect of the statistical calculations, in particular the standard errors.

Wheat Genome Sequencing Consortium (IWGSC): Building the Foundation for a Paradigm Shift in Wheat Breeding

29. The BMT received a remote presentation by Ms. Kellye Eversole (the United States of America) from her office in Bethesda, Maryland, USA, based on document BMT/13/34.

[1] Probability of Random Identity

30. In reply to a question from Mr. Marcel Bruins (ISF), Ms. Eversole explained how the validation was made on work allocated to each country which constitutes the International Wheat Genome Sequencing Consortium (IWGSC).

Development of an International Seed Testing Association (ISTA) DNA-based approach for testing variety identity

31. The BMT received a presentation by Mrs. Elisa Serra (ISTA), based on document BMT/13/33, which is provided in document BMT/13/33 Add..

32. In reply to a question from Mr. Jörg Schondelmaier (Saaten-Union Biotec GmbH), Mrs. Serra explained that ISTA would also work with other techniques, such as SNPs.

Reports on the work of the *Ad Hoc* Crop Subgroups on Molecular Techniques (Crop Subgroups)

33. The BMT noted the report on planned meetings of the Crop Subgroups as set out in document BMT/13/2, paragraph 18.

Short presentations on new developments in biochemical and molecular techniques by DUS experts, biochemical and molecular specialists, plant breeders and relevant international organizations

34. The BMT noted the information on new developments in biochemical and molecular techniques from members and observers provided in document BMT/13/30. The BMT noted that reports submitted to the Office of the Union after November 18, 2011 would be included in an addendum to document BMT/13/30.

Report of work on molecular techniques on a crop-by-crop basis

(a) Vegetatively Propagated Crops

The Use of Molecular Techniques for Plant Variety Protection – Approved Position of CIOPORA (AGM, Rome, 12th April, 2011)

35. The BMT received a presentation by Mr. Jan de Riek (International Community of Breeders of Asexually Reproduced Ornamental and Fruit Plants (CIOPORA)), based on document BMT/13/18.

36. In reply to a question on the use of a DNA fingerprint as part of a plant passport proposed by CIOPORA in the document, Mr. de Riek explained that is not for the breeders to decide the methodology to obtain the DNA fingerprint, but breeders should be involved in selecting the methodology and that CIOPORA was willing to cooperate in this respect. Mr. Joël Guiard explained that it was important to differentiate the assessment of distinctness, which is part of the process of examining an application for breeder's rights, from variety identification which is part of the enforcement of the rights. He clarified that even though UPOV could make a recommendation in respect of variety identification and the assessment

of essentially derived varieties, it was up to the parties concerned to take into account those recommendations.

Combining Morphological and Molecular Distance in the Management of the Reference Collection of Potato

37. The BMT received a presentation by Ms. Hedwich Teunissen (Netherlands), based on document BMT/13/10, a copy of which is provided in document BMT/13/10 Add..

38. Mrs. Anne Weitz (Community Plan Variety Office (CPVO) of the European Union) proposed to consider to which extent the results of the ring-test to be carried out during 2012 could improve the application of the method. Mr. Joël Guiard (France) expressed his satisfaction to see a UPOV accepted method, initially proposed for maize, was extended to other species. He considers that the use molecular markers distances, minimized the risk of undermining the quality of protection and the problem of uniformity and stability that would appear if molecular markers were used directly. He encouraged the development of more examples on vegetatively propagated varieties. Mr. Marcel Bruins (ISF) considered useful to provide more information on the reference varieties present in the first growing trial.

39. The BMT agreed to propose the Technical Committee that the example presented in document BMT/13/10 be presented for consideration by the BMT Review Group, subject to further information on the reference varieties included in the field test be included. The BMT also agreed to report to the BMT Review Group that further improvements to the method could be expected from the results to be obtained from the ring test established by the CPVO.

Management of Peach Tree Reference Collections

40. The BMT received a presentation by Aurelia Luciani (France), based on document BMT/13/11, a copy of which is provided in document BMT/13/11 Add..

41. In reply to a question from Mr. Barry K. Nelson (Pioneer Hi-Bred International Inc.), Ms Luciani explained that the 16 markers have been selected from an initially larger number of makers. Mrs. Anne Weitz (Community Plan Variety Office (CPVO) of the European Union) reported that the final results of the project had been received by the CPVO and the follow-up would be discussed with the project partners in the near future.

(b) Self-pollinated Crops

A Potential UPOV Option 2 Approach for Barley using High Density SNP Genotyping

42. The BMT received a presentation by Dr. Carol Norris (United Kingdom) based on document BMT/13/6, a copy of which is provided in document BMT/13/6 Add.. She explained that conclusions were expected soon, as the project was almost complete.

Demonstration of Significant Progress Towards an Option 1 Approach in Barley

43. The BMT received a presentation by Dr. Carol Norris (United Kingdom), based on document BMT/13/5, which is provided in document BMT/13/5 Add..

44. In reply to a question from Mrs. Anne Weitz (Community Plant Variety Office (CPVO)), Dr. Norris explained that, to improve the outcome of the project, uniformity tests

would need to be explored and possibly cloning of more of the genes. Mr. Guiard (France) noted the outcome of the project obtained so far could be positively evaluated as a first step and it could be possible to use all these markers together to improve the management of the collection identification of close varieties which must be compared in the field test.

The Use of Molecular Markers for the Lettuce Species (document BMT/13/12)

45. The BMT received a presentation by Mr. René Mathis (France), based on document BMT/13/12, a copy of which is provided in document BMT/13/12 Add..

Microsatellite Molecular Markers in the Evaluation of Soybean Seeds with Variation in Hilum Color

46. The BMT received a presentation by Mr. Ivan Schuster (Brazil), based on document BMT/13/15, a copy of which is provided in document BMT/13/15 Add..

47. In reply to a question from Mr. Tetsuya Kimura (Japan), Mr. Schuster explained that the SSR he used were not linked to color of hilum.

Organization of Soybean Official DUS Trials in Brazil based on the use of Molecular Markers

48. The BMT received a presentation by Mr. Luis Pacheco (Brazil), based on document BMT/13/26, a copy of which is provided in document BMT/13/26 Add..

49. Mr. Pacheco explained that for selecting varieties to be included in the DUS growing trials they used the GAIA methodology. In reply to a question from Mr. Diego Risso (SAA) Mr. Pacheco added that molecular markers were used for the enforcement of the breeder's right when checking live reference samples against seed samples from the market obtained by the inspectors of the Ministry from Agriculture, Livestock and Supply.

Use of DNA as Reference Samples of Protected Varieties in Brazil (document BMT/13/28)

50. The BMT received a presentation by Mr. Luis Claudio Augusto da Oliveira (Brazil), based on document BMT/13/28, a copy of which is provided in document BMT/13/26 Add..

(c) Cross-pollinated Crops

Using SSR Markers for Authentication of Seed Stocks in Winter Oilseed Rape (WOSR)

51. The BMT received a presentation by Dr. Carol Norris (United Kingdom), based on document BMT/13/7, which is provided in document BMT/13/7 Add..

52. In reply to a question from Mr. Jörg Schondelmaier (Saaten-Union Biotec GmbH), Dr. Norris explained that the size of the sample necessary to analyze is about 100 pairs. Given that information, Mr. Schondelmaier mentioned the cost of the testing.

53. In reply to a question from Mrs. Anne Weitz (Community Plant Variety Office (CPVO)), Dr. Norris explained that samples have not been grown in the field for authentication this season.

Evaluation of a Germplasm Collection of Brachiaria Humidicola using Microsatellites, Morphological Markers, Cytogenetics and Geographical Origin

54. The BMT received a presentation by Mrs. Letícia Jungmann Cançado (Brazil), based on document BMT/13/16, a copy of which is provided in document BMT/13/16 Add..

International Guidelines on Molecular Methodologies

55. The BMT noted the information provided in document BMT/13/3. The office mentioned the possibility that the BMT would have a joint meeting in concern with harmonization in molecular markers for variety identification with International Seed Testing Association (ISTA), and possibly also with International Organization for Standardization (ISO) and Organization for Economic Co-operation and Development (OECD), taking advantage of the next meeting of the BMT. The office announced that this issue would be discussed later in agenda item 13, “Date and place of next session”.

56. In reply to a question from Mr. Jörg Schondelmaier (Saaten-Union Biotec GmbH), the Office explained that, it has been contacting the secretary of the International Seed Testing Association (ISTA) seeking for the possibility to have the joint meeting.

57. Mr. Joël Guiard (France) noted that it could be considered that these organizations are working on the same issue by different speed and that exchanging information with each other would be useful for each of the organizations. Mr. René Mathis (France) noted that the target outcome of this kind of joint activity between different organizations might be, in general, generating a common position paper on the issue concerned.

Variety description databases

58. The BMT noted the information provided in document BMT/13/4.

GEMMA: A Technical Web Site to Share DUS Data

59. The BMT received a presentation by Mr. Joël Guiard (France), based on document BMT/13/17 [TWC/29/24], which is provided in document BMT/13/17 Add..

60. In reply to a question from Mrs. Anne Weitz (Community Plant Variety Office (CPVO)), Mr. Guiard was not certain at this moment if verifying varieties would be possible with the database by future development of the system. He subsequently confirmed that this is possible.

Construction of a Molecular Database for Soybean Variety Identification in Brazil

61. The BMT received a presentation by Mr. Ivan Schuster (Brazil), based on document BMT/13/24, which is provided in document BMT/13/24 Add..

62. Mr. Jörg Schondelmaier (Saaten-Union Biotec GmbH) noted that possibility of misuse of the data on the database by malicious third party. In response to the notation by Mr. Schondelmaier, Mr. Schuster and Mrs. Daniela de Moraes Aviani (Brazil) acknowledged the sensitivity of the data but explained that there is no concern with the possibility of misuse for technical reason.

63. Mr. Carlos Azambuja (Uruguay) proposed that it would be useful for harmonization of results of different laboratories to call the SSR alleles by their number of core repeats instead of the molecular weight. Mr. Jörg Schondelmaier (Saaten-Union Biotec GmbH) stated that it might not necessarily a solution since the length of molecular markers are sometimes too short.

Methods for analysis of molecular data

BioNumerics: A universal platform for databasing and analysis of biological data

64. The BMT received a presentation by Ms. Hedwich Teunissen (Netherlands), based on document BMT/13/31, which is provided in document BMT/13/31 Add..

65. In reply to a question from Mr. Tetsuya Kimura (Japan), Ms. Teunissen explained that the cost of purchasing the software varies depending on how many functions (plug-ins) are needed.

66. The BMT noted that the bionumeric software has been proposed to be included in document INF/16 “exchangeable software” by the TWC.

PART 2

Recommendations on the establishment of new crop specific subgroups

67. The BMT did not make any recommendation on the establishment of new crop specific subgroups.

68. Mr. Joël Guiard (France) considered that at the moment, it was more beneficial for UPOV to discuss the possible use of molecular marker in different species in the wider audience provided by the BMT than in individual *Ad-hoc* crop subgroups.

69. The BMT proposed the TC considering the discontinuing the meeting of the Ad-hoc crop and having the individual species discussion within the BMT sessions.

Date and place of next session

70. The BMT took note of the report from the Office of the Union that contact had been made between UPOV and ISTA to explore the possibility of a coordinated meeting of the BMT and the Working Group on DNA Methods of the Variety Committee of ISTA for venue the fourteenth session of the BMT in 2013.

71. Several experts considered useful the possibility of coordinating the work on molecular markers within UPOV and ISTA.

Future program

72. During its fourteenth session, the BMT planned to discuss the following items:

1. Opening of the session

2. Adoption of the agenda

3. Reports on developments in UPOV concerning biochemical and molecular techniques

4. Reports on the work of the *Ad Hoc* Crop Subgroups on molecular techniques (Crop Subgroups)

5. Short presentations on new developments in biochemical and molecular techniques by DUS experts, biochemical and molecular specialists, plant breeders and relevant international organizations

6. Report of work on molecular techniques on a crop-by-crop basis:

    (a) vegetatively propagated crops

    (b) self-pollinated crops

    (c) cross-pollinated crops

7. International guidelines on molecular methodologies

8. Variety description databases

9. Methods for analysis of molecular data

10. The use of molecular techniques in examining essential derivation

11. The use of molecular techniques in variety identification

12. Recommendations on the establishment of new crop specific subgroups

13. Date and place of next session

14. Future program

15. Report of the session (if time permits)

16. Closing of the session

73. The BMT requested the Technical Committee to consider the possibility to arrange the order of the agenda items to reflect the organization of the meeting, in particular, the items for the “breeder’s day” to be placed after agenda item 5.

Medal

74. Mr. Andrew Mitchell was awarded a UPOV bronze medal in recognition of his chairmanship of the BMT from 2009 to 2011.

[Annexes follow]

ANNEX I

LIST OF PARTICIPANTS

I. MEMBERS

ARGENTINA

María Alicia LORAY (Ms.), Av. Paseo Colón 922, Buenos Aires 1063
(tel.: 54 11 4349 2037 fax: 54 11 4349 2394 e-mail: mloray@inase.gov.ar)

BRAZIL

Daniela DE MORAES AVIANI (Mrs.), Coordinator, National Plant Variety Protection Service (SNPC), Ministry of Agriculture, Livestock and Food Supply, Esplanada dos Ministérios, Bloco 'D', Anexo A, Sala 249, Brasilia D.F. 70043-900
(tel.: +55 61 3218 2549 fax: +55 61 3224 2842 e-mail: daniela.aviani@agricultura.gov.br)

Vera Lúcia DOS SANTOS MACHADO (Mrs.), Federal Agricultureal Inspector, National Plant Variety Protection Office (SNPC), Ministry of Agriculture, Livestock and Food Supply, Esplanada dos Ministerios, Bloco D, Anexo A, sala 249, 70043-900 Brasilia D.F.
(tel.: +55 61 3218 2549 fax: +55 61 3224 2842 e-mail: vera.machado@agricultura.gov.br)

Luís Gustavo ASP PACHECO, Federal Agricultural Inspector, National Plant Variety Protection Service (SNPC), Livestock and Food Supply, Esplanada dos Ministérios, Bl. D, Anexo A, Sala 250, 70043-900 Brasilia D.F.
(tel.: +55 61 3218 2915 fax: +556132242842 e-mail: luis.pacheco@agricultura.gov.br)

Fabrício SANTANA SANTOS, Federal Agricultural Inspector, National Plant Variety Protection Office (SNPC), Ministry of Agriculture, Livestock and Food Supply, Esplanada dos Ministerios, Bloco 'D', Anexo A, Sala 250, CEP 70043-900 Brasilia D.F.
(tel.: +55 61 3218 2915 fax: +55 61 3224 2842 e-mail: fabricio.santos@agricultura.gov.br)

José Antonio Fernandes HIDALGO, National Plant Variety Protection Office (SNPC), Ministry of Agriculture, Livestock and Food Supply, Esplanada dos Ministérios, Bl. D, Brasilia D.F. CEP: 70.043-900
(tel.: 61 3218-2915 e-mail: josé.hidalgo@agricultura.gov.br)

Ricardo ZANATTA MACHADO, Federal Agricultural Inspector, National Plant Variety Protection Service (SNPC), Ministry of Agriculture, Livestock and Food Supply, Esplanada dos Ministérios, Bloco 'D', Anexo A, 2o andar, Sala 247, 70043-900 Brasilia D.F.
(tel.: +55 61 3218 2549 fax: +55 61 3224 2842 e-mail: ricardo.machado@agricultura.gov.br)

Stefania ARAUJO (Sra.), National Plant Variety Protection Service (SNPC), Ministry of Agriculture, Livestock and Food Supply, Esplanada dos Ministérios, Bl. D, Brasilia D.F. CEP: 70.043-900
(tel.: +55 61 3218-2547 e-mail: stefania.araraujo@agricultura.gov.br)

Carolina SARAIVA (Sra.), National Plant Variety Protection Service (SNPC), Ministry of Agriculture, Livestock and Food Supply, Esplanada dos Ministérios, Bl. D, Brasilia D.F. CEP: 70.043-900
(tel. : +55 61 3218 2547 e-mail: carolina.saraiva@agricultura.gov.br)

Francisco Claudio Da Conceicao LOPES, Researcher, Centro de Technologia Canaviera-Sugarcane Technology Center, Fezenda Santo Antonio, S/N 13400-970, Piracicaba-SP
(email: francisco.lopes@ctc.com.br)

Diego SOUZA, National Plant Variety Protection Service (SNPC), Ministry of Agriculture, Livestock and Food Supply, Esplanada dos Ministérios, Brasilia D.F. CEP: 70.043-900
(tel.: +55 61 3218 2547 e-mail: diego.souza@agricultura.gov.br)

Luiz Claudio Augusto DE OLIVEIRA, National Plant Variety Protection Service (SNPC), Ministry of Agriculture, Livestock and Food Supply, Parque Estação Biológica (PqEb), W5 Norte (Final). C, Brasilia D.F. CEP: 70.770-090
(tel.: +55 61 3218 2482 e-mail: luiz.oliveira@agricultura.gov.br)

Mariana C. DAHER (Ms.), Rua Domingos Jorge 1100, Bairro Socoro, São Paulo, S.P.
(tel.: +55 11 56945430 e-mail: mariana.daher@bayer.com)

Helma Ventura GUEDES (Mrs.), EMBRAPA, Embrapa Cerrados BR 020, Km 18 Planaltina, CEP 73310-970, DF Cerrados
(tel.: +55 61 3388 9817 fax: 61 3388 9879 e-mail: helma.guedes@cpac.embrapa.br)

Letícia JUNGMANN CANÇADO (Mrs.), EMBRAPA Beef Cattle, ROD. BR 262, KM4, C.P. 154 Campo Grande/MS/Brazil, 79 002-970
(tel.: +55 67 3368 2041 fax: +55 67 3368 2150 e-mail: jungmann@cnpgc.embrapa.br)

Luciana ROSSINI PINTO (Mrs.), Rua Floriano Peixoto, 1200 apto 1204, Centro Jaboticabal, SP, Jaboticabal
(tel.: +55 16 976 14710 e-mail: lurossini@iac.sp.gov.br)

Ivan SCHUSTER, Coodetec Cooperativa Central De Pesquisa Agricola,
BR 467, KM 98, PR Cascavel
(tel.: +55 45 3321 3536 fax: +55 45 3321 3500e-mail: ivan@coodetec.com.br)

Goran KUHAR, SGAS 902, Edificio Athenas, Bloco A, Sala 221, Asa Sul, Brasilia D.F. 70390-020,
(tel.: +55 61 2103 9101 fax: +55 61 2103 9110 e-mail: goran.kuhar@pioneer.com)

Luis Claudio PRADO, SQSW 300 Bloco C Apto 504, Setor Sudoeste, Brasilia D.F.
(tel.: +55 61 2106 1070 fax: +55 61 2106 1087 e-mail: luis.prado@pioneer.com)

CHINA

Hongmei YI (Ms.), Maize Research Center, Beijing Academy of Agricultural & Forestry Sciences, Shuguang Garden, Middle Road No. 9, Haidian District, 100097 Beijing
(tel.: 8610 51503558 fax: 8610 51503710 e-mail: yihm47@sina.com)

EUROPEAN UNION

Carlos GODINHO, Vice-President, Community Plant Variety Office (CPVO), 3, boulevard Maréchal Foch, B.P. 10121, 49101 Angers Cedex 02
(tel.: +33 2 4125 6413 fax: +33 2 4125 6410 e-mail: godinho@cpvo.europa.eu)

Anne WEITZ (Mrs.), Technical Expert Agricultural Species, Community Plant Variety Office (CPVO), 3, boulevard Maréchal Foch, B.P. 10121, 49101 Angers Cedex 02
(tel.: +33 2 41 25 64 37 fax: +33 2 41 25 64 10 e-mail: weitz@cpvo.europa.eu)

FINLAND

Tapio LAHTI, Senior Officer, Legal Affairs, Finnish Food Safety Authority (EVIRA), Mustialankatu 3, FIN-00790 Helsinki
(tel.: +358 400 640 881 fax: +358 20 77 25195 e-mail: tapio.lahti@evira.fi)

FRANCE

Anne BERNOLE, GEVES, Domaine du Magreraud, BP 52, 177 00 Surgeres
(tel.: +33 5 46 68 30 31 e-mail: anne.bernole@geves.fr)

Joël GUIARD, Expert in Variety Testing International Affairs UPOV - CPVO, Groupe d'étude et de contrôle des variétés et des semences (GEVES), Rue Georges Morel, BP 90024, F-49071 Beaucouzé Cedex
(tel.: +33 241 228637 fax: +33 241 228601 e-mail: joel.guiard@geves.fr)

Aurelia LUCIANI (Ms.), GEVES, rue Georges Morel, BP 90024, F-49071 Beaucouze Cedex
(tel.: +33 2 4122 86 46 e-mail: aurelia.luciani@geves.fr)

René MATHIS, GEVES, rue Georges Morel, BP 90024, F-49071 Beaucouzé Cedex
(tel.: + 33 2 41225834 e-mail: rene.mathis@geves.fr)

ITALY

Chiara DELOGU (Ms.), INRAN-ENSE Laboratorio Analisi Sementi, Via Emilia 19, Lodi, I-26838 Tavazzano
(tel.: +39 371 76 19 19 fax: +39 371 76 08 12 e-mail: c.delogue@ense.it)

JAPAN

Tetsuya KIMURA, Plant Variety Protection Advisor, DNA Fingerprint Team Vice-Chief, National Center for Seeds and Seedlings, 2-2 Fujimoto, Tsukuba, Ibaraki 305-0852, Tsukuba
(tel.: +81 29 838 6593 fax: +81 29 838 6583 e-mail: tetsuya_kimura@ncss.go.jp)

KENYA

Jared ONSANDO, Kenya Plant Health Inspectorate Service (KEPHIS), P.O. Box, 49592 00100 Nairobi
(tel.: +254 3536171 fax: +254 3536175 e-mail: kephisinfo@kephis.org)

NETHERLANDS

Kees VAN ETTEKOVEN, Head of Variety Testing, Naktuinbouw NL, Sotaweg 22, Postbus 40, NL-2370 AA Roelofarendsveen
(tel.: +31 71 332 6128 fax: +31 71 332 6363 e-mail: c.v.ettekoven@naktuinbouw.nl)

Hedwich TEUNISSEN (Ms.), Molecular Biologist, Nautuinbouw Sotaweg 22, P.O. Box 40, NL-2370 AA Roelofarendsveen
(tel.: 31 71 3326251 fax: 31 71 3326366 e-mail: h.teunissen@naktuinbouw.nl)

REPUBLIC OF KOREA

Kyungjin CHO, Korea Forest Seed & Variety Center, 670-4 Suhoeri, Suanbo, Chungju, Chungbuk
(tel.: 82 43 850 3321 fax: 82 43 850 3390 e-mail: kyungcho@forest.go.kr)

Jee-Hwa HONG, Agricultural Researcher, Variety Testing Division, Korea Seed and Variety Service (KSVS), 233-1 Mangpo-dong, Youngton-gu, Suwon, Kyunggi-do 443-400
(tel.: +82 31 8008 0221 fax: +82 31 203 7431 e-mail: hongjh@seed.go.kr)

Yong-Sham KWON, Agricultural Researcher, Variety Testing Division, Korea Seed and Variety Service (KSVS), 233-1 Mangpo-dong, Yeongtong-gu, Suwon-si,
443-400 Gyeonggi-do
(tel.: +82 31 8008 0220 fax: +82 31 203 7431 e-mail: yskwon@seed.go.kr)

SOUTH AFRICA

Luvuyo M. KHOZA, DUS Examiner, Directorate: Genetic Resources, Division Variety Control, National Department of Agriculture, Private Bag X 5044, Stellenbosch 7599
(tel.: +27 21 809 1730 fax: +27 21 887 2264 e-mail: luvuyok@nda.agric.za)

UNITED KINGDOM

Andrew MITCHELL, Controller of Plant Variety Rights, The Food and Environment Research Agency (FERA), Whitehouse Lane, Huntingdon Road, Cambridge CB3 0LF
(tel.: +44 1223 342 384 fax: +44 1223 342 386 e-mail: andrew.mitchell@fera.gsi.gov.uk)

Carol NORRIS (Dr.), Technical Manager for Oilseeds DUS & Certification, Plant Services, NIAB, Huntingdon Road, Cambridge CB3 0LE
(tel.: +44 1223 342288 e-mail: carol.norris@niab.com)

Heather OWEN (Dr.), SASA, Roddinglaw Road, Edinburgh EH12 9FJ
(tel.: +44 131 244 6353 fax: +44 131 244 8939 e-mail: heather.owen@sasa.gsi.gov.uk)

URUGUAY

Mariela IBARRA DUTRA (Ing. Agr.), Evaluación y Registro de Cultivares, Instituto Nacional de Semillas (INASE), C. Bertolotti S/n y Ruta 8, Km 29, 91001 Canelones
(tel.: +598 2 2887099 Int. 113 fax: +5982 2887077 e-mail: mibarra@inase.org.uy)

II. ORGANIZATIONS

INTERNATIONAL COMMUNITY OF BREEDERS OF ASEXUALLY REPRODUCED ORNAMENTAL AND FRUIT PLANTS (CIOPORA)

Jan DE RIEK, ILVO-Plant, Applied Genetics and Breeding Institute for Agricultural and Fisheries Research, Caritasstraat 21, B-9090 Melle, Belgium
(tel.: +32 9 272 2881 fax: +32 9 272 2901 e-mail: jan.deriek@ilvo.vlaanderen.be

INTERNATIONAL SEED FEDERATION (ISF)

Marcel BRUINS, Secretary General, International Seed Federation (ISF), 7, chemin du Reposoir, 1260 Nyon , Switzerland
(tel.: +41 22 365 4420 fax: +41 22 365 4421 e-mail: isf@worldseed.org)

Barry K. NELSON, Pioneer Hi-Bred International Inc., 7300 N.W. 62nd avenue, Johnston IA 50131
(tel.: 515 535 2202 fax: 515 535 2288 e-mail: barry.nelson@pioneer.com)

Rogério ALVARES DE ANDRADE, Rua dos Pica Paus 1750, Minais Gerais, Uberlândia M/G
(tel.: +34 9128757 fax: +34 30883001 e-mail: rogerio.a.andrade@monsanto.com)

Jörg SCHONDELMAIER, Saaten-Union Biotec GmbH, Hovedisser Str. 92, 33818 Leopoldshöhe , Allemagne
(tel.: +49 05 208 95 04 93 fax: +49 05 208 95 04 94 e-mail: schondel@saaten-union-biotec.de)

SEED ASSOCIATION OF THE AMERICAS (SAA)

Diego A. RISSO, Secretary General/SAA, URUPOV, Rondeau 1908 - Esc. A, C.P. 11800, Montevideo, Uruguay
(tel.: +598 2 9291565 fax: +598 2 929 15 65 e-mail: drisso@saaseed.org)

Carlos AZAMBUJA, Bvar. Artigas 922, Montevideo, Uruguay
(tel.: 598 271 19220 fax: 598 271 22154 email:azambuja@genia.com.uy)

INTERNATIONAL SEED TESTING ASSOCIATION (ISTA)

Elisa SERRA NEGRA VIEIRA (Mrs.), International Seed Testing Association (ISTA), Estrada da Ribeira, Km 111, C.P. 319, Colombo, Parana CEP 83411-000, Brazil
(tel.: 41 3675 5773 e-mail: elisa@cnpf.embrapa.br)

III. OFFICER

Andrew MITCHELL, Chairman

IV. OFFICE OF UPOV

Raimundo LAVIGNOLLE, Director, 34, chemin des Colombettes, 1211 Geneva, Switzerland
(tel.: +41 22 338 9565 fax: +41 22 733 0336 e-mail: raimundo.lavignolle@upov.int)

Fuminori AIHARA, Counsellor, 34, chemin des Colombettes, CH-1211 Geneva, Switzerland
(tel. +41-22-338 7442 fax +41-22-733 03 36 e-mail: fuminori.aihara@upov.int)

[Annex II follows]

ANNEX II

WELCOME ADDRESS

by Mr. Hélcio Campos Botelho
Director of the Department of Intellectual Property Rights
Ministry of Agriculture, Livestock and Food Supply
Brasilia, November 22, 2011

Mr. Andrew Mitchell, Chairman of the 13ª Session of the Working Group on Biochemical and Molecular Techniques and DNA Profiling in Particular of the International Union for the Protection of New Varieties of Plants - UPOV; Mr. Raimundo Lavignolle, Technical Director of the UPOV; Mr. Fuminori Aihara, Officer of the UPOV; Distinguished Participants; Ladies and Gentlemen. Welcome to the 13th BMT UPOV Meeting!

It is not by accident that Brasilia hosts this meeting. Distrito Federal hosts the capital of Brazil since 1960, and stands out in the development and use of new varieties and in the seed production. It hosts the headquarter of the Brazilian Enterprise for Agricultural Research – Embrapa, as well as its research centers, such as Embrapa Cerrados and the National Center for Research on Genetic Resources and Biotechnology (CENARGEN). It is also an important center of seed production of maize, soybean and tropical forage crops, and also a center of production of flowers, using the most modern technologies in irrigation and crop management.

Thank you.

[Annex III follows]

ANNEX III

Welcome Address by
Mrs. Daniela de Moraes Aviani,
Coordinator, National Plant Variety Protection Service (SNPC),
Ministry of Agriculture, Livestock and Food Supply


Venezuela
Colombia
Ecuador
Peru
Brasil
Bolivia
Chile
Argentina
Uruguay
Brasilia
ATLANTIC OCEAN
PACIFIC OCEAN
Mapa SNPC


Brasilia, BRAZIL
Mapa SNPC

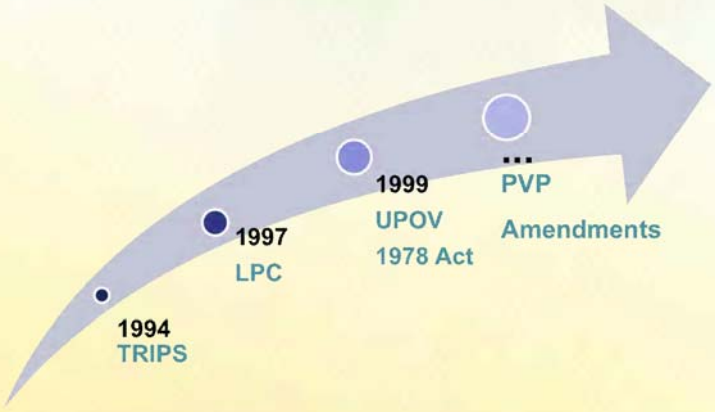
MINISTRY OF AGRICULTURE, LIVESTOCK AND FOOD SUPPY
MAPA

SECRETARIAT OF AGRICULTURAL DEVELOPMENT AND COOPERATIVISM
SDC

DEPARTAMENT OF INTELLECTUAL PROPERTY AND AGRICULTURAL TECHNOLOGY
DEPTA

National Plant Variety Protection Service
SNPC

Evolution of PVP Law in Brazil




PVP Law in Brazil
Act 1978
Act 1991
15 & 18 years
Lim. # spp.
Essencialy Derived Variety
Provisional Protection
135 species


PBR EXCEPTIONS
• Save seeds (farmers' privilege);
• Use or sell as food or raw material;
• Small holders (for donation or exchange);
• Breeding programs

REVISION ON PVP LAW

- Extend breeders' rights to harvest material;
- Restrict the farmers' privilege;
- Provide PVP for all species;
- Increase the period of protection;
- Review DUS procedures (acreditation/DUS field inscription for inspection);
- Improve the enforcement measures

LODGE OF APPLICATIONS

DECLARATORY SYSTEM

- Electronic Application Form
- Technical Report
- Live sample
- Sworn Statement

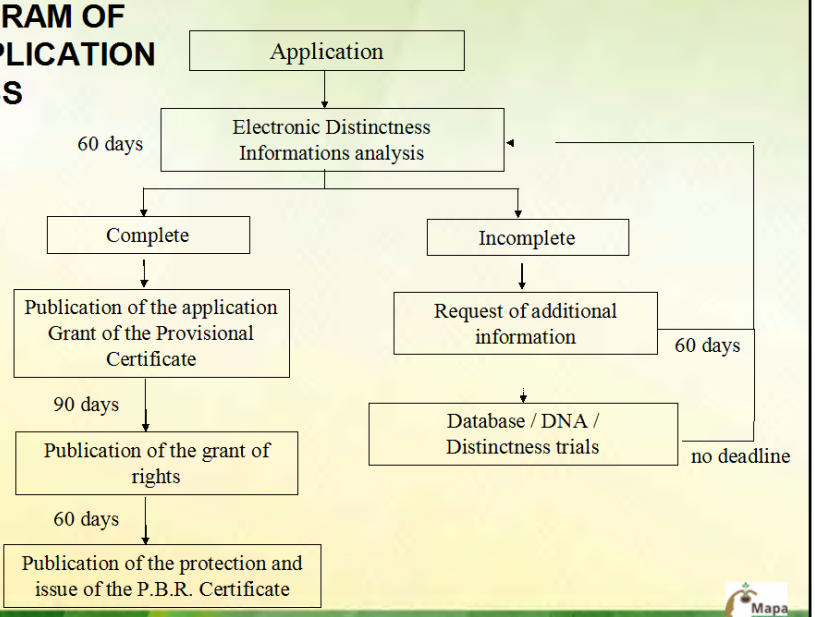
FOREIGN TESTS AND TRIALS

- Foreign tests and trials may be accepted when they are requested by SNPC from UPOV member countries.
- Tests may also be performed outside Brazil. In such case, it is recommended to be repeatead in Brazil to confirm the characteristics.

COST OF PROTECTION

The total cost of protection is 670 USD:
- 110 USD application lodge and exam
- 340 USD certificate fee
- 220 USD annual fee for maintenance

FLUXOGRAM OF THE APPLICATION PROCESS



DATABASE AND TESTS

Prepare of live samples

Distinctness test

LIVE SAMPLE

A live sample must be submitted to the SNPC.

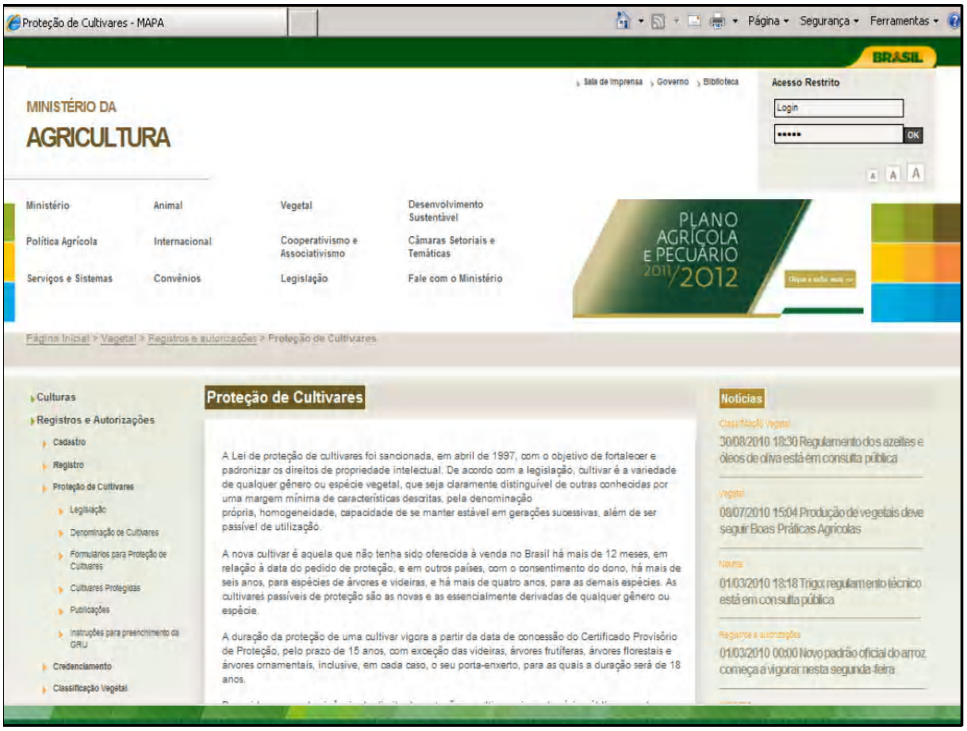
The applicant must comply with all import procedures.

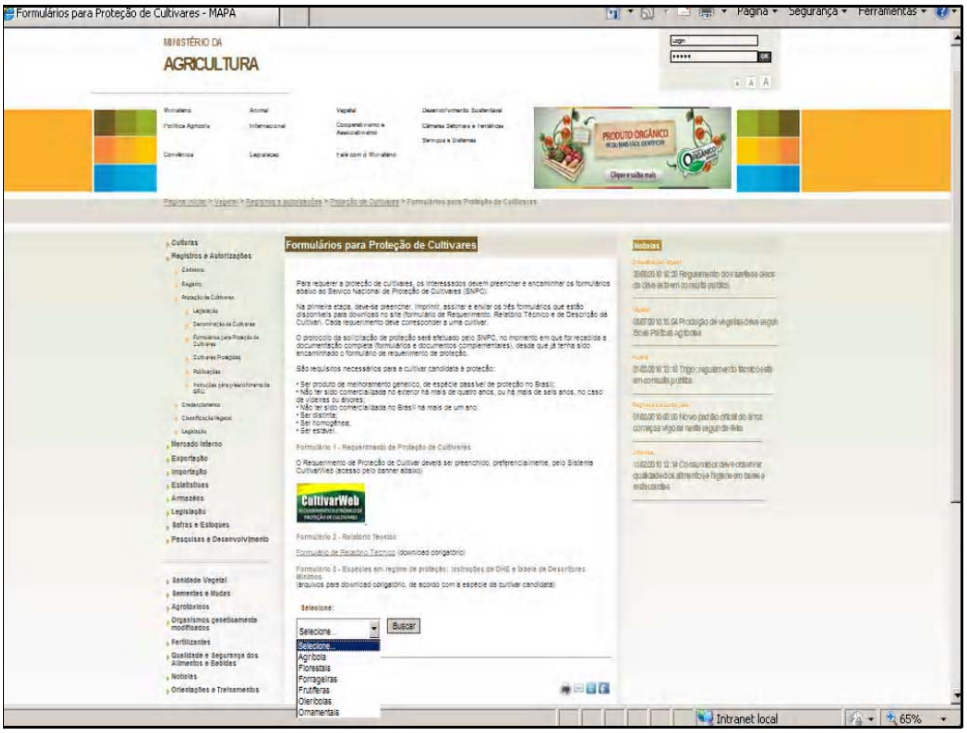
ENFORCEMENT

Inspection / Seed Law

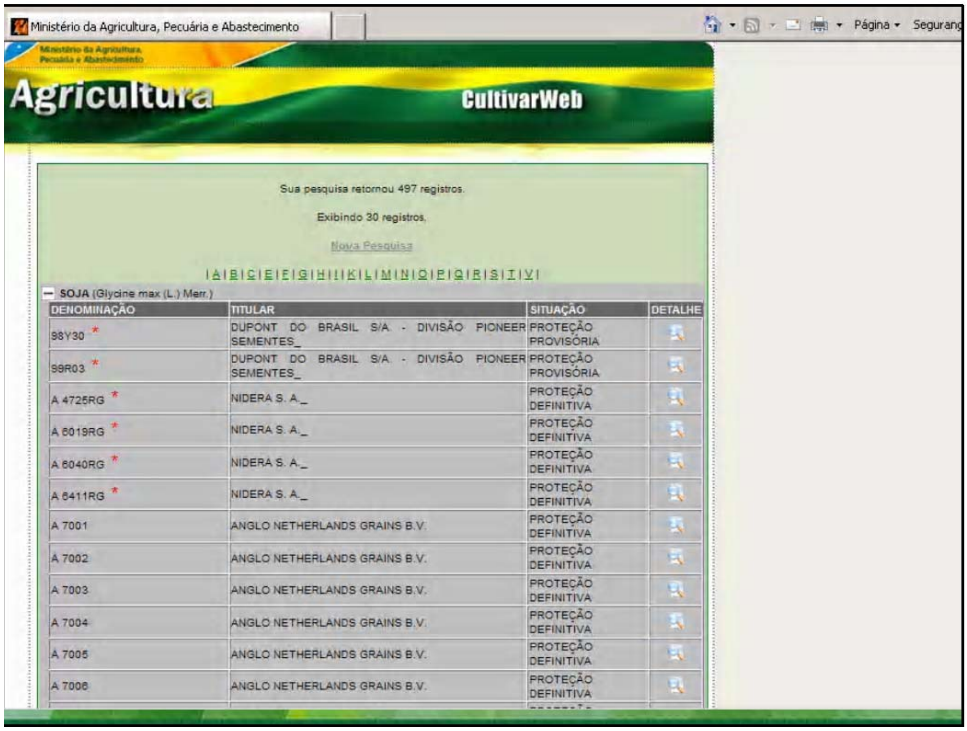
The titleholder may sue any person who infringes his rights.

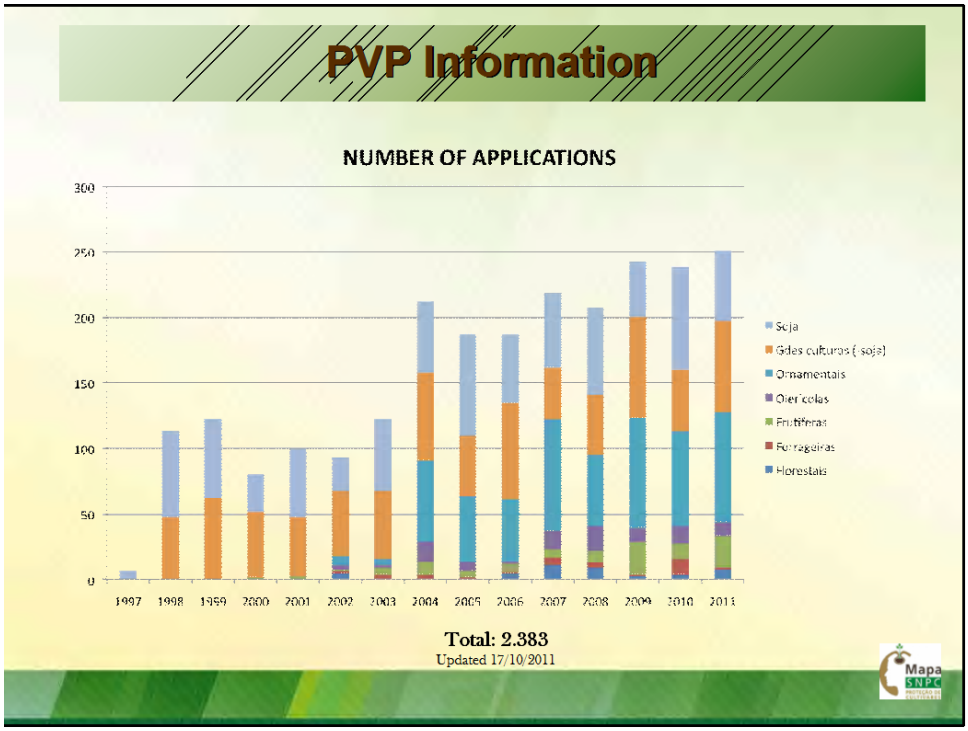
He may ask a court to issue an injunction to prevent from further violations and also might bring a suit against the infringer.

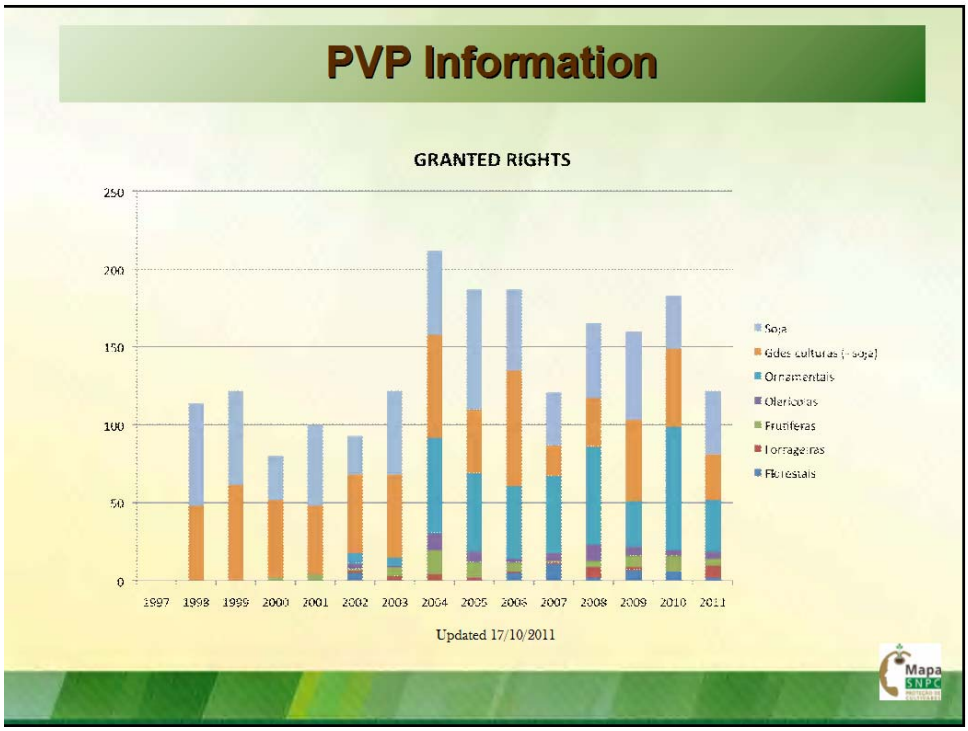

Proteção de Cultivares - MAPA
MINISTÉRIO DA
AGRICULTURA
Proteção de Cultivares
Notícias


Formulários para Proteção de Cultivares - MAPA
MINISTÉRIO DA
AGRICULTURA
Formulários para Proteção de Cultivares
CultivarWeb


Cultivares Protegidas - MAPA
MINISTÉRIO DA
AGRICULTURA
Cultivares Protegidas
Uma cultivar é resultado de melhoramento em uma variedade de planta que a torne diferente das demais em sua coloração, porte, resistência a doenças. A nova característica deve ser igual em todas as plantas da mesma cultivar, mantida ao longo das gerações. Embora a nova cultivar seja diferente das que a originaram, não pode ser considerada geneticamente modificada, o que ocorre é uma nova combinação do seu próprio material genético.
Atualmente, existem 1.265 cultivares protegidas, no Brasil, e quase dois mil pedidos de proteção já analisados ou em análise pelo Serviço Nacional de Proteção de Cultivares (SNPC).
O sistema CultivarWeb apresenta informações sobre as cultivares protegidas e as solicitações de proteção em andamento. É possível consultar dados como o nome científico e comum das espécies, a denominação da cultivar e os protocolos de pedido de proteção.
Pesquisa de Cultivares Protegidas
Notícias


Ministério da Agricultura, Pecuária e Abastecimento
Agricultura
CultivarWeb
Sua pesquisa retornou 497 registros.
Exibindo 30 registros.
Nova Pesquisa
SOJA (Glycine max (L.) Merr.)
DENOMINAÇÃO | TITULAR | SITUAÇÃO | DETALHE
98Y30 * | DUPONT DO BRASIL S/A. - DIVISÃO PIONEER SEMENTES_ | PROTEÇÃO PROVISÓRIA
99R03 * | DUPONT DO BRASIL S/A. - DIVISÃO PIONEER SEMENTES_ | PROTEÇÃO PROVISÓRIA
A 4725RG * | NIDERA S. A._ | PROTEÇÃO DEFINITIVA
A 5019RG * | NIDERA S. A._ | PROTEÇÃO DEFINITIVA
A 5040RG * | NIDERA S. A._ | PROTEÇÃO DEFINITIVA
A 5411RG * | NIDERA S. A._ | PROTEÇÃO DEFINITIVA
A 7001 | ANGLO NETHERLANDS GRAINS B.V. | PROTEÇÃO DEFINITIVA
A 7002 | ANGLO NETHERLANDS GRAINS B.V. | PROTEÇÃO DEFINITIVA
A 7003 | ANGLO NETHERLANDS GRAINS B.V. | PROTEÇÃO DEFINITIVA
A 7004 | ANGLO NETHERLANDS GRAINS B.V. | PROTEÇÃO DEFINITIVA
A 7005 | ANGLO NETHERLANDS GRAINS B.V. | PROTEÇÃO DEFINITIVA
A 7006 | ANGLO NETHERLANDS GRAINS B.V. | PROTEÇÃO DEFINITIVA


PVP Information
NUMBER OF APPLICATIONS
300
250
200
150
100
50
0
1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
Soja
Gdes culturas (soja)
Ornamentais
Oleríccolas
Frutíferas
Forrageiras
Florestais
Total: 2.383
Updated 17/10/2011

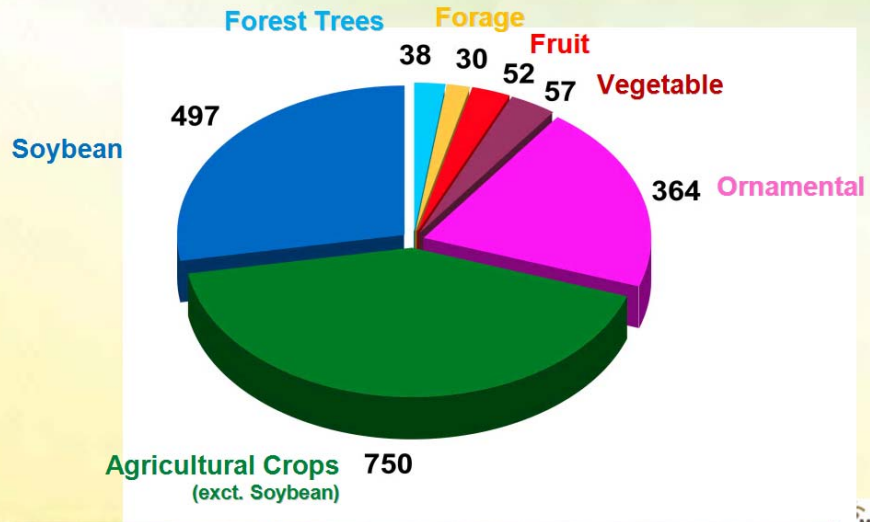

PVP Information
GRANTED RIGHTS
250
200
150
100
50
0
1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
Soja
Gdes culturas (soja)
Ornamentais
Oleríccolas
Frutíferas
Forrageiras
Florestais
Updated 17/10/2011

139 SPECIES ELIGIBLE FOR PLANT BREEDERS' RIGHTS

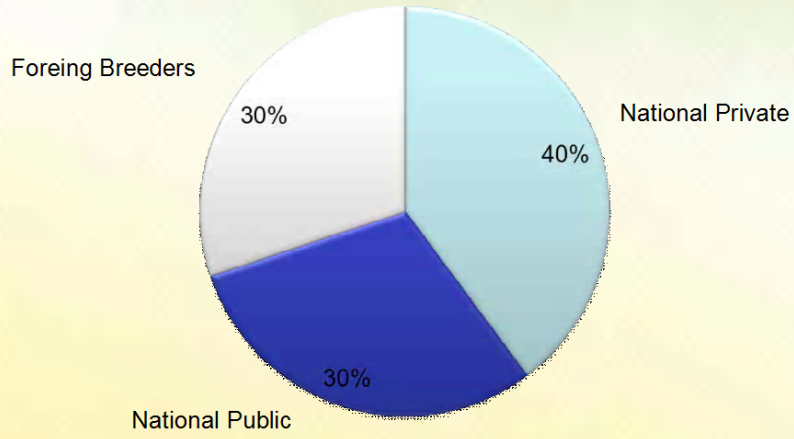
- ***FRUIT:*** pineapple, banana, apple, mango, strawberry, pear and grape
- ***ORNAMENTALS:*** amaryllis, anthurium, aster, begonia, rose, guzmania, kalanchoe, cymbidium, zantedeschia, dianthus, chrysanthemum, statice (3 species), grasses (2 species), gerbera, gypsophilla, hybiscus, hypericum, Impatiens walleriana, Impatiens x New Guinea, lilium, poinsettia, solidago and saintpaulia
- ***FOREST TREES:*** eucalyptus
- ***AGRICULTURAL:*** cotton, rice, oat, potato, sugarcane, coffee, barley, french bean, corn, soybean, sorghum, wheat and triticale
- ***VEGETABLES:*** pumpkin, lettuce, garlic, onion, carrot, okra, tomato, pepper and sweet pepper
- ***FORRAGE:*** brachiaria (syn. urochloa)(5 species), Panicum maximum, Pennisetum purpureum, Cajanus cajan, macrotyloma and pearl millet

Titles in Force / Species Group

1,788



Application by Type of Breeder



Promotion of Intellectual Property

Objective: The National Plant Variety Protection Service (SNPC) promotes regular training and update on Intellectual Property providing lectures and organizing workshops and courses

Per year:

20 Lectures and Conferences

5 Workshops

On Line Distance Learning Courses

Course on PVP

- ✓ 2010: 400 participants
- ✓ 2011: 100 participants

Curso de Proteção de Cultivares

Intellectual Property and Innovation in Agribusiness

- ✓ 2009: 1000 participants
- ✓ 2010: 1400 participants
- ✓ 2012: 1000 (planned)

Mapa SNPC

Mapa SNPC

[Annex IV follows]

ANNEX IV

Presentation made by the Office of the Union

Working Group on Biochemical and Molecular Techniques and DNA Profiling in particular

Thirteenth Session

REPORT ON DEVELOPMENTS IN UPOV

Brasilia, November 21, 2011

1

OVERVIEW

- Membership / Examination of Laws
- New website
- Council
- Consultative Committee
- CAJ & CAJ-AG
- TC
- Other developments

2

UPOV: INDEPENDENT INTERGOVERNMENTAL ORGANIZATION

The International Convention for the Protection of New Varieties of Plants

established in 1961

The International Union for the Protection of New Varieties of Plants

Union internationale pour la protection des obtentions végétales

3

MEMBERSHIP OF UPOV

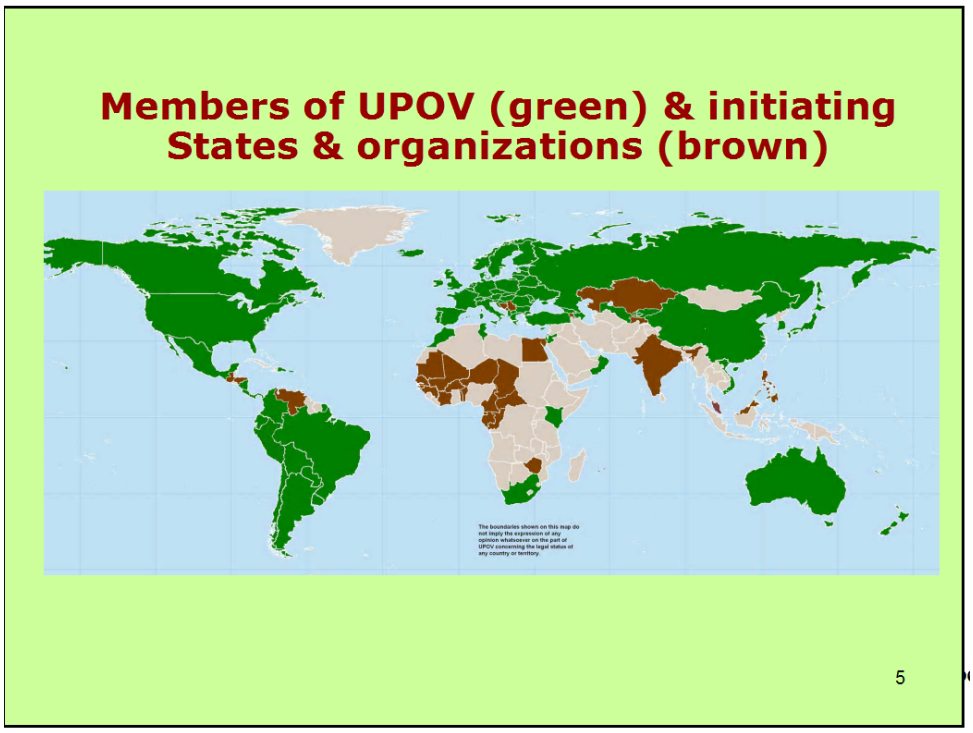
70 Members

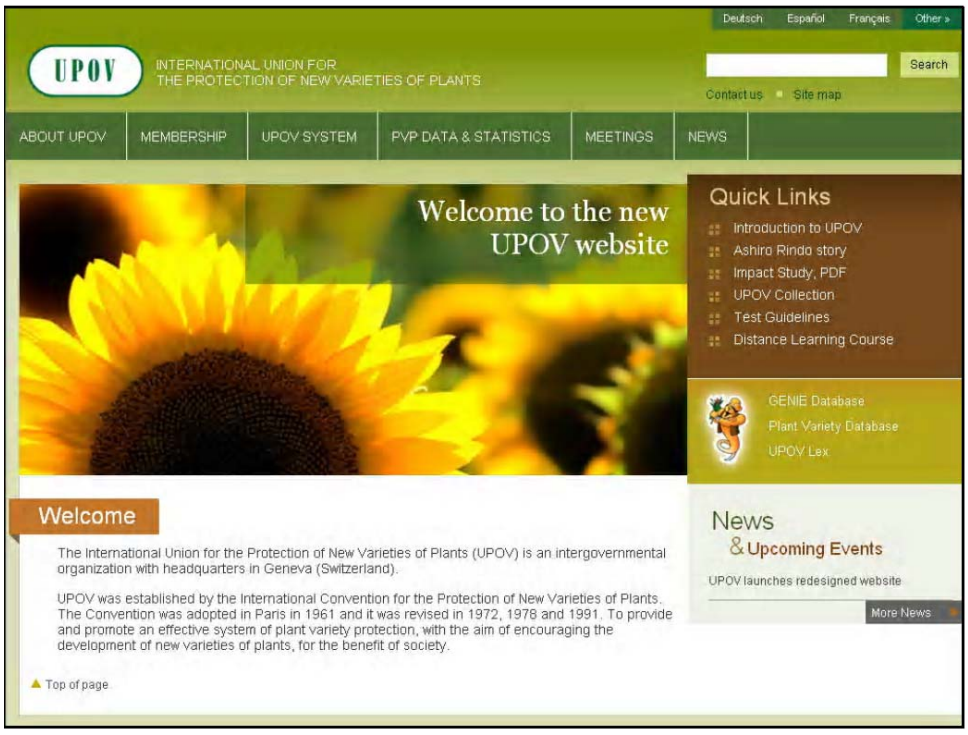
New Members

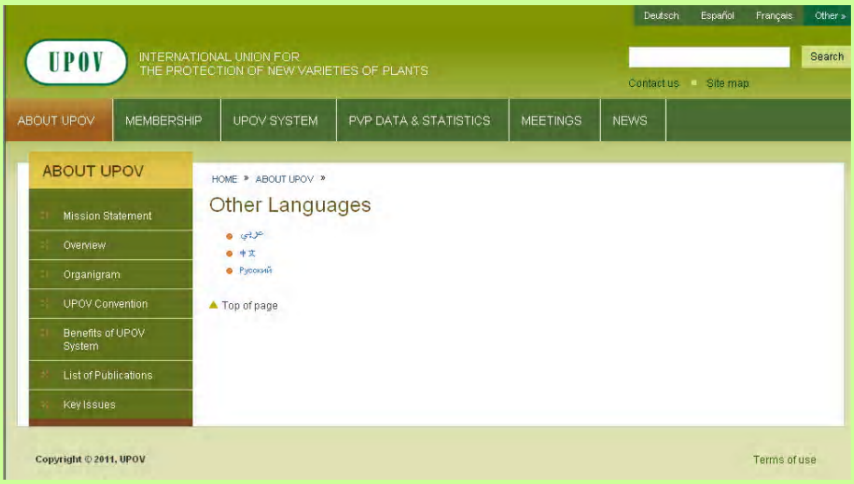
Peru	as of Aug. 8, 2011
Former Yugoslav Republic of Macedonia	as of May 4, 2011

Laws examined	Council session	Advice
Republic of Tajikistan	October 21, 2010	Positive
Republic of Serbia	April 8, 2011	Positive

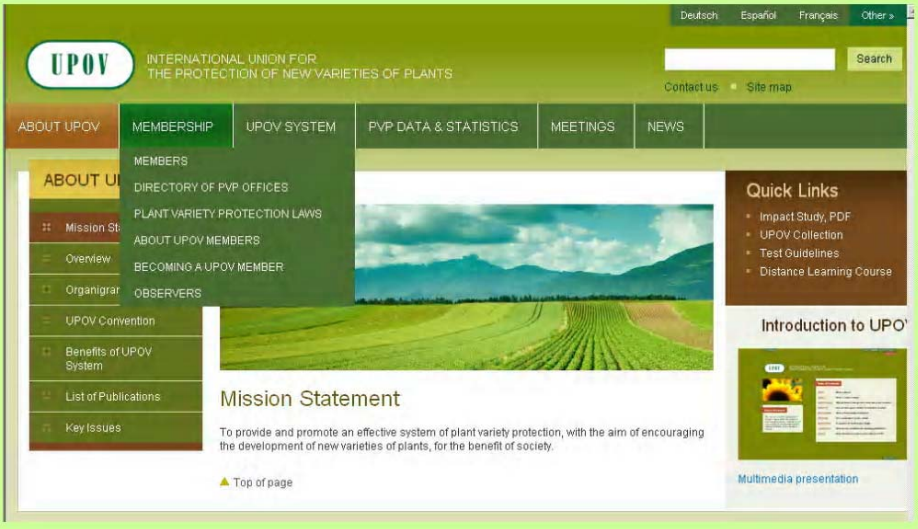
4


Members of UPOV (green) & initiating States & organizations (brown)
5

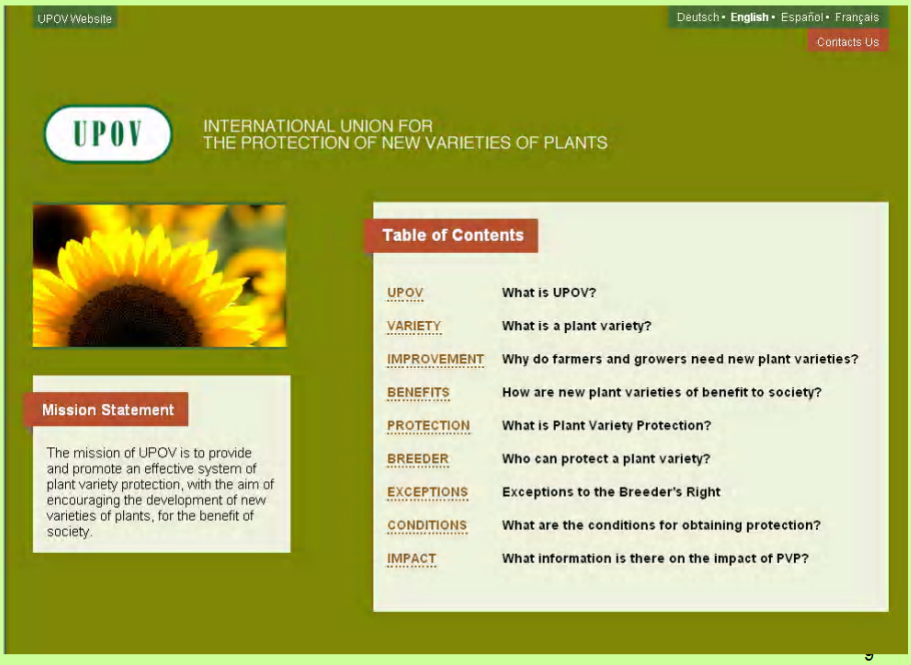

Deutsch
Español
Français
Other »
UPOV
INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
Search
Contact us
Site map
ABOUT UPOV
MEMBERSHIP
UPOV SYSTEM
PVP DATA & STATISTICS
MEETINGS
NEWS
Welcome to the new UPOV website
Quick Links
Introduction to UPOV
Ashiro Rindo story
Impact Study, PDF
UPOV Collection
Test Guidelines
Distance Learning Course
GENIE Database
Plant Variety Database
UPOV Lex
Welcome
The International Union for the Protection of New Varieties of Plants (UPOV) is an intergovernmental organization with headquarters in Geneva (Switzerland).
UPOV was established by the International Convention for the Protection of New Varieties of Plants. The Convention was adopted in Paris in 1961 and it was revised in 1972, 1978 and 1991. To provide and promote an effective system of plant variety protection, with the aim of encouraging the development of new varieties of plants, for the benefit of society.
Top of page
News
& Upcoming Events
UPOV launches redesigned website
More News

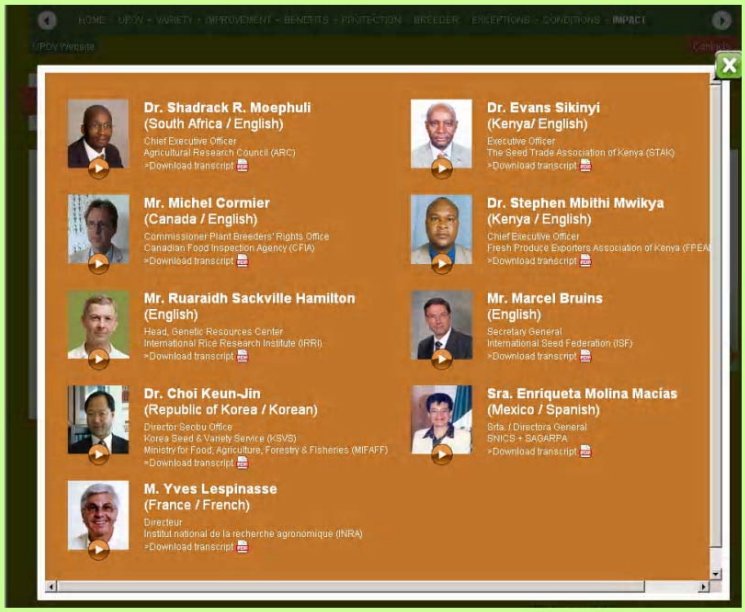

Deutsch
Español
Français
Other »
UPOV
INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
Search
Contact us
Site map
ABOUT UPOV
MEMBERSHIP
UPOV SYSTEM
PVP DATA & STATISTICS
MEETINGS
NEWS
ABOUT UPOV
Mission Statement
Overview
Organigram
UPOV Convention
Benefits of UPOV System
List of Publications
Key Issues
HOME » ABOUT UPOV »
Other Languages
Top of page
Copyright © 2011, UPOV
Terms of use

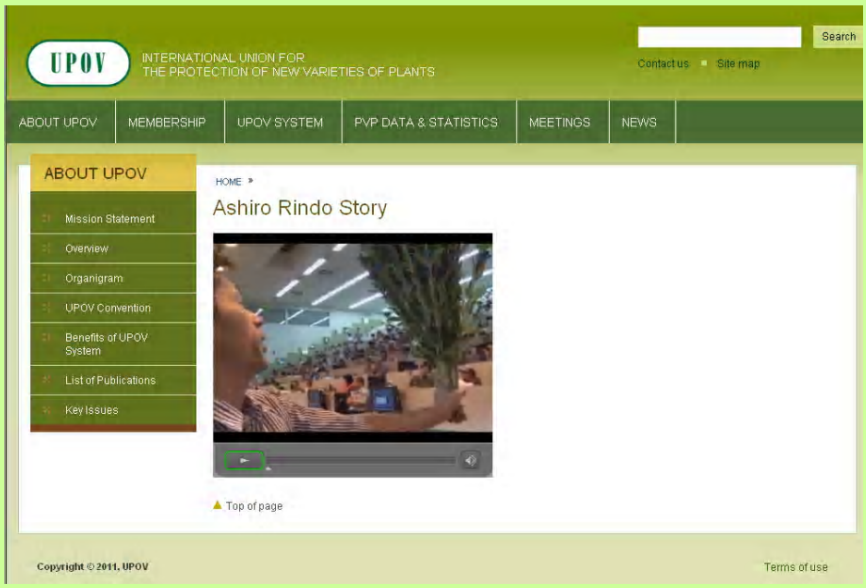
7


Deutsch
Español
Français
Other »
UPOV
INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
Search
Contact us
Site map
ABOUT UPOV
MEMBERSHIP
UPOV SYSTEM
PVP DATA & STATISTICS
MEETINGS
NEWS
MEMBERS
DIRECTORY OF PVP OFFICES
PLANT VARIETY PROTECTION LAWS
ABOUT UPOV MEMBERS
BECOMING A UPOV MEMBER
OBSERVERS
Overview
UPOV Convention
Benefits of UPOV System
List of Publications
Key Issues
Quick Links
Impact Study, PDF
UPOV Collection
Test Guidelines
Distance Learning Course
Introduction to UPO
Mission Statement
To provide and promote an effective system of plant variety protection, with the aim of encouraging the development of new varieties of plants, for the benefit of society.
Top of page
Multimedia presentation

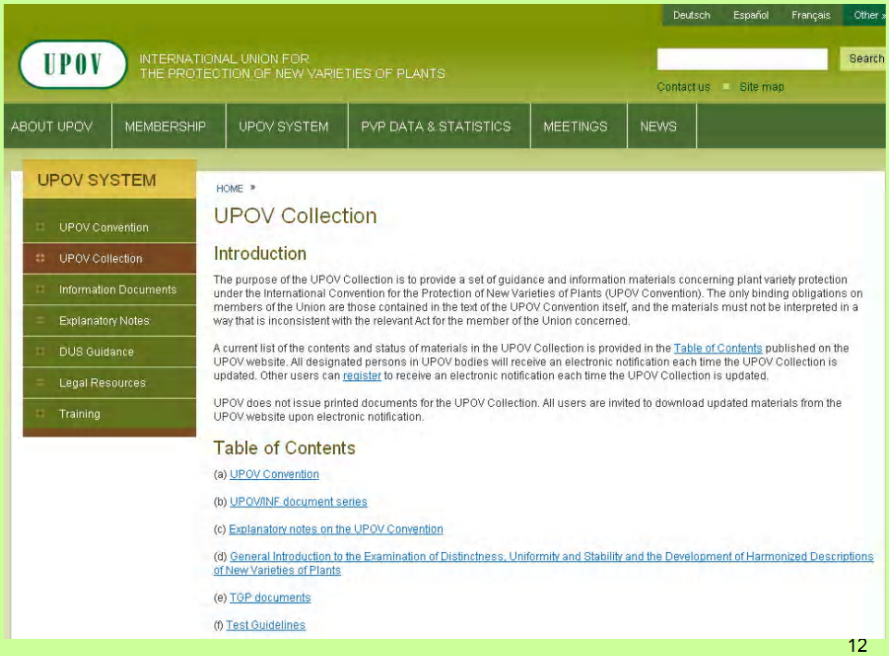
8


UPOV Website
Deutsch • English • Español • Français
Contacts Us
UPOV
INTERNATIONAL UNION FOR
THE PROTECTION OF NEW VARIETIES OF PLANTS
Mission Statement
The mission of UPOV is to provide and promote an effective system of plant variety protection, with the aim of encouraging the development of new varieties of plants, for the benefit of society.
Table of Contents
UPOV What is UPOV?
VARIETY What is a plant variety?
IMPROVEMENT Why do farmers and growers need new plant varieties?
BENEFITS How are new plant varieties of benefit to society?
PROTECTION What is Plant Variety Protection?
BREEDER Who can protect a plant variety?
EXCEPTIONS Exceptions to the Breeder's Right
CONDITIONS What are the conditions for obtaining protection?
IMPACT What information is there on the impact of PVP?


Dr. Shadrack R. Moephuli
(South Africa / English)
Chief Executive Officer
Agricultural Research Council (ARC)
>Download transcript
Dr. Evans Sikinyi
(Kenya/ English)
Executive Officer
The Seed Trade Association of Kenya (STAK)
>Download transcript
Mr. Michel Cormier
(Canada / English)
Commissioner Plant Breeders' Rights Office
Canadian Food Inspection Agency (CFIA)
>Download transcript
Dr. Stephen Mbithi Mwikya
(Kenya / English)
Chief Executive Officer
Fresh Produce Exporters Association of Kenya (FPEAK)
>Download transcript
Mr. Ruaraidh Sackville Hamilton
(English)
Head, Genetic Resources Center
International Rice Research Institute (IRRI)
>Download transcript
Mr. Marcel Bruins
(English)
Secretary General
International Seed Federation (ISF)
>Download transcript
Dr. Choi Keun-Jin
(Republic of Korea / Korean)
Director-Seobu Office
Korea Seed & Variety Service (KSVS)
Ministry for Food, Agriculture, Forestry & Fisheries (MIFAFF)
>Download transcript
Sra. Enriqueta Molina Macías
(Mexico / Spanish)
Srta. / Directora General
SNICS + SAGARPA
>Download transcript
M. Yves Lespinasse
(France / French)
Directeur
Institut national de la recherche agronomique (INRA)
>Download transcript


UPOV
INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
Search
Contact us
Site map
ABOUT UPOV
MEMBERSHIP
UPOV SYSTEM
PVP DATA & STATISTICS
MEETINGS
NEWS
ABOUT UPOV
Mission Statement
Overview
Organigram
UPOV Convention
Benefits of UPOV System
List of Publications
Key Issues
HOME
Ashiro Rindo Story
Top of page
Copyright © 2011, UPOV
Terms of use

11

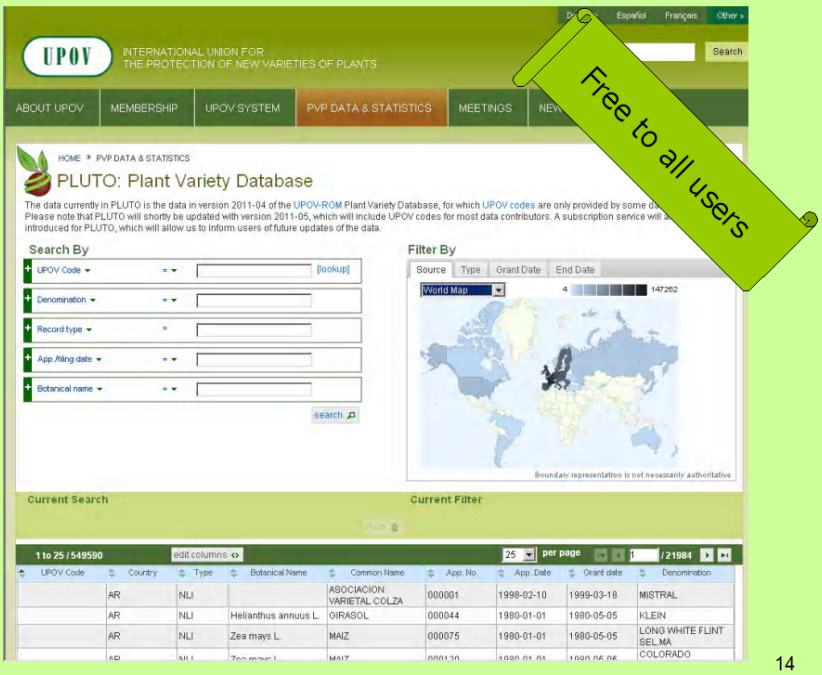

Deutsch
Español
Français
UPOV
INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
Search
Contact us
Site map
ABOUT UPOV
MEMBERSHIP
UPOV SYSTEM
PVP DATA & STATISTICS
MEETINGS
NEWS
UPOV SYSTEM
UPOV Convention
UPOV Collection
Information Documents
Explanatory Notes
DUS Guidance
Legal Resources
Training
HOME
UPOV Collection
Introduction
The purpose of the UPOV Collection is to provide a set of guidance and information materials concerning plant variety protection under the International Convention for the Protection of New Varieties of Plants (UPOV Convention). The only binding obligations on members of the Union are those contained in the text of the UPOV Convention itself, and the materials must not be interpreted in a way that is inconsistent with the relevant Act for the member of the Union concerned.
A current list of the contents and status of materials in the UPOV Collection is provided in the Table of Contents published on the UPOV website. All designated persons in UPOV bodies will receive an electronic notification each time the UPOV Collection is updated. Other users can register to receive an electronic notification each time the UPOV Collection is updated.
UPOV does not issue printed documents for the UPOV Collection. All users are invited to download updated materials from the UPOV website upon electronic notification.
Table of Contents
(a) UPOV Convention
(b) UPOV/INF document series
(c) Explanatory notes on the UPOV Convention
(d) General Introduction to the Examination of Distinctness, Uniformity and Stability and the Development of Harmonized Descriptions of New Varieties of Plants
(e) TGP documents
(f) Test Guidelines

12

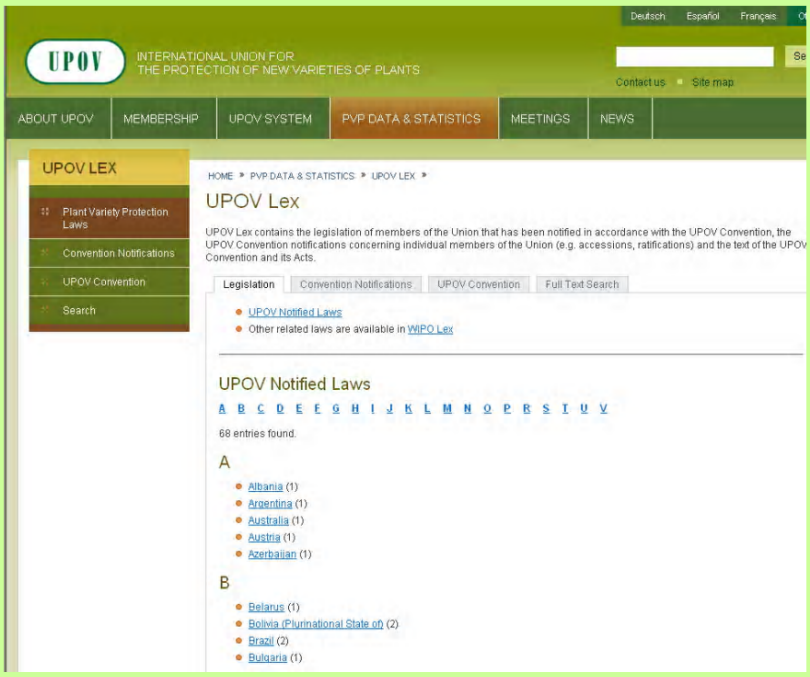
UPOV Collection: physical collection

- SET OF BINDERS with PRINTED DOCUMENTS
  - two sets per member of the Union
  - one set per observer State
  - one set per observer organization
- In the first instance only (and for new members and observers), printed versions of all documents in the "UPOV Collection", except for Test Guidelines, would be provided with the binders
- Members of the Union, observer States and observer organizations will be notified, electronically, of updates and will need to print the documents

13



14



15

COUNCIL

16

COUNCIL

ELECTED

for a term of three years ending in 2013

Chair of the Administrative and Legal Committee
Mr. Lü Bo (China)

Vice-Chair of the Administrative and Legal Committee
Mr. Martin Ekvad (European Union)

Chair of the Technical Committee
Mr. Joël Guiard (France)

Vice-Chair of the Technical Committee
Mr. Alejandro Barrientos-Priego (Mexico)

17

COUNCIL

ELECTED

for a term of three years ending in 2014

Chair of:

TWA:	**Mrs. Robyn Hierse (South Africa)**
TWC:	**Mr. Sami Markkanen (Finland)**
TWF:	**Mrs. Carensa Petzer (South Africa)**
TWO:	**Mr. Nik Hulse (Australia)**
TWV:	**Mr. François Boulineau (France)**
BMT:	**Mr. Alejandro Barrientos Priego (Mexico)**

18

Mr. Jördens Gold Medal

19

COUNCIL

INFORMATION MATERIALS ADOPTED OCTOBER 2010

Latest reference	Explanatory Notes on:
UPOV/EXN/VAR/1	Definition of Variety under the 1991 Act of the UPOV Convention
UPOV/EXN/CAL/1	Conditions and Limitations Concerning the Breeder's Authorization in Respect of Propagating Material under the UPOV Convention
	INF documents
UPOV/INF/4/1	Financial Regulations and Rules of UPOV
UPOV/INF/10/1	Internal Audit
UPOV/INF/12/3	Explanatory Notes on Variety Denominations under the UPOV Convention
UPOV/INF/15/1	Guidance for Members of UPOV on Ongoing Obligations and Related Notifications
UPOV/INF/16/1	Exchangeable Software
UPOV/INF/17/1	Guidelines for DNA-Profiling: Molecular Marker Selection and Database Construction ("BMT Guidelines")

COUNCIL

INFORMATION MATERIALS ADOPTED OCTOBER 2011

Latest reference	INF documents
UPOV/INF/6/2	Guidance for the preparation of laws based on the 1991 Act of the UPOV Convention (Revision)
UPOV/INF/16/2	Exchangeable Software (Revision)
UPOV/INF/18/1	Possible use of Biochemical and Molecular Markers in the Examination of Distinctness, Uniformity and Stability (DUS)
UPOV/INF-EXN/1	List of INF-EXN Documents and Latest Issue Dates

21

COUNCIL

INFORMATION MATERIALS ADOPTED (reminder)

Guidance for the preparation of laws based on the 1991 Act of the UPOV Convention (document UPOV/INF/6)

PART I: EXAMPLE TEXT FOR ARTICLES
PART II: NOTES BASED ON INFORMATION MATERIALS

(available in English, French, German, Spanish, Arabic, Chinese, Russian, Bahasa Indonesian)

22

COUNCIL

TGP DOCUMENTS ADOPTED OCTOBER 2010

Document reference	Title
TGP/0/3	List of TGP Documents and Latest Issue Dates
TGP/5	Experience and Cooperation in DUS Testing:
Section 2/3	UPOV Model Form for the Application for Plant Breeders' Rights (Revision)
TGP/7/2	Development of Test Guidelines (Revision)
TGP/8/1	Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability
TGP/14/1	Glossary of Terms Used in UPOV Documents

23

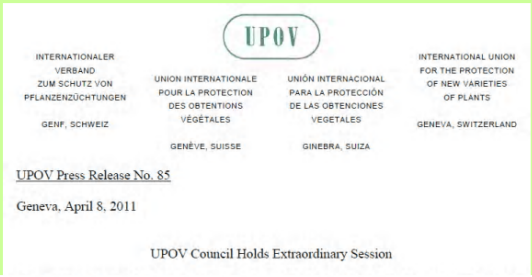
COUNCIL

TGP DOCUMENTS ADOPTED OCTOBER 2011

Document reference	Title
TGP/0/4	List of TGP Documents and Latest Issue Dates
TGP/5	Experience and Cooperation in DUS Testing:
Section 10/2	Notification of Additional Characteristics (Revision)
TGP/7/3	Development of Test Guidelines (Revision)
TGP/11/1	Examination of Stability

24

COUNCIL



UPOV

INTERNATIONALER VERBAND ZUM SCHUTZ VON PFLANZENZÜCHTUNGEN
GENF, SCHWEIZ

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

UPOV Press Release No. 85

Geneva, April 8, 2011

UPOV Council Holds Extraordinary Session

Experience of members of the Union in the Examination of New Plant Varieties

The Council welcomed the report made at the forty-seventh session of the Technical Committee, held in Geneva from April 4 to 6, 2011, that the number of genera and species for which members of the Union had practical experience in the examination of distinctness, uniformity and stability (DUS) had exceeded 2,500 in 2011. That number had increased by 19% from 2,254 in 2010, to 2,679 in 2011. The Council noted that information on members of the Union with practical experience in DUS examination was freely accessible via the GENIE database.

25

CONSULTATIVE COMMITTEE

26

CONSULTATIVE COMMITTEE
Observers

- Established a working group to review the rules concerning observers and recommend appropriate changes
- Granted observer status to:
  - Association for Plant Breeding for the Benefit of Society (APBREBES): Council, CAJ, TC, TWPs
  - European Coordination Via Campesina (ECVC): Council, CAJ, TC, TWPs
- Extended observer status to:
  - CropLife International: CAJ, TC, TWPs
  - Asia Pacific Seed Association (APSA): CAJ, TC, TWPs

27

CONSULTATIVE COMMITTEE

- The Consultative Committee approved the assistance of the Office of the Union to the **International Treaty on Genetic Resources for Food and Agriculture (ITPGRFA)** in explaining the content and search options in the Plant Variety Database in the context of the ITPGRFA research project.

28

ADMINISTRATIVE AND LEGAL COMMITTEE (CAJ)

29

CAJ/ CAJ-AG

OVERVIEW OF THE DEVELOPMENT OF INFORMATION MATERIALS

Latest reference	Explanatory Notes on:	Status
UPOV/EXN/BRD Draft 4	**Definition of Breeder under the 1991 Act of the UPOV Convention**	CAJ-AG October 2011
UPOV/EXN/HRV Draft 6	**Acts in Respect of Harvested Material under the 1991 Act of the UPOV Convention**	CAJ-AG October 2011
CAJ-AG/11/6/3 & UPOV/EXN/EDV/2 Draft 1	**Essentially Derived Varieties under the 1991 Act of the UPOV Convention (revision)**	CAJ-AG October 2011
	Matters arising after the grant of a breeder's right	CAJ-AG October 2011
	Propagation and Propagating Material	CAJ-AG October 2011
UPOV/INF/5	**UPOV model plant breeders' rights gazette**	To start 2012

30

TECHNICAL COMMITTEE (TC)

31

TECHNICAL COMMITTEE (TC)
TGs APPROVED

NEW TEST GUIDELINES (11)	
TG/ACERO	Acerola, Barbados-cherry, West Indian-cherry
TG/AGAPA	African Lily, Agapanthus, Blue Lily, Lily of the Nile
TG/BOUGA	Bougainvillea
TG/CACAO	Cacao
TG/CAMEL	Camellia
TG/DRAGON	Dragon Fruit, Strawberry pear
TG/HIBIS	Rose-of-Sharon, shrub-althaea
TG/RUMEX	Dock, Garden sorrel, sorrel, sorrel dock, sour dock
TG/SETARIA	Foxtail Millet, Italian Millet, Hungary Millet
TG/TOREN	Bluewings, Torenia, Wishbone-flower
TG/VRIES	Vriesea

TECHNICAL COMMITTEE (TC)
TGs APPROVED

REVISIONS OF TEST GUIDELINES (8)	
TG/44/11	Tomato
TG/51/7	Gooseberry
TG/52/6	Red and White Currant
TG/56/4	Almond
TG/57/7	Flax, Linseed
TG/84/4	Japanese Plum
TG/99/4	Olive
TG/184/4	Cardoon, Globe Artichoke, Cardoon
PARTIAL REVISIONS OF TEST GUIDELINES (2)	
TG/13/10 Rev. (TC/47/2, TC/47/24)	Lettuce
TG/55/7 Rev. (TC/47/2, TC/47/24)	Spinach

33

TECHNICAL COMMITTEE (TC)
TGs APPROVED

98. The TC agreed that the wording of document TGP/7/2, as adopted by the Council at its forty-fourth ordinary session, held in Geneva on October 21, 2010, with regard to Chapter 4.1.4 should not be followed in the Test Guidelines to be adopted at its forty-seventh session. It agreed that the Test Guidelines to be adopted by the TC should incorporate the amended wording for Chapter 4.1.4, as follows:

Alternative 1: "Unless otherwise indicated, for the purposes of distinctness, all observations on single plants should be made on { x } plants or parts taken from each of { x } plants and any other observations made on all plants in the test, disregarding any off-type plants."

Alternative 2: "Unless otherwise indicated, for the purposes of distinctness, all observations on single plants should be made on { x } plants or parts taken from each of { x } plants and any other observations made on all plants in the test, disregarding any off-type plants. In the case of observations of parts taken from single plants, the number of parts to be taken from each of the plants should be { y }."

99. The TC noted that the Council, at its forty-fifth ordinary session to be held on October 20, 2011, would need to adopt the revised text for document TGP/7 before the Test Guidelines could be adopted. Therefore, it agreed to adopt the Test Guidelines subject to the Council adopting the necessary revision to document TGP/7.

34

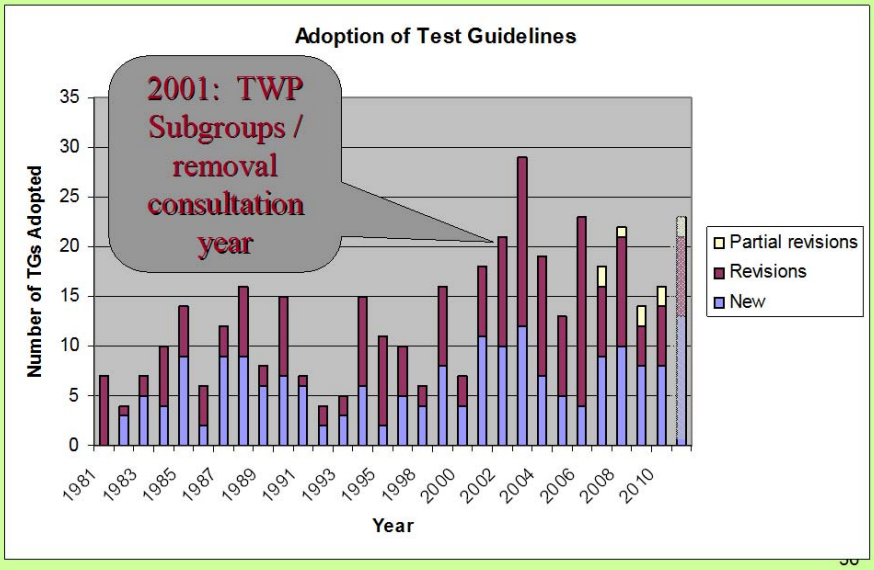
TECHNICAL COMMITTEE (TC)
TGs adopted

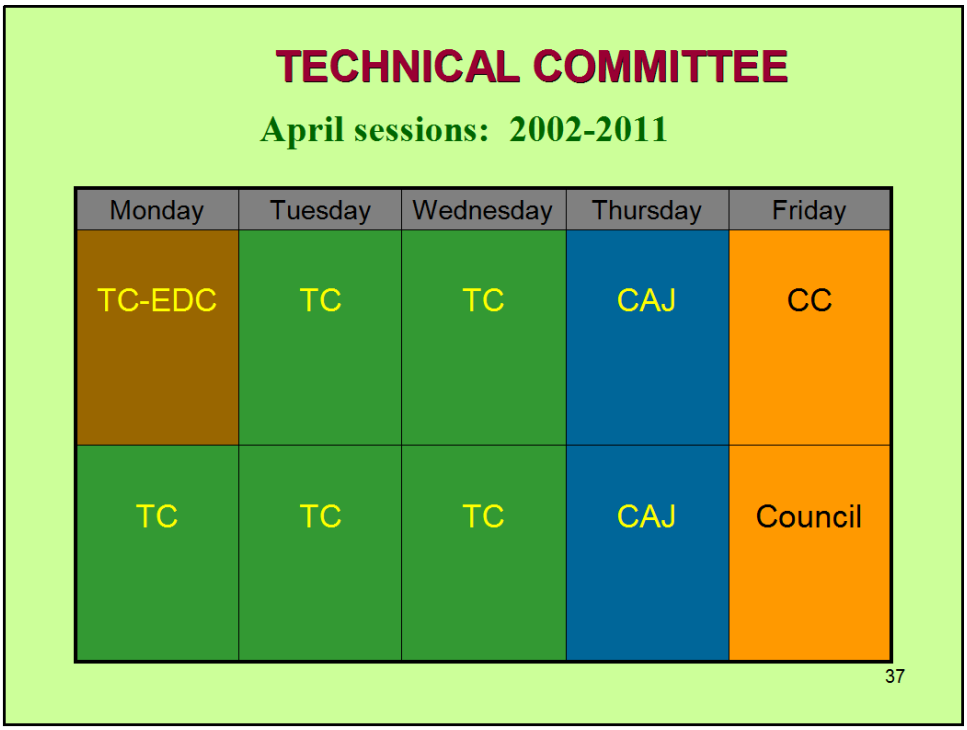
Test Guidelines for Mandarins (Citrus; Group 1) (document TG/201/1) to be referred back to the TWF for further consideration

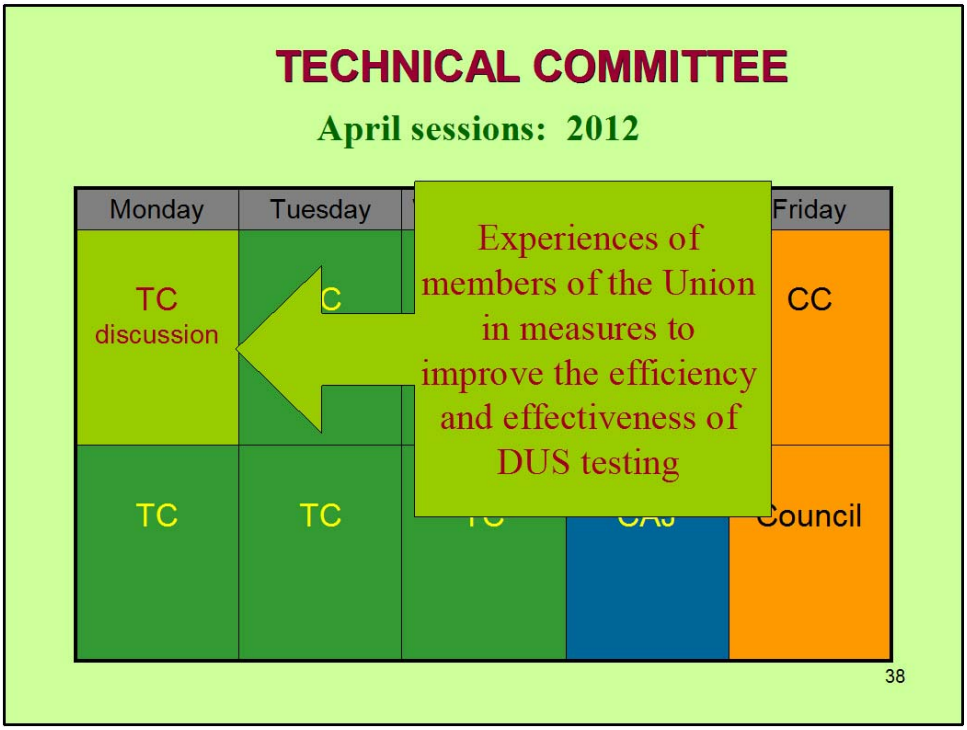
Test Guidelines for Canna (document TG/CANNA(proj.7)) and Eucalyptus (document TG/EUCAL(proj.6)) be referred back to the TWO for further consideration.

35

Adoption of Test Guidelines




TECHNICAL COMMITTEE
April sessions: 2002-2011
Monday
Tuesday
Wednesday
Thursday
Friday
TC-EDC
TC
TC
CAJ
CC
TC
TC
TC
CAJ
Council
37


TECHNICAL COMMITTEE
April sessions: 2012
Monday
Tuesday
Friday
TC
discussion
C
CC
Experiences of members of the Union in measures to improve the efficiency and effectiveness of DUS testing
TC
TC
Council
38

TECHNICAL COMMITTEE (TC)

In considering how to improve the effectiveness of the TC work, the following measures were agreed:

(a) to display documents under consideration at the session on the screen in the language of the original document.

(b) to add an indication in document reference of the language.

(c) to consider ways of improving the quality of draft Test Guidelines submitted by the TWPs for adoption to the TC. In that regard, the TC noted the importance of all necessary information being provided by the Leading Expert by the specified date, the importance of the role of the TWP chairpersons and the importance of posting the draft Test Guidelines on the UPOV website sufficiently in advance of the TC-EDC meeting in order that comments could be made before the TC-EDC meeting.

(d) The TC-EDC to hold a two-day meeting in January.

39

GENIE Database

Protection offered by UPOV members

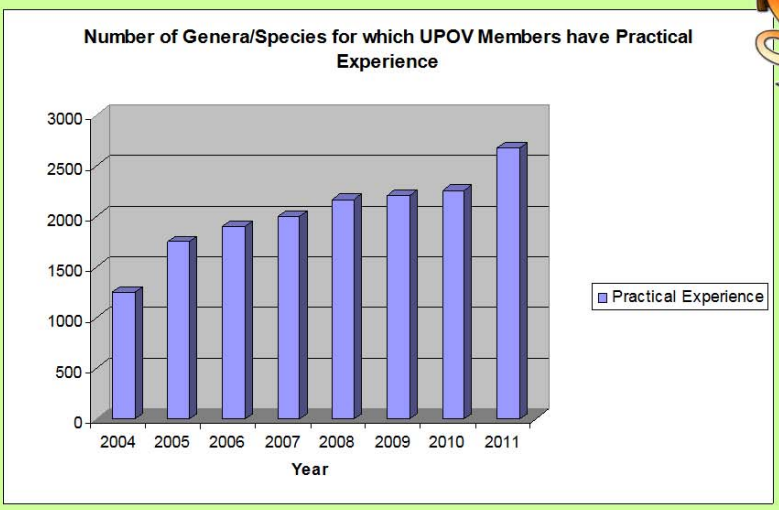
DUS information

- UPOV Test Guidelines
- practical experience (UPOV members)
- cooperation in DUS examination

Variety denomination related information

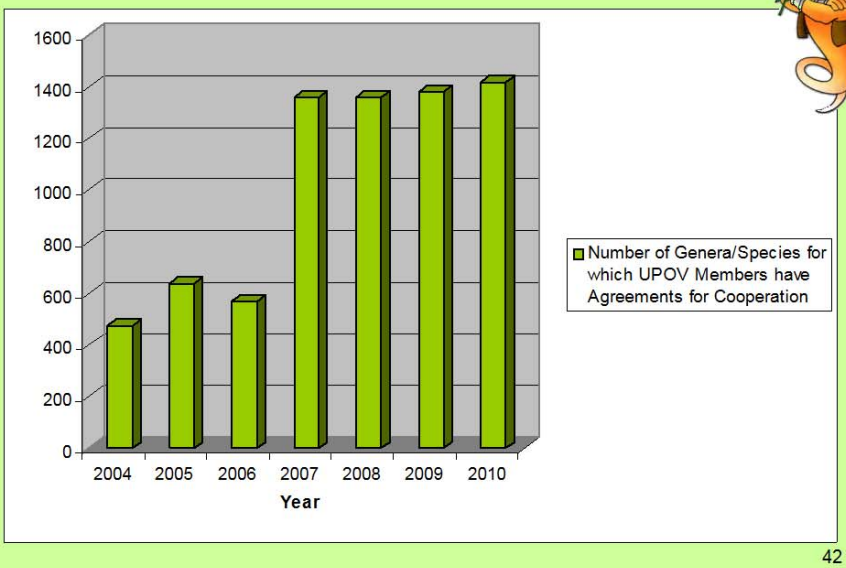
40

Practical Experience

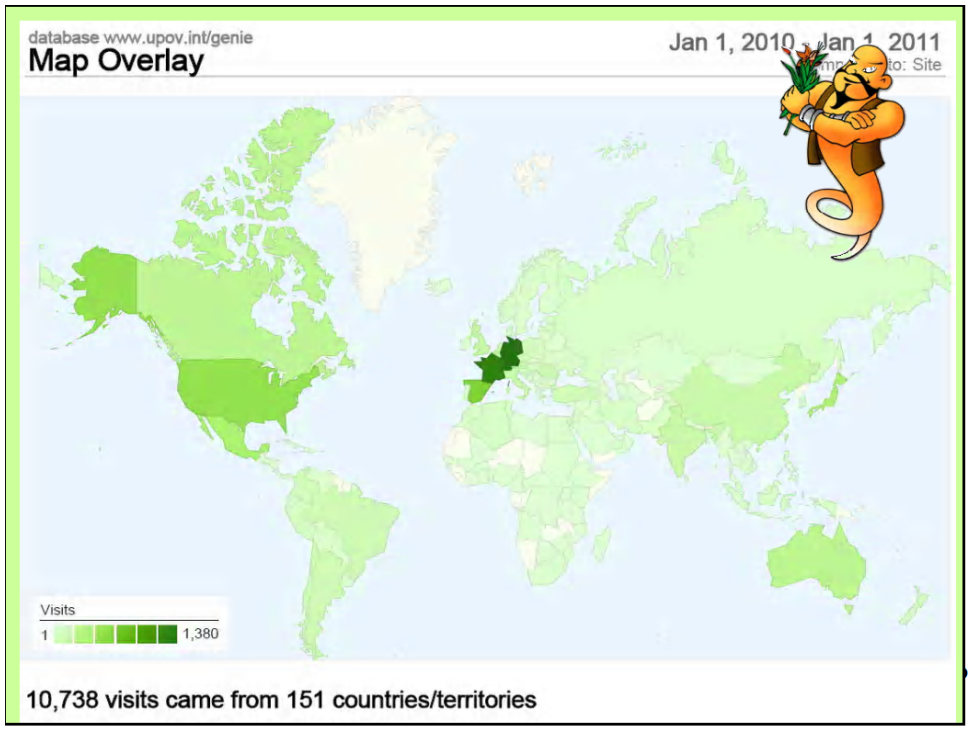


41

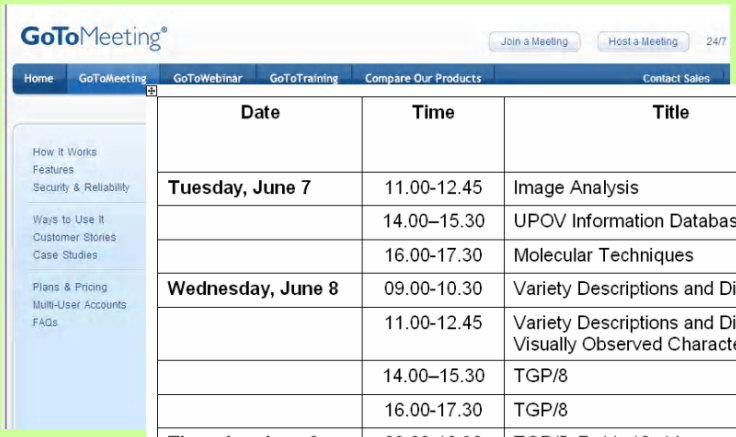
Cooperation



42



TWC Webcast



Date	Time	Title
Tuesday, June 7	11.00-12.45	Image Analysis
	14.00–15.30	UPOV Information Databases
	16.00-17.30	Molecular Techniques
Wednesday, June 8	09.00-10.30	Variety Descriptions and Distinctness
	11.00-12.45	Variety Descriptions and Distinctness/ Visually Observed Characteristics
	14.00–15.30	TGP/8
	16.00-17.30	TGP/8
Thursday, June 9	09.00-10.30	TGP/5, 7, 11, 12, 14
	11.00-12.45	Developments on COY
	14.00-15.30	Statistical Methodologies

44

Broader items

TC/47/26
page 16

Preparatory workshops

92. The TC considered document TC/47/10.

93. The TC noted the report of the preparatory workshops held in 2010 and agreed the proposed program for 2011. It agreed that consideration should be given to the inclusion of items for molecular techniques, essentially derived varieties, variety identification and the relationship between the UPOV Convention and other international treaties.

45

OTHER DEVELOPMENTS

46

DECLARATION FROM THE SECOND WORLD SEED CONFERENCE

Spanish, Chinese, Russian and Arabic to follow

48

Second World Seed Conference

DECLARATION FROM THE SECOND WORLD SEED CONFERENCE

Responding to the challenges of a changing world: The role of new plant varieties and high quality seed in agriculture

held at the FAO Headquarters in Rome, September 8-10, 2009

World food security: urgent measures on seed needed

Urgent government measures and increased public and private investment in the seed sector are required for the long term if agriculture is to meet the challenge of food security in the context of population growth and climate change.

Governments are strongly encouraged to implement a predictable, reliable, user friendly and affordable regulatory environment to ensure that farmers have access to high quality seed at a fair price. In particular, FAO member countries are urged to participate in the internationally harmonized systems of the Organization for Economic Cooperation and Development (OECD), the International Union for the Protection of New Varieties of Plants (UPOV), the International Treaty on Plant and Genetic Resources for Food and Agriculture (ITPGRFA) and the International Seed Testing Association (ISTA). Participation in these systems will facilitate the availability of germplasm, new plant varieties and high quality seed for the benefit of their farmers, without which their ability to respond to the challenges ahead will be substantially impaired. The conference emphasized the important role of both the public and the private sectors to meet the challenges ahead and the benefits when the two work together. The Second World Seed Conference emphasized that agriculture needs to provide sustainable food security and economic development in the context of current and future global challenges. The Conference highlighted the critical role of new plant varieties and high quality seed in providing a dynamic and sustainable agriculture that can meet those challenges. It concluded that governments need to develop and maintain an enabling environment to encourage plant breeding and the production and distribution of high quality seed. The global seed market has grown rapidly in recent years and is currently worth around US$37 billion. Cross border seed trade was estimated to be worth around US$4.4 billion in 2007. The Second World Seed Conference was held at FAO headquarters from September 8-10 and organized in collaboration with the OECD, UPOV, ITPGRFA, ISTA, ISF.

Conference conclusions:

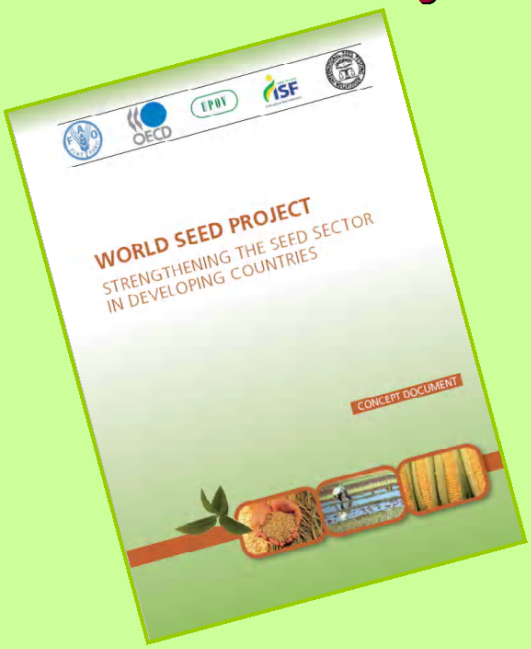
- Plant breeding has significantly contributed and will continue to be a major contributor to increased food security whilst reducing input costs, greenhouse gas emissions and deforestation. With that, plant breeding significantly mitigates the effects of population growth, climate change and other social and physical challenges.
- ITPGRFA is an innovative instrument that aims at providing food security through conservation, as well as facilitated access to genetic resources under its multilateral system of access and benefit-sharing. The multilateral system represents a reservoir of genetic traits, and therefore constitutes a central element for the achievement of global food security.
- Intellectual property protection is crucial for a sustainable contribution of plant breeding and seed supply. An effective system of plant variety protection is a key enabler for investment in breeding and the development of new varieties of plants. A country's membership of UPOV is an important global signal for breeders to have the confidence to introduce their new varieties in that country.
- Seed quality determination, as established by ISTA, on seed to be supplied to farmers is an important measure for achieving successful agricultural production. The establishment or maintenance of an appropriate infrastructure on the scientific as well as technical level in developed and developing countries is highly recommended.
- The development of reliable and internationally acceptable certificates, through close collaboration between all stakeholders along the supply chain for varietal certification, phyto-sanitary measures and laboratory testing, contributes substantially to the strong growth in international trade and development of seed markets to the benefit of farmers.

"Follow-up"

... proposal for the five organizations to work together in selected countries to provide an example of how to put in place a framework to encourage the development of new varieties and deliver high quality seed for farmers

49

World Seed Project



50

UPOV

Seminar on PVP & Technology Transfer: the Benefits of Public-Private Partnership

April 11-12, 2011

Closing remarks by the Chairs

http://www.upov.int/en/documents/pp_seminar_april_2011/upov_sem_ge_11_1_rev.html

51

Use of Plant Variety Protection by National Research Centers

Chair: Enriqueta Molina Conclusions – Session 1

Plant Variety Protection:

- Promotes private sector involvement in research and development
- A tool for technology transfer
- Provides a legal framework for financial investment
- Encourages innovation in breeding aims, particularly for the development of new or niche markets
- Focuses investment on meeting the needs of farmers and consumers

Chair: Enriqueta Molina

1. Ryudai Oshima, NARO
2. Jenn James, Grasslanz
3. Shadrack R. Moephuli, ARC
4. Filipe de Moraes Teixeira, EMBRAPA
5. Yves Lespinasse, INRA

Technology Transfer by the Private Sector

Chair: Kitisri Sukhapinda Conclusions – Session 2

Private sector:

- An effective means of delivering varieties to farmers
- Assessment of the market potential of varieties
- Link between public research and the needs of farmers
- Provides a channel for income for public sector research
- Facilitates strategic associations and coordinated technology transfer

1. Willi Wicki , DSP
2. Barry Barker, Masstock Arable
3. Diego Risso, URUPOV
4. Evans Sikinyi, KY

Chair: Kitisri Sukhapinda

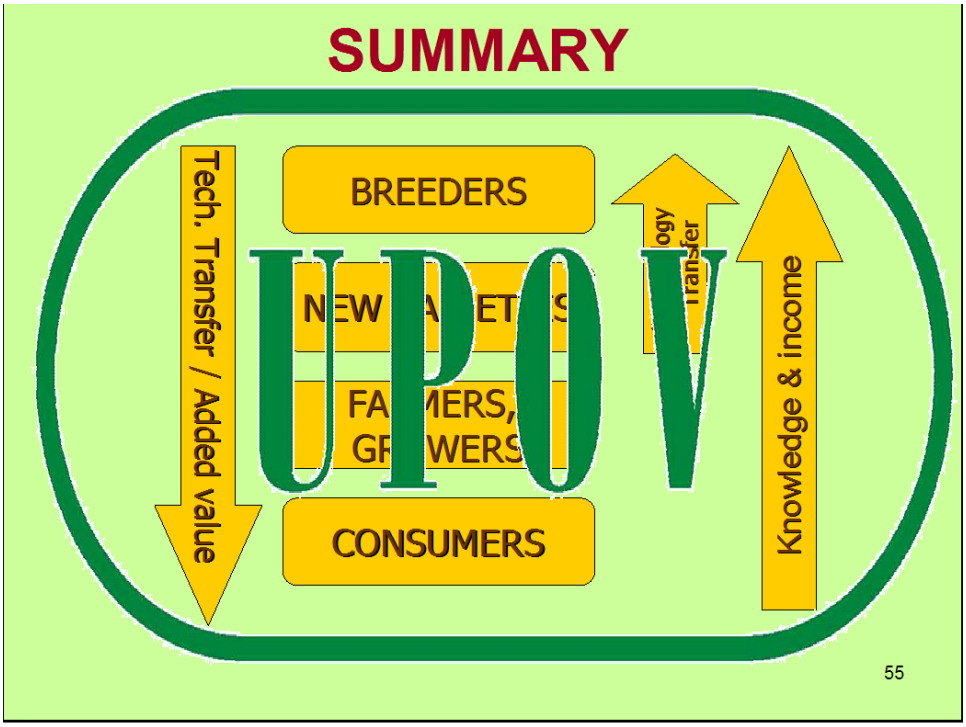
International Research Centers

Chair: David Boreham Conclusions – Session 3

- PVP provides a mechanism to facilitate dissemination of varieties to farmers: open access does not ensure widespread dissemination or use
- PVP provides a system to increase availability of varieties suited to farmers' needs
- PVP provides incentives for SME's, particularly local breeders and seed distributors
- The breeders' exemption provides a mechanism to facilitate access to germplasm
- The use of PVP is consistent with the ITPGRFA and SMTA

1. Lloyd Le Page, CGIAR
2. Ruaraidh Sackville Hamilton, IRRI
3. Ian Barker, Syngenta

Chair: David Boreham



[End of Annex IV and of document]