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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
Geneva

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

Fifteenth Session
Moscow, Russian Federation, May 24 to 27, 2016

REVISED REPORT

*adopted by the Working Group on Biochemical and Molecular Techniques,
and DNA-Profiling in Particular*

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1. The Working Group on Biochemical and Molecular Techniques and DNA-Profiling in Particular (BMT) held its fifteenth session in Moscow, Russian Federation, from May 24 to 27, 2016. The list of participants is reproduced in Annex I to this report.
2. The BMT was opened by Mr. Kees van Ettehoven (the Netherlands), Chairperson of the BMT, who welcomed the participants. The BMT was welcomed by Mr. Evgeny V. Gromyko, First Deputy Minister of Agriculture of the Russian Federation, Mr. Vitaly, S. Voloshchenko, Chairman of State Commission of the Russian Federation for Selection Achievements Test and Protection, Mr. Vladimir M. Kosolapov, Head of Department, Plant Production, Protection and Biotechnology, Russian Science Academy, Mr. Igor A. Lobach, President, National Association of Manufacturers of Seeds of Corn and Sunflower, Ms. Ekaterina V. Zhuravleva, Deputy Chief, Department of Cooperation and Support of Organizations in the Field of Agricultural Sciences, Federal Agency of Scientific Organizations, and Mr. Sergey Lupekhin, President, Russian Potato Union. Mr. Peter Button, Vice Secretary-General, UPOV, also made an opening remark. Copies of the opening speeches are reproduced in Annexes II to VIII to this document.
3. The BMT received presentations by Mr. Viktor I. Startcev on "Plant Variety Test and Protection System in the Russian Federation", a copy of which is reproduced as Annex IX to this report.

Adoption of the Agenda

4. The BMT adopted the Agenda as reproduced in document BMT/15/1 Rev.

Reports on developments in UPOV concerning biochemical and molecular techniques

5. The Office of the Union provided a report on developments in UPOV concerning Biochemical and Molecular Techniques, on the basis of document BMT/15/2.

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

6. The BMT received a presentation by Mr. Martin Ekvad on developments in the CPVO, a copy of which is reproduced in document BMT/15/27 "Reports on Development of Plant Variety Protection System from Members and Observers". The BMT noted the meeting of the new group on molecular techniques in the CPVO named "IMODDUS".

Report of work on molecular techniques in relation to DUS examination

Molecular Marker Use in the PVP Application Process; a Joint Project between the US PVP Office and the American Seed Trade Association (document BMT/15/12 and BMT/15/12 Add.)

7. The BMT received a presentation by Mr. Barry Nelson (Seed Association of the Americas), based on document BMT/15/12 and BMT/15/12 add..

Evaluation of Soybean Molecular Marker Public Resources for Potential Application in Plant Breeders' Rights (document BMT/15/13 and BMT/15/13 Add.)

8. The BMT received a presentation by Mr. Frederic Achard (Seed Association of the Americas), based on document BMT/15/13 and BMT/15/13 Add. The BMT noted that the project was intended to support the use of molecular techniques to provide additional evidence besides morphological characteristics in cases of apparent lack of distinctness between varieties from the same breeder. The BMT agreed that the concept was not included in current agreed models for molecular techniques in document TGP/15.

Comparison of Genotypic and Expression Data to Determine Distinctness among Inbred Lines of Maize for Granting Plant Breeders' Rights (document BMT/15/14 and BMT/15/14 Add.)

9. The BMT received a presentation by Mr. Barry Nelson (Seed Association of the Americas), based on document BMT/15/14 and BMT/15/14 Add.

Efficient DUS test in French bean by using molecular data (document BMT/15/21)

10. The BMT received a presentation by Ms. Amanda van Dijk (Netherlands), based on document BMT/15/21. The BMT noted the use of molecular marker information to support the reduction of size of trials and selection of similar varieties for side-by-side comparison. The BMT agreed that the approach explained in the document was consistent with the model "Combining Phenotypic and Molecular Distances in the Management of Variety Collections" in document TGP/15. The BMT would welcome the addition of a new example to document TGP/15.

Can molecular distance be used as characteristic? (document BMT/15/22)

11. The BMT received a presentation by Mr. Kees van Ettehoven (the Netherlands), based on document BMT/15/22. The BMT agreed that more work should be done on this approach. The BMT agreed that it could be useful to consider a possible use of this specific type of characteristic comparable to the approach used for isoenzymes or storage proteins in the Test Guidelines for certain cereal species.

Work on molecular techniques in relation to DUS examination of different fruit species (document BMT/15/11)

12. The BMT received a presentation by Clarisse Maton (France) via WebEx, based on document BMT/15/11.

International guidelines on molecular methodologies

13. The Office of the Union provided a report on developments in UPOV concerning International Guidelines on Molecular Methodologies, on the basis of document BMT/15/3 Rev.

UPOV and ISO TC 34/SC 16 – From the US Technical Advisory Group and ANSI led host of ISO TC 34/SC 16: Food Products; horizontal methods for molecular biomarker analysis (document BMT/15/7)

14. The BMT noted the document BMT/15/7 but no presentation was made.

DNA-based method for variety testing: ISTA approach (document BMT/15/19)

15. The BMT received a presentation by Ms. Chiara Delogu (International Seed Testing Association), based on document BMT/15/19.

Variety description databases

16. The Office of the Union provided a report on developments in UPOV concerning Variety Description Databases, on the basis of document BMT/15/4.

17. The BMT agreed that it would be important within UPOV to consider how to facilitate cooperation for the establishment of common databases with molecular information. However, it noted that the cooperation would need to be initiated between UPOV members in the first instance.

Methods for analysis of molecular data

18. The BMT received a presentation by Mr. René Mathis (France) via WebEx, based on document BMT/15/10.

The use of molecular techniques in examining essential derivation

19. The BMT considered whether it would be possible to provide a contribution on the use of molecular marker techniques to the examination of essential derivation of varieties and understanding of the definition of EDV.

20. The BMT agreed that molecular techniques could provide useful information to assess whether a variety is predominantly derived from an initial variety.

The use of molecular techniques in variety identification

Application of DNA marker technologies in Vegetable Breeding (document BMT/15/24)

21. The BMT received a presentation by Mr. Jeroen Rouppe van der Voort (Enza Zaden), based on document BMT/15/24.

22. The BMT noted that a core marker set can be created for DUS testing. However, it noted that markers used in breeding programs needed to be updated regularly.

23. The BMT noted that breeders were seeking characteristic-linked markers, but markers and morphological characteristics might not have one-to-one correlation.

Gene and genome editing with CRISPR-cas9 (document BMT/15/17)

24. The BMT received a presentation by Ms. Hedwich Teunissen (the Netherlands), based on document BMT/15/17.

25. The BMT noted that the CRISPR-cas9 technology enabled breeders to introduce specific DNA sequence on target loci, and ability to control its function (e.g. activation and/or silencing).

26. The BMT wished to draw the attention of the Technical Committee and other relevant bodies within UPOV that an increasing number of varieties being developed with the use of advanced molecular techniques in plant breeding may result in the creation of many new varieties that could, in some cases, be considered as EDVs.

Variety identification of barley using KASP genotypes (document BMT/15/6)

27. The BMT received a presentation by Mr. Alex Reid (the United Kingdom), based on document BMT/15/6.

28. The BMT noted the potential to add markers, if necessary, to cover the entire barley collection in the United Kingdom.

Fast Single-step Detection and Identification of Multiple Phytopathogens and GMO with real-time PCR-matrix Technique (document BMT/15/9)

29. The BMT received a presentation by Mr. Alexander Golikov (Russian Federation), based on document BMT/15/9, and a demonstration of the real-time PCR-matrix techniques to identify phytopathogens and varieties from a mixed DNA sample extracted from different agricultural crops. The BMT noted that the system could identify extracted DNA of mixed varieties, bacteria and viruses in two hours.

Laboratory seed control of barley cultivars (document BMT/15/25)

30. The BMT received a presentation by Mr. Andrei A. Pomortcev (Russian Federation), based on document BMT/15/25. The BMT noted the use of DNA markers to identify varieties of barley and to assess variety purity of seed lots using molecular analysis of hordeins.

New developments concerning biochemical and molecular techniques in Belarus (document BMT/15/15)

31. The BMT received a presentation by Ms. Tatiana Siamashka (Belarus), based on document BMT/15/15.

32. The BMT noted that DNA markers had been used in Belarus as supporting information for the enforcement of plant breeder's rights in apples.

Using of DNA – marker based techniques for varietal identification and fingerprinting of fruit crops and grape genetic resources (document BMT/15/18)

33. The BMT received a presentation by Mr. Ivan Suprun (Russian Federation), based on document BMT/15/18.

34. The BMT noted that the Laboratory of Genetics and Microbiology laboratory of Genetics and Microbiology had experience in identifying varieties by the request of nurseries.

Green Forensics: Whole Genome Sequencing approach for PBR enforcement (document BMT/15/23)

35. The BMT received a presentation by Ms. Hedwich Teunissen (Netherlands), based on document BMT/15/23.

36. The BMT agreed that sequencing technologies had potential application for DUS testing.

Assessment and classification of breeding accessions of vegetable plants with the use of DNA markers (document BMT/15/26)

37. The BMT received a presentation by Mr. Artur S. Domblides (Russian Federation), based on document BMT/15/26.

Cooperation between OECD, UPOV, ISTA and ISO

38. The BMT received a presentation by the Office of the Union on cooperation between OECD, UPOV, ISTA and ISO, on the basis of document BMT/15/5.

39. The BMT noted that the development of a joint document explaining the principal features of the systems of the OECD, UPOV and ISTA could only start after agreement by OECD and ISTA.

40. The BMT noted that the development of a joint OECD/UPOV/ISTA document containing an inventory of molecular marker techniques used by crop could only start after agreement by OECD and ISTA.

41. The BMT noted that OECD, ISTA and UPOV had different objectives and cooperation between the organizations in the use of molecular techniques would need to reflect that. However, the BMT agreed that it would be important to explore circumstances in which the same techniques and information could be used. In the first instance, it agreed that it would be more effective to explore such possibilities on the basis of real situations rather than at a theoretical and institutional level.

42. The BMT welcomed the proposal by the Netherlands to organize a practical workshop in 2017, with support from UPOV, OECD and ISTA, to explore how molecular techniques might be applied in an efficient way for UPOV, OECD and ISTA purposes.

43. The BMT agreed that possible future collaboration between UPOV, OECD and ISTA might include the harmonization of terms and methodologies used for different crops and the possible development of standards, after the agreement by these organizations

Databases containing molecular data

Towards durable DNA databases to support DUS testing (document BMT/15/16)

44. The BMT received a presentation by Ms. Hedwich Teunissen (Netherlands), based on document BMT/15/16.

45. With regard to confidentiality of molecular data, the BMT noted the guidance on plant material provided in document UPOV/TGP/5, Section 1. It noted that the guidance in TGP/5 might be a suitable basis also for molecular data.

Advances in the Construction and Application of DNA Fingerprint Databases in Maize (document BMT/15/20)

46. The BMT received a presentation by Ms. Zi Shi (China), based on document BMT/15/20.

Date and place of next session

47. The BMT welcomed the invitation of France to hold its sixteenth session in France, at the end of September or beginning of October 2017, with the preparatory workshop to be held the day before the BMT session.

Future program

48. During its sixteenth 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 (document to be prepared by the Office of the Union)
4. Short presentations on new developments in biochemical and molecular techniques by DUS experts, biochemical and molecular specialists, plant breeders and relevant international organizations (oral reports by participants)
5. Report of work on molecular techniques in relation to DUS examination (papers invited)
6. International guidelines on molecular methodologies including cooperation between OECD, UPOV, ISTA and ISO (document to be prepared by the Office of the Union)

7. Variety description databases including databases containing molecular data (papers invited)
8. Methods for analysis of molecular data (papers invited)
9. The use of molecular techniques in examining essential derivation (papers invited)
10. The use of molecular techniques in variety identification (papers invited)
11. Review of document UPOV/INF/17 "Guidelines for DNA-Profiling: Molecular Marker Selection and Database Construction ('BMT Guidelines')"
12. Date and place of next session
13. Future program
14. Report of the session (if time permits)
15. Closing of the session

49. The BMT is open to breeders and other experts. However, the BMT agreed that, in order to encourage the presentation of information in relation to the use of molecular techniques in examining essential derivation and in variety identification, it would be appropriate to dedicate a specific day to items 9 and 10 at the sixteenth session of the BMT. In particular, breeders and other experts would be offered the possibility to attend for that specific day, which would be the second day of the sixteenth session of the BMT.

Visit

50. On the afternoon of May 26, 2016, the BMT visited the Russian State Agrarian University-Moscow, Agricultural Academy named after K. A. Timiryazev (RGAU-MSHA), and was welcomed by Mr. Alexey V. Golubev, Vice-Rector for Research, Professor of Economy. The BMT visited in particular: the N. I. Vavilov Memorial, where the BMT paid tribute to the great contribution of Mr. Vavilov in a flower offering ceremony; the Laboratory of Genetics, Selection and Biotechnologies for Vegetable Crops. The visit was conducted by Mr. Vyacheslav G. Boyruko, Head of the Department of Science of RGAU, Assistant Professor, and Mr. Socrates G. Monokhos, Head of Department for Selection and Seed Production of Horticultural Crops; and the Experimental Station named after P. I. Lisitsyn, where a visit was conducted by Mr. Egor V. Berezovskiy, Chief of the Trial and Experimental Station, Candidate of Science, and Mr. Vladimir N. Igonin, Scientist, Candidate of Agriculture.

51. *The BMT adopted this report at the close of the session.*

[Annexes follow]

ANNEX I

LIST OF PARTICIPANTS

I. MEMBERS

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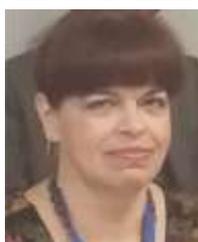


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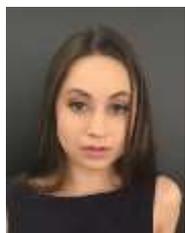
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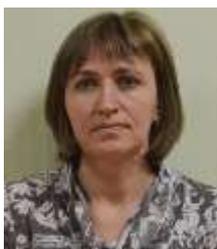
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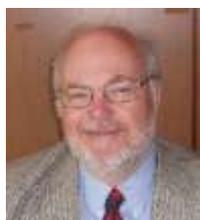


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[Annex II follows]

ANNEX II

WELCOME ADDRESS BY MR. EVGENY V. GROMYKO, FIRST DEPUTY MINISTER OF AGRICULTURE
OF THE RUSSIAN FEDERATION,

Dear colleagues, dear representatives of members of the International Union for the Protection of New Varieties of Plants, dear guests!

I am glad to welcome you on Russian land and note with satisfaction the similarity of positions of the Ministry of Agriculture of the Russian Federation, and the Governing Bodies of the Union in views on the development of variety trials in the Russian Federation.

At the meeting with Vice Secretary-General of the International Union for the Protection of New Varieties of Plants, we agreed on the progressive solution of problems of harmonization of legislation of the Russian Federation and international legal acts, to the participation of the parties in the development of crop production, our export varieties and receive royalty breeders.

A large role in the implementation of these agreements belongs to the development of biotechnological and molecular methods genotyping and certification of varieties of agricultural plants.

Let me read the Minister's of Agriculture of the Russian Federation A. N. Tkachev address to the participants of the session of the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT).

Dear Participants, Organizers and Guests!

I congratulate you on the opening of the session of the Working Group on Biochemical and Molecular Technologies!

On behalf of the Ministry of Agriculture of the Russian Federation and on my own behalf I would like to express my appreciation for the fruitful cooperation existing between our competent authorities.

Representatives of the Russian Federation take part in the work of most of the meetings of the bodies of UPOV, as well as participate in the discussion and adoption of documents of the Union.

Today we are taking the first session of the Working Group on Biochemical and Molecular Technologies, and DNA-Profiling in Particular (BMT) and hope this will become a tradition in the Russian Federation to hold session of UPOV Bodies.

For the development of any industry and the formation of scientific and expert opinions, development strategy making, regular events are necessary to be held, they will serve a platform for communication of representatives of breeding, variety testing, seed production and agricultural production.

I am convinced that professionalism and responsible approach to the matter and energy of the participants of the session will promote further mutually beneficial cooperation and exchange of experience.

I wish all the participants and guests of the session of the BMT good luck, fruitful work and creative successes!

The Minister of Agriculture
Russian Federation
Aleksander N. Tkachev

I hope that the results of the session will provide as a powerful impetus for the development of breeding and seed production, as the necessary conditions for the effective solution of the food problem in the world!

[Annex III follows]

ANNEX III

WELCOME ADDRESS BY MR. VITALY, S. VOLOSHCHENKO, CHAIRMAN OF STATE COMMISSION OF THE RUSSIAN FEDERATION FOR SELECTION ACHIEVEMENTS TEST AND PROTECTION, RUSSIAN FEDERATION

Dear colleagues and friends!

On behalf of the State Commission of the Russian Federation for Selection Achievements Test and Protection, authority on breeder's rights under granting the Ministry of Agriculture, let me greet you here in Moscow, the capital of the Russian Federation, and wish you successful work at this session of the UPOV Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT).

The Russian Federation, while being a UPOV member since 1998, has national legislation that fully conforms to the 1991 Act of the UPOV Convention.

The State Commission of the Russian Federation for Selection Achievements Test and Protection interacts with applicants from members of UPOV on equal terms.

This year the Russian Federation is hosting a Technical Working Party of the UPOV for the first time, and the issues it is trying to solve are very important for the Russian Federation.

Biochemical and molecular techniques during the examination of Distinctness, Uniformity and Stability and during the settlement of molecular markers of the protected varieties and varieties in use will help to strengthen the protection of breeders' rights, and in perspective – to develop the breeding sphere and increase agricultural production.

I wish you success and inspiration in your work at the session, as well as a pleasant stay in Moscow and sound health!

[Annex IV follows]

ANNEX IV

WELCOME ADDRESS BY MR. VLADIMIR M. KOSOLAPOV, HEAD OF DEPARTMENT OF PLANT PRODUCTION, PROTECTION AND BIOTECHNOLOGY, RUSSIAN SCIENCE ACADEMY.

Dear colleagues, allow me to voice the greeting of the Russian Academy of Sciences.

For the first time on Russian land gathered biochemists and experts in molecular technologies, to exchange opinions, to share successes in working to create methods for variety testing of agricultural plants and DNA profiling. Scientific schools of biotechnology has established and successfully functioning in the All-Russian Institute of Agricultural Biotechnology, Russian State Agrarian University - Moscow Timiryazev Agricultural Academy, Institute of General genetics RAS in the Russian Federation.

Currently, the development of agro- and biotechnologies is not only one of the priority areas of research, but already it has achieved impressive results for their practical use on an industrial scale. Here a very good example of technological platforms operating under public-private partnership. Breeders of industry institutions that use biotechnology took on a fundamentally new position in the acceleration of the process of creating varieties of programmed characteristics. The result is significantly increased efficiency investment. Domestic varieties and hybrids become competitive, and they often surpass foreign analogues in their quality indicators. However, despite the fact that many breeders, both in our country and abroad, are using methods for biomolecular technologies for a long time in their practice, often, the assessment of distinctness, uniformity and stability of characteristics of varieties and establishment of variety purity is done with the help of a soil variety control still. So it needs our joint efforts to develop new, available to every researcher of high-tech methods of evaluating genotypes of the varieties which will make the testing process more accurate, rapid, easily reproducible, and not expensive.

The Russian Academy of Sciences wishes all the participants of the BMT successful work, the implementation of set tasks, research and production activities.

Success to You!

[Annex V follows]

ANNEX V

WELCOME ADDRESS BY MR. IGOR A. LOBACH, PRESIDENT, NATIONAL ASSOCIATION OF
MANUFACTURERS OF SEEDS OF CORN AND SUNFLOWER

Dear Evgeny Vasilievich, dear Peter, dear audience

I am very grateful to UPOV for the decision to hold this session here. And not only because it is, so to speak, a political overture, a sign of politeness. As a person who has been deal with construction of our Unions breeding and seed production over 7 years, I can say that we are interested in the work of UPOV as a platform on which we can to discuss the question and issues that arise for us in the following three, and maybe even more areas. I almost completely agree with Vitaliy Sergeevich. He as an active and understanding of strategy person for moving forward in this direction, very rightly so, that took the initiative, supported by the Ministry of Agriculture and the Department of Crop Production, in order to intensify work in this direction.

Why should we, the breeders and seed growers need contacts with UPOV?

The first thing I want to draw your attention from the report Peter, we heard today a lot of applications for the registration of varieties in the UPOV receive from Russia, as I understand it. And it suggests that we are more and more activated in the protection of our rights for selection achievements.

The second. More and more companies, including members of our Union and Associations enter the international markets. I'm not talking about such a serious Breeding Centers as Institute of Rice, Krasnodar Research Institute of Agriculture, which delivers up to 17,000 tons of seed to foreign markets and furthermore there are already private seed companies, such as «Agroplasma» who are engaged in sunflower, grown in Turkey and in Pakistan, and for this market. There is such firm like «Gavrish», which is engaged in vegetable crops and has branches already in Jordan and works at the market. I.e. we more and more enter the international markets and this, I think, a promising direction that will allow us not only to improve the quality of their products in our market, but also skillfully to compete in foreign markets if there is we will create equal competitive conditions – this is what I heard today in the speech of Peter. It would be very cool to do it. And here, in this situation, the protection of breeding achievements is evident not only in the preservation of authorship, it is very important, but it is also important that we need to fight counterfeiting, which is present today on the market of the Russian Federation. This "disease" affects not only the Russian seeds, but also the foreign, which are sold here. And today we have not, in our opinion, such clear methods and methodology of determining the authorship of the variety and its identification. Therefore, consideration of the features of the methodology on biomolecular technologies is very important for us and I want to thank our representatives that they are here today.

The next question is about collecting royalties. Despite the fact that our members not in the first place put this issue to themselves, in contrast to representatives of foreign companies, for us this is also important because it is clearly putting in order with payment of royalties on the territory of the Russian Federation will contribute to the development of breeding, even the new generation, which appears today in Russia, but will create transparent working conditions for all market participants and will increase the attractiveness of plant breeding and seed production on the territory of Russia. It is also in the interests of Russian and foreign companies that today seek to find themselves in those rules, which exist in Russian Federation. And I would like to quote the words of Yevgeny Vasilyevich, who before the start of our conference said that: «Russia does not seek to be first, Russia seeks to be an equal among equals». This is the correct message, although in some places I disagree. I think that in the selection of cereal crops we first and try us catch up! I think that the continuation of the work started, will allow to create and to apply practical techniques to improve legislation on the protection of copyright, existing in the Russian Federation at the present time. Because understanding who is author of the variety is very important to us.

In this regard, I would like to wish all active work, active contacts of our breeders are members of UPOV, in order to, as Vitaliy Sergeevich said, this interaction was precisely the point of growth that would allow us all to move on the territory of the Russian Federation and not only.

Thank you all very much!

[Annex VI follows]

ANNEX VI

WELCOME ADDRESS BY MS. EKATERINA V. ZHURAVLEVA, DEPUTY CHIEF, DEPARTMENT OF
COOPERATION AND SUPPORT OF ORGANIZATIONS IN THE FIELD OF AGRICULTURAL SCIENCES,
FEDERAL AGENCY OF SCIENTIFIC ORGANIZATIONS

Dear members of the Presidium, dear Peter, dear Evgeny V., dear colleagues,

On behalf of the Federal Agency of Scientific Organizations, let me welcome you to this significant and I would say epochal event.

It is not only the 15th session of the UPOV, the first in the Russian Federation, but also it is the unification of fundamental science and the association of practices. I am pleased to realize that we are at that critical stage of the path when the chain of genetics-breeding-seed production to appear on a new level. Our scientists and plant breeders are working on the whole territory of the Russian Federation. And, due to the fact that we have unique natural and climatic resources, we have all the diversity of cultures. And I'd like to hope that in the days of the session, we will see new ways, new opportunities of application of the potential of molecular genetics for variety testing experts.

Very pleased that Peter Button and our colleagues will visit tomorrow St. Petersburg and the Institute named after N. I. Vavilov and they will see a high level of research of Genetic Bank, which is at the international level. And I would like to wish all participants below the level of all stages from selection to variety testing and seed production meet the highest level of all countries-participants of the UPOV

So let me on behalf of the Federal Agency of Scientific Organizations to wish you successful work and all the best.

Thank you!

[Annex VII follows]

ANNEX VII

WELCOME ADDRESS BY MR. SERGEY LUPEKHIN, PRESIDENT, RUSSIAN POTATO UNION

Dear colleagues,

I present here the Union of potato growers and of the participants of the potato market of the Russian Federation. We, as potato growers, have to solve a large enough problem in our country. This is to increase the quantity of seed material of the domestic selection, which will be in demand in the near future. Because today the best varieties of potatoes that are used in our country, we imported from Europe. And we are grateful to the European breeders that they produce is a market of varieties which are well sold and well-used Russian producers. But at this time are actively developing the direction of Russian domestic breeding and in the next 5-7 years will likely appear very interesting varieties that can be amazing for the whole world. So I want to wish the Russian and European breeders and seed growers closer and actively communicate with each other in order to improve the quality of their seeds. With regard to the topic of today's conference or seminar about molecular diagnostics and determination of varieties it is a very important topic. Because the whole world is accelerating and of course the seed production industry needs to keep pace with this tempo, we must as soon as possible and online to determine varieties that we use in production.

Thank you for your attention.

I wish you all success!

[Annex VIII follows]

ANNEX VIII

OPENING REMARK BY MR. PETER BUTTON, VICE SECRETARY-GENERAL OF THE INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS (UPOV)

Honorable Mr. Alexander Tkachev, Minister of agriculture of the Russian Federation,
Mr. Vitaly Voloshchenko, Chairman, State Commission of the Russian Federation for Selection Achievements Test and Protection.
Mr. Van Ettehoven, Chairman of the BMT,
Distinguished participants,
Ladies and Gentlemen,

I would like to start by extending my thanks to the State Commission of the Russian Federation for Selection Achievements Test and Protection, Ministry of Agriculture of the Russian Federation, for hosting this fifteenth session of the UPOV Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT). This is an historic occasion, being the first ever meeting of a UPOV Technical Working Party here in the Russian Federation. Given the warm welcome and excellent program that has been organized by the State Commission, I am sure that there will be a great desire from UPOV members to have further meetings in the Russian Federation in the future.

On any occasion, it is a great pleasure to be in the wonderful city of Moscow. However, we are here in the context of a UPOV meeting, which has particular significance. 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. The development of new varieties of plants – plant breeding – for the benefit of society might also be described as the mission of the great Nikolai Ivanovich Vavilov, who was born and studied here in Moscow. I am sure that the thought of all that Vavilov achieved will be an inspiration for all of us to be ambitious in our work this week.

The legacy of plant breeding continues to live on in the Russian Federation. The number of applications for plant breeders' rights for new varieties has increased in the five-year period 2010-2014 by 24%, from 581 to 722. In 2014, the Russian Federation ranked 6th of all UPOV members for the number of applications and 5th of State members. In terms of applications by residents (537), the Russian Federation ranks 6th of UPOV members and 5th of State members. In terms of non-resident applications (185), the Russian Federation ranks 8th in terms of UPOV members and 7th of State members. It is particularly interesting to see that the number of applications by non-residents in the Russian Federation has increased substantially from 2010 (51) to 2014 (185), representing a 263% increase. The proportion of non-resident applications now represents around 26% of all applications in the Russian Federation, compared to only 9% in 2010. New varieties introduced by non-resident breeders will bring benefits for farmers in the Russian Federation. At the same time, varieties bred by Russian breeders are delivering benefits to farmers and growers in other countries. In 2014, breeders from the Russian Federation made applications for plant breeders' rights of their new varieties in Australia, Chile, Germany, the European Union, Serbia and Ukraine.

The strength of the plant variety protection (PVP) systems in the individual UPOV members is important for the success of agriculture. In 2005, UPOV published a study as means of providing countries considering the introduction of a PVP system with information on the impact of PVP systems according to the UPOV Convention (the UPOV Report on the Impact of Plant Variety Protection ("Impact Study"): see http://www.upov.int/edocs/pubdocs/en/upov_pub_353.pdf). The Impact Study demonstrated a range of beneficial impacts. In addition to the benefits seen from the introduction of plant variety protection based on the UPOV Convention, specific positive impacts were seen with regard to membership of UPOV. Those aspects reflect the value of the work of UPOV as an organization in providing advice and assistance to its members and future UPOV members. Whilst the main purpose of the study was to provide information to countries considering the introduction of a PVP system, an important result of the study was also to show that there have been benefits for all UPOV members as the Union has grown in membership. As the study concluded "farmers, growers and breeders have access to the best varieties produced by breeders throughout UPOV member territories".

In order to realize the full benefits of UPOV, it is important for breeders to have incentives to breed and to be able to make applications in UPOV members where their varieties could be of benefit for agriculture. In recognition of this, a key objective for UPOV in the coming years will be to facilitate applications through the development of an electronic application system and to further facilitate cooperation in the examination of varieties.

One of the aims of the electronic application form (EAF) project is help breeders to overcome language barriers by providing the possibility to read all application form questions in all languages of participating

members. The EAF will also provide an electronic tool for breeders to use in relation to applications in UPOV members that participate in the EAF project, even when there is no electronic application system in the UPOV members concerned. The project will also facilitate the exchange of data in a standard XML format and will allow breeders to re-use relevant application data for an application in one UPOV member for applications in other UPOV members.

With regard to cooperation in examination, it is apparent that molecular data has the potential to offer new possibilities to enhance cooperation in the examination of Distinctness, Uniformity and Stability (“DUS”). I am sure that this is one of the aspects that will be the subject of the discussions this week in the BMT. Another important subject of discussion will be methods that may have the potential to enable molecular techniques to improve the efficiency and effectiveness of the DUS examination. It will be interesting to see if any of these methods will provide a basis for a new model for the use of biochemical and molecular markers in the examination of DUS.

One of the aims of the BMT is to provide a forum for discussion on the use of biochemical and molecular techniques in the consideration of essential derivation and variety identification. These matters will form the core of the “Breeders’ Day”, which will provide an opportunity for UPOV members to hear about developments in the use of these techniques by breeders.

I have made several references to cooperation between UPOV members. At the same time, UPOV has been exploring cooperation in relation to the use of molecular techniques with other organizations. A first initiative was the organization of a joint workshop on molecular techniques with the Organization for Economic Co-operation and Development (OECD), the International Seed Testing Association (ISTA) and UPOV, in conjunction with the fourteenth session of the BMT, which was held in Seoul, Republic of Korea, in November 2014. There have been further developments with regard to this initiative, which will be reported to participants at this BMT session.

In conclusion: we have an agenda with many interesting and important topics. We are in a city that is the birthplace of Nikolai Ivanovich Vavilov. We have excellent meeting facilities and a wonderful meeting environment. Therefore, we should ensure that we make the most of this opportunity to achieve valuable results.

[Annex IX follows]

Presentation by Mr. Viktor I. Startcev on “Plant Variety Test and Protection System in the Russian Federation”

MOSCOW
23 – 27 May, 2016 .

**PLANT VARIETY
TEST AND PROTECTION SYSTEM
IN THE RUSSIAN FEDERATION**

Центральный ФО
Северо-Западный ФО
Южный ФО
Приволжский ФО
Уральский ФО
Сибирский ФО
Дальневосточный ФО

**FGBU “State Commission of the Russian Federation
for Selection Achievements Test and Protection”
(FGBU “Gossortcommissiya”)**

Plant Variety Test and Protection System (PVTP System) History

The Russian Federation Variety Testing System is more than **90** years old

- **1921** - The Seed-Growing Organization decree
- **1924** – A variety – trial network of State Test Stations was established
- **1993** – The Protection of Selection Achievements law has been adopted
- **1998** - the Russian Federation has joined the 1991 Act of the UPOV Convention

PVTP Legislation of the Russian Federation

Since January 1, 2008
“Law on the Protection of Selection
Achievements” has become invalid
and
**The Civil Code of the Russian Federation,
Part the Fourth: INTELLECTUAL
PROPERTY PROTECTION**
has taken effect

3

PVTP Legislation of the Russian Federation
and the UPOV Convention

- Basically **provisions of the Civil Code** of the Russian Federation on Protection of Selection Achievements confirm with provisions of the Law on the Protection of Selection Achievements and meet the 1991 Act of the **UPOV Convention provisions**

4

PVTP Legislation of the Russian Federation and the UPOV Convention

The principal Civil Code Provisions are the following:

- **ALL** Species and Genera are protected
- Criteria protectability are: **novelty, distinctness, uniformity and stability**, and also **denomination** approved
- The author, the employer of the author or their successor in title can be applicants
- **citizens** living outside of territory of the Russian Federation, and **foreign legal bodies** should have the address in the territory of the Russian Federation for correspondence

5

PVTP Legislation of the Russian Federation and the UPOIV Convention

- From the date of application filing to the date of registration of the exclusive right operates **Provisional Protection**
- **Examination** of selection achievement **novelty** is based on the application principle and absence of proofs of the return in the materials published
- **DUS Tests** should be made under corresponding Test Guidelines. DUS Test results made by other States authority or by the Russian organizations under the contract and, for separate species and genera - by the applicant may be used

6

PVTP Legislation of the Russian Federation and the UPOV Convention

- At conformity to **criteria** protectability, the applicant is granted the patent, and selection achievement is registered in the **State Register of Protected Selection Achievements**
- The exclusive right for actions with seeds, cases of distribution of the exclusive right to other selection achievements and to plant material, and also exceptions to the patent owner right (PBR) **completely confirm with the UPOV Convention provisions**

7

PVTP Legislation of the Russian Federation and the UPOV Convention

- Under certain (conventional) cases the exclusive right for selection achievement **is nullified** from the moment it granting
- Decision-making **on reschedule cancellation** of exclusive rights is possible
- **Protection of exclusive rights** is carried out, in particular, by a requirement presentation:
 - About a right recognition
 - About suppression of the actions infringing the right
 - About the indemnification
 - About withdrawal of material carriers
 - About the publication of court decision concerning infringement admitted
- Applications Receipt and all Decisions in respect of them are published in the **Official bulletin**, on the State Commission website and in UPOV Database **PLUTO**.

8

PVTP Legislation of the Russian Federation and the UPOV Convention

Features of the Russian Legislation

- **Protection** is granted for **Plant Varieties** and **Animal breeds**
- The exclusive right is proved not by “Plant Breeder’s Right (PBR), but by the **“Patent for Selection Achievement”**”
- Period of protection validity is granted for **30** years, and for varieties of grape, wood ornamental, fruit and forest trees - **35** years

9

PVTP Legislation of the Russian Federation and the UPOV Convention

- **Use of the plant material received in holding, within two years as seeds for growing plants of a variety in the holding (**farmer privilege**) is authorized under Governmental Order for **10** basic crops:**

- pea
- buckwheat
- potato
- oat
- millet
- soft wheat
- wheat
- rye
- triticale
- barley

10

PVTP System Managing

The last **19** years
Authority of the Russian Federation for
execution of all functions on test and
protection granting is
«**State Commission of the Russian Federation
for Selection Achievements
Test and Protection**»
(**FGBU «Gossortcommissiya»**)

11

PVTP System Managing

FGBU “Gossortcommissiya”:

- **accepts** Breeders' Applications for Patent Granting and for Admittance of selection achievements Usage
- **organizes** carrying out Examinations and Tests in various regions of the country
- **generalizes** Test Results
- **conducts** National List of Selection Achievements Protected and the State Register of Selection Achievements Admitted for Usage
- **issues** Patents and Author's Certifications
- **registers** licenses for actions with seeds and a breeding material of Protected Varieties and Animal Breeds
- **publishes** the official data, concerning Protection and Use of Selection Achievements in the Official Bulletin

12

PVTP System Managing

**The Legislation provides granting
licences:**

- **Open**
- **Exclusive**
- **Non-exclusive**
- **Compulsory**

13

PVTP System Managing

**The size of payments under licences
depends on crop and selection
achievement value is about
from **2-3** to **10-12 %** of the cost of
propagating material marketed**

14

PVTP System Managering

The structures promoting collection of a royalty:

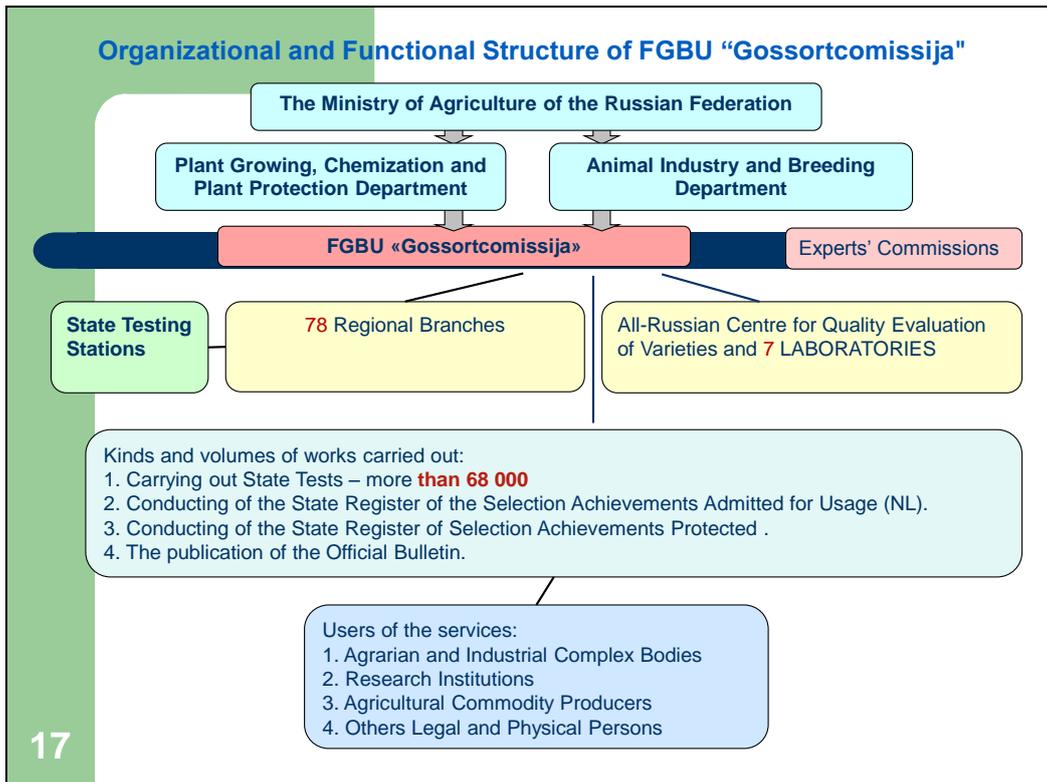
- **Court for the intellectual rights**
- **Licensees**
- **Professional Unions and Assosiacions (e.g., Union of Breeders and Seed Growers of Russia)**
- **The commercial organizations providing legal services for protection of the rights of the breeders**

15

PVTP System Managering

- **Persons specified in Application as authors are issued the Author's certificate**
- **Patent owner pays to authors remuneration during the Patent Validity Period**
- **Patent owner is obliged to maintenance Variety or Breed during Period of the Patent Validity**

16



There are 78 Regional Branches in FGBU "Gossortcomissiya" and Centre for Evaluation of Quality of Varieties.

The Regional Branches include 486 Test Stations and 7 Laboratories.

**The total land area of Test Stations is more than 46 000 hectares.,
The area of farmland – more than 39 000 hectares.**

Total number of employees - 2417 people

18

PVTP System Activity

For the period of 1993 – 2016

10792 Applications for Patent Granting have been submitted

Tests and Examinations have been completed for 7904 Applications

1853 Applications are in progress

19

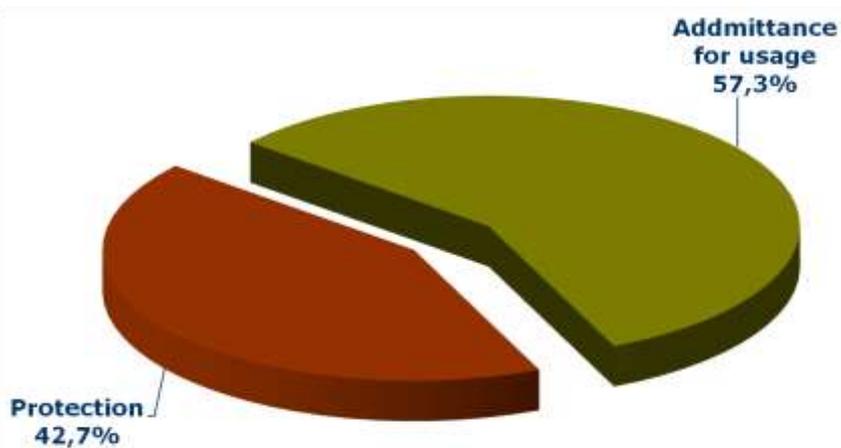
PVTP System Activity

It has been registered:

- **16730** non-exclusive licence contracts
- **366** exclusive licence contracts
- **36** open licences are published. It has been registered no compulsory licence since there were **no** decisions of court on their granting.

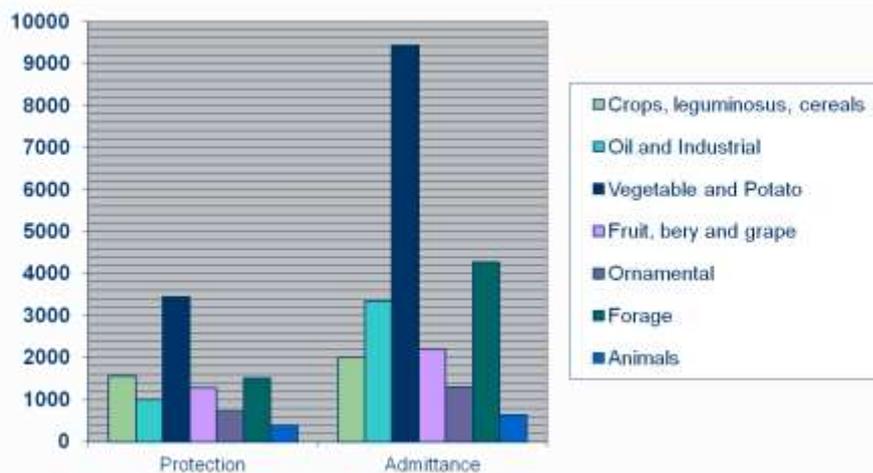
20

Ratio of Application types for 10 years



21

Number of Applications under Crop groups for 10 years



22

Editions

- The State Register of **Protected** Selection Achievements – **annually**
- The State Register of Selection Achievements **Admitted for Usage** (NL)- (Plant Varieties) – **annually**
- The State Register of Selection Achievements Admitted for Usage (**Animal Breeds**) – **annually**
- Characteristics of Plant Varieties entered in Register firstly - **annually**
- The official bulletin – **annually 10 numbers**

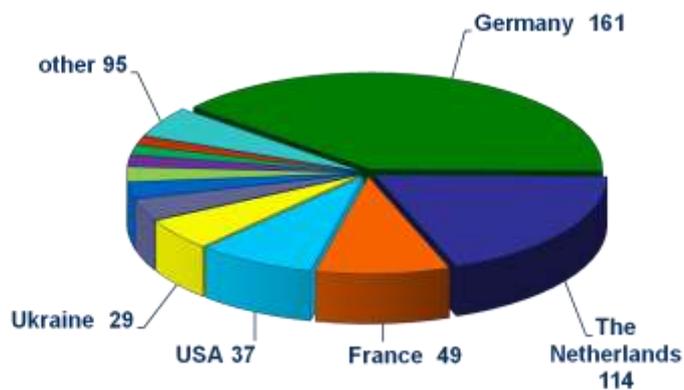
23



**20108 Plant Varieties
and 848 Animal Breeds
have been registered total
in
«State Register of the Selection
Achievements **Admitted
for Usage (=NL) in 2016»****

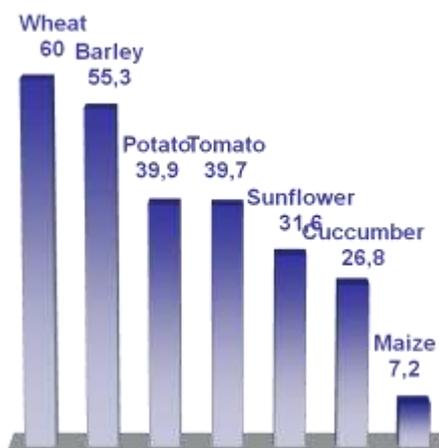
24

Foreign Varieties Protection (as for 01.05.2016) (as of 2016 there were valid 4677 patents)



25

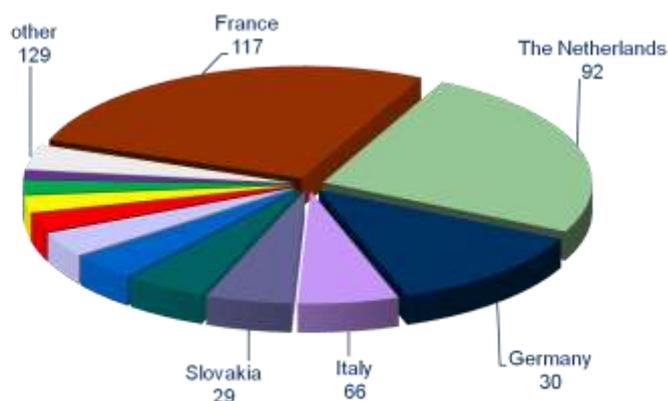
Crop Varieties protected, %



26

International cooperation

Requests for DUS Results addressed in 2015



27



28

International cooperation

- Test Guidelines have been received from Germany for 28 species
- From Japan – for 5 species
- From Canada
- New Zealand
- Estonia
- National Test Guidelines are developed for 63 species of plants and for 21 species of animals
 - Today, we have DUS Test Guidelines for 448 species of plants and 32 species of animals

They are available on our website:
www.gossort.com

29

State Commission Possibilities in PVTP Training

State Commission may provide:

High experienced Experts' consulting on PVTP matters:

- Examination
- DUS Test
- Varieties Registration and,
- IT Technologies Usage in PVTP

30

State Commission Possibilities in PVP Training (continue)

State Commission may provide:

Russian version of basic UPOV documents as follows:

- **TGP** documents
- **Test Guidelines**
- Information materials, including **Explanatory Notes** under the UPOV Convention Provisions
- **Certain Documents** of the UPOV Bodies Session (**Council, CAJ, CC, TC**) and,
- **Distance Learning Course materials (DL-205 modules)**

The documents are available on our website

31



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32