



C/40/19 Rev.

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**INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS**  
GENEVA

**COUNCIL**

**Fortieth Ordinary Session**  
**Geneva, October 19, 2006**

REPORT

*adopted by the Council*

Introduction

- \*1. The Council of the International Union for the Protection of New Varieties of Plants (UPOV) held its fortieth ordinary session in Geneva on October 19, 2006, chaired by Miss Enriqueta Molina Macías (Mexico), President of the Council.
2. The list of participants is reproduced in Annex I to this document.
3. The President extended a warm welcome to the Delegation of Morocco, which had become the sixty-second member of UPOV on October 8, 2006. The intervention made by the Delegation is reproduced in Annex II to this document.

Adoption of the Agenda

- \*4. The Council adopted the draft agenda, as proposed in document C/40/1, after having noted that there were additional documents C/40/14 (Examination of the conformity of the Draft Law on Protection of Breeder's Rights for Varieties of Plants of the Dominican

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An asterisk next to the paragraph number indicates that the text has been taken from the Report of the Decisions (document C/40/18).

Republic with the 1991 Act of the UPOV Convention) and C/40/15 (Examination of the conformity of the Draft Law on the Protection of New Varieties of Plants of the Republic of Guatemala with the 1991 Act of the UPOV Convention) under item 3, C/40/16 (Avian Flu Preparedness Plan) under item 6, C/40/8 Rev. (Revised Calendar of Meetings) under item 11, and C/40/17 (Presentation by the Food and Agriculture Organization of the United Nations (FAO) on the International Treaty on Plant Genetic Resources for Food and Agriculture (IT/PGRFA) under item 15.

Examination of the Conformity of the Legislation or Proposed Legislation of any State or Organization Having Submitted a Request under Article 34(3) of the 1991 Act of the UPOV Convention

*Dominican Republic*

\*5. The Senior Legal Officer introduced document C/40/14.

\*6. The Council decided to

(a) take note of the information given in document C/40/14;

(b) take a positive decision on the conformity of the Draft Law on Protection of Breeder's Rights for Varieties of Plants of the Dominican Republic with the provisions of the 1991 Act of the International Convention for the Protection of New Varieties of Plants, in accordance with Article 34(3) of that Act, which allows the Dominican Republic to deposit its instrument of accession once the Draft Law is enacted and in force; and

(c) authorize the Secretary-General to inform the Government of the Dominican Republic of that decision.

7. The Delegation of the Dominican Republic thanked the Council for the examination of the Draft Law and informed the Council that it expected that the Draft Law would be enacted by the end of 2006. The Delegation looked forward to becoming a member of UPOV and to cooperating with the members of the Union.

*Guatemala*

\*8. The Senior Legal Officer introduced document C/40/15.

\*9. The Council agreed to amend paragraphs 15, 16 and 27 of document C/40/15 as follows:

“15. Article 16(1) of the Draft Law contains provisions concerning the exceptions to the breeder's right which conform with Article 15(1) of the 1991 Act.

“16. Article 16(2) of the Draft Law provides for the optional exception under Article 15(2) of the 1991 Act. In order to fully comply with Article 15(2) of the 1991 Act, it is recommended to insert “within reasonable limits and subject to the safeguarding of the legitimate interests of the breeder” after “using” in Article 16(2) of

the Draft Law. Article 16(3) of the Draft Law provides that varieties of fruit, ornamentals and forest species are excluded from this exception and that the regulations will introduce additional limitations to Article 16(2), as considered appropriate.

“27. In the opinion of the Office of the Union, subject to the inclusion in Article 16(2) of the Draft Law of “within reasonable limits and subject to the safeguarding of the legitimate interests of the breeder” after “using”, the Draft Law incorporates the substance of the 1991 Act, and once adopted without substantive changes, it would enable Guatemala “to give effect” to the provisions of the 1991 Act, as required by its Article 30(2).”

\*10. The Council decided to

(a) take note of the information given in document C/40/15, as modified by the Council;

(b) take a positive decision, subject to the inclusion in Article 16(2) of the Draft Law of “within reasonable limits and subject to the safeguarding of the legitimate interests of the breeder” after “using”, on the conformity of the Draft Law for the Protection of New Varieties of Plants with the provisions of the 1991 Act of the International Convention for the Protection of New Varieties of Plants, in accordance with Article 34(3) of that Act, which allows the Republic of Guatemala to deposit its instrument of accession once the Draft Law is enacted and in force; and

(c) authorize the Secretary-General to inform the Government of Guatemala of that decision.

11. The Delegation of Guatemala thanked the Council for the examination of the Draft Law. It would inform the competent authorities of the need to modify Article 16(2) of the Draft Law as per the recommendation of the Council. Once the Law was adopted, which the Delegation anticipated would be by the end of 2006, the Government of Guatemala looked forward to becoming a member of UPOV.

Report by the President on the Work of the Seventy-Second Session of the Consultative Committee; Adoption of Recommendations, if Any, Prepared by That Committee

12. The President informed the Council that the Consultative Committee had:

a) undertaken preliminary examinations of the conformity of the Draft Laws of the Dominican Republic and Guatemala with the 1991 Act of the UPOV Convention;

b) decided to grant observer status to the Seed Association of the Americas (SAA) in the Council, the Administrative and Legal Committee (CAJ), the Technical Committee (TC) and the Technical Working Parties (TWP) of UPOV;

c) recommended the adoption of explanatory notes on variety denominations under the UPOV Convention;

d) decided to continue its deliberations on an overview of existing activities of UPOV and possible future initiatives in relation to the enforcement of plant breeders' rights. The Consultative Committee had also noted that the role of the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT) enabled the BMT to provide a forum for discussion on the use of biochemical and molecular techniques in the consideration of variety identification;

e) due to time constraints, decided to postpone deliberations on information provided in document C/40/5 "Cooperation in Examination" and information concerning the possibility of a triennial budget for the Union until its seventy-third session in March 2007;

f) made recommendations on the extension of the appointment of the Vice Secretary-General, and

g) taken note of information provided concerning biodiversity, plant genetic resources and plant variety protection and developments in the Council for TRIPS concerning the review of Article 27.3(b) of the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS Agreement).

\*13. The Council noted the report by the President.

#### Explanatory Notes on Variety Denominations Under the UPOV Convention

\*14. The Vice Secretary-General introduced document C/40/12. He noted that, in paragraph 6 of the Annex to document C/40/12, the reference to "Article 26(h)" of the 1991 Act should be replaced by "Article 26(5)(x)" of the 1991 Act.

15. The Council adopted the "Explanatory notes on variety denominations under the UPOV Convention", as contained in document C/40/12, and noted that prior guidance provided by the "UPOV Recommendations on Variety Denominations" (document UPOV/INF/12 Rev.), was superseded by those Explanatory Notes. The Council expressed its appreciation to the *Ad hoc* Working Group on Variety Denominations for its contribution. The adopted Explanatory Notes (document UPOV/INF/12/1) would be placed on the UPOV website (see [http://www.upov.int/en/publications/pdf/inf\\_12\\_1.pdf](http://www.upov.int/en/publications/pdf/inf_12_1.pdf)).

#### Annual Report of the Secretary-General for 2005; Report on Activities During the First Nine Months of 2006

\*16. The Council approved the report of the Secretary-General on the activities of the Union in 2005, as provided in document C/40/2.

17. The Council noted the report on activities during the first nine months of 2006, as provided in document C/40/3.

18. In order for UPOV to respond to the increasing demand for assistance in the development of national and regional systems of plant variety protection, the Vice Secretary-General recalled the importance of extra-budgetary funding. He reported on requests to organize regional seminars in Kenya and in Tunisia. The seminar in Kenya was planned for officials from countries in Eastern and Southern Africa and was intended to be

organized in connection with the forty-first session of the Technical Working Party for Vegetables (TWV) to be held in June 2007. The timing was of particular relevance for member countries of the Southern African Development Community (SADC) which were reflecting on the establishment of a regional system of plant variety protection. The seminar in Tunisia was being planned in response to increased interest in UPOV in North Africa and the Gulf countries. The Vice Secretary-General explained that it would be necessary to obtain extra-budgetary funding in order to organize those regional seminars. The Office of the Union would issue a circular to the members of the Union in order to try to obtain suitable funding. He noted that financial assistance would not need to be from the plant variety protection authorities of UPOV members and could involve an approach to another relevant government department or agency within the territory concerned.

19. The Vice Secretary-General reported on a request for extra-budgetary funding by the European Commission of approximately 300,000 Euros, for a project planned for 2007 the aim of which was to provide assistance to the African Intellectual Property Organization (OAPI) for awareness-raising activities and the implementation of their plant variety protection system.

20. The Vice Secretary-General informed the Council of an FAO project on plant variety protection in the Islamic Republic of Iran. FAO had requested the cooperation of UPOV in the provision of advice on legislative matters, including implementing regulations; training of the staff of the Plant Variety Protection Office; organization of workshops; and the identification of appropriate experts. The FAO project was scheduled to be launched at the end of 2006.

21. The Council received a PowerPoint presentation by the Senior Counsellor on the UPOV Distance Learning Course DL-205 which had been taken by 279 participants since it was launched in September 2005. The Council was informed that since the September/October 2006 session, the Course had been made available in the four UPOV languages. Two sessions of the DL-205 Course were scheduled for 2007. The PowerPoint presentation is reproduced in Annex III to this document [in English only].

22. The Vice Secretary-General informed the Council that, in cooperation with the State Commission of the Russian Federation for Selection Achievements Test and Protection, the possibility of making the DL-205 Course available in the Russian language was being considered.

23. The Vice Secretary-General introduced document C/40/16 and its Annex on the “Avian Flu Preparedness Plan”. He informed the Council of the establishment of an Avian Flu Management Team (AFMT) on which the Vice Secretary-General served as Co-Chairman. The AFMT had worked on the development of a preparedness and business continuity plan in the case of a pandemic. He confirmed that the present situation was classified as Phase 3 (Human infection(s) with a new subtype, but no human-to-human spread, or at most rare instances of spread through close contact) and operations within WIPO/UPOV remained normal.

24. The Council took note of document C/40/16 and the oral report by the Vice Secretary-General.

25. The Council expressed its appreciation to the Office of the Union for the work it had carried out and to the World Intellectual Property Organization (WIPO) for the assistance which it had provided.

Finances of the International Union for the Protection of New Varieties of Plants as at December 31, 2005

26. The Director, General Affairs and Administration Sector, Finance Department of WIPO, introduced document C/40/4.

27. In response to a query raised by the Delegation of the Netherlands, the Council requested a revised version of the table for "Expenditure by subprogram for the 2004-2005 financial period" in Annex A.1 of document C/40/4 with the exact figures in the columns. It was agreed that the revised version of the table should be reproduced in the detailed report of the fortieth ordinary session of the Council (see below):

"Expenditure by sub-program for the 2004-2005 financial period  
(in thousands of Swiss francs)

Sub-program	UV.01	UV.02	UV.03	UV.04	Total
Staff costs	716	1,893	1,033	517	4,159
Staff missions	8	71	58	53	190
Third-party visits	-	-	14	-	14
Conferences	32	63	3	-	98
Publications	-	61	-	-	61
Other contractual services	-	106	-	-	106
Premises/maintenance	-	185	-	-	185
Communications/other expenses	-	1,188	-	-	1,188
Furniture/equipment	-	5	-	-	5
Supplies	10	5	2	3	20
Total	766	3,577	1 110	573	6,026

UV.01 General policy for protection of new varieties of plants

UV.02 Improvement of services provided to members of the Union/Setting-up of an effective system of protection for new varieties of plants

UV.03 Extension of the scope of protection for new varieties of plants

UV.04 External relations"

28. The Delegation of the European Community noted the importance of the three recommendations by the auditor in its report reproduced in Annex B of document C/40/4. In particular, it drew attention to Recommendation 3 and to the level of the Reserve Fund, currently 1.53% of the expenditures budgeted for the 2006-2007 biennium. Taking into consideration new accessions to the UPOV Convention, including that of the European

Community, it requested information on whether the Office of the Union intended to take any particular measures to address Recommendation 3.

29. In reply to the Delegation of the European Community, the Vice Secretary-General recalled that, in accordance with the decision of the Council, the current program and budget was planned in such a way that the available resources would be absorbed by the approved activities. In particular, the Council had decided not to allocate funds to increase the Reserve Fund.

30. The Delegation of France observed that the recommendations of the auditor in Annex B of document C/40/4 could be taken into consideration in the preparation of the draft program and budget for the 2008-2009 biennium. As regards Recommendation 1, the Delegation welcomed the principle of transparency in the allocations between WIPO and UPOV whilst urging prudence to avoid any risks of increasing the payments to be made by UPOV.

\*31. The Council approved the accounts for the 2004-2005 financial period. It noted the report of the auditor on the accounts of the 2004-2005 biennium, contained in document C/40/4, Annex B, and expressed its gratitude to the Government of Switzerland for its cooperation in that matter.

#### Arrears in Contributions as of September 30, 2006

\*32. The Council noted document C/40/11 and the information that, due to a recent payment, Brazil had no arrears. No decision was called for under this agenda item.

#### Progress of the Work of the Administrative and Legal Committee

33. The Council noted the work of the CAJ at its fifty-third session, held on April 6, 2006, as presented in document C/40/9.

34. The Chair of the CAJ informed the Council that discussions at the fifty-fourth session of the CAJ, on October 16, 2006, had focussed on a report on the Explanatory Notes on Variety Denominations under the UPOV Convention, which had since been adopted by the Council; consideration of draft TGP documents presented by the Technical Committee; molecular techniques; development of information materials concerning the UPOV Convention, in particular information on the first session of the Administrative and Legal Committee Advisory Group (CAJ-AG) which was to take place on October 20, 2006. The CAJ had also noted certain activities concerning enforcement of plant breeders' rights being organized by the European Community, Japan and the Republic of Korea and had received a report on developments concerning the UPOV information databases.

35. The proposed draft agenda for the fifty-fifth session of the CAJ in March 2007 contained the following items: report on the developments in the Technical Committee; TGP documents; molecular techniques; development of information materials concerning the UPOV Convention; explanatory notes on variety denominations under the UPOV Convention; enforcement of plant breeders' rights and UPOV information databases.

Progress Report of the Work of the Technical Committee, the Technical Working Parties and the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular

36. The Chairperson of the Technical Committee (TC) introduced document C/40/10 concerning the work of the TC. The Council noted the work of the TC, the Technical Working Parties and the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular, as provided in document C/40/10, and approved the programs of work set out in that document.

Calendar of Meetings in 2007

37. The Council approved the revised calendar of meetings in 2007, as presented in document C/40/8 Rev., which reflected the change in location of the Technical Working Party on Automation and Computer Programs (TWC), to be held from September 3 to 6, 2007. The TWC and the preparatory workshop would be held in Sibiu instead of Bucharest (Romania).

38. The Council noted the proposed dates of meetings in Geneva in 2008.

Election of the New President and the New Vice-President of the Council

\*39. The Council elected, in each case for a term of three years ending with the forty-third ordinary session of the Council, in 2009:

- (a) Mr. Doug Waterhouse (Australia), President of the Council;
- (b) Mr. Keun-Jin Choi (Republic of Korea), Vice-President of the Council.

\*40. The Council expressed its appreciation to the outgoing President, Miss Enriqueta Molina Macías (Mexico), for the work carried out during her term.

Extension of the Appointment of the Vice Secretary-General

41. The President informed the Council that the term of appointment of Mr. Rolf Jördens would expire on November 30, 2006.

42. The Secretary-General recalled the speech he had made at the seventy-second session of the Consultative Committee and requested that a summary be inserted in the detailed report of the fortieth ordinary session of the Council. That summary is as follows:

“I would like to congratulate the Vice Secretary-General, Mr. Rolf Jördens, on the excellence and distinction with which he had accomplished his duties. During Mr. Jördens’ term the Union had reached 62 members. UPOV is soundly managed by a dedicated staff that met the challenges of an increasing demand for activities and services from members and potential members. The finances of the Union had been consolidated and a range of measures had been taken to improve the effectiveness of the Office of the Union. I would like to highlight, in particular, the increased number of comments on laws and draft laws provided by the Office of the Union, the development and operation



of a successful distance learning course and the many efforts made by the Office of the Union to harmonize examination procedures and to further strengthen the quality of plant variety protection. As part of the intensive cooperation and direct interaction between the Office of the Union and its members, which is the basis for UPOV's success, I would like to inform you that, since the early years of the operation of UPOV as an independent intergovernmental organization, the Council has tried to avoid interruption in leadership due to simultaneous termination of service of the Secretary-General and the Vice Secretary-General. A sufficient overlapping of terms of service of the Secretary-General and the Vice Secretary-General is, therefore, required to secure the smooth and efficient operation of UPOV. The termination of both appointments simultaneously could have undesirable effects, such as vacuum in leadership, considerable delay in the recruitment of a Vice Secretary-General, risk for UPOV's activities, image and independence.”

43. The Secretary-General reported the recommendations of the Consultative Committee concerning the extension of the appointment of the Vice Secretary-General.

\*44. The Council noted that the Consultative Committee had stressed the importance of the independence of the Council of UPOV in its decisions concerning the appointment of the Vice Secretary-General.

45. The Council, based on the recommendation of the Consultative Committee, unanimously decided to extend the term of Mr. Rolf Jördens as Vice Secretary-General of UPOV until November 30, 2009.

\*46. The Council noted that the Consultative Committee had also agreed to have an initial discussion on that item at its seventy-third session, in March 2007, and to make a final recommendation for a Council decision regarding the one-year extension at the seventy-fifth session of the Consultative Committee in April 2008. The final decision would be taken at the twenty-fifth extraordinary session of the Council in April 2008, at the latest.

47. The President congratulated the Vice Secretary-General and expressed the appreciation of the Council for the contribution of Mr. Jördens to UPOV.

48. The Vice Secretary-General expressed his gratitude to all delegations for their support in executing his tasks and looked forward to continued fruitful cooperation with the members of the Union. He thanked the Secretary-General for his trust and his continued support in further developing the organization. He praised the dedication of the staff of UPOV and emphasized the excellent team spirit which existed in the Office of the Union.

#### Situation in the Legislative, Administrative and Technical Fields

\*49. The Council noted documents C/40/5, C/40/6, C/40/7 and C/40/13, and noted that a revised document on “Plant Variety Protection Statistics” for the period 2000-2004 (document C/39/7 Rev.) had been produced. No decisions were called for under this agenda item.

Presentation by the Food and Agriculture Organization of the United Nations (FAO) on the International Treaty on Plant Genetic Resources for Food and Agriculture (IT/PGRFA)

50. At the invitation of the President, as part of the cooperation between UPOV and FAO, Mr. Clive Stannard, Senior Liaison Officer, Interim Secretariat of the IT/PGRFA, FAO, made a presentation on the IT/PGRFA, based on document C/40/17. The President recalled that there had been a UPOV briefing session in February 2006 for relevant FAO experts and officers of the FAO Legal Office.

51. At the request of the Delegation of the United States of America, it was agreed that the PowerPoint presentation by Mr. Stannard on the IT/PGRFA would be posted on the UPOV website next to the corresponding agenda item of the fortieth ordinary session of the Council (see [http://www.upov.int/en/documents/c/index\\_c40.htm](http://www.upov.int/en/documents/c/index_c40.htm)).

\*52. The Council noted document C/40/17 and the presentation on the IT/PGRFA.

UPOV Medal

53. The Secretary-General awarded a UPOV Gold Medal to Miss Enriqueta Molina Macías in recognition of her important contribution as President of the Council of UPOV. He highlighted her skills as President, in particular her rapid understanding of complex issues, her capacity to bring together different views in a complementary manner and her positive attitude.

54. The Secretary-General awarded a UPOV Gold Medal to Mrs. Pia Huber in recognition of her remarkable professional contribution to UPOV. He paid tribute to her contribution to the work of UPOV over more than twenty-five years of her professional life. He noted that the quality of her work was combined with the natural charm of her personality. The Secretary-General commended Mrs. Huber for her professional commitment and loyalty and for the kindness with which she had always dealt with both delegates and colleagues. He wished her a long and happy retirement. She received a book of tributes from delegates and staff members of the Office of the Union.

Retirement

55. The President noted that Mr. José María Elena (European Community) would retire before the forty-first session of the Council, and she expressed to him her best wishes on behalf of the Council for a long and happy retirement.

*56. The present report has been adopted by correspondence.*

[Annexes follow]

ANNEXE I / ANNEX I / ANLAGE I / ANEXO I

LISTE DES PARTICIPANTS / LIST OF PARTICIPANTS /  
TEILNEHMERLISTE / LISTA DE PARTICIPANTES

I. MEMBRES / MEMBERS / VERBANDSMITGLIEDER / MIEMBROS

(dans l'ordre alphabétique des noms français des membres/  
in the alphabetical order of the names in French of the members/  
in alphabetischer Reihenfolge der französischen Namen der Mitglieder/  
por orden alfabético de los nombres en francés de los miembros)

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Raimundo LAVIGNOLLE, Senior Counsellor  
Makoto TABATA, Senior Counsellor  
Yolanda HUERTA (Mrs.), Senior Legal Officer  
Pia HUBER (Mrs.), Administrative Officer

[L'annexe II suit/  
Annex II follows/  
Anlage II folgt/  
Sigue el Anexo II]

ANNEX II

STATEMENT BY THE DELEGATION OF MOROCCO

Madam Chair,

I would like to begin by undertaking the pleasant duty of expressing to you my Delegation's sincere congratulations on the remarkable quality with which you have led our discussions. Your professionalism, experience and tact are all guarantees which augur well for a positive outcome to the work of the Council.

I would like to express my Delegation's thanks to the Secretary General of UPOV for the increased interest which he continues to show in the work of the Union, and to the Deputy Secretary General and Bureau of the Union for the devotion and effectiveness that they have demonstrated.

Madam Chair,

My Delegation expresses its happiness and satisfaction at participating, for the first time as a fully-fledged member, in the Council's deliberations and in the work of the other committees, following the entry into force, on October 8, 2006, of the provisions of the 1991 Act of the UPOV Convention.

This is an opportunity to express our gratitude for the welcome given to the Delegation of Morocco and for the warmth of that welcome. Please be assured that my Delegation spares no effort in making a positive contribution to UPOV's work.

Madam Chair,

By acceding to the Convention, Morocco will be able to implement Law No. 9-94 under better conditions, to benefit from the possibilities for transfer, from other Member States, of the results of the examinations of varieties at suitable prices, and to be kept regularly informed of the different biochemical and biotechnological methods used in the examination of varieties.

In this regard, it should be recalled that, well before Morocco's accession, the UPOV Council had declared, at its extraordinary session in April 1997, that Moroccan Law 9-94 on the Protection of New Varieties of Plants complied fully with the provisions of the 1991 Act of the UPOV Convention.


The protection of new varieties of plants in Morocco is therefore governed by the aforementioned Law No. 9-94 and by implementing provisions established by two decrees and seven orders. In Morocco, protection is granted to 76 plant genres and species. To date, 175 applications have been filed, 111 of which have been granted protection.

My Delegation cannot conclude its remarks without thanking the Bureau of the Union for the assistance granted to our country, and also the countries that have helped it in implementing this Law, in particular France and the United States of America.

Thank you.

[Annex III follows]

Slide 1




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."

UPOV Distance Learning Course DL-205

"Introduction to the UPOV System of Plant Variety Protection Under the UPOV Convention"

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Slide 2



UPOV Distance Learning Course DL-205

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."

**Objective:**

To provide a comprehensive introduction to the UPOV system of plant variety protection under the International Convention for the Protection of New Varieties of Plants

**Target Audience:**

(a) Officials/officially appointed persons:

- Responsible for running PBR offices
- Responsible for drafting PBR legislation
- Key staff of PBR offices
- Organizers of DUS trials
- DUS examiners


(b) Private Sector:

- Breeders
- IP managers
- IP agents/attorneys
- Academia/Students

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Slide 3



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."

## UPOV Distance Learning Course DL-205


**Category 1:**  
Government officials of members of the Union nominated by the relevant representative to the UPOV Council  
*No fee*

**Category 2:**  
Officials of observer States / intergovernmental organizations nominated by the relevant representative to the UPOV Council  
*(One non-fee paying student per State / intergovernmental organization;  
Additional students: CHF1,000 per student)*

**Category 3:**  
Others  
Fee: CHF1,000

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Slide 4



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."

## UPOV Distance Learning Course DL-205


The course comprises 11 modules:

- Nature of Plant Breeding and the Need for Plant Breeders' Rights
- Subject Matter and Entitlement to Protection
- Conditions of Protection
- Applying for a Plant Breeder's Right
- Testing of Distinctness, Uniformity and Stability (DUS)
- Scope of the Plant Breeder's Right; Acts and Material Covered
- Scope of the Plant Breeder's Right; Varieties within the Scope of the Plant Breeder's Right
- Exceptions and Restrictions to the Plant Breeder's Right
- Nullity and Cancellation of the Plant Breeder's Right
- The International Union for the Protection of New Varieties of Plants
- Implementation of the Convention and Final Provisions

**Duration:** The course will require approximately 40 hours of study.

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Slide 5



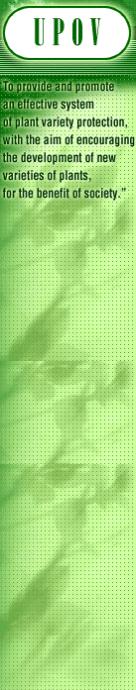
**UPOV**  
To provide and promote an effective system of plant variety protection, with the aim of encouraging the development of new varieties of plants, for the benefit of society."

**UPOV Distance Learning Course DL-205**

- Minimum administration requirement
- On-line Registration
- On-line test during the course
- On-line final exam
- Tutoring assistance provided by experts
- Certificates issued to participants for:
  - successful completion of the final exam /
  - taking part in the course

DESIGN BY AXECOM.COM

Slide 6



**UPOV**  
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."

**UPOV Distance Learning Course DL-205**

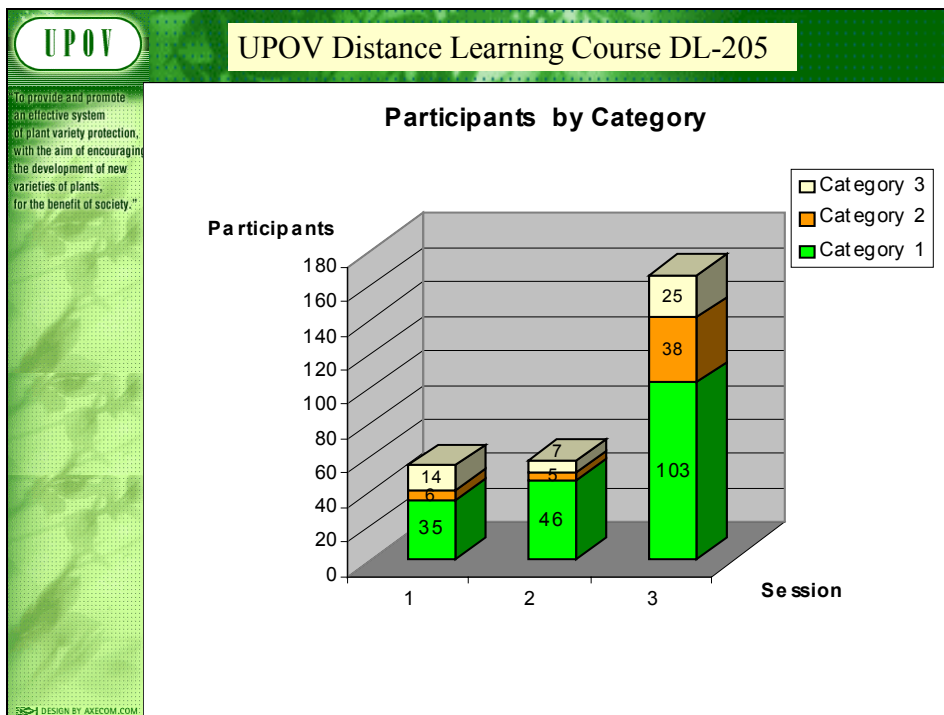
2005	Session 1	E	September 19 to October 23
2006	Session 2	E	February 13 to March 19
	Session 3	E	September 18 to October 22
		G	
	S	October 9 to November 12	
	F		

DESIGN BY AXECOM.COM

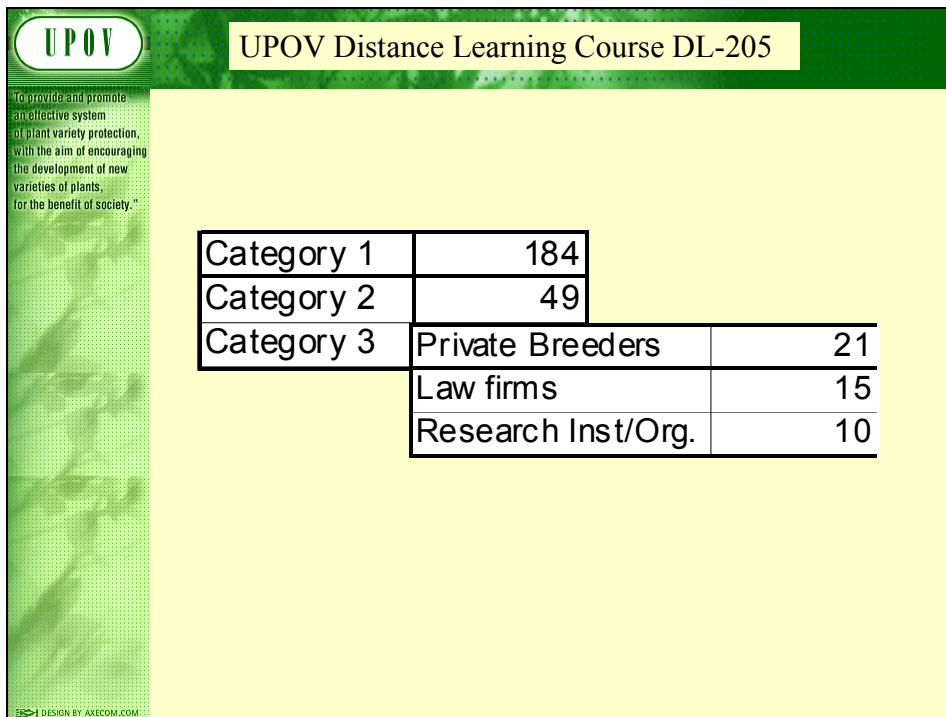
Slide 7

UPOV Distance Learning Course DL-205			
UPOV Member	TUTORS		
	Session Sep-05	Session Feb-06	Session Sep-06
Argentina	1	2	1
Australia		1	1
Brazil			1
Canada	1		
European Community	1	3	4
France		1	1
Israel	1		1
Kenya	1		
Mexico	4		4
Netherlands	1	3	2
New Zealand	1	1	1
South Africa		1	1
Spain			1
United Kingdom	2	2	2
UPOV Office	5	5	5
	18	19	25

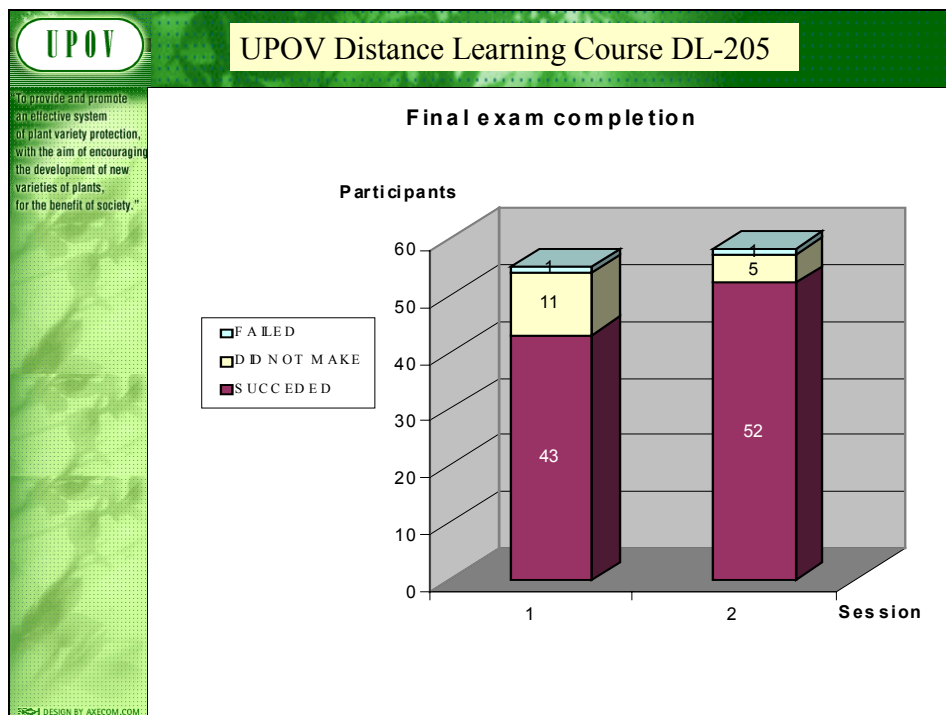
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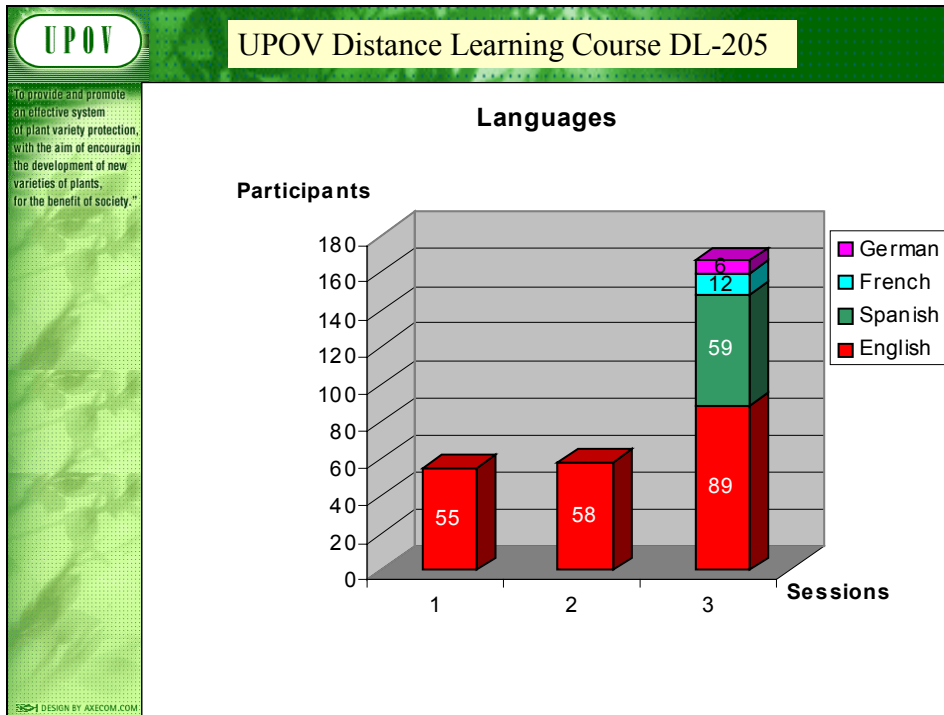
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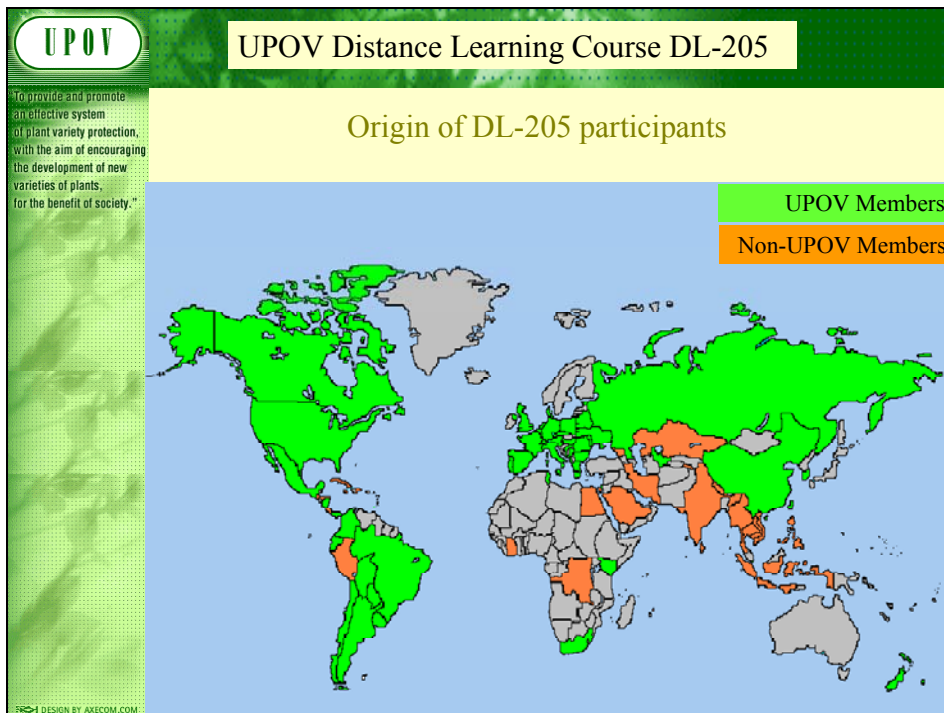
Slide 10



Slide 11



Slide 12



Slide 13

**UPOV** UPOV Distance Learning Course DL-205

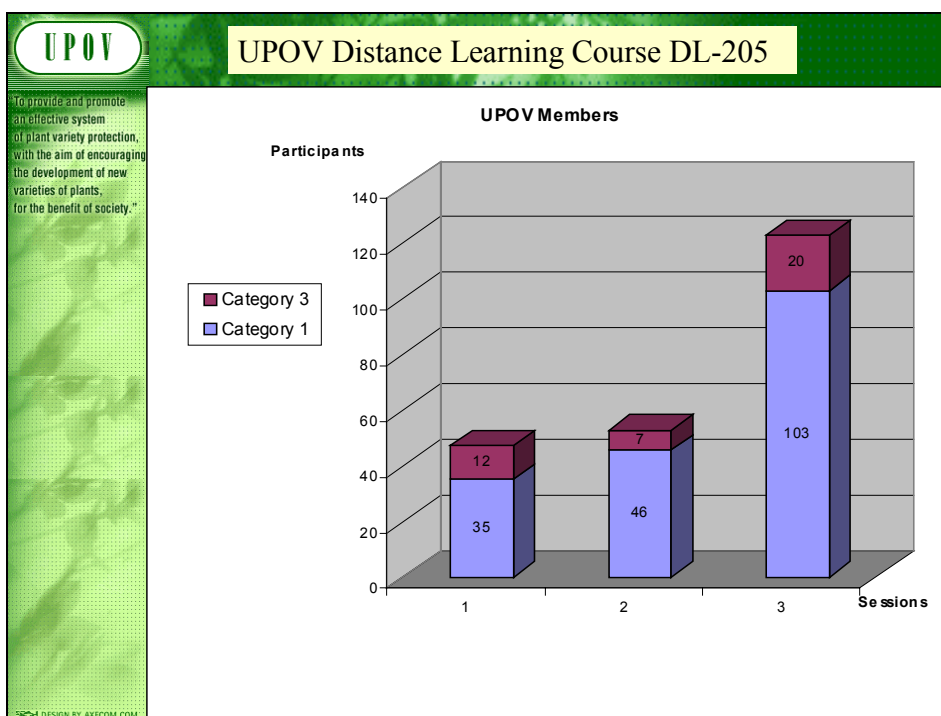
To provide and promote an effective system of plant variety protection, with the aim of encouraging the development of new varieties of plants, for the benefit of society."

2007

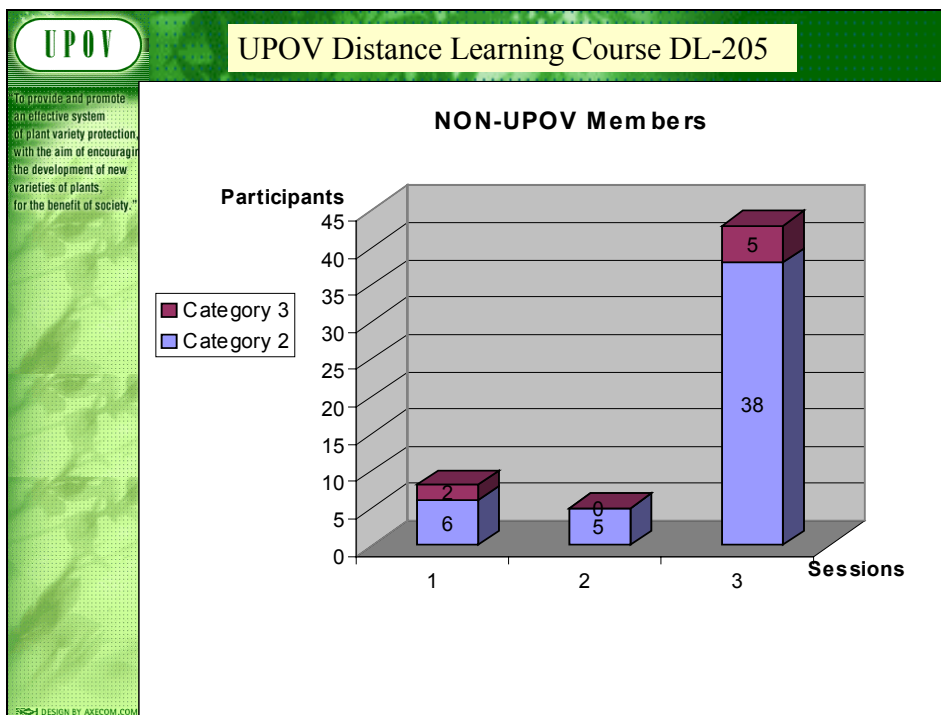
Session 1 E	April / May
F	
G	
S	
Registration: February 2007	
Session 2 E	October / November
F	
G	
S	

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Slide 14



Slide 15



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Ende der Anlage III und des Dokuments/  
Fin del Anexo III y del documento]