



C/41/3

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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
GENEVA

COUNCIL

Forty-First Ordinary Session
Geneva, October 25, 2007

REPORT ON ACTIVITIES DURING THE FIRST NINE MONTHS OF 2007

prepared by the Office of the Union

I. COMPOSITION OF THE UNION

Members and Future Members

1. On May 16, 2007, the Dominican Republic deposited its instrument of accession to the Convention. The Convention (1991 Act) entered into force in respect of the Dominican Republic on June 16, 2007.
2. As of September 30, 2007, the Union comprised 64 members: Albania, Argentina, Australia, Austria, Azerbaijan, Belarus, Belgium, Bolivia, Brazil, Bulgaria, Canada, Chile, China, Colombia, Croatia, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, European Community, Finland, France, Germany, Hungary, Iceland, Ireland, Israel, Italy, Japan, Jordan, Kenya, Kyrgyzstan, Latvia, Lithuania, Mexico, Moldova, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Singapore, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Trinidad and Tobago, Tunisia, Ukraine, United Kingdom, United States of America, Uruguay, Uzbekistan and Viet Nam.
3. Under Article 34(3) of the 1991 Act, “any State which is not a member of the Union and any intergovernmental organization shall, before depositing its instrument of accession, ask the Council to advise it in respect of the conformity of its laws with the provisions of this Convention.”

4. By letter dated November 2, 2006, the Philippines requested the examination of the Philippine Plant Variety Protection Act of 2002.

5. By letter dated February 1, 2007, Georgia requested the examination of the Law of Georgia for the Protection of New Varieties of Plants.

6. At its twenty-fourth extraordinary session, held in Geneva on March 30, 2007, the Council examined the conformity of the Philippine Plant Variety Protection Act of 2002 and the Law of Georgia for the Protection of New Varieties of Plants with the 1991 Act of the UPOV Convention.

7. In respect of the Philippines, the Council decided to:

“(a) take note of the information given in document C(Extr.)/24/2;

“(b) advise the Government of the Philippines that the Law incorporated the majority of the provisions of the 1991 Act, but still needed some clarifications and amendments, as provided in document C(Extr.)/24/2, in order to conform with the 1991 Act; once the above clarifications and amendments were incorporated in the Law, the Government of the Philippines was invited to request the examination of the amended law as provided in Article 34(3) of the 1991 Act;

“(c) request the Office of the Union to offer its assistance to the Government of the Philippines in drafting the necessary clarifications and amendments to the Law; and

“(d) authorize the Secretary-General to inform the Government of the Philippines of that decision.”

8. In respect of Georgia, the Council decided to:

“(a) take note of the information given in document C(Extr.)/24/3, in particular, that the departures of the Law from Articles 6(1) and 20(5) of the 1991 Act, would be remedied, for the time being, by the general principle in Article 6 of the Constitution;

“(b) take a positive decision on the conformity of the Law of Georgia for the Protection of New Varieties of Plants with the provisions of the 1991 Act, in accordance with Article 34(3) of that Act, which allowed Georgia to deposit its instrument of accession to the 1991 Act; and

“(c) authorize the Secretary-General to inform the Government of Georgia of that decision.”

Situation in Relation to the Various Acts of the Convention

9. Thirty-eight members were bound by the 1991 Act as of September 30, 2007 (including the membership of the Dominican Republic, the ratification of Spain of, and the accession of Ukraine to, the 1991 Act).

10. As of September 30, 2007, one State was bound by the 1961 Convention as amended by the 1972 Act and 24 States were bound by the 1978 Act.

11. Annex I to this report summarizes the situation of the members of the Union with regard to the Convention and its various Acts as of September 30, 2007.

II. SESSIONS OF THE COUNCIL AND ITS SUBSIDIARY BODIES

Council

12. The Council held its twenty-fourth extraordinary session on March 30, 2007, under the chairmanship of Mr. Doug Waterhouse (Australia), President of the Council. It examined the Philippine Plant Variety Protection Act of 2002 and the Law of Georgia for the Protection of New Varieties of Plants and noted an oral report on the seventy-third session of the Consultative Committee.

Consultative Committee

13. The Consultative Committee held its seventy-third session on March 30, 2007, under the chairmanship of Mr. Doug Waterhouse (Australia). It made a preliminary examination for conformity with the 1991 Act of the UPOV Convention of the Philippine Plant Variety Protection Act of 2002 and the Law of Georgia for the Protection of New Varieties of Plants. It discussed existing activities of UPOV in relation to the enforcement of plant breeders' rights, and endorsed the conclusions concerning the role of UPOV in relation to the enforcement of plant breeders' rights. It agreed to provide the International Community of Breeders of Asexually Reproduced Ornamental and Fruit-Tree Varieties (CIOPORA) and the International Seed Federation (ISF) with an overview of the existing activities of UPOV in relation to the enforcement of plant breeders' rights. It agreed to add that in order to encourage the involvement of breeders in the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT), a specific day would be allocated during the eleventh session of the BMT for discussions on the use of molecular techniques in variety identification and in the consideration of essential derivation. It decided not to pursue the possibility of a UPOV triennial program and budget. It recommended, on the basis of the advice of the CAJ, to confirm that the fifty-sixth session of the CAJ should be held on October 22 and 23, 2007, and the second session of the CAJ-AG on October 26, 2007. It decided to include an item in the draft agenda of its seventy-fourth session, to be held on October 24, 2007, to consider the reorganization of the work and dates of the UPOV sessions. In that respect, it requested the Office of the Union to prepare a document based on the comments made by the Committee at its seventy-third session and contributions from members of the Union. It discussed a further extension of one year to the current appointment of the Vice Secretary-General and confirmed that the final decision would be taken at the twenty-fifth extraordinary session of the Council in April 2008, at the latest. It was informed that two sessions of the UPOV Distance Learning Course DL-205 would be held in the four UPOV languages, from April 16 to May 20, 2007, and from September 10 to October 14, 2007 (Annex II to this report provides an overview of the number of students by State/organization registered in both sessions of the course). Finally, it was informed on the meetings and activities concerning biodiversity, plant genetic resources and plant variety protection and on 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").

Administrative and Legal Committee, Technical Committee, Technical Working Parties and Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular

14. For the work of the Administrative and Legal Committee (CAJ), which held its fifty-fifth session on March 29, 2007, and the Technical Committee (TC), which held its forty-third session from March 26 to 28, 2007, reference is made to documents C/41/9 and C/41/10, respectively. The Technical Working Party for Agricultural Crops (TWA) held its thirty-sixth session in Budapest, Hungary, from May 28 to June 1, 2007. The Technical Working Party for Vegetables (TWV) held its forty-first session in Nairobi, Kenya, from June 11 to 15, 2007. The Technical Working Party for Ornamental Plants and Forest Trees (TWO) held its fortieth session in Kunming, China, from July 2 to 6, 2007. The Technical Working Party for Fruit Crops (TWF) held its thirty-eighth session in Jeju, Republic of Korea, from July 9 to 13, 2007. The Technical Working Party on Automation and Computer Programs (TWC) held its twenty-fifth session in Sibiu, Romania, from September 3 to 6, 2007. All of those Technical Working Party sessions were preceded by preparatory workshops.

15. The *Ad hoc* Crop Subgroup on Molecular Techniques for Potato, met in Quimper, France, on April 17, 2007 and the *Ad hoc* Crop Subgroup on Molecular Techniques for Rose, met in Angers, France on April 18, 2007.

III. COURSES, SEMINARS, WORKSHOPS, MISSIONS, IMPORTANT CONTACTS

16. On January 17 and 18, in Islamabad, Pakistan, the Office attended the First FAO/ECO Workshop on Regional Seed Regulations Harmonization, which was organized by the Economic Cooperation Organization (ECO), comprising nine Central and West Asian States, with financial support from FAO. The Office chaired the sessions of Group 1 (variety release and protection of new varieties). Plant variety protection according to the UPOV Convention was recognized as a key requirement for harmonization. Encouragement of accession to UPOV, cooperation in DUS examination according to UPOV principles and, at a later stage, a regional system of plant variety protection based on the UPOV Convention were identified as targets of the FAO/ECO project. The results of the Workshop were subsequently presented to the Third Ministerial Meeting on Agriculture of ECO, which was held from March 5 to 7 in Tehran, Islamic Republic of Iran.

17. On January 19, the Office received the visit of Mr. Petre Tsiskarishvili, Minister for Agriculture of Georgia, and his delegation. The Office heard that the Parliament of Georgia had adopted Georgia's Law on the Protection of New Varieties of Plants and explained the procedure for becoming a member of UPOV.

18. On January 19, in Islamabad, the Office had a meeting with Mr. M.E. Tusneem, Chairman, Pakistan Agriculture Research Council. The Agricultural Research Council comprises seven research centers (Agriculture, Livestock, etc.) located in different parts of the country. Mr. Tusneem welcomed his Governments' efforts to attract private investment in plant breeding through an effective system of plant variety protection and saw complementarity between public and private plant breeding.

19. On January 20, in Islamabad, the Office had a meeting with Mr. Muhammad Ismail Qureshi, Secretary, Ministry of Food, Agriculture and Livestock of Pakistan and Dr. Akhlaq Hussein, Director General, Federal Seed Certification and Registration

Department of the same Ministry. Secretary Qureshi stressed the importance of encouraging investment in plant breeding through effective plant variety protection and wished to receive the Office's comments on the conformity of the Pakistan Government's Draft Bill on Plant Variety Protection with the 1991 Act of the UPOV Convention.

20. Also on January 20, in Islamabad, the Office, in cooperation with the Ministry of Food, Agriculture and Livestock of Pakistan, organized a National Workshop on Plant Variety Protection under the UPOV Convention. Some 80 participants, including leading officials of Federal and provincial administrations, leading scientists and representatives of research centers and the private sector, attended.

21. Also on January 20, in Islamabad, the Office had discussions with Mr. Yasin Tahir, Director General, Intellectual Property Organization (IPO) of Pakistan. (Later in 2007, responsibility for the legislative procedure with the Draft Bill on Plant Variety Protection was transferred from the Ministry of Food, Agriculture and Livestock to the IPO of Pakistan.)

22. On January 22 and 23, in Paris, France, the Office participated in a session of the OECD Extended Advisory Group. Items of particular relevance for UPOV included varietal identity and varietal purity and the use of synonyms in variety denomination.

23. On January 24, also in Paris, the Office attended the second meeting of the OECD Working Group on Varietal Identity and Varietal Purity.

24. On February 1, in London, United Kingdom, the Office attended a meeting of the Executive Committee of the British Association of Rose Breeders (BARB) and made a presentation on recent developments within UPOV.

25. On February 1 and 2, in Munich, Germany, the Office attended a session of the *Fachausschuß für den Schutz von Pflanzenzüchtungen* of the *Deutsche Vereinigung für Gewerblichen Rechtsschutz*. The Office reported on recent developments within UPOV.

26. On February 5, in Ely, United Kingdom, the Office had a meeting with the British Society of Plant Breeders (BSBP) and discussed recent developments within UPOV.

27. On February 5 and 6, in Peterborough, United Kingdom, the Office attended a meeting of the joint Agricultural Industries Confederation / British Society of Plant Breeders (AIC/BSPB) Working Group on Royalty Systems. The Office made a presentation on recent developments within UPOV and discussed possible mechanisms for royalty collection within the scope of the plant breeders' right.

28. On February 12, the Office received the visit of the Secretary-General of ISF, Mr. Bernard Le Buanec. Practical matters related to the operation of the UPOV system were discussed.

29. On February 13 and 14, in Rome, Italy, the Office attended a meeting on Information Technology Support for the Implementation of the Multilateral System of Access and Benefit-Sharing under the International Treaty for Plant Genetic Resources for Food and Agriculture (IT/PGRFA), organized by the Food and Agriculture Organization of the United Nations (FAO).

30. On March 1, at the UPOV/WIPO Headquarters, during a visit of Egyptian diplomats to WIPO, the Office made a presentation on the benefits of plant variety protection according to the UPOV Convention.
31. On March 6, in Livingstone, Zambia, the Office organized, in cooperation with the African Seed Trade Association (AFSTA), a Workshop on Plant Variety Protection – A Key to Economic Development. Some 100 participants attended, most of which were attending the 2007 Annual Congress of AFSTA.
32. From March 6 to 9, also in Livingstone, the Office attended the 2007 Annual Congress of AFSTA.
33. On March 20 and 21, in an observer capacity, the Office participated in a session of the Administrative Council of the Community Plant Variety Office (CPVO) in Angers, France.
34. On March 23, at the UPOV/WIPO Headquarters, the Office made a presentation at a conference on the Protection of New Varieties of Plants and Related Matters in the Context of Article 27.3(b) of the TRIPS Agreement, for African diplomats based in Geneva, organized by the French *Groupement national interprofessionnel des semences et plants* (GNIS).
35. On March 26, the Office received the visit of Mr. Raly L. Tejada, First Secretary and Consul, Permanent Mission of the Philippines to the United Nations Office and Other International Organizations in Geneva. Mr. Tejada was briefed on the procedures for the examination of laws for conformity with the UPOV Convention.
36. On March 28, the Office received the visit of Mrs. Wiboonlasana Ruamraksa, Deputy Director General, Department of Intellectual Property, Ministry of Commerce of Thailand. Mrs. Ruamraksa requested information on the principles, and the impact of, plant variety protection according to the UPOV Convention. Possibilities for a national workshop in Bangkok later in 2007 were explored.
37. On March 30, the Office received the visit of Mr. Dragan Dedić, Head of Department, Ministry of Agriculture, Forestry and Water Management and other officials of Serbia. The situation in respect of Serbia's accession to the UPOV Convention was considered.
38. On April 25 and 26, in Cuernavaca, Mexico, the Office participated in a Conference on Plant Breeders' Rights in the Americas, organized by CIOFORA. The Office reported on recent developments in plant breeders' rights in the Americas. The Conference was attended by some 120 participants, mainly breeders and technical and legal experts from the region.
39. On April 23 and 24, at the UPOV/WIPO Headquarters, the Office made presentations at the WIPO Worldwide Academy course "Training WIPO Staff".
40. On May 9, in Svalöf, Sweden, the Office provided a half-day training session on plant variety protection. The session was part of a course offered by the Swedish International Development Cooperation Agency (Sida) under the title "Genetic Resources and Intellectual Property". Some 30 students from developing countries participated.
41. On May 9, the Office received the visit of Mr. Nasser Al Mubarak, Patent Office of Kuwait, who reported Kuwait's interest in becoming a member of UPOV.

42. From May 21 to 23, in Christchurch, New Zealand, the Office attended the World Seed Congress 2007, organized by ISF. During a session of ISF's Breeders' Committee, the Office reported on recent developments within UPOV.

43. On May 24, also in Christchurch, the Office attended the ISF Workshop on Enforcement of Intellectual Property Rights on Plant Varieties. The presenters shared practical experiences with enforcement based on contractual arrangements and available legal remedies.

44. On May 29, at the UPOV/WIPO Headquarters, the Office made a presentation as part of a "Business-oriented Overview of Intellectual Property for Law and Management Students" organized by WIPO. Some 30 students participated.

45. From June 4 to 8, in Wageningen, Netherlands, the Office participated in the Tenth Plant Variety Protection Course organized by Natkuinbouw, Wageningen. June 5 was reserved for UPOV presentations. Prior to the course in Wageningen, the students were given the opportunity to participate in the UPOV Distance Learning Course DL-205.

46. From June 5 to 8 at the Headquarters of the Kenya Plant Health Inspectorate Service (KEPHIS), Nairobi, Kenya, with financial assistance from the United States Patent and Trademark Office (USPTO) and Iowa State University, the Office organized a Regional Seminar on Plant Variety Protection under the UPOV Convention and Workshop on DUS Examination and Data Handling. Forty-six participants from 14 African countries and the Southern African Development Community (SADC) attended the Seminar and Workshop. Lectures were provided by experts from France, Netherlands, Republic of Korea, United States of America and the Office.

47. On June 9, at the UPOV/WIPO Headquarters, the Office made a presentation on the Protection of New Varieties of Plants According to the UPOV Convention during an Interregional Seminar organized by WIPO and the African Regional Industrial Property Organization (ARIPO). Participants from 77 countries attended.

48. On June 22, in Bangkok, Thailand, at the Department of Intellectual Property, Ministry of Commerce, the Office held a briefing session for Thai officials and representatives of organizations with an interest in plant variety protection according to the UPOV Convention. The meeting was organized at the initiative of Mrs. Wiboonlasama Ruamraksa, Deputy Director General, Department of Intellectual Property. Some 40 participants, including officials and representatives of academic institutes and non-governmental organizations (NGOs), were present.

49. From June 25 to 29, in Chiang Mai, Thailand, the Eighth Asian Regional Technical Meeting for Plant Variety Protection took place. The meeting was organized by the Office in cooperation with the Ministry of Agriculture and Cooperatives of the Kingdom of Thailand and with financial assistance from the Ministry of Agriculture, Forestry and Fisheries (MAFF) of Japan. Eighty-one experts were present, including 54 Thai participants, 27 foreign invited participants/speakers and 6 representatives of international organizations. As a part of the preparation, 49 participants were given the opportunity to take the UPOV Distance Learning Course DL-205.

50. On June 24, in Chiang Mai, Thailand, the Office had a meeting with Mr. Sotaro Ito, Director, Seed and Seedlings Division, Ministry of Agriculture, Forestry and Fisheries of

Japan. Matters concerning cooperation between the Government of Japan and UPOV were considered.

51. On July 3, at the Headquarters of the World Trade Organization (WTO), during the WIPO-WTO Colloquium for Teachers of Intellectual Property, the Office made a presentation about the UPOV system and the impact of plant variety protection.

52. On July 4, at the UPOV/WIPO Headquarters, the Office met with Mr. Pisan Luetongchareng, Director of Agriculture and Technology and Sustainable Agriculture Policy Division, Ministry of Agriculture and Cooperatives of Thailand, who was participating in a session of WIPO's Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore (IGC), and briefed him on the benefits of plant variety protection according to the UPOV Convention.

53. Also on July 4, the Office received a visit of Mrs. Victoria Henson-Apollonia, Head of the Central Advisory Service on Intellectual Property (CAS) of the World Bank related Consultative Group on International Agricultural Research (CGIAR). Recent developments within UPOV and CAS were discussed.

54. On July 5, the Office made a statement in WIPO's IGC.

55. Also on July 5, the Office received the visit of Mr. Chaiyan Rajchagool, Advisor, Office of the National Cultural Commission of Thailand, who was participating as a member of the delegation of Thailand in WIPO's IGC. Principles of the UPOV System and its benefits were explained.

56. On July 9, in Munich, Germany, at the Headquarters of the European Patent Office (EPO), the Office made a presentation during the European Patent Academy Public Seminar "The Industrial Property Business".

57. From July 9 to 13, in Santa Cruz de la Sierra, Bolivia, the Office, in cooperation with the Spanish Plant Variety Office (OEVV), the Spanish National Institute for Agricultural Research (INIA), the Spanish Agency for International Cooperation and WIPO, organized the Sixth Training course for Ibero-American countries on the Protection of New Varieties of Plants. The meeting was attended by some 30 experts directly involved, or expected to be involved in the future, in DUS examination from 18 countries. Lectures were given by experts from Bolivia, Spain and the Office. As a preparation, nine participants were given the opportunity to take the UPOV Distance Learning Course DL-205.

58. On July 9, in Paris, France, at the Organisation for Economic Co-operation and Development (OECD) Headquarters, the Office participated in the OECD Workshop on Variety Synonyms. Information based on the Explanatory Notes on Variety Denominations According to the UPOV Convention (UPOV/INF/12/1) was provided.

59. On July 10, the Office received Mr. Nadyrbek Turganbaevich Turganbaev, Chairman, State Patent Service of the Kyrgyz Republic (Kyrgyzpatent). The program and preparation of the Third West and Central Asian Regional Workshop on Plant Variety Protection under the UPOV Convention were considered.

60. Also on July 10, the Office received the visit of Mr. Emmanuel Sackey, Head of Search and Examination Section, ARIPO. Developments in plant variety protection in Africa and the potential role of ARIPO in this context were discussed.
61. On July 11 and 12, at the OECD Headquarters, the Office attended the Annual Meeting of the OECD Seed Schemes.
62. On July 13, also at the OECD Headquarters, the Office attended the Third Meeting of the OECD Working Group on Varietal Identity and Varietal Purity.
63. On July 15, the Office received the visit of Mr. Takaaki Kawakami, First Secretary, Permanent Mission of Japan to the United Nations and Other International Organizations in Geneva and responsible Officer for UPOV. Recent developments within UPOV and cooperation with Japan, in particular, were discussed.
64. On July 16, at the UPOV/WIPO Headquarters, the Office made a presentation during the WIPO Summer School on Intellectual Property. More than 50 students from 38 countries participated.
65. On July 26, the Office received the visit of Mrs. Zorka Pryevic, responsible officer for plant variety protection at the Ministry of Agriculture of Montenegro. The procedure of accession to the UPOV Convention was explained.
66. On August 23 and 24, in Seoul, Republic of Korea, the Office made presentations at a Training Course on Plant Variety Protection organized by the Korean International Cooperation Agency (KOICA). The Course was attended by 12 participants from Azerbaijan, Bangladesh, Cambodia, Egypt, Lao People's Democratic Republic, Myanmar, Nepal, Pakistan, Philippines, Sri Lanka, Uzbekistan and Viet Nam.
67. On August 27 and 28, in Phnom Penh, Cambodia, the Office provided assistance to the Government of Cambodia on the drafting of the legislation on plant variety protection.
68. On August 29, in Singapore, the Office had a discussion with officials of the Intellectual Property Office (SIPO) and the Agricultural and Veterinary Administration of Singapore, on the implementation of plant variety protection.
69. On September 5, in Geneva, the Office made a presentation at a WIPO Workshop on Intellectual Property for Geneva-based Permanent Representatives of members of the Organization of the Islamic Conference (OIC) Group. Some 35 Ambassadors participated in the opening ceremony.
70. Also on September 5, at the UPOV/WIPO Headquarters, the Office made a presentation during a WIPO meeting with leading officials of the OIC Secretariat.
71. On September 10, in Bishkek, Kyrgyz Republic, the Office was received by Mr. Dosbol Nur Uulu, Deputy Prime Minister of the Kyrgyz Republic, Mr. Nurlan Arstanbekovich Duisheev, Vice Minister for Agriculture, Water Economy and Processing Industry and Mr. Nadyrbek Turganbaevich Turganbaev, Director of Kyrgyzpatent were also present. The Deputy Prime Minister stressed the importance of new varieties of plants for agricultural development and encouraged the Ministry of Agriculture, Water Economy and

Processing Industry and Kyrgyzpatent to cooperate in the implementation of plant variety protection in the Kyrgyz Republic.

72. From September 11 to 14, in Cholponata, Kyrgyz Republic, the Office, in cooperation with the State Patent Service of the Kyrgyz Republic (Kyrgyzpatent) and with the financial assistance of the MAFF of Japan and Sida of Sweden, organized the Third West and Central Asian Regional Workshop on Plant Variety Protection under the UPOV Convention. Some 60 participants from nine countries and representatives of FAO, ISF and GNIS of France, as well as national and regional breeders' organizations, were present.

73. On September 14, in Bishkek, the Office paid a visit to the Headquarters of the SIDA Projects on Seed Sector Development in the Kyrgyz Republic and in Tadjikistan, and met with Mr. Rutger Persson, representative of the SIDA Projects on Seed Sector Development. An evaluation of the Third West and Central Asian Workshop was made and prospects of future cooperation in the region were considered.

74. On September 26, the Office received the visit of Ms. Mazina Kadir, Controller, Intellectual Property Office, Ministry of Legal Affairs, Port of Spain, Trinidad and Tobago. UPOV procedures for international cooperation and the drafting of Test Guidelines for variety examination in particular were explained. Possibilities of UPOV activities in the Caribbean were also considered.

75. On September 27, the Office received the visit of Dr. Paulin Edou Edou, Director General, African Intellectual Property Organization (OAPI), Yaoundé, Cameroon. The situation of plant variety protection under the auspices of OAPI and OAPI's accession to the UPOV Convention were considered.

76. On September 28, the Office received the visit of Mr. Rustemmyrat Payzullayev, Head, Patent Department, Turkmenistan Patent Office, Ministry of Economy and Finances, Ashgabat, Turkmenistan. Mr. Payzullayev confirmed that a draft law on plant variety protection was under consideration and expressed the wish to receive the Office's comments.

IV. RELATIONS WITH STATES AND ORGANIZATIONS

77. With regard to relations with States and organizations, a major part of the activities of the Office was focused on advice and assistance on plant variety protection legislation and the procedure to accede to the Convention by potential members of the Union, or members of the Union that intended to accede to the 1991 Act of the Convention. The Office provided written or oral comments, paid visits to authorities or received representatives of the respective States and Organizations in order to provide the requested advice. In this respect, the Office had contacts with Bahrain, Belarus, Cambodia, Costa Rica, Dominican Republic, Egypt, El Salvador, Georgia, Guatemala, Indonesia, Iran (Islamic Republic of), Jamaica, Kazakhstan, Kuwait, Malaysia, Mauritius, Mongolia, Montenegro, Mozambique, Oman, Pakistan, Philippines, Republic of Korea, Singapore, Sri Lanka, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Tunisia, Turkey, United Arab Emirates, United Republic of Tanzania and Viet Nam.

78. The Office met with representatives of international organizations to coordinate activities or to provide information on UPOV. The Office participated in meetings of, and discussions with, ARIPO, CBD, the FAO Commission on Genetic Resources for Food and

Agriculture (CGRFA), OAPI, WIPO's IGC, the WTO Council for Trade-Related Aspects of Intellectual Property Rights (Council for TRIPS), the International Center for Agricultural Research in the Dry Areas (ICARDA), the International Seed Testing Association (ISTA), OECD and SADC.

79. The Office provided guidance on the provisions of the Convention to members of the Union.

80. The Office met regularly with professional associations in order to follow developments in the practical application of plant variety protection at a global and regional level. Of particular relevance were meetings with ISF and CIOPORA, and with AFSTA, APSA and ESA.

V. PUBLICATIONS

81. The Office of the Union published:

(a) updated editions, covering every event affecting the composition of the Union, of the information leaflet on UPOV and plant variety protection in English, Arabic, Chinese, French, German, Russian and Spanish;

(b) three updated discs in the series constituting the UPOV central database, "UPOV-ROM Plant Variety Database";

(c) two sessions of the UPOV Distance Learning Course DL-205 in English, French, German and Spanish from April 16 to May 20, 2007 and from September 10 to October 14, 2007, respectively;

(d) the following Test Guidelines were adopted and will be published on the UPOV website:

Document No. N° du document Dokument-Nr. No del documento	English	Français	Deutsch	Español	Botanical name Nom botanique Botanischer Name Nombre botánico
TG/18/5(proj.4)	Elatior Begonia, Winter-flowering begonia	Bégonia elatior	Elatior-Begonie	Begonia elatior	Begonia ×hiemalis Fotsch, Begonia ×elatior hort.
TG/49/8(proj.3)	Carrot	Carotte	Möhre	Zanahoria	Daucus carota L.
TG/55/7(proj.3)	Spinach	Épinard	Spinat	Espinaca	Spinacia oleracea L.
TG/61/7(proj.4)	Cucumber, Gherkin	Concombre, Cornichon	Gurken	Pepino, Pepinillo	Cucumis sativus L.
TG/70/4 Rev.(proj.2)	Apricot	Abricotier	Aprikose, Marille	Albaricoquero, Chabacano, Damasco	Prunus armeniaca L., Armeniaca vulgaris Lam.
TG/137/4(proj.4)	Blueberry	Myrtille	Kulturheidelbeere	Arándano	Vaccinium angustifolium Aiton; V. corymbosum L.; V. formosum Andrews; V. myrtilloides Michx.; V. myrtillus L.; V. virgatum Aiton; V. simulatum Small
TG/140/4(proj.4)	Pot Azalea	Azalée en pot	Topfazalee	Azalea	Rhododendron simsii Planch.
TG/155/4(proj.3)	Pumpkin	Giraumon, Potiron	Riesenkürbis	Calabaza, Zapallo	Cucurbita maxima Duch.

Document No. N°. du document Dokument-Nr. No del documento	English	Français	Deutsch	Español	Botanical name Nom botanique Botanischer Name Nombre botánico
TG/215/1 Rev.(proj.2)	Clematis	Clématite	Clematis, Waldrebe	Clemátide	Clematis L.
TG/ANGLN(proj.3)	-	-	-	-	Angelonia angustifolia Benth. and its hybrids
TG/COM_MIL(proj.6)	Common Millet	Millet commun, Panic millet, Panic faux millet	Rispenhirse	Mijo común	Panicum miliaceum L.
TG/CUC_MOS(proj.4)	Butternut, Butternut Squash, Cheese Pumpkin, China Squash, Cushaw, Golden Cushaw, Musky Gourd, Pumpkin, Winter Crookneck Squash	Citrouille, Courge musquée, Courge noix de beurre	Bisamkürbis, Moschuskürbis	Ayote, Calabaza de Castilla, Calabaza moscada, Calabaza pellejo, Chicamita, Lacayote, Sequaloa, Zapallo	Cucurbita moschata Duch.
TG/DIASC(proj.3)	Diascia, Twinspur	Diascia, Diascie	Diascie	Diascia	Diascia Link & Otto
TG/HUSK(proj.5) ²	Husk Tomato	Alkéenge du Mexique, Coqueret, Physalis, Tomatillo, Tomato fraise	Mexikanische Blasenkirsche, Tomatillo	Miltomate, Tomatillo, Tomate de cáscara, Tomate de hoja, Tomate verde	Physalis ixocarpa Brot., Physalis philadelphica Lam
TG/HYPER_PER(proj.3)	St. John's Wort, Common St. John's Wort, Goat weed, Klamath weed, Tipton weed	Millepertuis	Johanniskraut	Hipericón, Hipérico, Hierba de San Juan, Corazoncillo	Hypericum perforatum L.
TG/MOM(proj.3)	Balsam apple, Balsam pear, Bitter cucumber, Bitter gourd, Bitter melon, Cassila gourd,	Concombre africain Margose, Momordique	Balsambirne, Bittergurke	Balsamito, Cundeamor, Momordica	Momordica charantia L.
TG/SUTERA(proj.4 Rev.)	Sutera; Jamesbrittenia	Sutera; Jamesbrittenia	Sutera; Jamesbrittenia	Sutera; Jamesbrittenia	Sutera Roth; Jamesbrittenia O. Kuntze
TG/TAGETE(proj.6)	Marigold	Tagète, Oeillet d'Inde, Rose d'Inde	Studentenblume	Clavel de las indias, Clavelon, Cempoalxóchitl	Tagetes L.

82. *The Council is invited to note this report.*

[Annexes follow]

ANNEX I

MEMBERS OF THE UNION

(September 30, 2007)

Member	Date of Signature ¹	Date of Deposit of Instrument ^{1,2}	Date Upon Which State Became Bound ¹
Albania	- - - -	- - - -September 15, 2005	- - - October 15, 2005
Argentina	- - - -	- - November 25, 1994 -	- - December 25, 1994 -
Australia	- - - -	- - February 1, 1989 December 20, 1999	- - March 1, 1989 January 20, 2000
Austria	- - - -	- - June 14, 1994 June 1, 2004	- - July 14, 1994 July 1, 2004
Azerbaijan	- - - -	- - - November 9, 2004	- - - December 9, 2004
Belarus	- - - -	- - - December 5, 2002	- - - January 5, 2003
Belgium	December 2, 1961 November 10, 1972 October 23, 1978 March 19, 1991	November 5, 1976 November 5, 1976 - -	December 5, 1976 February 11, 1977 - -
Bolivia	- - - -	- - April 21, 1999 -	- - May 21, 1999 -
Brazil	- - - -	- - April 23, 1999 -	- - May 23, 1999 -

¹ *1st line:* International Convention for the Protection of New Varieties of Plants of December 2, 1961

2nd line: Additional Act of November 10, 1972

3rd line: Act of October 23, 1978

4th line: Act of March 19, 1991

² of ratification, acceptance, approval or accession.

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Annex I, page 2

Member	Date of Signature ¹	Date of Deposit of Instrument ^{1,2}	Date Upon Which State Became Bound ¹
Bulgaria	- - - -	- - - March 24, 1998	- - - April 24, 1998
Canada	- - October 31, 1979 March 9, 1992	- - February 4, 1991 -	- - March 4, 1991 -
Chile	- - - -	- - December 5, 1995 -	- - January 5, 1996 -
China	- - - -	- - March 23, 1999 -	- - April 23, 1999 -
Colombia	- - - -	- - August 13, 1996 -	- - September 13, 1996 -
Croatia	- - - -	- - - August 1, 2001	- - - September 1, 2001
Czech Republic ^{3/}	- - - -	- - - October 24, 2002	- - January 1, 1993 November 24, 2002
Denmark	November 26, 1962 November 10, 1972 October 23, 1978 March 19, 1991	September 6, 1968 February 8, 1974 October 8, 1981 April 26, 1996	October 6, 1968 February 11, 1977 November 8, 1981 April 24, 1998
Dominican Republic	- - - -	- - - May 16, 2007	- - - June 16, 2007
Ecuador	- - - -	- - July 8, 1997 -	- - August 8, 1997 -
Estonia	- - - -	- - - August 24, 2000	- - - September 24, 2000

^{3/} Continuation of the accession of Czechoslovakia (instrument deposited on November 4, 1991; State bound on December 4, 1991).

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Annex I, page 3

Member	Date of Signature ¹	Date of Deposit of Instrument ^{1,2}	Date Upon Which State Became Bound ¹
European Community	- - - -	- - - June 29, 2005	- - - July 29, 2005
Finland	- - - -	- - March 16, 1993 June 20, 2001	- - April 16, 1993 July 20, 2001
France	December 2, 1961 November 10, 1972 October 23, 1978 March 19, 1991	September 3, 1971 January 22, 1975 February 17, 1983 -	October 3, 1971 February 11, 1977 March 17, 1983 -
Germany	December 2, 1961 November 10, 1972 October 23, 1978 March 19, 1991	July 11, 1968 July 23, 1976 March 12, 1986 June 25, 1998	August 10, 1968 February 11, 1977 April 12, 1986 July 25, 1998
Hungary	- - - -	- - March 16, 1983 December 1, 2002	- - April 16, 1983 January 1, 2003
Iceland	- - - -	- - - April 3, 2006	- - - May 3, 2006
Ireland	- - September 27, 1979 February 21, 1992	- - May 19, 1981 -	- - November 8, 1981 -
Israel	- - - October 23, 1991	November 12, 1979 November 12, 1979 April 12, 1984 June 3, 1996	December 12, 1979 December 12, 1979 May 12, 1984 April 24, 1998
Italy	December 2, 1961 November 10, 1972 October 23, 1978 March 19, 1991	June 1, 1977 June 1, 1977 April 28, 1986 -	July 1, 1977 July 1, 1977 May 28, 1986 -
Japan	- - October 17, 1979 -	- - August 3, 1982 November 24, 1998	- - September 3, 1982 December 24, 1998
Jordan	- - - -	- - - September 24, 2004	- - - October 24, 2004
Kenya	- - - -	- - April 13, 1999 -	- - May 13, 1999 -

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Member	Date of Signature ¹	Date of Deposit of Instrument ^{1,2}	Date Upon Which State Became Bound ¹
Kyrgyzstan	- - - -	- - - May 26, 2000	- - - June 26, 2000
Latvia	- - - -	- - - July 30, 2002	- - - August 30, 2002
Lithuania	- - - -	- - - November 10, 2003	- - - December 10, 2003
Mexico	- - July 25, 1979 -	- - July 9, 1997 -	- - August 9, 1997 -
Moldova	- - - -	- - - September 28, 1998	- - - October 28, 1998
Morocco	- - - -	- - - September 8, 2006	- - - October 8, 2006
Netherlands	December 2, 1961 November 10, 1972 October 23, 1978 March 19, 1991	August 8, 1967 January 12, 1977 August 2, 1984 October 14, 1996	August 10, 1968 February 11, 1977 September 2, 1984 April 24, 1998
New Zealand	- - July 25, 1979 December 19, 1991	- - November 3, 1980 -	- - November 8, 1981 -
Nicaragua	- - -	- - August 6, 2001 -	- - September 6, 2001 -
Norway	- - -	- - August 13, 1993 -	- - September 13, 1993 -
Panama	- - - -	- - April 23, 1999 -	- - May 23, 1999 -
Paraguay	- - - -	- - January 8, 1997 -	- - February 8, 1997 -

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Member	Date of Signature ¹	Date of Deposit of Instrument ^{1,2}	Date Upon Which State Became Bound ¹
Poland	- - - -	- - October 11, 1989 July 15, 2003	- - November 11, 1989 August 15, 2003
Portugal	- - - -	- - September 14, 1995 -	- - October 14, 1995 -
Republic of Korea	- - - -	- - - December 7, 2001	- - - January 7, 2002
Romania	- - - -	- - - February 16, 2001	- - - March 16, 2001
Russian Federation	- - - -	- - - March 24, 1998	- - - April 24, 1998
Singapore	- - - -	- - - June 30, 2004	- - - July 30, 2004
Slovakia ³	- - - -	- - - -	- - January 1, 1993 -
Slovenia	- - - -	- - - June 29, 1999	- - - July 29, 1999
South Africa	- - October 23, 1978 March 19, 1991	October 7, 1977 October 7, 1977 July 21, 1981 -	November 6, 1977 November 6, 1977 November 8, 1981 -
Spain	- - - March 19, 1991	April 18, 1980 April 18, 1980 - June 18, 2007	May 18, 1980 May 18, 1980 - July 18, 2007
Sweden	- January 11, 1973 December 6, 1978 December 17, 1991	November 17, 1971 January 11, 1973 December 1, 1982 December 18, 1997	December 17, 1971 February 11, 1977 January 1, 1983 April 24, 1998

³ Continuation of the accession of Czechoslovakia (instrument deposited on November 4, 1991; State bound on December 4, 1991).

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Member	Date of Signature ¹	Date of Deposit of Instrument ^{1,2}	Date Upon Which State Became Bound ¹
Switzerland	November 30, 1962 November 10, 1972 October 23, 1978 March 19, 1991	June 10, 1977 June 10, 1977 June 17, 1981 -	July 10, 1977 July 10, 1977 November 8, 1981 -
Trinidad and Tobago	- - - -	- - December 30, 1997 -	- - January 30, 1998 -
Tunisia	- - - -	- - - July 31, 2003	- - - August 31, 2003
Ukraine	- - - -	- - October 3, 1995 -	- - November 3, 1995 -
United Kingdom	November 26, 1962 November 10, 1972 October 23, 1978 March 19, 1991	September 17, 1965 July 1, 1980 August 24, 1983 December 3, 1998	August 10, 1968 July 31, 1980 September 24, 1983 January 3, 1999
United States of America	- - October 23, 1978 October 25, 1991	- - November 12, 1980 January 22, 1999	- - November 8, 1981 February 22, 1999
Uruguay	- - - -	- - October 13, 1994 -	- - November 13, 1994 -
Uzbekistan	- - - -	- - - October 14, 2004	- - - November 14, 2004
Viet Nam	- - - -	- - - November 24, 2006	- - - December 24, 2006

Total: 64 members

[Annex II follows]

ANNEX II

STUDENTS REGISTERED FOR THE
UPOV DISTANCE LEARNING COURSE (DL-205)
2007 Sessions

Session I, 2007: April/May		
Category	Students from	Number of students
<u>Category 1</u> Officials of members of the Union	Argentina, Bolivia, Brazil, Canada, Chile, China, Colombia, European Community, Estonia, France, Hungary, Israel, Japan, Mexico, Moldova, Morocco, Netherlands, Nicaragua, Pakistan, Paraguay, Poland, Republic of Korea, Russian Federation, Slovenia, Spain, Switzerland, Trinidad and Tobago, United Kingdom, Uzbekistan, Viet Nam	181
<u>Category 2</u> Officials of observer States / intergovernmental organizations	Algeria, Costa Rica, Gabon, Greece, Guatemala, Iran (Islamic Republic of), Mauritius, Myanmar, Pakistan, Turkey, World Trade Organization (WTO)	13
<u>Category 3 (Paying)</u> Others	France, Italy, Mexico, South Africa, Spain, Switzerland	9
Asian Regional Technical Meeting (ARTM)		49
Sixth Training course for Ibero-American countries on the Protection of New Varieties of Plants (SRZ)		9
Plant Variety Protection Course, Wageningen (Netherlands)		11
TOTAL		272

Session II, 2007: September/October		
Category	Students from	Number of students
<u>Category 1</u> Officials of members of the Union	Argentina, Bolivia, Brazil, Canada, Chile, China, Colombia, European Community, Estonia, France, Germany, Hungary, Israel, Japan, Mexico, Moldova, Morocco, Netherlands, Nicaragua, Pakistan, Paraguay, Poland, Republic of Korea, Russian Federation, Slovenia, Spain, Switzerland, Trinidad and Tobago, United Kingdom, Uzbekistan, Viet Nam	140
<u>Category 2</u> Officials of observer States / intergovernmental organizations	Algeria, Costa Rica, Gabon, Greece, Guatemala, Iran (Islamic Republic of), Mauritius, Myanmar, Pakistan, Turkey, World Trade Organization (WTO)	10
<u>Category 3 (Paying)</u> Others	Australia, Canada, Chile, Denmark, Ecuador, France, Germany, Israel, Italy, Mexico, Netherlands, Spain, Switzerland, United States of America	25
Japan International Cooperation Agency Training Course (JICA)		10
TOTAL		186

[End of Annex II and of document]