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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
GENEVA

COUNCIL

Thirty-third Ordinary Session
Geneva, 20 October 1999

REPORT ON THE PROGRESS OF THE WORK OF THE ADMINISTRATIVE AND
LEGAL COMMITTEE

Document prepared by the Office of the Union

1. Since the thirty-second session of the Council, the Administrative and Legal Committee (hereinafter referred to as the "Committee") has held one session, its thirty-ninth, on March 25, 1999.
2. The Committee examined the following matters:
 - (a) The notion of breeder.— The Committee requested the Office of the Union to draw up an explanatory document for consideration at its fortieth session.
 - (b) The notion of trees and vines for the purposes of the provisions on novelty and the duration of protection.— The Committee was of the view that the special treatment of trees and vines had been unfortunately maintained in 1991 and that it would be advisable to remove it at a future Diplomatic Conference. It requested the Office of the Union to draw up, for consideration at its fortieth session, a list of species containing information on their anatomy and their morphology.
 - (c) Effects of a priority claim.— The Committee noted a document describing a point of law that is currently being considered within the European Patent Organization (EPO) and whose solution might have repercussions on plant variety protection law.

d) The global information network of WIPO.– The Committee noted the plans of WIPO with regard to the setting up of a dedicated communication system offering a variety of other services.

3. The fortieth session of the Committee will be held on October 18, 1999. In addition to the matters described in items (a) and (b) of the preceding paragraph, the Committee will consider the “breeder’s exemption” and the new procedures for the revision of treaties. A report will be given to the Council on the work done at that session.

4. The Council is invited to note and approve this report.

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