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

Geneva

**COUNCIL****Forty-Eighth Ordinary Session  
Geneva, October 16, 2014****REPORTS BY REPRESENTATIVES OF MEMBERS AND OBSERVERS  
ON THE LEGISLATIVE, ADMINISTRATIVE AND TECHNICAL FIELDS***Document prepared by the Office of the Union**Disclaimer: this document does not represent UPOV policies or guidance*

1. According to the practice introduced on the occasion of the twenty-sixth ordinary session of the Council, the reports from the representatives of members and observers on the situation in the legislative, administrative and technical fields of plant variety protection and related areas are requested to be submitted in writing, in advance, to increase the ability of the Council to carry out its tasks effectively.
2. Written reports were requested by the Office of the Union in the invitation circular relating to this session and a model format was proposed. The following reports were submitted (in alphabetical order of the names in French):  
  
Members: Annexes I to XXIII: South Africa, Germany, Australia, Belgium, Chile, China, Finland, Georgia, Hungary, Israel, Latvia, Lithuania, Morocco, Mexico, New Zealand, Poland, Republic of Moldova, Romania, Serbia, Switzerland, Ukraine, European Union and Viet Nam  
  
Observer: Annex XXIV: Egypt
3. Reports received after September 5, 2014, will be included as an addendum to this document, which will be published after the Council session.

[Annexes follow]

## SOUTH AFRICA

## PLANT VARIETY PROTECTION

Situation in the legislative field

Amendments of the law and the implementing regulations

The annual increase of Plant Breeders' Rights Fees was published in Government Gazette No. 37308 of 14 February 2014. New fees came into effect on 1 April 2014.

Extension of protection to further genera and species

1	
Kind of plant Soort Plant	
Botanical Name Botaniese Naam	Common Name Gewone Naam
<i>Coleonema</i> Bartl. & H.L. Wendl (all spp.)	Coleonema
<i>Tamarix</i> L. (all spp. except <i>T. ramosissima</i> Ledeb. and <i>T. chinensis</i> Lour.)	Tamarix
<i>Curcuma</i> L. (all spp.)	Hidden cone gingers
<i>Aspalathus</i> L.	Aspalathus
<i>Beschorneria</i> Kunth	Beschorneria
<i>Isoglossa</i> Oerst.	Isoglossa
<i>Pennisetum setaceum</i> (Forssk.) Chiov. (only sterile hybrids)	Fountain grass
<i>Pennisetum squamulatum</i> Fresen.	-
<i>Solidago</i> L.	Goldenrods

Situation in the administrative and technical field

- Applications: 309 PBR applications were received of which 30% were for agricultural crops, 39% for ornamental crops, 27% for fruit crops and 4% for vegetable crops.
- Valid plant Breeders' Rights: as of December 2013, a total of 2,607 varieties had valid plant breeder's rights in South Africa, of which 34% were for ornamental crops, 34% for agricultural crops, 23% for fruit crops and 9% for vegetable crops.

Information on Plant Breeders' Rights, including journals, legislation, etc. can be found at [www.daff.gov.za](http://www.daff.gov.za).

[Annex II follows]

PLANT VARIETY PROTECTION

Situation in the legislative field

The Federal Constitutional Court ruled on 13 January 2014 that § 6 paragraph 1 of the Plant Variety Protection Law, which governs “novelty”, is not consistent with the UPOV Convention. The definition must be interpreted as meaning that a plant variety shall be deemed novel if plants or parts of plants from the plant variety have not been transferred to other parties for commercial purposes or have not been transferred in the country for the past year or abroad for the past four years (six years in the case of vines and trees).

As far as applications for variety protection are concerned, Germany shall apply this interpretation in the future.

Activities to promote the protection of plant varieties

During the period under review, a German delegation composed of representatives of the Federal Ministry of Agriculture, the Federal Plant Variety Office and the economy visited India for technical talks. The Federal Plant Variety Office hosted delegations from Saudi Arabia and from the Russian Federation, with the latter requesting Germany to pay a return visit. In addition, the Office organized a technical exchange with representatives of the UPOV Secretariat.

[Annex III follows]

AUSTRALIA

The format of this report follows that specified in previous years and briefly records information for our financial year ending 30 June 2014.

PLANT VARIETY PROTECTION

1. Situation in the legislative field

- 1.1 No PBR legislation was enacted or came into force in 2013/2014.
- 1.2 Australia offers protection for new varieties of all genera and species.
- 1.3 PBR case law:

*Elders Rural Services Australia Limited v Registrar of Plant Breeder's Rights* [2012] FCAFC 14. On appeal, the Full Court of the Federal Court of Australia ruled that an application for a potato variety ('Nadine') lodged under the previous *Plant Variety Rights Act 1987* but not fully disposed of (e.g. granted or refused PBR) before the current *Plant Breeder's Rights Act 1994* came into force, should enjoy a duration of PBR protection specified by the current Act. This has the effect of recalculating the maximum duration of protection for 'Nadine' and a number of other varieties.

*Graham's Factree Pty Ltd v Oak Enterprises (No 1)* [2012] FCA 1033. This case involved "practice and procedure" where the Federal Court of Australia ruled that it was just and convenient to separate determination of questions of infringement liability and pecuniary relief.

2. Cooperation with examination

A cooperation arrangement for *Pennisetum clandestinum* 'RK19' was signed with the Community Plant Variety Office on 19 June 2014.

3 & 4 Situation in administrative and technical fields

The Australian PBR office has an accreditation system for 38 establishments to act as Centralised Test Centres (CTCs) for DUS testing for one or more plant types.

The full list of the 56 plant types for which CTC testing is available in Australia is: Potato, Sugar Cane, Canola, Wheat, Oats, Clematis, *Mandevilla*, *Diascia*, *Argyranthemum*, *Pelargonium*, Perennial Ryegrass, Tall Fescue, Tall Wheat Grass, White Clover, Persian Clover, *Bracteantha*, *Aglaonema*, *New Guinea Impatiens*, *Bougainvillea*, *Verbena*, *Agapanthus*, *Camellia*, *Lavandula*, *Osmanthus*, *Ceratopetalum*, *Rosa*, *Euphorbia*, *Linonium*, *Raphiolepis*, *Eriostemon*, *Lonicera*, *Jasminum*, *Angelonia*, *Cuphea*, *Cynodon*, *Zoysia*, *Petunia*, *Calibrachoa*, *Hordeum*, *Leptospermum*, *Rhododendron*, *Osteospermum*, *Antirrhinum*, *Dahlia*, *Anubias*, *Ananas*, *Dianella*, *Plectranthus*, *Zingiber*, *Zantedeschia*, *Prunus*, *Mangifera*, *Vaccinium*, *Kalenchoe*, *Lens*, *Lomandra*, *Anigozanthos* and *Aloe*.

IP Australia also maintains and updates weekly a Homepage ([www.ipaustralia.gov.au](http://www.ipaustralia.gov.au)) that includes PBR information, downloadable forms; and a searchable database including information on current applications, variety descriptions, images and grants.

Data relating to applications:

Year	Applications Received	Applications Completed	Applications Pending
Ending 30/6/2014	309	321	
Total 1988 to 2014*	7781	6402	1379

\*= as at 30 June 2014 and includes any adjustments relating to previous years

5. Activities for the promotion of plant variety protection

With the assistance of the UPOV office and the Australian Centre for Intellectual Property in Agriculture (ACIPA), IP Australia has been involved in the following promotional activities:

1. 'Experience on essentially derived varieties in Australia', UPOV Seminar on essentially derived varieties (EDVs), Geneva, 22 October 2013.
2. 'Plant Variety Protection according to the UPOV Convention', WIPO-QUT Masters of Intellectual Property Law course, Queensland University of Technology, 18-19 July 2013 and 15-16 May 2014.
3. 'Introduction to the Examination of Varieties under the UPOV Convention', WIPO-QUT Masters of Intellectual Property Law course, Queensland University of Technology, Brisbane, 18-19 July 2013 and 15-16 May 2014.
4. 'The Impact and Benefits of Plant Variety Protection under the UPOV Convention', WIPO-QUT Masters of Intellectual Property Law course, Queensland University of Technology, Brisbane, 18-19 July 2013 and 15-16 May 2014.
5. 'The UPOV Convention and Other International Treaties', WIPO-QUT Masters of Intellectual Property Law course, Queensland University of Technology, Brisbane, 18-19 July 2013 and 15-16 May 2014.
6. End Point Royalty Seminar, Canberra, 30 May 2014  

Gleeson, K. 'Wheat Breeders' Perspectives – how EPR's have changed the funding of wheat breeding.

McGrath, D. 'End Point Royalties (EPR's) Past, Present and Future.

Prescott, C. 'EPR's in Ornamental Horticulture'.
7. 'Role of PBR in supporting agricultural innovators', Agri-innovation: the convergence of research, IP and commercialisation in Australian Agriculture; Sydney, 11 June 2014.

[Annex IV follows]

I. PLANT VARIETY PROTECTION

1. Situation in the legislative field

*Adaptation to the UPOV Convention, 1991 Act*

The Law of January 10, 2011 on the Protection of Plant Varieties, which will enter into force in early 2015, adapts the plant variety protection system to the UPOV Convention, 1991 Act.

Notwithstanding, access to plant variety protection compliant with the Act of 1991 remains possible in Belgium, by virtue of the applicable European regulations, through the Community Plant Variety Office.

2. Cooperation in examination

No change.

3. Situation in the administrative field

- *Change in administrative structure*

No change.

- *Volume of activity – situation as of August 31, 2014*

Between the date of implementation of the legislation on plant variety protection in Belgium and August 31, 2014, 2,258 applications for protection were registered and 1,811 certificates issued, 104 of which remain in force.

II. OTHER DEVELOPMENTS OF RELEVANCE TO UPOV

1. National catalogs of varieties

Transposition of Directives 2013/57/EU, 2003/91/EC, 2003/90/EC, 2002/53/EC, 2002/55/EC (partim)

- Order of the Walloon Government of April 24, 2014, relating to catalogs of agricultural plant and vegetable species and repealing certain relevant provisions.

*(Moniteur Belge (Official Bulletin) of July 1, 2014, p. 48882)*

This text repeals the pre-existing relevant provisions and constitutes the new legal basis for the registration of varieties in catalogs in the Walloon Region.

Transposition of Directive 2013/57 /EU

- Ministerial Order of April 23, 2014, amending Annexes I and II of the Order of the Flemish Government of April 27, 2007, on the minimum characteristics to be examined and the minimum conditions for examining certain varieties of agricultural plant and vegetable species.

*(Moniteur Belge (Official Bulletin) of June 4, 2014, p. 42795)*

2. Control of Seeds and Seedlings – Certification

Transposition of Directive 2013/45/EU

- Ministerial Order of February 3, 2014, amending, with regard to the botanical name of the tomato, the Order of the Walloon Government of February 9, 2006, concerning the production and marketing of vegetable seeds and industrial chicory seeds and the Order of the Walloon Government of July 5, 2007, concerning the production and marketing of vegetable plants and vegetable propagating material other than seeds.

*(Moniteur Belge (Official Bulletin) of February 17, 2014, p. 12941)*

- Order of the Walloon Government of March 13, 2014, amending the Order of the Walloon Government of November 18, 2010, introducing certain exemptions regarding the admission of vegetable varieties traditionally grown in specific regions or without commercial value and the marketing of seeds of those varieties.

*(Moniteur Belge (Official Bulletin) of March 26, 2014, p. 23833)*

- Order of the Flemish Government of January 17, 2014, amending the regulations governing vegetables and vegetable seeds with regard to the botanical name of the tomato

*(Moniteur Belge (Official Bulletin) of February 11, 2014, p.12091)*

#### Transposition of Directive 2002/56/EU

- Order of the Walloon Government of March 20, 2014, concerning the production and marketing of potato plants

*(Moniteur Belge (Official Bulletin) of May 12, 2014, p. 38409)*

This text repeals the previously existing relevant provisions and constitutes the new legal basis for the production and marketing of potato plants in the Walloon Region.

#### 3. Other

- Decree of March 27, 2014, on the Walloon Code of Agriculture,

*(Moniteur Belge (Official Bulletin) of June 5, 2014, p. 42894)*

[Annex V follows]

## PLANT VARIETY PROTECTION

1. Situation in the legislative field

- Amendments of the law and the implementing regulations

A bill on accession to the 1991 Act of the UPOV Convention is currently being prepared.

2. Cooperation in examination

Chile has cooperated with Peru and Morocco concerning DUS test exchanges.

3. Situation in the administrative field

- Changes in the administrative structure

On March 17, 2014, Mr. Guillermo Aparicio Muñoz replaced Mr. Jaime Ibieta Sotomayor as the Head of the División Semillas del Servicio Agrícola y Ganadero (the Seeds Division of the Agricultural and Livestock Service).

- Changes in office procedures and systems

In May 2014, the Protected Varieties Registry obtained quality management system ISO 9001:2008 certification.

4. Situation in the technical field (see point 3)5. Activities for the promotion of plant variety protection

Title of activity	Date	Location	Organizer(s)	Purpose of activity	Participating countries/ organizations (number of participants from each)
1. Workshop on "Plant Varieties and the 1991 Act of the UPOV Convention"	December 13, 2013	Valparaíso, Chile	Universidad Católica de Valparaíso	Highlight the benefits of accession to the 1991 Act of the UPOV Convention, myths and realities.	30 participants from Chile, including university lecturers, researchers and students
2. Summer School, WIPO-Chile	January 24, 2014	Viña del Mar, Chile	National Institute of Industrial Property (INPI)	Participation in the Summer School and awareness-raising concerning plant variety protection	56 participants, including 7 foreign nationals

[Annex VI follows]



## PLANT VARIETY PROTECTION

### 1. Situation in the legislative field

#### Amendments of the law and the implementing regulations

Article 39 (iii) and article 40 in the Regulations were revised on January 31, 2013 and have been implemented on March 1, 2013.

Article 39, Section 3 was amended as follows: "In handling cases of infringement of variety rights in accordance with their respective competence, the administrative departments of agriculture and forestry of the People's Governments at provincial level or above may, for the purposes of safeguarding the public interest of the society, order the infringer to stop the infringing act, confiscate the unlawful earnings and the propagating materials of plant variety, and punish him with a fine 1-5 times of goods value if exceeds 50000RMB ,or punish him with a fine less than 250000RMB according to seriousness if the value of goods does not exist or is less than 50000RMB."

Article 40 was amended as the following, "Once any new plant variety is counterfeited, the administrative departments of agriculture and forestry at county level or above shall order the party concerned to stop the counterfeiting act, confiscate the unlawful earnings and the propagating material of the plant variety, and punish with a penalty 1-5 times of goods value if exceeds 50000RMB ,or punish with a penalty less than 250000RMB according to seriousness if the value of goods does not exist or is less than 50000RMB; if the conduct is serious enough to constitute a crime, the person shall be accused of criminal responsibility in accordance with the law."

#### Extension of protection to further genera and species

The 9<sup>th</sup> batch protection list of botanical plants new varieties has been published on April 11, 2013 and enforced on May 12, 2013, which includes 13 genera or species as follows: *Brassica juncea*(L.) Czern.et coss, *Brassica alboglabra* Bailey L., *Eriobotrya japonica* Lindl., *Prunus avium* L., *Lactuca sativa* L., *Panax notoginseng*(Burk) F.H. Chen, *Momordica charantia* L., *Benincasa hispida* Cogn., *Avena sativa* L. & *Avena nuda* L., *Mangifera indica* L., *Tagetes* L., *Tulipa* L., *Nicotiana tabacum* L. & *Nicotiana rustica* L.

### 2. Situation in the administrative field

#### Changes in the administrative structure

The Office of Plant Variety Protection, Ministry of Agriculture transferred from the Department of Science and Technology, MOA to the Bureau of Seed Management, MOA and so does its responsibilities. The Division of Variety Management is in charge of the day-to-day office work of the PVPO. The Plant Variety Protection Division, Development Center of Science and Technology, MOA is responsible for receiving and examination PVP applications. The DUS tests Division, Development Center of Science and Technology, MOA is responsible for DUS testing and Test Guidelines development. Seed storage is responded by Seed Storage Center, Chinese Academy of Agricultural Sciences.

### 3. Situation in the technical field

Last year, 4 new genera or species test guidelines have been arranged to be developed by MOA, namely *Impatiens wallerana* Hook. f., *Impatiens hawkeri* Bull., *Panax ginseng* C. A. Mey. and *Hylotelephium tatarinowii* (Maxim.) H. Ohba,

The test guidelines of *Nicotiana tabacum* L. & *Nicotiana rustica* L., *Medicago sativa* L., *Hevea brasiliensis* (Willd. ex A. de Juss.) Muell. Arg. And *Benincasa hispida* Cogn. have been published this year.

Up to now, 14 genera or species DNA finger print technical documents have been completed and 2 of them, maize and rice, have been revised.

4. Activities for the promotion of plant variety protection

Title of activity	Date	Location	Organizer(s)	Purpose of activity	Participating countries/ organizations (number of participants from each)
1. Examination and Approval Meeting for Test Guidelines	March 3-7, 2013	Beijing, China	The DUS tests Division, Development Center of Science and Technology, MOA	Examination and approval for Test Guidelines of 8 plant genera or species	Domestic, 39 participants
2. Discussion for DUS Testing Technology	March 6-9, 2013	Beijing, China	The DUS tests Division, Development Center of Science and Technology, MOA	Aiming to make a standard procedure of DUS testing, enhance testing technology and improve the development of DUS testing system	Domestic, 24 participants
3. DUS Testing Annual Conference	March 11-14, 2013	Kunming, Yunnan province, China	The DUS tests Division, Development Center of Science and Technology, MOA	To summarize DUS tests of the last year and put forward the plan of this year	Domestic, 59 participants
4. Examination and Approval Meeting for Test Guidelines	April 7-10, 2013	Haikou, Hainan province, China	The DUS tests Division, Development Center of Science and Technology, MOA	Examination and approval for Test Guidelines of 6 plant genera or species	Domestic, 17 participants
5. Fifth Session of the Korea-China Plant Variety Protection Examination Cooperation Meeting+	August 26 to 30, 2013	Korea	Korea Seed & Variety Service	Fifth Session of the Korea-China Plant Variety Protection Examination Cooperation Meeting	3 participants
6. Joint Meeting of the ISF Intellectual Property Committee with Chinese IP Experts	Sept. 14, 2013	Beijing, China	ISF Intellectual Property Committee	lecture	30 participants
7. National Agricultural Plant New Variety Protection Training Course	Sept. 15, 2013	Shanxi China	Shanxi province	To Enhance the awareness of plant new variety protection	150 participants
8. Joint Workshop on DUS Testing & Molecular Techniques	Sept. 23, 2013	Beijing, China	UPOV	lecture	50 participants
9. Award Friendship Prize	Sept. 29-30, 2013	Beijing, China	Bureau of Foreign Experts Affairs	Mr. Arnold Jan Piet van Wijk from Naktuinbouw was Awarded Friendship Prize	Domestic and overseas, 1299 foreign experts
10. Mr. Lv Bo won Silver Medal from UPOV	October 21, 2013	Public on 'China Intellectual Property News'	Ministry of Agriculture	Let public know	Domestic

Title of activity	Date	Location	Organizer(s)	Purpose of activity	Participating countries/ organizations (number of participants from each)
11. News Press Conference on Agricultural Plant New Variety Protection in China Yangling Agricultural Hi-Tech Fair	November 5, 2013	Yangling, Shannxi province, China	The Plant Variety Protection Division, Development Center of Science and Technology, MOA	Let public know the latest information of PVPO, MOA	Domestic, 300 participants
12. National Agricultural Plant New Variety Protection Training Course	November 7-8, 2013	Chongqing, China	Development Center of Science and Technology, MOA	To enhance the awareness of plant new variety protection	Domestic, 149 participants
13. The 2nd Session of DUS testing technology	November 10-23, 2013	Danzhou, Hainan province, China	Development Center of Science and Technology, MOA	Let new employees understand PVP system and DUS testing technology	Domestic, 26 participants
14. Videophone Conference on Special Mission against Infringement of Plant Variety Protection Rights and to Crack down on Behavior of Producing and Selling Fake Seeds	November 29, 2013	National wide	Ministry of Agriculture, Ministry of Public Security and State Administration for industry and Commerce	Arrangement of Special Mission against Infringement of Plant Variety Protection Rights and to Crack down on Behavior of Producing and Selling Fake Seeds	Domestic, 200 participants
15. The 3rd working session of PVP with Chinese Taipei	March 20-21, 2014	Shanghai, China	Ministry of Agriculture, State Forestry Administration and Agriculture Committee Taiwan	The purpose was to implemented 'the two sides of the Taiwan Straits intellectual property protection cooperation agreement' and strengthen technique cooperation and exchange within both sides	Domestic, 10 participants; Taiwanese 5 participants
16. Uniformity Evaluation Testing on-site meeting of Wheat	April 23-25, 2014	Nanjing, Jiangsu province, China	Nanjing and Jinan DUS testing Station	Enhance DUS testing technique exchange	Domestic, 30 participants
17. National Agricultural Plant New Variety Protection Training Course	May 12-14, 2014	Ha'erbin, Heilongjiang Province, China	The Plant Variety Protection Division, Development Center of Science and Technology, MOA	To Enhance the awareness of plant new variety protection	Domestic, 110 participants
18. Meeting with Vice Secretary General of UPOV	May 27, 2014	Beijing, China	The Plant Variety Protection Division, Development Center of Science and Technology, MOA	Communication with UPOV officer	Domestic, 15 participants; Mr. Peter Button

Title of activity	Date	Location	Organizer(s)	Purpose of activity	Participating countries/ organizations (number of participants from each)
19. Special Mission against Infringement of Plant Variety Protection Rights and to Crack down on Behavior of Producing and Selling Fake Seeds	4 times per year	National wide	Ministry of Agriculture	To ensure PVP rights holder's rights and interests, investigate and treat producing and selling fake seeds activity and guarantee farmer could get security seeds from market	Domestic, 150 participants
20. the Open Meeting of the Breeders Committee at the World Seed Congress 2014 in Beijing	May 26, 2014	Beijing, China	The ISF Breeders Committee	lecture	150 participants
21. Cochran IPR Delegation	July 21- August 2, 2014	USA	Cochran program ASTA	Study tour	5 participants

[Annex VII follows]

PLANT VARIETY PROTECTION

Cooperation in examination

Agreement for International Cooperation in the Testing of Varieties

- Date: 15.05.2013
- between Food Safety Authority Evira (Finland) and Mattilsynet / Plant Variety Board (Norway)
- Contents: Finnish Food Safety Authority Evira shall provide DUS examination services to Mattilsynet / Norwegian Plant Variety Board at the latter's request.
- Species agreement is applied to:
  - *Avena nuda* L. (spring type only)
  - *Avena sativa* L. (spring type only)
  - *Brassica rapa* var. *oleifera* subvar. *annua* L. (spring type only)
  - *Festuca arundinacea* Schreb.
  - *Festuca pratensis* Huds.
  - *Hordeum vulgare* L. sensu lato (spring type only)
  - *Phalaris arundinacea* L.
  - *Phleum pratense* L.
  - *Poa pratense* L.
  - *Secale cereal* L.
  - *Trifolium pratense* L.
  - *Trifolium repens* L.
  - *Triticum aestivum* L. emend Fiori et Paol.

[Annex VIII follows]

## PLANT VARIETY PROTECTION

### 1. Situation in the legislative field

#### 1.1 Amendments of the law and the implementing regulations

Transfer of functions on protection of new plant varieties to the National Intellectual Property Center of Georgia "Sakpatenti" in accordance with the reform in the State control system of agriculture of Georgia (2006).

#### 1.2 Extension of protection to further genera and species

At its twenty-fourth extraordinary session, held in Geneva on March 30, 2007, the Council examined the Law for the Protection of New Varieties of Plants of 2006 of Georgia with the 1991 Act of the UPOV Convention. This Law regulates linked with the legal protection of new varieties of plants and applies to all botanical genera and species. Fee for the registration of new variety of plant and breeds are not applicable yet.

On October 29, 2008, the Government of Georgia deposited its instrument of accession to the UPOV Convention. The Convention entered into force one month later and Georgia became the sixty-sixth member of (UPOV) on November 29, 2008.

#### 1.3 Case Law

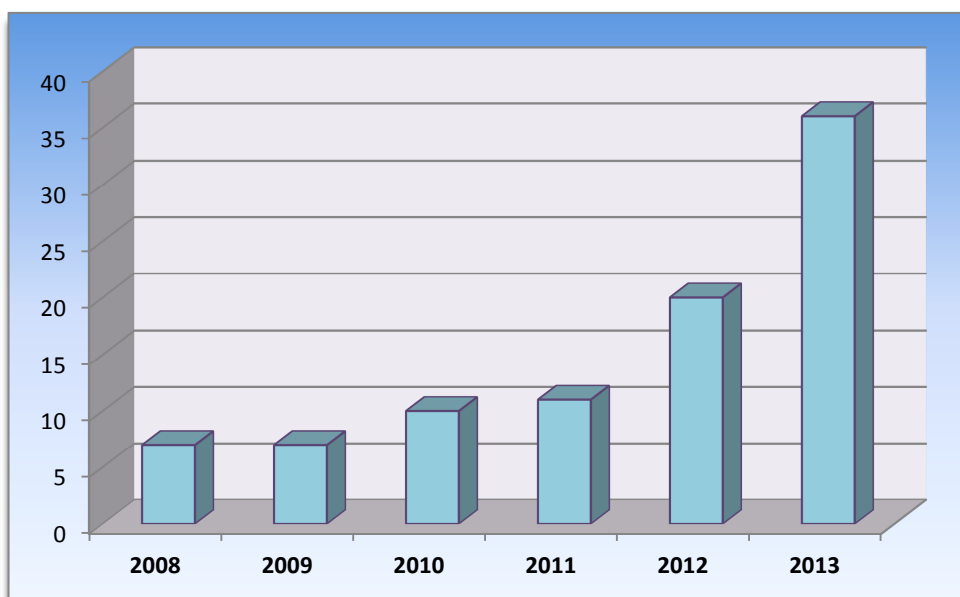
According to the request of Ministry of Justice of Georgia, two laws 'Law of Georgia for the Protection of New Varieties of Plant and Law of Georgia for the Protection of new animal breed has been merged.

Legal protection of new varieties of plants and breeds of animals and acquisition of exclusive rights in them occur in Georgia on the basis of the Law of Georgia "On New Breeds of Animals and Varieties of Plants", which entered into force on December 29, 2010.

Along with this, the examination procedure includes establishing the filing date of the application, conducting examination as to form, publication in the Official Bulletin for the Protection of New Plant Varieties and Animal Breeds (first publication) and handing over the new plant variety/ animal breed for testing for distinctness, uniformity and stability.

In the period from January 1, 2008 to the December 31, 2013, 90 new applications have been received including 69 domestic and 21 foreign as follows:

Maize-21, Wheat-11, Blueberry-13, Barley-2, Onion-2, Mulberry-9, Tomato-3, Soya-2, Pea-2, Bean-3, Lentil-1, Apple-1, Stevia-1, Cabbage-1, Potato-7, Oat-1, Sunflower-4, Hazelnut-3, Walnut-2, Chickpea-1



44 patents for plant varieties have been granted.

2. Cooperation in examination

So far Georgia does not have bilateral agreements of cooperation in the examination of plant varieties.

3. Situation in the administrative field

Defining Procedures and the system of the plant varieties protection by the Law on Plant Variety Protection of Georgia and instruction.

4. Situation in the technical field

“Sakpatenti” has developed and Ministry of agriculture has approved “Rules of reception and consideration of applications for new plant varieties” and also the individual Test Guidelines are prepared by Sakpatenti for the DUS Examination in Georgian and is approved by the Ministry of Justice of Georgia. The Examination generates a description of the variety using its relevant characteristics.

5. Activities for the promotion of plant variety protection

It should be noted that for the purpose of availability of bibliographic data and software, in 2012 a MS ACCESS database of new varieties and breeds was created. In 2013 the work was completed for filling the database with information according to the new structure, its reorganization and perfection for internal use as well as for publication in the Internet (Unicode format).

The relevant information is published in the Official Bulletin for the Protection of New Plant Varieties and Animal Breeds Information regarding completed and in progress applications. The exact images of the objects can be viewed in the E-version of Sakpatenti website: [www.sakpatenti.org.ge](http://www.sakpatenti.org.ge)

[Annex IX follows]

## PLANT VARIETY PROTECTION

1. Situation in the legislative field

Extension of protection to further genera and species

No changes. Pursuant to the rules in force, plant variety protection extends to all plant genera and species.

2. Cooperation in examination

No changes. According to paragraphs (3) and (4) of Article 114/R of the Patent Act the results of experimental testing (DUS examination report) carried out by a competent foreign authority may be taken into consideration with the consent of such authority (...) The costs of experimental testing shall be borne by the applicant. Therefore the Hungarian Intellectual Property Office (HIPO) took steps to conclude agreements with national and regional offices on sending reports on DUS technical examination from the relevant Office to the HIPO.

The Hungarian Intellectual Property Office concluded agreements on sending reports on DUS technical examination with the Community Plant Variety Office (CPVO), with the Bundessortenamt (Germany) as well as with the Board for Plant Breeders' Rights of the Ministry of Agriculture, Nature and Food Quality (Netherlands).

3. Situation in the administrative field

No changes. The HIPO is authorised to grant protection to plant varieties. In the national system the HIPO is responsible for the examination of novelty, denomination and unity as well as for the registration of plant varieties. The National Food Chain Safety Office (NFCSSO) is responsible for the biological examination (DUS-testing).

4. Situation in the technical field

Technical examination is carried out by the National Food Chain Safety Office.

5. Activities for the promotion of plant variety protection

Title of activity	Date	Location	Organizer(s)	Purpose of activity	Participating countries/ organizations (number of participants from each)
1. National Agricultural Research and Innovation Centre (NARIC)	21.05.2014	Gödöllő/ Hungary (Agricultural Biotechnology Institute)	HIPO and NARIC	Presentation of the PVP and general information on procedures concerning PVP in Hungary	100 persons trained

[Annex X follows]



C/48/17

ANNEX X

ISRAEL

## PLANT VARIETY PROTECTION

### Situation in the legislative field:

- No amendments were made to the law and the implementing regulations
- Fees to all DUS tests are now equal regardless if they are agricultural, horticultural etc.

[Annex XI follows]

## PLANT VARIETY PROTECTION

Situation in the legislative field

Amendments of the law and the implementing regulations

Amended Cabinet regulations No. 173 "Regulation about state fee in Plant variety protection field" adopted on 13<sup>th</sup> of March 2012 in relation to the national currency change (Euro), amended on 24<sup>th</sup> of September 2013 (Official Journal, 2013, No 193 (4999)).

Cooperation in examination

Authority of Latvia no longer offers carry out DUS Examinations on behalf of other authorities.

Situation in the technical field

DUS test was carried out for Latvia:

- Vitis vinifera L. - 5 varieties.

Activities for the promotion of plant variety protection

Title of activity	Date	Location	Organizer(s)	Purpose of activity	Participating countries/ organizations (number of participants from each)
1.	February 27.- 28, 2013.	Angers, France	CPVO	Meeting of the Administrative Council of the Community Plant Variety Office (CPVO)	1
2.	October 2, 2013	Brussels, Belgium	CPVO	Meeting of the Administrative Council of the Community Plant Variety Office (CPVO)	2
3.	October 21-23, 2013	Geneva, Switzerland	UPOV	UPOV meetings: 68th session of CAJ, 8th of CAJ-AC, 86th of CC, Seminar on Essentially Derived Varieties	2

[Annex XII follows]

I. PLANT VARIETY PROTECTION

1. Situation in the legislative field

1.1 Amendments of the law and the implementing regulations:

- Law on Plant Variety Protection of the Republic of Lithuania amended on 19th of October, 2006 and last amended on 26 th of April, 2012;
- Regulation No 1458 of the Government of the Republic of Lithuania of the 15th of December, 2000, regarding Fees Rates;
- Order No A1-50 of the Director of the State Plant Service under the Ministry of Agriculture of the 8th of August, 2010, on the Approval of Application Form for Plant Variety Protection;
- Order No 3 D–371 of the Minister of Agriculture of the Republic of Lithuania of the 23th of June, 2004, regarding remuneration.

1.2 Extension of protection to further genera and species

According to the amendments of the Law on Plant Variety Protection of the Republic of Lithuania on 26th of April, 2012, varieties of all plant genera and species could be protected in the Republic of Lithuania.

1.3 Case law

There is now case law relating plant varieties protection in Lithuania in 2013.

2. Cooperation in examination

There are 2 signed agreements regarding the cooperation in examination in Lithuania:

- bilateral agreement of the 11th of August, 2000, with the Polish Research Centre for Cultivar Testing regarding performing DUS tests, has been amended on 14th of November, 2012, by the Administration agreement No 1/2012/19T-247;
- agreement No 10 with Bundessortenamt (Federal Office of Plant Varieties), Germany, regarding transmission of the results on technical examination for DUS tests of the 30th of June, 2006, has been amended on the 18th of October, 2010, by the agreement No 19T-98.

3. Situation in the administrative field

- the Division of Plant Variety of the State Plant Service under the Ministry of Agriculture of the Republic of Lithuania is responsible for plant varieties testing, listing and legal protection as well;
- the Commission for Evaluation of Applications for Variety Protection approved by the Order No. A1-141 of the Director of the State Plant Service under the Ministry of Agriculture of the Republic of Lithuania on the 6th of May, 2011, has been amended on 17th of June, 2013, by the Order of the Director of the State Plant Service under the Ministry of Agriculture of the Republic of Lithuania No A1-217;
- the granting of the plant variety protection shall be approved by the order of the Director of the State Plant Service under the Ministry of Agriculture;
- procedures and the system of the plant varieties protection are defined by the Law on Plant Variety Protection of the Republic of Lithuania.

4. Situation in the technical field

- DUS tests are performed by the Polish Research Centre for Cultivar Testing (COBORU) according to an Administration agreement No 1/2012/19T-247, amended 14 th of November, 2012, or by the other competent authority of the European Union by the breeders' request.

5. Activities for the promotion of plant variety protection

Title of activity	Date	Location	Organizer (s)	Purpose of activity	Participating countries/ organizations (number of participants from each)	Comments
1. Administrative Council of the CPVO meeting	27-28 of February, 2013	Angers, France	CPVO	To discuss main questions regarding plant variety protection	Commission, CPVO, observers and member states – 35 at all	
2. European Council meeting	7 of March, 2013	Brussels, Belgium	European Council	To coordinate activities before UPOV meetings	Commission, CPVO and member states – 29 at all	
3. European Council meeting	21 of March, 2013	Geneva, Switzerland	European Council	To coordinate activities regarding UPOV meetings in spot	Commission, CPVO and member states – 18 at all	
4. Administrative and Legal Committee of the UPOV meeting	21 of March, 2013	Geneva, Switzerland	UPOV	To discuss main questions regarding plant variety protection in the administrative and legal fields	Members (72), observers (13), organisations (12), UPOV (6) – 103 at all	
5. Consultative Committee of the UPOV meeting	22 of March, 2013	Geneva, Switzerland	UPOV	To discuss main questions regarding plant variety protection in the consultative fields	Members (72), observers (13), organisations (12), UPOV (6) – 103 at all	
6. Council of the UPOV meeting	22 of March, 2013	Geneva, Switzerland	UPOV	To discuss main questions regarding plant variety protection in the Council level	Members (72), observers (13), organisations (12), WIPO (1), UPOV (8) – 106 at all	
7. European Council Meeting	15 of October, 2013	Brussels, Belgium	European Council	To coordinate activities before UPOV meetings	Commission, CPVO and member states – 30 at all	Under Lithuanian presidency
8. Administrative and Legal Committee of the UPOV meeting	21 of October, 2013	Geneva, Switzerland	UPOV	To discuss main questions regarding plant variety protection in the administrative and legal fields	Members (69), observers (8), organisations (15), WIPO (3), UPOV (6) – 101 at all	

C/48/17  
Annex XII, page 3

Title of activity	Date	Location	Organizer (s)	Purpose of activity	Participating countries/ organizations (number of participants from each)	Comments
9. Seminar on Essentially derived varieties	22 of October, 2013	Geneva, Switzerland	UPOV	To explain more issuers regarding Essentially derived varieties	172 participants	
10. European Council meeting	22 of October, 2013	Geneva, Switzerland	European Council	To coordinate activities regarding UPOV meetings in spot	Commission, CPVO and member states – 26 at all	Under Lithuanian presidency
11. Consultative Committee of the UPOV meeting	23 of October, 2013	Geneva, Switzerland	UPOV	To discuss main questions regarding plant variety protection in the consultative fields	Members (84), observers (6), organisations (3), UPOV (6) – 99 at all	
12. Council of the UPOV meeting	24 of October, 2013	Geneva, Switzerland	UPOV	To discuss main questions regarding plant variety protection in the Council level	Members (84), observers (6), organisations (7), UPOV (6) – 103 at all	
13. Advisory Group of the Administrative and Legal Committee of the UPOV meeting	25 of October, 2013	Geneva, Switzerland	UPOV	To discuss main questions regarding plant variety protection in the administrative and legal fields	Members (84), observers (6), organisations (5), UPOV (6) – 101 at all	
14. Administrative Council of the CPVO	2 of October, 2013	Brussels, Belgium	CPVO	To discuss main questions regarding plant variety protection	Commission, CPVO, observers and member states – 36 at all	
15. CPVO meeting with the examination institutions	4-5 of December, 2013	Angers, France	CPVO	To discuss questions regarding plant variety DUS testing and protection	Commission, CPVO and member states – 35 at all	

- Information Bulletin on Plant Breeder's Rights and National List of Plant Varieties No 1 (19) of the State Plant Service under the Ministry of Agriculture of the Republic of Lithuania was published on the 7th of January, 2013, and No 2 (20) – on the 17th of June, 2013.

II. OTHER DEVELOPMENTS OF RELEVANCE TO UPOV

The Lithuanian National List of Plant Varieties 2013 has been approved by the order No A1-31 of the Director of the State Plant Service under the Ministry of Agriculture of the Republic of Lithuania on the 31<sup>st</sup> of January, 2013. Propagating material of each registered variety from each plant species can be certified according to the Mandatory Requirements, prepared respectively by the EU directives.

[Annex XIII follows]

## PLANT VARIETY PROTECTION

Situation in the technical field

The situation in terms of plant variety protection since the entry into force of Law No. 9-94 can be summed up as follows:

- Receipt of 532 applications, with 256 varieties granted protection and 216 varieties currently being examined;
- Expiry of protection for 16 varieties granted protection in 2006;
- Withdrawal of 11 applications for new variety certificates at the request of the breeders;
- Abandonment of protection regarding 6 varieties;
- Loss of protection for 3 varieties;
- Rejection of 24 applications (incomplete file or non-uniform variety);
- Publication of 21 plant variety protection gazettes.

Activities for the promotion of plant variety protection

Title of activity	Date	Location	Organizer(s)	Purpose of activity	Participating countries/ organizations (number of participants from each)
Forty-Fifth Session of the Technical Working Party for Fruit Crops (TWF)	25 to 30 May, 2014	Marrakesh/ Morocco	UPOV/National Office for Food Safety (ONSSA)/ Ministry of Agriculture and Marine Fisheries, Morocco	Development and drafting of plant variety protection Test Guidelines; Proposal of amendments to existing Test Guidelines; Resolution of technical issues related to testing of new varieties.	Australia: 1 Brazil: 2 China: 3 *CIOPORA: 1 European Union (EU): 2 **FNIS: 2 France: 1 Germany: 1 Hungary: 2 Japan: 2 Kenya: 1 Malaysia: 1 Mexico: 1 Morocco: 14 New Zealand: 1 Office of UPOV: 3 Oman: 2 Philippines: 1 Republic of Korea: 2 Romania: 1 South Africa: 1 Spain: 1 Thailand: 1 Viet Nam: 1  *International Community of Breeders of Asexually Reproduced Ornamental and Fruit Varieties  **Moroccan National Seed and Plant Federation

## ANNEX XIV

## MEXICO

## PLANT VARIETY PROTECTION

Activities for the promotion of plant variety protection

Title of activity	Date	Location	Organizer(s)	Purpose of activity	Participating countries/ organizations (number of participants from each)
International Seminar on Plant Breeders' Rights: opportunities concerning plant breeding and the development of the agricultural sector	August 25, 2014	Colegio de Postgraduados, Montecillo Campus, Texcoco, State of Mexico	Ministry of Agriculture, Livestock, Rural Development, Fisheries and Food, National Seed Inspection and Certification Service (SNICS), the Colegio de Postgraduados	Raise awareness of the international basis of the breeder's right system and the progress made in Mexico.	The SNICS, the Colegio de Postgraduados, the Universidad Autónoma Chapingo (UACH), the Mexican National Seed Association (AMSAC), the National Association of Berry Exporters (ANEBERRIES, A.C.), the International Union for the Protection of New Varieties of Plants (UPOV), the International Community of Breeders of Asexually Reproduced Ornamental and Fruit Varieties (CIOPORA), and the American Seed Trade Association (ASTA) worked together to organize the International Seminar on Plant Breeders' Rights. The aim of the event was to highlight the progress made and challenges relating to breeders' rights in Mexico and the opportunities at the national and international levels regarding plant varieties offered by the system from the point of view of public and private sector experts. Just over 200 private and public sector industry professionals, including participants from Brazil, Colombia, Chile and Paraguay, took part in the Seminar.



Title of activity	Date	Location	Organizer(s)	Purpose of activity	Participating countries/ organizations (number of participants from each)
Tenth Training Workshop on the Evaluation of Distinctness, Uniformity and Stability (DUS) of Plant Varieties	August 26 to 29, 2014	Colegio de Postgraduados, Montecillo Campus, Texcoco, State of Mexico	Ministry of Agriculture, Livestock, Rural Development, Fisheries and Food, National Seed Inspection and Certification Service (SNICS), the Colegio de Postgraduados and the National Institute of Forestry, Agricultural and Livestock Research (INIFAP)		The event attracted 69 participants, including students, lawyers, industry professionals, experts, researchers and breeders, from Mexico, Brazil, Colombia and Paraguay. The aim was to create awareness of the basis and methodologies used when describing plant varieties and carrying out DUS testing, the various aspects of plant variety registration, and the importance of protection in terms of research and innovation.

[Annex XV follows]

## PLANT VARIETY PROTECTION

### 1. Situation in the legislative field

The Plant Variety Rights Amendment Bill was drafted in 2006 and is currently on hold. The proposed amendments to the current Act are essentially in conformity with the 1991 Act of the Convention. The Plant Variety Rights Act 1987 remains in force, conforming to the 1978 Act of the Convention.

### 2. Cooperation in examination

New Zealand continues to purchase test reports from member states, for certain species on an as required basis, under the general provisions of the Convention. Following the removal of the payment fee in late 2012, for the use of New Zealand test reports, an increase in the number of requests has been noted.

The Plant Variety Rights Office (the Office) and PBR Australia continue to cooperate with respect to varieties which are of mutual interest. These are varieties with applications in both jurisdictions which have questions regarding one or more of the criteria for the granting of Rights. Technical cooperation has been enhanced by the removal of the purchase fee for an Australian test report used in a New Zealand examination.

### 3. Situation in the administrative field

During the financial year ended 30 June 2014, 170 applications for plant variety rights were accepted (31% increase on the previous year), 157 grants were issued (41% increase on the previous year) and 112 grants were terminated (2% decrease on the previous year). At 30 June 2013 there were 1265 valid grants (3% increase on the previous year).

The Office achieved ISO certification in July 2013.

The Office is following a programme of continuous improvement for the case management system. Around 90% of applications are now filed on line, with the system able to carry out most administrative functions and assist with the compiling of variety examination reports. Further information can be found at the Plant Variety Rights webpage: <http://www.iponz.govt.nz/cms/pvr>

### 4. Situation in the technical field

The work of documenting testing protocols and examination practice has continued over the last year. This work area has been extended to include a review of the usage and need for existing variety collections. The objective is to complete this activity in the next twelve months.

The DUS testing of fungal endophyte varieties has resumed following a major revision of the testing protocol and appointment of a new testing provider. New Zealand breeders continue to have a significant role in the global breeding activity for endophyte species in grass genera and have asked the Office to assist them with applications for their varieties filed in other territories. The Office has agreed to share experience and cooperate with other authorities on request.

New Zealand has completed drafting the test guideline for *Acca* in the TWF, which will be submitted for adoption in 2015. New Zealand is currently the leading drafter for the test guideline for *Cordylina* in the TWO.

The Office has noted an increase in the number of technical queries coming from breeders. This suggests an increased interest in the method and process for the determination of DUS. The Office has responded to this development by making technical information more readily available to breeders and including breeders in the review of technical protocols and other relevant activity.

5. Activities for the promotion of plant variety protection

New Zealand provided a DUS technical advisor for part the 2014 Korea International Cooperation Agency (KOICA) Plant Variety Protection training course (30 June – 3 July 2014) organised by KOICA and the Korea Seed and Variety Service. The provision of technical advice included assessment of national action plans prepared by participants.

[Annex XVI follows]

ANNEX XVI

POLAND

Period: September 1, 2013 – August 31, 2014

I. PLANT VARIETY PROTECTION

1. Situation in the legislative field

There were no amendments to our PBR legislation in the reporting period.

The Act of June 26, 2003 on the Legal Protection of Plant Varieties (POJ No 137/2003, item 1300; as amended) constitutes the legal basis for the national PBR protection system in Poland.

The Polish Plant Variety Protection Law is based on the 1991 Act of the UPOV Convention. Poland acceded to the 1991 Act of the UPOV Convention as the twenty-fourth State, on August 15, 2003.

Since November 1, 2000 all plant genera and species are eligible for PBR protection in Poland.

2. Cooperation in examination

The Research Centre for Cultivar Testing (COBORU) in Słupia Wielka continues its cooperation in the field of DUS examination with different countries.

We have signed bilateral agreements on DUS testing with the Czech Republic, Hungary and Slovakia. Unilateral agreements with Latvia, Lithuania, Estonia, Romania, Belarus, Slovenia, Russian Federation and Ukraine are in force.

In the reporting period, Poland carried out DUS tests for the Lithuanian (70 varieties), Czech (33 varieties), Estonian (32 varieties), Hungarian (22 varieties), Latvian (9 varieties), Croatian (4 varieties), Swedish (4 varieties), Finnish (2 varieties), Austrian (1 variety), Slovak (1 variety), Belgian (1 variety) and British (1 variety) authorities as well as for the CPVO (21 varieties).

These tests were done for different species of agricultural (115 varieties), vegetable (19 varieties), ornamental (26 varieties) and fruit (41 varieties) plants. Altogether, 201 varieties were tested as a commissioned work for the above mentioned authorities.

As in previous years, some authorities, namely: the CPVO, Russian Federation, Estonia, Lithuania, Serbia, Turkey, Belarus, United Kingdom, Belgium, Iran, Sweden, Norway, Finland and Czech Republic took the technical examination results over from COBORU, in order to base their decisions for their own procedures.

Poland actively participated in the work on the elaboration of the technical protocols during the meetings organized by the CPVO.

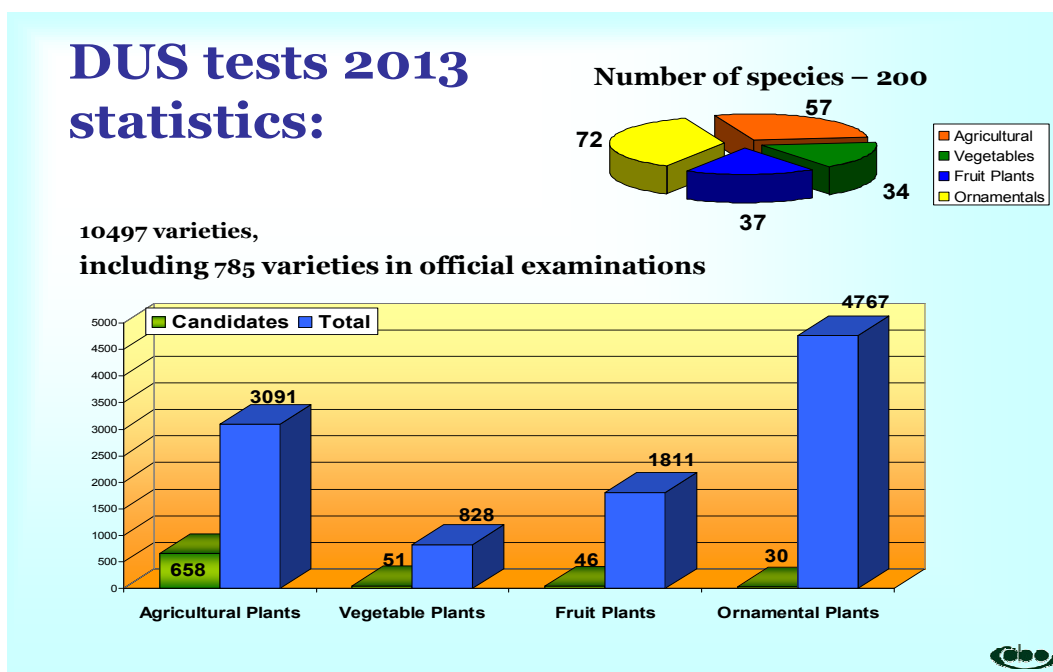
3. and 4. Situation in the administrative and technical fields

COBORU variety testing activity in the field of DUS is done in 13 different Experimental Stations for Variety Testing located all over the country and in case of fruit plants additionally in the Research Institute of Horticulture in Skierniewice.

In 2013, 10497 varieties within 200 plant species were tested (which included 9712 varieties in living reference collection and 785 candidate varieties).

The number of varieties tested in Poland, per plant sector, is shown in the graph below.

Number of varieties in DUS testing in 2013



In 2013, COBORU received 88 applications for national PBR protection in total, which constitutes an increase by 18 applications in comparison with the previous year.

From January 1 to September 1, 2014, 54 new applications, including 46 domestic and 8 foreign, have been submitted for national PBR. This number is lower by 17 applications than that observed in the previous reporting period (71).

In 2013, COBORU granted 58 titles of national protection. At the end of 2013, there were 1238 national PBR titles in force, which comparing to the previous year represents a decrease by 48 varieties (3,7%).

In the period from January 1 to September 1, 2014, 57 titles of national PBR protection have been granted. In total, 1192 varieties are protected in Poland (as on Sept. 1, 2014).

Details on the statistics are given in the table below.

In the column "Titles having ceased", 10 varieties for which - within the reported period - national PBR expired have also been included.

Plant Species	Applications for PBR 1.01. – 1.09.2014			Grants of PBR 1.01. – 1.09.2014			Titles having ceased	Titles in force as on 1.09.2014
	domestic	foreign	together	domestic	foreign	together		
Agricultural	25	2	27	24	4	28	23	652
Vegetable	2	3	5	8	1	9	13	220
Ornamental	18	3	21	11	6	17	53	204
Fruit	1	-	1	3	-	3	14	116
<b>Total</b>	<b>46</b>	<b>8</b>	<b>54</b>	<b>46</b>	<b>11</b>	<b>57</b>	<b>103</b>	<b>1192</b>

5. Activities for the promotion of plant variety protection

Representatives from Poland regularly participate in the sessions of the UPOV organs and in the UPOV Technical Working Parties.

Furthermore, Polish representatives take part in the meetings of the Standing Committee on CPVR DG SANCO, Brussels as well as in the CPVO Administrative Council meetings.

Two COBORU specialists have successfully completed the new UPOV Distance Learning Course "Examination of Applications for Plant Breeders' Rights" (DL-305).

Moreover, one expert from Poland has successfully completed the UPOV Distance Learning Course "Introduction to the UPOV System of Plant Variety Protection under the UPOV Convention" (DL-205).

- *Publications*

Every two months COBORU issues the *Polish Gazette for Plant Breeders' Rights and National List* (Diariusz), which contains details referring to national PBR protection and national listing systems.

The list of varieties protected by national Plant Breeders' Rights (including provisional PBR's), valid as on June 30, 2014, has been published in the third number of the *Polish Gazette for Plant Breeders' Rights and National List* /No 3(122)2014/.

The Official Gazette is also being published on our website, in the section: *Publications*.

Additionally, the Research Centre for Cultivar Testing maintains and updates systematically a homepage [www.coboru.pl](http://www.coboru.pl), which contains official information on PVP matters in Poland.

During the reporting period, COBORU was involved in the following promotional activities:

Title of activity	Date	Location	Organizer(s)	Purpose of activity	Participating countries/ organizations (number of participants from each)	Comments
1. Visit of the Director General from GEVES, France	October 16, 2013	Poland, Słupia Wielka	COBORU	Presenting of COBORU organization and activity; possibilities of mutual cooperation	France -1 Poland - 8	
2. Visit of the group of students from China	November 6, 2013	Poland, Słupia Wielka	COBORU	General information on DUS tests performance in Poland, COBORU activity	China - 8 Poland - 3	
3. Workshop on "Barley and Potato DUS Testing"	June 2 to 4, 2014	Poland, Słupia Wielka, Experimental Stations: Karżniczka, Chrzastowo	CPVO, COBORU	Workshop for representatives from the Republic of Macedonia organized in the frame of the "Multi-beneficiary Program on the Participation of EU Candidate Countries in the CPVO"	Poland - 7 The former Yugoslav Republic of Macedonia - 2	
4. Working seminar on "Statistical Methods in Variety Testing"	June 30 to July 4, 2014	Poland, Będlewo	COBORU	Tenth International Working Seminar on Statistical Methods in Variety Testing	DE-3, DK-1, SE-1, BR-1, UK-4, FR-3, CZ-2, PL-19	
5. Visit of breeders from the company Shofine, China	July 9, 2014	Poland, Słupia Wielka	COBORU	Presenting of COBORU activity, operation of national systems of PVP and variety listing, including rules of DUS tests performance	China - 2 Poland - 8	

Title of activity	Date	Location	Organizer(s)	Purpose of activity	Participating countries/ organizations (number of participants from each)	Comments
6. Visit of Hungarian delegation from NEBIH (National Food Chain Safety Office) and from breeding company	July 15 to 17, 2014	Poland, Słupia Wielka, Experimental Stations: Bobrowniki, Węgrzce	COBORU	Presenting of COBORU activity; DUS testing for <i>Phacelia</i> and <i>Fabaceae</i> as well as vegetables	Hungary - 4, incl.: NEBIH - 1, Lajtamag Kft. - 3 Poland - 5	
7. Workshop on "Barley and Potato DUS Testing"	August 19 to 21, 2014	Poland, Słupia Wielka, Experimental Stations: Karżniczka, Chrzastowo	CPVO, COBORU	Workshop for representatives from Albania and Kosovo organized in the frame of the "Multi-beneficiary Program on the Participation of EU Candidate Countries in the CPVO"	Albania -1 Kosovo - 2 Poland - 7	

## II. OTHER DEVELOPMENTS OF RELEVANCE TO UPOV

The *Polish National List of Agricultural Plant Varieties*, the *Polish National List of Vegetable Plant Varieties* and the *Polish National List of Fruit Plant Varieties* were issued in April and May 2014. These Official Lists as well as updated lists of varieties are also available at [www.coboru.pl](http://www.coboru.pl).

[Annex XVII follows]

ANNEX XVII

REPUBLIC OF MOLDOVA  
(2013)

PLANT VARIETY PROTECTION

Situation in the legislative field

Extension of protection to further genera and species

According to the law No.39-XVI/2008 on the Protection of Plant Varieties, the protection is extended to varieties of all botanical genera and species, including hybrids between genera and species.

Case Law

There is no precedent with regards to the protection of breeders' rights.

Cooperation in examination

There are no bilateral agreements of cooperation in the examination of plant varieties.

Situation in the administrative field

- Changes in the procedural and protection system

National test guidelines have been developed for:

- Phacelia - *Phacelia tanacetifolia* Benth.
- Virginia Mallow - *Sida hemaphrodita* Rusby
- Yacon - *Polymnia sonchifolia* Poepp. & Endl.
- Cup Plant - *Silphium perfoliatum* L.
- Giant knotweed - *Fallopia sachalinensis*

- Statistics

In the period from January 1, 2013 to December 31, 2013:

- 43 applications have been received (39 national and 4 foreign applications), as follows:

Apricot - 1	Barley - 1
Tomato - 6	Peas - 1
Fodder Beet - 1	Apple - 3
Virginia Mallow - 1	Willow - 1
Topinambur - 1	Horse Radish - 1
Phacelia - 1	Garlic - 1
Giant knotweed - 1	Onion - 1
Cup Plant - 1	Sweet pepper - 1
Lavender - 1	Sorbus - 1
Basil - 2	Sage - 1
Husk Tomato - 1	Anise - 1
Yacon - 1	Aronia - 1
Fennel - 1	Swedish service tree - 2
Maize - 5	European Plum - 1
Wheat - 2	



- 25 patents for plant varieties have been granted (21 national and 4 foreign patents), as follows:

Lucerne - 1	Winter Barley - 3
Maize - 3	Soybean - 2
Flint Corn- 1	Sage - 1
Winter Wheat - 1	Peas - 1
Apple - 2	Wheat – 3
Fodder Beet - 1	Sunflower - 2
Sour Cherry - 1	Coriander - 1
Vetch - 1	European Plum - 1

At 31.12.2013, 121 patents for plant varieties were in force.

#### Activities for the promotion of plant varieties protection

- Meetings, seminars

In the period under review, for implementation purpose of the provisions and requirements of the Law No.39-XVI/2008 on the protection of plant varieties of the Republic of Moldova, the AGEPI organized some seminars and workshops for representatives in industrial property, interested persons, including students, scientists and breeders, held within the AGEPI conference hall, the Agricultural University of Moldova as well as in the territory. As well was organized the international exhibition "Infoinvent" with the participation of breeders and breeding institutions and organizations.

- Publications

On a regular basis, AGEPI maintains the web site: [www.agepi.gov.md](http://www.agepi.gov.md), where the national legislation in the field of plant varieties protection can be accessed, as well as the application form for a plant variety patent, and useful related information for applicants and breeders, available in Romanian, Russian and English languages.

[Annex XVIII follows]

## PLANT VARIETY PROTECTION

### 1. Situation in the legislative field

#### 1.1 Amendments of the law and the implementing regulations

Ministerial Order No. 891/05.09.2013 modifying the Ministerial Order No 1348/2005 and the Ministerial Order No 1349/2005 for the approval of the Rules regarding the testing and registration of agricultural and vegetable species.

This order is in compliance with the new EU directives regarding testing, registration and protection of varieties.

### 2. Cooperation in examination

The cooperation with UKZUZ, Czech Republic and with GEVES, France, in the field of DUS testing and the exchange of seed samples continued.

### 3. Situation in the administrative field

Our testing centers continue to be equipped with new agricultural machines and laboratory equipment.

It was approved by the Agricultural Ministry to construct individual irrigation systems for 6 testing centers. This action is in the stage of feasibility studies.

### 4. Situation in the technical field

In 2013, in the field of testing, 1842 varieties were tested : 1357 agricultural plant species, 405 vegetable, 35 fruit tree, 36 vine and 9 ornamental varieties and 125 varieties were registered in our national Official Catalogue: 83 varieties of agricultural plant species, 29 vegetables, 7 fruit trees, 3 vine and 3 ornamentals. We have applications for new vegetable species: *Phaseolus aureus* and *Ipomoea batatas*.

In addition, 40 applications for protection, and 67 protection titles were issued.

[Annex XIX follows]

ANNEX XIX

SERBIA  
(September 2013 - September 2014)

I. PLANT VARIETY PROTECTION

Situation in the legislative field

Amendments of the law and the implementing regulations

Decision on annual fees for the conduct of the technical examination and annual fee for the breeder's right was adopted on November 8, 2013 ("Official Gazette of RS", No. 98/13). Decision was prepared in accordance with The Law on Protection of Plant Breeder's Rights ("Official Gazette of RS", No. 41/09 and 88/11).

Extension of protection to further genera and species

All plant genera and species are subject to protection under Law on the Protection of Plant Breeders Rights ("Official Gazette of RS", No. 41/09 and 88/11).

Situation in the administrative field

According to the Law on Ministries, since April 26, 2014, new institutional structure was established. Instead of the Ministry of Agriculture, Forestry and Water Management (MAFM), Ministry of Agriculture and Environmental Protection (MAEV) has been established.

Ministry of Agriculture and Environmental Protection (MAEP) - Plant Protection Directorate (PPD) is designated authority for the protection of the plant breeders' rights in the Republic of Serbia. Plant Protection Directorate (PPD) as an administrative authority within the MAEP performs tasks related to: protection of plants against harmful organisms; authorization and control of plant protection products and plant nutrition products; plant variety registration; protection of plant breeders' rights; biological safety (genetically modified organisms); phytosanitary inspections and other related tasks. Within PPD, Group for Plant Variety Protection and Biosafety exercises administrative procedures related to provisions of the Law on Protection of Plant Breeders Rights and to granting of plant breeders rights, also as tasks related to GMO.

Situation in the technical field

Based on the results of the examination of plant varieties and proposals of the Expert Council for Protection of Plant Breeders' Rights, as a special expert body of MAEP-PPD, since September 2013 to September 2014, plant breeders' rights have been granted for 46 varieties.

Register of Applications for Plant Breeders Rights, also as Register of Protected Plant Varieties are available on the web page of PPD:

[http://www.uzb.minpolj.gov.rs/index.php?option=com\\_content&view=article&id=233%3A2012-04-03-23-33-54&Itemid=14&lang=en](http://www.uzb.minpolj.gov.rs/index.php?option=com_content&view=article&id=233%3A2012-04-03-23-33-54&Itemid=14&lang=en)

Activities for the promotion of plant variety protection

Republic of Serbia has continued to participate in the Multi-beneficiary program of CPVO, as part of the alignment of the Serbian system of PBR with Community plant variety rights system and administrative procedures regarding plant variety protection in EU. Study visits, workshops and meetings were organized as the part of MB Program:

- Workshop on Variety denominations: establishment and management of databases, exchange of information (RS-11), September 9, 2013, CPVO, Angers, France.
- Annual meetings between the CPVO and its examination offices (RS-25), Angers, France, December 4-5, 2013.

- Agricultural crops expert meeting, CPVO, Angers, France, October 8-9, 2013.
- Fruits expert meeting, CPVO, Angers, France, October 9-10, 2013.
- Workshop on Quality Requirements to be met by an Examination Office for PBR, (RS-12), May 14, 2014, UKZUZ, Czech Republic.
- Seminar on the enforcement of Community Plant Variety Rights and Farm Saved Seeds (RS-33, MB Program of CPVO), Croatia, June 5, 2014.
- Study Visit on DUS testing of fruit varieties and DUS testing of medicinal plants (RS-4 and RS-9), July 21-25, 2014, Bundessortenamt, Germany).

Representatives of MAEP - PPD participated also in:

- Workshop on Distinctness, Uniformity and Stability (DUS) testing grape varieties (AGR 53143), Serbia, 15-16 October 2013, organized with TAIEX.
- Study Visit and Workshop on Enforcement on Plant Breeders Rights (AGR IND/STUD 53296), organized by the TAIEX in cooperation of GNIS, France, March, 10-14, 2014.

Seminar dedicated to custom aspects of infringement of intellectual property rights at the border, organized in Belgrade on December 3-4, 2013, by the Serbian Integration Office (SEIO), European Institute of Public Administration-European Centre for Judges and Lawyers, and Ministry of Foreign Affairs of Luxembourg.

As part of integration process of the Republic of Serbia to EU representatives of the Ministry of Agriculture and Environmental Protection – PPD participated on the Explanatory Screening for Chapter 12: Food Safety, Veterinary and Phytosanitary Policy, on February 3-7, 2014 in Brussels, Belgium.

Seminar on Protection of Plant Breeders Rights, organized in the frame of the Agricultural Fair in Novi Sad, on May 22, 2014. Representatives of the MAEP - Plant Protection Directorate, Dutch Ministry of Economical Affairs and Naktuinbouw gave presentations.

Meeting with representatives of the World Intellectual Property Organization (WIPO) on July 5, 2014 within the Intellectual Property Office of the Republic of Serbia, regarding state of protection of plant breeders' rights in the Republic of Serbia, and implementation of the Strategy of Development of Intellectual Property (2011-2015) and Action Plan for Serbia in the Intellectual Property Strategy.

Representative of MAEP-PPD has successfully completed new UPOV Distance Learning Course, run in collaboration with the WIPO Academy "DL-305: Examination of Applications for Plant Breeders' Rights".

## II. OTHER DEVELOPMENTS OF RELEVANCE TO UPOV

All information related to plant breeders rights, as well as to registration of plant varieties for National Catalogue (National List) are available on the web pages of the Ministry of Agriculture and Environmental Protection – Plant Protection Directorate:

[www.uzb.minpolj.gov.rs/index.php?lang=en](http://www.uzb.minpolj.gov.rs/index.php?lang=en)  
[www.minpolj.gov.rs](http://www.minpolj.gov.rs)  
[www.sorte.minpolj.gov.rs](http://www.sorte.minpolj.gov.rs)

[Annex XX follows]

SWITZERLAND

I. PROTECTION OF PLANT VARIETIES

1. Situation in the legislative field

1.1 Amendments to the law and implementing provisions

There have not been any changes to the legal basis for the protection of plant varieties since October 2009.

1.2 Extension of protection to other genera and species

In Switzerland, all genera and species may be protected.

1.3 Jurisprudence

To our knowledge, no rulings concerning the protection of plant varieties were handed down during the past year.

2. Cooperation in examination

As no trials are conducted in Switzerland, all examination is done abroad under contract, or alternatively existing examination reports are taken over. However, it is not always easy to determine whether plant variety trials have been conducted or are underway and, if so, where the documents may be procured.

3. Situation in the administrative field

Work is continuing on the project to set up a common database and a national plant variety catalog. Participation in the EAF working group is a real plus in this connection.

4. Situation in the technical field

Nothing to report, as no trials are conducted in Switzerland.

5. Activities to promote the protection of plant varieties

On June 3, 2013, Maslina BTE MALIK (IPOS) and Simon SEOW (IPOS) from Singapore visited the Plant Variety Protection Office and drew inspiration from the Swiss system. They were accompanied by Yolanda Huerta (UPOV).

On October 2, 2013, Ms. Shahrinah Yusof Khan, Brunei, Grace Ama Issahaque, Ghana, together with Fuminori Aihara, Ben Rivoire and Leontino Taveira, all from the UPOV Secretariat, visited the Federal Ministry of Agriculture in Berne, where they were given an overview of the Swiss system for plant variety protection.

II. OTHER DEVELOPMENTS OF INTEREST FOR UPOV

Efforts are underway in Switzerland to implement the Nagoya Protocol. The corresponding amendments to the Federal Law on the Protection of Nature and Cultural Heritage have already been adopted by Parliament. Responsibility for the implementing provisions lies with the Federal Office for the Environment (BAFU).

## ANNEX XXI

UKRAINE  
(2013)

## PLANT VARIETY PROTECTION

Cooperation in examination

Ukraine have practical experience and carry out DUS-test for 64 species (List of genera and species is the same as in 2012), botanical taxa for which information is exchanged on DUS-test field trial results for 2012<sup>\*</sup>.

Situation in the technical field

On 28.11.2013, the Program was signed on plant varieties testing cooperation between the Ukrainian Institute for Plant Variety Examination and the State Institution "State Inspection for Testing and Protection of Plant Varieties" of Republic of Belarus for 2014-2016 years.

In 2013, 25 botanical taxa were developed and relevant Test Guidelines for DUS examination adapted, namely 4 guidelines updated in line with UPOV DUS Test Guidelines and 21 National Test Guidelines developed for the following species: *Fallopia sachalinensis* F.Schmidt., *Onobrychis* Mill., *Secale montanum* Guss., *Lupinus perenne* L., *Festuca beckeri* (Hack) Trautv., *Festuca tenuifolia* Sibth., *Heracleum sosnovski* Manden., *Avena strigosa* Schreb., *Juglans nigra* L., *Juglans mandshurica* Maxim., *Vicia villosa* Roth., *Amelanchier canadensis* (L.) Medic., *Brassica chinensis* L., *Linum austriacum* L., *Pinus austriaca* Hüll., *Pinus strobus* L., *Sambucus nigra* L., *Aronia melanocarpa* (Michx.) Elliot., *Vitex agnus-castus* L., *Vitex cannabifolia* L., *Lawsonia inermis* L.

Activities for the promotion of plant varieties protection

Title of activity	Date	Location	Organizer (s)	Purpose of activity	Participating countries/ organizations (number of participants from each)
1. Scientific and Practical Seminar "Development of National Varietal Resources Underpin Food Security Of Ukraine"	22.05.2013	Kyiv, Ukraine	Ukrainian Institute for Plant Variety Examination (UIPVE)	Exchange of information and experience concerning national varietal resources development, establishing scientific and business relationships between scientists of Ukraine and representatives of leading companies	Representatives of leading research institutions of Ukraine
2. Reception of the 42th session of the Technical Working Party for Agricultural Crops (TWA)	17-21.06.2013	Kyiv, Ukraine	UPOV, UIPVE	Contribute to Ukraine's membership in UPOV	30 countries, EU (CPVO), ISF, ESA, a total up to 90 participants.
3. Conference "XV-Th Anniversary Of Program Realisation: After The Registration Trials And Varieties Recommendations For Agricultural Practice"	26-28.06.2013	Jarnołtówek, Poland	COBORU	Exchange of experience between Ukraine and Poland	Representatives of plant variety testing sphere of Poland and neighbouring countries

<sup>\*</sup> This data has been provided and included in documents C/48/6 and C/48/5, respectively.

Title of activity	Date	Location	Organizer (s)	Purpose of activity	Participating countries/ organizations (number of participants from each)
4. Working meeting representatives of UIPVE and EAVTFISC in the frame of the Agreement between the Ministry of Agrarian Policy and Food of Ukraine and the Ministry of Agriculture and Forestry of the Republic of Bulgaria on cooperation in the field of plant variety testing for compliance with the conditions of distinctness, uniformity and stability and the protection of rights of breeders dated 21.05.2004	27-31.08.2013	Sophia, Republic of Bulgaria	Executive Agency for Variety Testing, Field Inspection and Seed Control (EAVTFISC)	review of the official registration procedure for vine and PBR in Republic of Bulgaria	Representatives of UIPVE and EAVTFISC
5. Publications in the field of plant variety rights protection: - Research and scientific magazine "Plant Varieties Studying and Protection" № 18, 19, 20, 21, 2013 - Official Bulletin «Plant Varieties Rights Protection», № 1, 2, 3, 4, 2013	quarterly	Kyiv, Ukraine	UIPVE	Informational	-

[Annex XXII follows]

ANNEX XXII

EUROPEAN UNION

Period: October 2013 - October 2014

(Report prepared by the European Commission  
in close relation with the Community Plant Variety Office (CPVO))

PLANT VARIETY PROTECTION

1) Legislation

1.0 *General:*

The presidency of the European Union (EU) was chaired by Lithuania from 1 July to 31 December 2013, by Greece from 1 January to 30 June 2014 and by Italy from 1 July to 31 December 2014.

1.1 *Amendment of the law and the implementing Regulations:*

Nothing to report

1.2 *Case law:*

*Order of the General Court of 21 October 2013 in Case T-367/11, Lyder Enterprises Ltd. v. CPVO and Liner Plants Ltd. regarding an action brought against the decision of the Board of Appeal of the CPVO of 4 May 2011 (Case A7/2010) concerning the grant of a CPVR for the plant variety 'Southern Splendour'.*

The General Court has dismissed the action as partly inadmissible and partly unfounded, and has condemned the applicant to pay the costs. On the merits, as regards in particular the entitlement to file an application for Community Plant Variety Rights (CPVR), the General Court held that the CPVO has competence to decide on questions of fact concerning the determination of the status of the party applying for the CPVR, including the interpretation of a contract transferring ownership such as a deed of assignment. It follows that the CPVO and, in particular, the Board of Appeal were competent to determine whether the applicant was the breeder of the plant variety 'Southern Splendour' and, in that respect, to interpret the deed of assignment.

As regards the applicant's complaints concerning the Board of Appeal's analysis of the evidence submitted by the intervener in connection with the alleged transfer of ownership to it of the plant variety 'Southern Splendour', the General Court confirmed the Board of Appeal decision. In particular, unsworn declarations have been taken into consideration by the Board of Appeal, while noting that their probative value was limited in the absence of other evidence from independent external sources to corroborate them. The General Court confirmed that the Board of Appeal did not err in law in taking that approach. In fact, sworn affidavits are one of the means of giving or obtaining evidence in any proceedings before the CPVO pursuant to Article 78(1)(g) of the Basic Regulation. According to the case-law, in order to assess the evidential value of a document, regard should be had, first, to the credibility of the account it contains. In the present case, the General Court has concluded that, besides the fact that the disputed evidence consisted of unsworn affidavits, the applicant did not contest the Board of Appeal's assessment that those declarations did not originate from independent sources.

2) Cooperation in examination

- |  |                   |
|--|-------------------|
| 2.1 <i>Conclusion of new agreements:</i>     | Nothing to report |
| 2.2 <i>Amendment of existing agreements:</i> | Nothing to report |
| 2.3 <i>Agreement with third countries:</i>   | Nothing to report |



3) Situation in the administrative field

*Updates in the CPVO Administrative structure:* Nothing to report.

4) Situation in the technical field

4.1 *Information concerning the functioning of the EU Plant Variety Protection*

a. Relation with examination offices

In 2013, the CPVO held its 17th annual meeting with its examination offices, which is also attended by representatives from the European Commission, the UPOV office as well as the breeders' organisations (ESA, CIOPORA and Plantum), representatives from the EU candidate countries in the framework of the CPVO Multi-Beneficiary program 2011-2013 (extended until 2014), as well as representatives from Switzerland and Norway. The main subjects of discussion were:

- DUS examination: Centralisation for small species;
- Communication: Technical Liaison Officers (TLO) duties and responsibilities; Outcome survey Vademecum;
- Variety denominations: Information about the "Enhanced cooperation project with the EU Member States" and the CPVO Variety Finder;
- Legal Matters: Status of plant material submitted for DUS testing; Aspects related to the "one key – several doors principle"; Public access to data held by Examination Offices; Information about the discussions held in the ad-hoc Legal Experts' Group;
- Quality Audit Services (QAS): Update and report on the QAS activities;
- Information technology tools: Update on the project "exchange platform"; state of affairs of the project sharing the on-line application system; Presentation of the Webservice denominations test; presentation of the new ergonomics of the TLO website;
- Information on R&D projects;
- Information about the interest from Singapore for future cooperation in DUS tests.

b. Preparation of CPVO protocols

In 2013, experts from the Member States' examination offices were invited to participate in elaborating or revising technical protocols for DUS testing which either were subsequently approved by the Administrative Council or can be expected to be approved in 2014. The following experts' meetings were held to discuss the technical protocols of:

- Agricultural crops: durum wheat, linseed/flax, barley;
- Vegetable crops: endive, vegetable marrow/squash, watermelon, tomato rootstocks;
- Ornamentals crops: heuchera, echinacea, impatiens New Guinea, and liliium;
- Fruit crops: pomegranate, grapefruit/pomelo, raspberry.

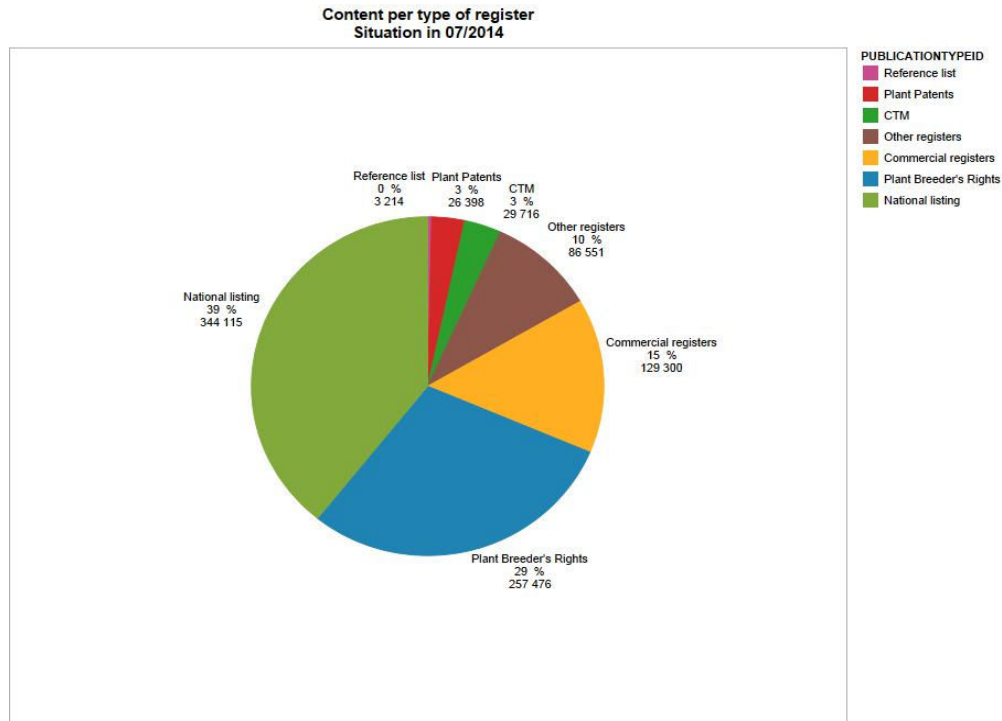
c. Further development of the CPVO Variety Finder

The CPVO Variety Finder is a web-based database developed by the Office in 2005 for the purpose of testing variety denominations proposals in the procedure of assessment of their suitability. It contains national data on varieties applied for and on varieties granted plant variety rights, national listings of agricultural and vegetable species and some commercial registers.

The database is freely available under the 'Databases' heading of the CPVO website but requires an identification. The attribution of a login and password is computerised and takes place immediately on request. In total, more than 890 000 denominations originating from EU and UPOV Member States have been included so far.

The graph 1 below shows an overview of the content of the database with the number of records per type of register. Registered OHIM Community Trade Marks (CTM) in Class 31 have been included into the database since May 2014.

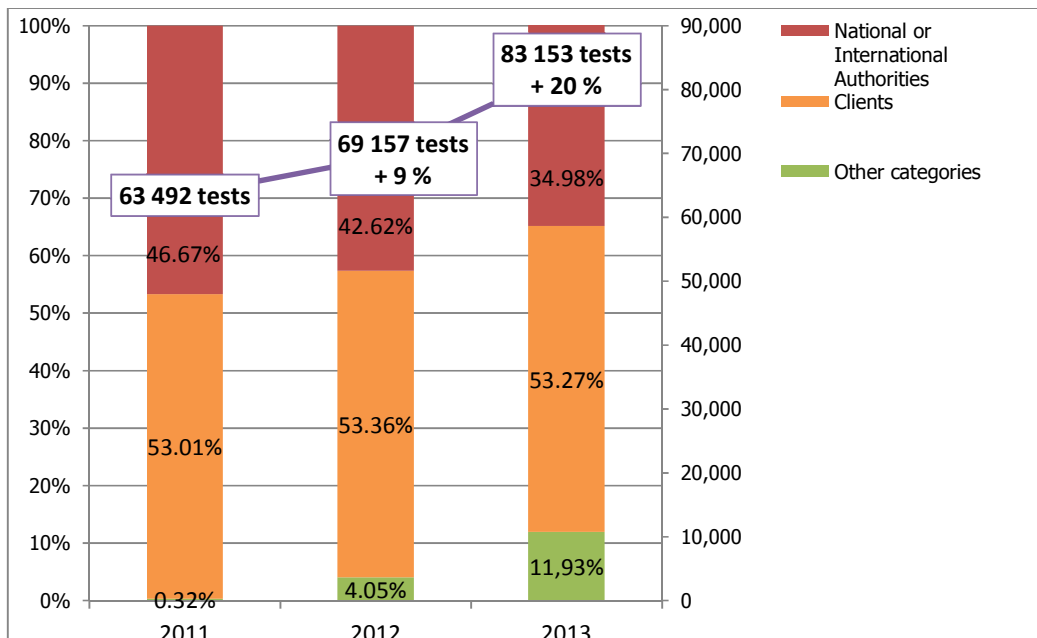
**Graph 1: Register- content of the database**



For the purpose of testing proposed denominations for similarity, the system includes a search tool widely used by users from 43 different countries (EU and non EU).

The graph 2 below shows the number of tests for similarity performed in the database by National, International authorities and CPVO clients over the last three years: more than 83 000 tests were launched in 2013; this represents an increase of 20% compared to 2012.

**Graph 2: Number of tests for similarity performed in the database by National, International authorities and CPVO clients over the last three years**



A retrieval tool allows more general searches for details on varieties or species present in the database. This retrieval tool named 'Search varieties' was developed in 2012, making more information available for each variety and allowing users to export the desired information to an excel sheet.

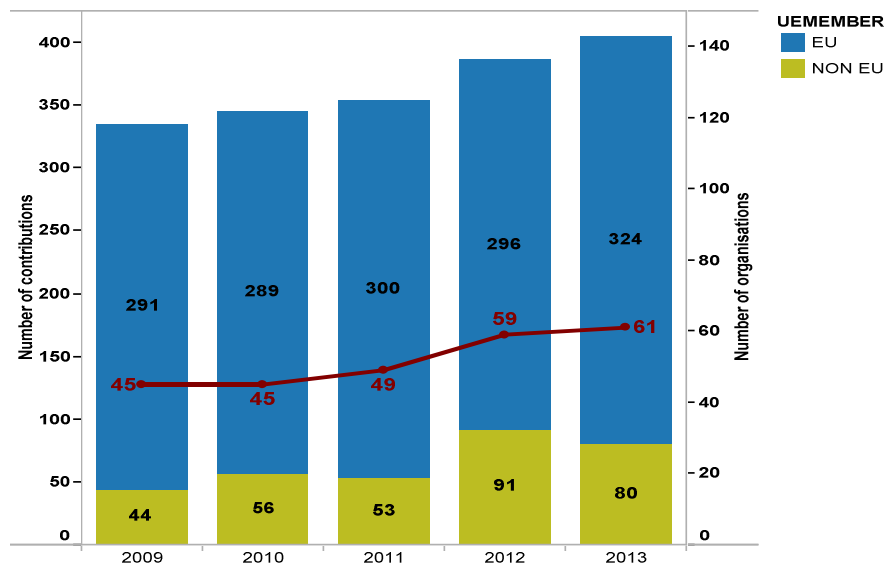
The Office receives contributions directly from EU countries and the European Commission in respect of official and commercial registers, and via UPOV for most non-EU countries.

The Office puts great effort in maintaining the database as up-to-date as possible: 90% of the 400 contributions received in 2013 were dealt with within 5 days.

There has been a steady increase in the number of contributions submitted per year since 2009, as illustrated below. This increase continued in 2013, with noticeably contributions from new non-EU Member States.

Most of these contributions are provided by UPOV in the frame of a Memorandum of Understanding, but also collected by the CPVO in the case of EU neighbouring countries participating in the multi-beneficiary programme.

**Graph 3: Evolution of the number of contributions (EU, non-EU) included in the Variety Finder and the number of organisations contributing to the Variety Finder**



d. Cooperation in denomination testing with EU Member States

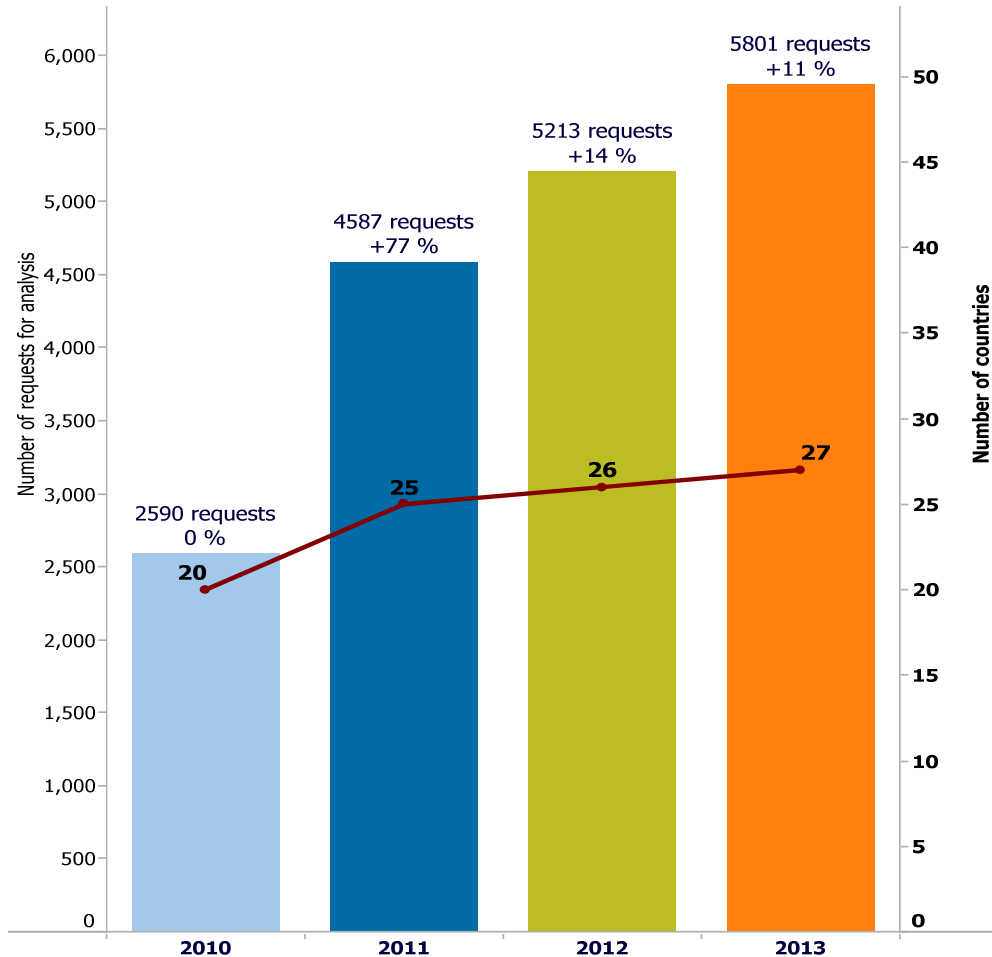
The purpose of this activity is to harmonise the decisions as to the suitability of proposals for variety denominations in procedures for national plant variety rights, for national listing and at the level of the CPVO. During the reporting period there was, like in previous years, an increasing trend in the utilisation of this service.

As a matter of fact, the Directives relevant for the marketing of agricultural and vegetable varieties in the EU contain a cross reference to Article 63 of Regulation (EC) No 2100/94 on Community Plant Variety Rights. Article 63 lays down the criteria for the suitability of variety denomination proposals. The legal basis in respect of the suitability of variety denominations is thus unique.

In March 2010, the CPVO put in place a web-based system whereby EU Member States can request advice from the CPVO before publishing an official proposal for denomination for plant variety rights or listing procedure. In the case of controversial opinions, exchanges of view can take place, but the decision remains in the hands of the authority where the application for registration of the variety has been made.

With an 11 % increase in the number of request for advices, the Office dealt with a total of 5800 requests in 2013. This confirms the success of this project, as illustrated on graph below. Most EU Member States request advice but some of them started to do it on a more systematic basis in 2013. This is the main explanation for the year on year growth so far.

**Graph 4: Evolution in the yearly number of requests for advice and contributing Member States (2010-2013)**



e. Pilot project for an enhanced cooperation in denomination testing with the Royal General Grower's Association (KAVB)

With about 1600 Members, this Dutch association is active in the flower bulb sector. The KAVB gathers and registers all cultivars for the flower bulb industry and plays a major role in the area of name-giving and registration of bulbous, cormous and tuberous-rooted plants. This registration is officially recognised and a pre-condition for the export of bulbs to some countries.

As a consequence of its registrations activity, it is not uncommon that the CPVO receives applications or requests for advice from Member States for ornamental bulb propagated species, which have been first registered or applied for registration at the KAVB. In case the denomination proposed is deemed to be unsuitable by the CPVO, this creates a conflict with the register held by KAVB.

The CPVO and the KAVB already cooperate since several years in the framework of the exchange of data and information. The KAVB registers are included in the Variety Finder database which can be used by the Dutch association to test the denominations proposals it receives. In case of possible impediment found in the denomination for a bulb species application, the CPVO and the KAVB communicate among themselves before sending an observation.

During its meeting of 2<sup>nd</sup> October 2013, the Administrative Council of the CPVO agreed to the principle that the Dutch association joins the enhanced cooperation in denomination testing for a test period of one year. The KAVB will ask the CPVO for advice after having checked in the Variety Finder the suitability of denomination proposals. As a consequence, the denominations will be automatically included in the CPVO database at an earlier stage of the registration procedure and will be taken into account in the results of

subsequent tests made by all users of the Variety Finder. An assessment report will be provided to the Administration Council in early 2015.

#### 4.2 *Crop experts meeting*

A meeting of vegetable experts was held on 2<sup>th</sup> and 3<sup>rd</sup> December 2013 to discuss:

- revisions to several technical protocols;
- continued discussion on working rules on two “parallel” growing periods for DUS testing of vegetables;
- ongoing discussion on disease resistance testing issues and proposals for future developments;
- national listing and CPVO protocols;
- encouragement of greater cooperation between entrusted examination offices;
- situation on ongoing and future R&D projects in vegetables.

A meeting of agricultural experts was held on 8<sup>th</sup> and 9<sup>th</sup> October 2013 to discuss:

- Revisions to several technical protocols;
- Segregation of characteristics in hybrid varieties;
- Uniformity standards in male sterile parental crosses of 3-way hybrids;
- DUS testing of hybrids in oilseed rape and the testing of male sterile lines;
- Introduction of re-submission threshold for maize;
- One key – several doors principle: application for hybrid varieties;
- Status of plant material submitted for reference collections;
- Situation on ongoing and future R&D projects in the agricultural sector;
- Introduction of the new CPVO-TP Template for technical protocols.

A meeting of fruit experts was held on 9 and 10 October 2013 to discuss:

- Phytosanitary requirements;
- Acceptance of material for DUS testing;
- Issues planned for discussion in the apple open day;
- Situation of the R&D project “Reducing the number of obligatory observation periods in DUS testing for candidate varieties in the fruit sector”;
- Follow-up of the R&D “Management of peach tree reference collections”;
- Revisions of the protocol for raspberry and creation of new protocols for pomegranate and grapefruit/pomelo.

#### 4.3 *Quality Audit Service*

Within the CPVO’s assessment programme 12 audits of entrusted examination offices were carried out. These included regular triennial audit visits as well as ad-hoc assessments in response to scope extension requests. The CPVO Administrative Council accepted the entrustment recommendations provided at the Administrative Council meetings in October 2013 and March 2014.

The Administrative Council also mandated a working group with developing an audit fee system. Based on a proposal presented by that working group, an audit fee scheme recovering 50% of the audit programme costs was approved. It was also agreed that implementation would be postponed and linked to a costs calculation exercise in order to give examination offices the opportunity to adapt to the new scheme.

### 5) Activities for the Promotion of Plant Variety Protection (PVP):

#### 5.1 *International Meetings, Seminars*

The President of the CPVO participated in the Legal workshop on the ARIPO legal framework for PVP, Lilongwe, 22-25 July 2013 (Malawi).

The Vice-President of the CPVO attended and contributed with presentations to the 12<sup>th</sup> Training Course on Plant Variety Protection for Latin-American countries organised by the UPOV, the World Intellectual Property Organisation (WIPO), the Spanish Authorities and the USA Patent Office (USPTO) in cooperation with the INASE (Uruguay), in Montevideo (Uruguay), from 11 – 15 November 2013.

The Head of the Legal Unit attended and contributed with one presentation to the Intellectual Property Protection for Plant Innovation (International Plant Breeding Congress) Antalya (Turkey) 12 November 2013.

The Vice-President of the CPVO attended and contributed with presentations to the Seminar on the benefits of PVP systems in line with UPOV, organized by UPOV, MAFF (Japan), USPTO (USA), DOA (Sri-Lanka) – Kandy, 25-26 November 2013 (Sri Lanka) addressed to South-east Asian countries.

The Head of the Legal Unit gave a presentation on the EU plant variety protection system at the 17<sup>th</sup> Plant Variety Protection Course in Wageningen on 16-27 June 2014 organized by Naktuinbouw.

The President of the CPVO attended and contributed with presentations to the Seminar on the UPOV 1991 convention, Bangkok, 18 November 2013 (Thailand), organized by the ASEAN (Association of Southeast Asian Nations) .

Mr. Van Ettehoven from a CPVO Examination Office (Naktuinbouw) represented the CPVO and made presentations in the Joint Workshop on DUS testing and Molecular Techniques, Beijing (China) 23-24 September 2013.

## *5.2 Visits to and from non-Member States and organizations*

During the reporting period the CPVO had the honour to receive the following high level visits:

- UC Davis Plant Breeding academy on 5th March 2014;
- Delegation from the Serbian Ministry of Agriculture, Forestry and Water management on 13th March 2014;
- Delegation from USDA on 4th April 2014;
- Delegation from COMESA seed catalogue (African organisation for free trade) on 23 June 2014.

## *5.3 Participation in international fairs and open days*

The CPVO considers its participation in international fairs and open days at examination offices as a useful tool to promote the Community Plant Variety Rights system, to have direct contact with applicants and to provide information to growers. In 2014, the CPVO participated in two fairs.

- In January 2014, the CPVO attended the 'IPM' in Essen, Germany. The stand was shared with German colleagues from the Bundessortenamt. The focus lies with ornamentals.
- The 'Salon du Végétal' took place in February 2014 in Angers, France. The CPVO regularly participates together with GEVES, the French examination office, in this fair organised mainly for growers of ornamental plants.

The CPVO organised in cooperation with INRA-IRHS (French Institute for Research in Horticulture and Seeds) and GEVES (Groupe d'Etude et de contrôle des Variétés Et des Semences) an apple varieties open day on 18<sup>th</sup> December 2013 in Angers. Breeders, applicants, procedural representatives, users or examiners of fruit varieties protected by a national or Community Plant Variety Rights title of protection and/or registered in the official French catalogue of fruit varieties and species were invited. The event was well received, with the participation of 31 organisations and companies from 9 countries active in the sector of apple. The CPVO will in 2014 investigate possible options to implement in the procedures the ideas proposed during the open day and make proposals to the relevant expert groups.

## *5.4 The Multi-Beneficiary Program on the Participation of EU Candidate Countries in the EU Plant Variety System*

Since 2006, the CPVO has been participating in the so-called 'Multi-Beneficiary Program', financed by the European Commission, aimed at preparing candidate countries for accession to the European Union. This program was initially set up for Turkey and Croatia. In 2008 it was extended to the former Yugoslav Republic

of Macedonia and, since 2009, it has been opened to all countries of the western Balkan region. Albania and Serbia expressed an interest in participating in its activities in 2009, Bosnia & Herzegovina in 2010 and Kosovo under UNSC Resolution 1244/99 in 2014.

In the framework of this program, representatives of the national plant variety rights authorities were invited to participate in crop expert meetings held regularly at the CPVO. Furthermore, experts from the candidate countries were trained at the examination offices already working on behalf of the CPVO. Additionally, EU experts trained staff in the candidate countries.

At the end of 2013, technical and administrative staff from Croatia and Bosnia & Herzegovina participated in a workshop held by the CPVO in cooperation with the German Bundessortenamt on how the CPVO cooperates with examination offices in when processing applications and on the duties and structures of an examination office. Also at the end of 2013, experts from Croatia and the former Yugoslav Republic of Macedonia could participate in the "Apple Open Day" held by the French examination office GEVES.

In 2014, the Multi-Beneficiary Program was introduced to Kosovo. In June, the program enabled six experts from Albania, Bosnia & Herzegovina, Croatia, Kosovo and Turkey to participate in a training course on plant variety protection given by the University of Wageningen. Furthermore, several workshops were conducted on DUS training of crop groups. The program furthermore enabled experts from the beneficiary countries to participate in the seminar on the enforcement of plant variety rights and on farm-saved seeds held in Zagreb in June 2014. A seminar on the quality requirements that must be met for an examination office working on behalf of the CPVO was held for Serbian colleagues at the Czech examination office. The German Bundessortenamt provided training in fruit DUS testing for Serbian and Macedonian experts as well as on DUS testing of varieties of medicinal plants for Serbian experts. At the same time the French GEVES/INRA trained Croatian and Macedonian experts on DUS testing of stone fruit varieties. Colleagues from the Dutch examination office Naktuinbouw trained Turkish crop specialists in DUS testing of Gerbera and Dianthus varieties at their testing station in Antalya. The Polish examination office gave two trainings for crop specialists from the former Yugoslav Republic of Macedonia and Kosovo on the DUS testing of barley and potato varieties.

Until the end of the program, training for Serbian crop experts on nut testing as well as training on the GAIA software developed by the French GEVES is scheduled. For Macedonian staff working in the area of plant variety rights a special workshop in cooperation with UPOV and several EU examination offices is scheduled for September 2014. In conjunction with the 2014 vegetable experts' meeting the beneficiaries will have the opportunity to participate in the "Vegetable Open Day" held at the Spanish examination office.

#### *5.5 IT developments in CPVO*

The Online Application Service of the Office has developed over time, with increasing interest from applicants in the wake of numerous promotions of the tool by the CPVO. This system has allowed applicants to reduce errors. Close to 80% of applications are now received online.

Following this successful project, the CPVO also committed itself to make the system available to EU Member States willing to use it. As it was foreseen the CPVO has started a pilot project in this sense with two examination offices (GEVES and NAKTUINBOUW). The specificities of the National Procedures for Plant Variety Rights and national listing (including VCU forms) have been taken into account, as well as complete support for multilingualism. A first version of the system was developed and tested with clients. On the basis of a review of the system, certain improvements to functionality are foreseen in 2014 with a view to the tool coming on line during Autumn 2014. A way to exchange structure data will be explored (XML files) in future.

The B2B project (business to business electronic exchange) project to allow automatic sharing of documents between the CPVO and Examination Offices has had a successful pilot phase and has now moved into production with a number of Examination Offices. This project will be rolled out to all Examination Offices and will be a basis for future communications with partners.

The CPVO has also launched a study to implement a system which will allow complete web-based interaction with clients for all communications.

## RELATED FIELDS OF ACTIVITIES

### 1) Marketing of seed and plant propagating material

In 2014 the Common Catalogues of varieties of agricultural plants and vegetable species were updated 8 and 6 times respectively. End of July 2014, more than 22 100 varieties of agricultural plant species and more than 21 000 vegetable varieties have been accepted for marketing in the EU. In addition, 1537 conservation/amateur varieties of vegetable species were registered in the EU.

In February 2014, two Directives, Directive No 2014/20/EU determining Union grades of basic and certified seed potatoes, and the conditions and designations applicable to such grades and Directive No 2014/21/EU determining minimum conditions and Union grades for pre-basic seed potatoes Text, were adopted on order to ensure a greater harmonisation in the EU rules for seed potatoes.

In March 2014 a Commission Implementing Decision No 2014/150/EU on the organisation of a temporary experiment providing for certain derogations for the marketing of populations of the plant species wheat, barley, oats and maize pursuant to Council Directive 66/402/EEC was adopted.

In May 2013, the Commission adopted a proposal for a Regulation on plant reproductive material (Plant reproductive material Law). The proposal was part of a package which includes the revision of rules on plant health and official controls. The proposal on Plant Reproductive Material was rejected by the European Parliament in March 2014 but received the support of the Council in June 2014 for continuation of the work on an amended proposal.

In June 2014, three Commission Implementing Directives implementing Council Directive No 2008/90/EC were voted in the Standing Committee on Fruit Plants regarding the registration of varieties and suppliers, as well as the certification of fruit propagating material and fruit plants, and the labelling of such material.

### 2) Genetic resources

In the framework of the policy of the EU and its Member States on biodiversity and conservation of plant genetic resources, in 2013, 45 conservation varieties of vegetable species and 175 of agricultural crops were registered for commercial crop production under particular conditions for marketing in the EU.

### 3) GMOs

As regards cultivation of GMOs, the Commission adopted in 2010 a proposal for a Regulation of the European Parliament and the Council amending Directive 2001/18/EC as regards the possibility for the Member States to restrict or prohibit the cultivation of GMOs in their territory based on legitimate concerns other than those related to risks to human and animal health or the environment. In accordance with the ordinary legislative procedure (co-decision), the proposal is under discussion by the co-legislators. In July 2011, the European Parliament issued a positive opinion subject to a number of amendments. After that a political agreement was found in the Council of Environment on 12 June 2014, a second phase of negotiation (second reading) should start in autumn 2014 between the two institutions.

### 4) R & D projects in CPVO

#### 4.1 *New projects approved*

##### a. "A European Potato database as centralized collection of varieties of common knowledge"

The CPVO has decided after consultation of the expert group and the advisory group, to finance a new project entitled: "A European Potato database as centralised collection of varieties of common knowledge" which is the follow up of the already finalised project "Construction of an integrated microsatellite and key morphological characteristic database of potato varieties in the EU Common Catalogue". The new project was initiated by the CPVO and involves the nine entrusted Examination Offices for potato and the European Seed Association (ESA), the total cost of the project is 84.780 € with a duration of 2 years. The aim of the project is to set up and to maintain an EU database (DB) for potato varieties, containing morphological and molecular data, pictures and to keep a collection of DNA samples from those varieties.

The complete and maintained DB as a centralised collection of morphological and molecular data of varieties of common knowledge would be an important tool for Examination Offices to organise the DUS tests in an efficient manner by providing reliable results for a crop without living reference collection. The use of a



centralised DB would improve quality and would supposedly reduce costs of the DUS test compared to the maintaining of several DBs on national level. Furthermore, beside its purpose for the DUS test, a part of the DB (molecular profiles) could be used by titleholders in enforcement situations.

b. "Creation of a Common Maize Database for DUS studies through a partnership between Czech Republic, Hungary, Slovakia and the Community Plant Variety Office"

The project approved in March 2014 by the President of the CPVO, is coordinated by the Central Institute for Supervision and Testing in Agriculture (ÚKZÚZ), (Czech Republic).

The aim of the project is to establish a common maize database for DUS studies through a partnership between Czech Republic, Hungary, Slovakia and the Community Plant Variety Office. This database should contain harmonised morphological descriptions of maize lines and hybrids according to the CPVO technical protocol from all participating countries. It will be updated regularly and will be available for electronic consultation for each partner and CPVO. Each partner could thus be in charge of maintaining physically at his/her premises only the seeds of varieties corresponding to its climatic conditions and not conserved in other Examination Offices. The project is expected to be concluded in the end of 2015.

c. "Effect of seed priming on vegetable DUS tests"

The project will look at the effect of seed priming on the DUS test of eggplant and tomato rootstocks varieties, in nominated examination offices entrusted for those species (Naktuinbouw, OEVV, GEVES). Although these are not amongst the most important vegetable species applications-wise in the Community Plant Variety Rights system, commercially they are mostly primed. The R&D project will also study the possible effect that seed priming might have in the reduction of the germination rate over time. The project coordinator shall be the CPVO, with other project partners being ESA and the selected entrusted examination offices. The project was approved in the beginning of 2014 and commenced in March 2014, with it due to be finalized by December 2014.

#### 4.2 On-going projects

a. "Harmonisation of vegetable disease resistances"

The CPVO formally approved earlier in 2012 the co-funding of the R&D project "Harmonisation of vegetable disease resistances", with project partners from France, the Netherlands, Spain, Germany, the United Kingdom, Hungary, Czech Republic, and the European Seed Association (ESA). The project is a follow-up to the earlier "Harmonisation of vegetable diseases resistances" completed in 2008, although the new project will deal with disease resistances in pepper, pea and lettuce. Work in the second half of 2012 was focused on the description and comparison of the existing tests for these disease resistances. The third meeting of the group took place in April 2014 in Roelofarendsveen (NL), the CPVO received the first interim report in August 2013 and the work is progressing according to the planning. The project is expected to be finalised in 2015.

b. 'Impact analysis of endophytes on the phenotype of varieties of *Lolium perenne* and *Festuca arundinacea*'

This project is coordinated by the CPVO (as administrative coordinator) and FERA - United Kingdom (as technical coordinator), with the following project partners: GEVES (France), Bundessortenamt (Germany), ESA (breeding companies: DLF Trifolium and Barenbrug). The project aims at clarifying the possible impact that the presence of endophytes in varieties of *Lolium perenne* (Lp) and *Festuca arundinacea* (Fa) might have on the phenotype, and thus on the expression of the characteristics observed during the DUS tests and eventual consequences in terms of quality requirements for material to be submitted for that purpose. The project foresees the assessment of four varieties from each species, with two stages of endophyte infections (0 % endophytes and 100 %). These varieties will be integrated into regular DUS tests during two growing cycles using the relevant CPVO technical protocol. The conclusive report is expected at the end of 2015. The establishment period of the plants took place in 2013.

c. 'Modification of the cultivation scheme and the plant material requirements for *Helleborus*'

The CPVO formally approved in March 2013 the co-financing of the R & D project 'Modification of the cultivation scheme and the plant material requirements for *Helleborus*'. The project was initiated by the CPVO and includes another project partner, Naktuinbouw. The project was launched in March 2013 and the final report is expected in the second half of 2014. Currently, the DUS testing of *Helleborus* varieties in the

framework of an application for Community Plant Variety Rights is centralised at Naktuinbouw, where plants are cultivated outdoor in the full ground. This cultivation scheme seems not to be optimal. The purpose of the project is to investigate the suitability of cultivation in pots and its implementation for the DUS technical examination and for the maintenance of the living collection. The duration foreseen for this project is of 18 months

#### 4.3 Finalised projects

##### a. 'Reducing the number of obligatory observation periods in DUS testing for candidate varieties in the fruit sector'

This project is coordinated by the CPVO, with the following project partners: Bundessortenamt (Germany), Coboru (Poland), CRA-FRU (Italy), GEVES (France), OEVV (Spain), National Food Chain Safety Office (Hungary), NPVO (Czech Republic), Ciopora, and Plantum. Costs of DUS testing for candidate fruit varieties are relatively high compared to varieties in other crop sectors. The aim of the project was to determine (i) whether there was indeed technical justification of two satisfactory crops of fruit in order to make a conclusion on DUS and (ii) draw up a subsequent reliable variety description. Five species were considered: peach, strawberry, apple, raspberry and grapevine. Varieties where the CPVO technical protocol has been implemented and which have been registered (national listing, national plant variety rights, and Community Plant Variety Rights) in the past 5 years were considered.

The project was approved by the President of the CPVO at the end of 2012 and finalised at the end of 2013. The CPVO is now discussing possible follow-up project(s).

#### 4.4 Follow-up of finalised projects

##### a. "Management of peach tree reference collections"

The aim is to create and manage a peach tree database, via the establishment of an EU *Prunus persica* tree collection structured in varietal groups, using a common database containing phenotypic, visual and molecular descriptions. The project amongst the four project partners (France, Spain, Italy and Hungary) was finished in 2011. The project partners analysed a total of 510 peach varieties in their reference collections (including 12 common to all of them), providing an invaluable exchange tool to draw up better phenotypic descriptions of peach varieties and structuring the reference collections according to the genetic background of the constituent varieties. A database for the storage and management of all these data (GEMMA) was created by GEVES, with the proposal that the full updating of the database would be continued in the future by all the project partners via the GEMMA framework, in order to have a more efficient selection of comparison varieties for peach DUS testing.

The CPVO proposed a set of concrete follow-up measures which the project coordinator should consider with the other project partners, with the aim of improving the management of the reference collections in the four entrusted Examination Offices, and the overall efficiency of DUS testing in peach.

The project partners have signed the contract agreement with GEVES regulating the contribution and access of each partner to the GEMMA database.

##### b. "Development of an improved COYU procedure"

This project has been coordinated by Biomathematics and Statistics Scotland (BioSS) in collaboration with the Aarhus University (Denmark).

The project developed and tested an alternative method of adjustment for COYU, based on natural cubic splines. This was described in a paper presented to the UPOV Technical Working Party on Automation and Computer Programs (TWC) (TWC/31/15 Corr.) and was presented at the TWC meeting in Seoul, 2013. The proposed new methodology for COYU was compared to the current one by simulation under several scenarios. It was found to have much-reduced bias. It is expected that the achievements will enable the use of more typical significance levels, such as 1 % or 5 %, than for the current formulation. A presentation of the outcome of the project has been made in 2014 in the UPOV Technical Committee.

As a follow-up United Kingdom experts will develop software in Fortran that can be incorporated into the widely used DUST package. A demonstration version of the DUST software using the proposed COYU method was made at the 32<sup>nd</sup> session of the TWC in 2014.

[Annex XXIII follows]

## PLANT VARIETY PROTECTION

### Situation in the administrative field

- Changes in the administrative structure

Dr. Pham Dong Quang did not in charge PVP office of Vietnam.

Dr. Nguyen Quoc Manh (deputy chief) replaces Dr Quang in charge PVP office of Vietnam (from 1/6/2014).

- Changes in office procedures and systems.

From 1/8/2014 PVPO of Vietnam use online registration form of PVP.

(<http://regvpo.mard.gov.vn/Default.aspx>)

### Situation in the technical field

Vietnam completed the PVP database from PVP office to DUS stations.

### Activities for the promotion of plant variety protection

In 2013-2014 with supporting from JICA project and other resources Vietnam continuing organize the workshop, seminar, and talking on plant variety protection for the local government staffs, companies, breeders, institutes, universities, seed center in provinces.

[Annex XXIV follows]

## ANNEX XXIV

## EGYPT

## PLANT VARIETY PROTECTION

1. Situation in the legislative field

## 1.1 Amendments of the law

The Law No. 82 of 2002 on the Protection of Intellectual Property Rights (Law of 2002), contains Book IV "Plant Varieties", the PVP Office of Egypt is working on proposed amendments with the assistance of the UPOV Office.

## 1.2 Extension of protection to further genera and species:

Genera and Species shall be protected:

Ministerial Decree Number & Year	Genera and Species	Note
No. 807 Year 2005	Wheat, Barley, Rice, Chick peas, Lentil, Fenugreek, Lupine, Maize, Faba Bean, Mung Bean, Kidney Beans, cotton, Flax, Loaf, Agava sisalana, Sesame, Peanut, Safflower, Sunflower, Canola, Soya Bean, Barssem, Alfalfa, Millet, Sorghum, Sudan Grass, Cow pea, Cassava, Lablab, Sugar Cane, Sugar Beet, Potatoes, Jews Mallow, Celery, Onion, Garlic, Cucumber, Sweet Potatoes, Artichoke, Asparagus, Tomato, Squash, Peas, Beans, Taro, Okra, Egy. Mallow, Egy. Leek, Chard, Coriander, Parsley, Radish, Beet, Cabbage, Cauliflower, Carrot, Turnip, Spinach, Eggplant, Pepper, Lettuce, Broadbean, Dill, Pumpkin, Snake Cucumber, Melon, Sweet Melon, Cantaloupe, Strawberry, Hibiscus, Chamomile, Geranium, Guava, Banana, Grapes, Palms, Pomegranate, Olive tree, Mango, apricot, Nectarine, Plum, Orange, Tangerine, Lemon, Mandarin, Grab frot, Bitter orange, Rose, Carnation	Made
No. 463 Year 2009	Avocado , Apple	Made
No. 807 Year 2011	Rubus	Made
No. 737 Year 2012	Actinidia	Made
Planned in year 2014	The law shall be applied to plant genera and species designated by the Minister of Agriculture, and by the expiration of a period of 10 years from the date of coming into force of amendments law at latest, to all genera and species.	Planned

2. Cooperation in examination

Plant variety protection office in Egypt get results from CPVO, Spain and South Africa in propose of protected new variety.

3. Situation in the administrative field

No changes.

4. Situation in the technical field

Central Administration for Seed Testing and Certification (CASC) is responsible for conducting DUS tests for species according to UPOV guidelines.

5. Activities for the promotion of plant variety protection

Title of activity	Date	Location	Organizer	Purpose of activity	Participating
Workshop "Improvement Seed industry in Egypt"	1/10/2013	Cairo	Seed Council	Importance of Plant variety protection. Egypt should be a member of UPOV to improve seed industry. Improve seed registration system.	5 governmental agriculture sectors. 4 agriculture research institutes. 23 Private seed company. 2 seed associations. Others. ----- Total 75 participates

[End of Annex XXIV and of document]