



C/48/22

ORIGINAL: English

DATE: March 20, 2015

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

COUNCIL**Forty-Eighth Ordinary Session
Geneva, October 16, 2014**

REPORT

*adopted by the Council*Opening of the session

- *1. The Council of the International Union for the Protection of New Varieties of Plants (UPOV) held its forty-eighth ordinary session in Geneva on October 16, 2014, chaired by Ms. Kitisri Sukhapinda (United States of America), President of the Council.
- *2. The list of participants is reproduced in Annex I to this report.
- *3. The session was opened by the President who welcomed the participants.
- *4. The Council took the decisions recorded below under each relevant agenda item.
- *5. The President reported that the African Intellectual Property Organization (OAPI) has deposited its instrument of accession to the 1991 Act of the UPOV Convention on June 10, 2014, becoming the 72nd member of UPOV and the second intergovernmental organization to join UPOV, on July 10, 2014.
6. The Council noted the intervention made by OAPI, a copy of which is reproduced in Annex III to this report.
- *7. The draft detailed report on the session will be submitted to the Council for adoption by correspondence.

Adoption of the agenda

- *8. The Council adopted the revised draft agenda, as presented in document C/48/1 Rev.

Appointment of the Secretary-General

- *9. The Council considered document C/48/15.
- *10. The Council decided to appoint Mr. Francis Gurry as the Secretary-General of UPOV for the period from October 16, 2014, to September 30, 2020.

* An asterisk next to the paragraph number indicates that the text is reproduced from the Report on the Decisions (document C/48/21).

11. The Secretary-General thanked the Council for its confidence and trust. He acknowledged the important engagement and commitment of the members of the Union and the impressive work program accomplished by the Office of the Union working together with the members of the Union. The Secretary-General paid tribute to the technical work and commitment of the Office of the Union, under the management of the Vice Secretary-General. The Secretary-General noted the growing importance of agriculture and horticulture and the challenges of using available land to sustainably increase productivity and the quality of production in the context of climate change. In his view, that underscored the increasing importance of innovation, in particular through the breeding of new plant varieties. He considered that UPOV was a very successful example of international cooperation for two reasons: firstly, the engagement and commitment of members of the Union and the quality of the staff of the Office of the Union; and secondly, the shared objective of members of the Union to retain the technical focus of UPOV. As far as the future was concerned, he suggested that impact of UPOV's activities could be enhanced as follows:

(i) the maintenance of the good partnership that existed between UPOV and WIPO, which included the sharing of experts, facilities and other resources, for instance support for UPOV databases. It was one of his main roles to ensure the cooperation between WIPO and UPOV was maintained at a high level and further strengthened;

(ii) a priority on the steady, continued and careful, expansion of the geographical reach of UPOV over the coming years. In that regard, the Secretary-General was delighted to welcome OAPI as the latest member of the UPOV family;

(iii) exploratory work on the electronic filing system was a very promising area of international cooperation in relation to the filing of applications in multiple territories; and

(iv) increasing openness of UPOV by improved communication tools that enable the benefits of UPOV to be brought to the wider public. In his view, the improvement of the website was an important way in which the Office of the Union had implemented the communication strategy. In that context, he believed that the communication channel between UPOV and the general public was particularly important.

In conclusion, he expressed his gratefulness and considered it to be a privilege to have the opportunity to serve as the Secretary-General. He was looking forward to working with all members of the Union over the coming years.

* 12. The Council noted the intervention made by the Secretary-General.

13. The Delegation of Spain congratulated the Secretary-General on his appointment and for his understanding and support in relation to the challenges that UPOV was facing. It congratulated the Office of the Union for having a fantastic team and suggested the Office of the Union to provide an open office time, in order for members of the Union to learn more about the work and the staff of the Office of the Union.

Developments on the Plant Breeders' Rights Act for Zanzibar

* 14. The Council considered document C/48/18.

* 15. The Council noted the intervention made by the Delegation of the United Republic of Tanzania.

* 16. The Council decided to:

(a) note that the Plant Breeders' Rights Act of Zanzibar, which was adopted by the Zanzibar House of Representatives, incorporates the changes in the decision of the Council of March 22, 2013 (see document C(Extr.)/30/8 "Report", paragraph 13, and document C/48/18, paragraph 2);

(b) agree that the additional changes, as presented in the Annex II document C/48/18, do not concern the substantive provisions of the 1991 Act of the UPOV Convention; and

(c) confirm the decision on conformity of March 22, 2013 and inform the Government of the United Republic of Tanzania that the instrument of accession of the United Republic of Tanzania may be deposited.

17. The Delegation of the United Republic of Tanzania commended the Council for its leadership and the Office of the Union for its hard work. The Delegation believed that the decision would send an important signal to local and international breeders that the United Republic of Tanzania was now ready for agricultural transformation, of which increased investment and research and plant breeding were essential components. It would work hard to fast-track the remaining process so that the United Republic of Tanzania could deposit its instrument of accession to the UPOV Convention in good time. The Delegation stated that the United Republic of Tanzania was looking forward to becoming a member of the Union.

Report by the President on the work of the eighty-eighth session of the Consultative Committee: adoption of recommendations, if any, prepared by that Committee

*18. The Council considered document C/48/19 and noted that the title of the document should read "Report by the President on the work of the eighty-eighth session [...]" and not the "eighty-sixth session".

*19. The Council adopted the answers to the frequently asked questions, as set out in document C/48/19, paragraphs 46 and 47.

*20. The Council approved the use of the special project fund for training purposes, as set in document C/48/19, paragraph 32.

*21. The Council noted the work of the Consultative Committee at its eighty-eighth session, as reported in document C/48/19.

Adoption of documents

TGP/2/2: List of Test Guidelines Adopted by UPOV (Revision)

*22. The Council adopted the revision of document TGP/2 "List of Test Guidelines Adopted by UPOV (document TGP/2/2) on the basis of the proposal in document C/48/16, paragraph 2.

TGP/5: Experience and Cooperation in DUS Testing

*23. The Council adopted the revision of document TGP/5 "Experience and Cooperation in DUS Testing" Section 10 "Notification of Additional Characteristics and States of Expression" (document TGP/5, Section 10/3) on the basis of the proposal in document C/48/16, paragraph 5.

TGP/7/4: Development of Test Guidelines (Revision)

*24. The Council adopted the revision of document TGP/7 "Development of Test Guidelines" (document TGP/7/4), on the basis of document TGP/7/4 Draft 1.

TGP/8/2: Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability (Revision)

*25. The Council adopted the revision of document TGP/8 "Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability" (document TGP/8/2), on the basis of document TGP/8/2 Draft 1.

TGP/14: Glossary of Terms Used in UPOV Documents (correction of Spanish version)

*26. The Council adopted the correction of the Spanish version of document TGP/14: Section 2: Subsection 3: Color, paragraph 2.2.2 (TGP/14/2 Corr. (S)), as proposed in document C/48/16, paragraph 18.

TGP/0/7: List of TGP documents and latest issue dates (Revision)

*27. The Council adopted the revision of document TGP/0 "List of TGP documents and latest issue dates" (document TGP/0/7), on the basis of document TGP/0/7 Draft 1.

UPOV/INF/16/4: Exchangeable Software (Revision)

*28. The Council adopted the revision of document UPOV/INF/16 “Exchangeable Software (document UPOV/INF/16/4), on the basis of document UPOV/INF/16/4 Draft 1.

UPOV/INF/22/1: Software and Equipment Used by Members of the Union

*29. The Council adopted document UPOV/INF/22 “Software and Equipment Used by Members of the Union” (document UPOV/INF/22/1), on the basis of document UPOV/INF/22/1 Draft 1, and noted the plan to issue a circular to the designated persons of the members of the Union in the TC, inviting them to provide information regarding non-customized software and equipment used by members of the Union.

UPOV/INF-EXN/6: List of UPOV/INF-EXN Documents and Latest Issue Dates

*30. The Council adopted the revision of document UPOV/INF-EXN “List of INF-EXN Documents and Latest Issue Dates” (document UPOV/INF-EXN/6) on the basis of document UPOV/INF-EXN/6 Draft 1.

Financial Statements for 2013

*31. The Council considered documents C/48/13 and C/48/14, in conjunction with a presentation made by Mr. Didier Monnot, *Responsable de mandats, Contrôle fédéral des finances* (Switzerland), of the Annex of document C/48/14, containing the audit report of the External Auditor.

*32. The Council approved the Financial Statements for 2013.

*33. The Council expressed its gratitude to the Government of Switzerland for acting as External Auditor.

Arrears in contributions as of September 30, 2014

*34. The Council considered document C/48/11.

*35. The Council noted the status of payment of contributions as of September 30, 2014, and noted that due to recent payments, Jordan had no arrears.

Financial Management Report for the 2012-2013 Biennium

*36. The Council considered document C/48/4 and approved the financial management report for the 2012-2013 financial period.

Annual report of the Secretary-General for 2013; Performance report for the 2012 2013 Biennium; Report on activities during the first nine months of 2014

*37. The Council considered documents C/48/2, C/48/12 and C/48/3.

*38. The Council noted the report of the Secretary-General on the activities of the Union in 2013 and the results and performance indicators for 2013, as provided in document C/48/2.

*39. The Council noted the performance report for the 2012-2013 biennium, as provided in document C/48/12.

*40. The Council noted the report on activities during the first nine months of 2014, as provided in document C/48/3.

Progress report of the work of the Administrative and Legal Committee

*41. The Council considered document C/48/9.

*42. The Council noted the work of the CAJ, as reported in document C/48/9 and in the oral report made by the Chair of the CAJ (see document CAJ/70/10 "Report on the Conclusions").

*43. The Council approved the work program for the seventy-first session of the CAJ, as presented in the oral report of the Chair of the CAJ.

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

*44. The Council considered document C/48/10.

*45. The Council noted the work of the TC and of the Technical Working Parties (TWPs) and the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT), as reported to the TC in document C/48/10.

*46. The Council approved the work of the TC and the work programs of the TWPs and BMT, as set out in document C/48/10.

Calendar of meetings in 2015

*47. The Council noted that, at the seventieth session of the CAJ, held in Geneva on October 13, 2014, the CAJ had agreed that all matters under consideration by the CAJ-AG at its ninth session should, following the ninth session of the CAJ-AG, be considered by the CAJ and that the CAJ-AG should only be convened, on an *ad hoc* basis, as considered appropriate by the CAJ (see document CAJ/70/10 "Report on the Conclusions", paragraph 38).

*48. The Council noted, on that basis, that the CAJ might propose a revision of the Calendar of Meetings in 2015.

*49. The Council approved the calendar of meetings in 2015, as set out in document C/48/8, and noted the tentative dates of meetings in 2016.

Election of new Chairpersons

*50. The Council elected, in each case for a term of three years ending with the fifty-first ordinary session of the Council, in 2017:

- (a) Mr. Tanvir Hossain (Australia), Chairman, Technical Working Party for Agricultural Crops (TWA);
- (b) Mr. Adrian Roberts (United Kingdom), Chairman, Technical Working Party on Automation and Computer Programs (TWC);
- (c) Mr. Katsumi Yamaguchi (Japan), Chairman, Technical Working Party for Fruit Crops (TWF);
- (d) Mr. Kenji Numaguchi (Japan), Chairman, Technical Working Party for Ornamental Plants and Forest Trees (TWO);
- (e) Ms. Swenja Tams (Germany), Chairperson, Technical Working Party for Vegetables (TWV);
and
- (f) Mr. Kees van Ettehoven (Netherlands), Chairman, Working Group on Biochemical and Molecular Techniques and DNA-Profiling in Particular (BMT).

Situation in the legislative, administrative and technical fields:

Reports by representatives of members and observers

*51. The Council noted the information provided in document C/48/17.

List of the taxa protected by the members of the Union

*52. The Council considered document C/48/6.

*53. The Council noted that a total of 58 members of the Union now offer protection to all plant genera and species (56 in 2013), with 14 members of the Union offering protection to a limited number of plant genera and species. Of those 14, three countries (Brazil, China and South Africa) extended protection to additional plant genera and species in 2014.

Plant variety protection statistics for the period 2009-2013

*54. The Council considered document C/48/7.

*55. The Council noted that, in 2013, the number of titles in force exceeded 100,000 for the first time. The total of 103,261 titles in force in 2013 represented a 3.8 percent increase on figures for 2012 (99,501).

*56. The Council noted that there had been a 6.3 percent increase in the number of applications for plant variety protection (14,788 in 2013; 13,908 in 2012), comprising an 8.7 percent increase in the number of applications by residents (9,502 in 2013; 8,739 in 2012) and a 2.3 percent increase in the number of applications by non-residents (5,286 in 2013; 5,169 in 2012). The number of titles granted increased from 9,822 in 2012 to 10,052 in 2013 (2.3 percent increase).

*57. The Council noted that a revision of document C/47/7 concerning statistics for the period 2008-2012 had been published on the UPOV website (document C/47/7 Rev.)

Cooperation in examination

*58. The Council considered document C/48/5.

*59. The Council noted that, in 2014, the number of plant genera and species for which there were agreements between members of the Union for cooperation in the examination of distinctness, uniformity and stability totaled 2,005, compared to 1,997 in 2013.

Press release

*60. The Council considered the draft press release contained in document C/48/20 and noted the addition of the words "of protected varieties" in the following frequently asked question: "Is it possible for subsistence farmers to exchange propagating material of protected varieties against other vital goods within the local community?"

*61. The Council approved the draft press release, with the above modification, as reproduced in Annex II to this report.

Retirement

62. The President reported that Mr. Henri-Charles Goossens, Head of Unit, WIPO Conference Service would retire on October 31, 2014, after many years of contribution to UPOV's work. The President expressed her thanks to Mr. Goossens, on behalf of the UPOV Council, for his commitment, kind assistance and coordination with relevant services during the UPOV meetings, to facilitate the work of the Council and its bodies. Finally the President wished him a long and happy retirement.

63. *This report was adopted by correspondence.*

[Annexes follow]

ANNEXE I / ANNEX I / ANLAGE I / ANEXO I

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

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

I. MEMBRES / MEMBERS / VERBANDSMITGLIEDER / MIEMBROS

AFRIQUE DU SUD / SOUTH AFRICA / SÜDAFRIKA / SUDÁFRICA

Noluthando NETNOU-NKOANA (Mrs.), Director of Genetic Resources, Directorate: Genetic Resources, Department of Agriculture, Forestry and Fisheries, Pretoria (e-mail: noluthandon@daff.gov.za)

ALLEMAGNE / GERMANY / DEUTSCHLAND / ALEMANIA

Udo VON KROECHER, Präsident, Bundessortenamt, Hannover
(e-mail: Postfach.Praesident@bundessortenamt.de)

ARGENTINE / ARGENTINA / ARGENTINIEN / ARGENTINA

Raimundo LAVIGNOLLE, Presidente del Directorio, Instituto Nacional de Semillas (INASE), Buenos Aires
(e-mail: rlavignolle@inase.gov.ar)

María Laura VILLAMAYOR (Ms.), Abogada, Unidad Presidencia, Instituto Nacional de Semillas (INASE), Buenos Aires (e-mail: mlvillamayor@inase.gov.ar)

María Inés Rodríguez (Ms.), Counsellor, Permanent Mission of Argentina, Geneva, Switzerland

BELGIQUE / BELGIUM / BELGIEN / BÉLGICA

Françoise DE SCHUTTER (Madame), Attachée, Office belge de la Propriété intellectuelle (OPRI), Bruxelles
(tel.: 32 2 277 9555 fax: 32 2 277 52 62 e-mail: francoise.deschutter@economie.fgov.be)

BOLIVIE (ÉTAT PLURINATIONAL DE) / BOLIVIA (PLURINATIONAL STATE OF) /
BOLIVIEN (PLURINATIONALER STAAT) / BOLIVIA (ESTADO PLURINACIONAL DE)

Sergio Rider ANDRADE CÁCERES, Director Nacional de Semillas del INIAF, Instituto Nacional de Innovación Agropecuaria y Forestal (INIAF), La Paz (e-mail: rideran@yahoo.es)

Freddy CABALLERO LEDEZMA, Ingeniero Agrónomo, Instituto Nacional de Innovación Agropecuaria y Forestal (INIAF), La Paz (e-mail: calefred@yahoo.es)

Martin Nelson CAZON ORTEGA, Ingeniero Agrónomo, Instituto Nacional de Innovación Agropecuaria y Forestal (INIAF), La Paz

BRÉSIL / BRAZIL / BRASILIEN / BRASIL

Fabrizio SANTANA SANTOS, Coordinator, National Plant Variety Protection Office (SNPC), Ministry of Agriculture, Livestock and Food Supply, Brasilia (e-mail: fabricio.santos@agricultura.gov.br)

CANADA / CANADA / KANADA / CANADÁ

Anthony PARKER, Commissioner, Plant Breeders' Rights Office, Canadian Food Inspection Agency (CFIA), Ottawa (e-mail: anthony.parker@inspection.gc.ca)

CHILI / CHILE / CHILE / CHILE

Hugo MARTÍNEZ, Asesor Ministro de Agricultura, Santiago de Chile (e-mail: hugo.martinez@minagri.gob.cl)

Manuel TORO UGALDE, Jefe Subdepartamento, Registro de Variedades Protegidas, División Semillas, Servicio Agrícola y Ganadero (SAG), Santiago de Chile (e-mail: manuel.toro@sag.gob.cl)

Marcela PAIVA, Counselor, Permanent Mission of Chile to the World Trade Organization, Geneva (e-mail: mpaiva@minrel.gov.cl)

CHINE / CHINA / CHINA / CHINA

LV Bo, Division Director, Division of Variety Management, Bureau of Seed Management, Ministry of Agriculture, Beijing (e-mail: lvbo@agri.gov.cn)

HUANG Faji, Deputy Division Director, Office for the Protection of New Plant Varieties, State Forestry Administration, Beijing (e-mail: huangfaji@cnpvp.net)

Xue JIANG, Project Administrator, Beijing (e-mail: jiangxue@sipo.gov.cn)

COLOMBIE / COLOMBIA / KOLUMBIEN / COLOMBIA

Ana Luisa DÍAZ JIMÉNEZ (Sra.), Directora Técnica de Semillas, Dirección Técnica de Semillas, Instituto Colombiano Agropecuario (ICA), Bogotá (e-mail: ana.diaz@ica.gov.co)

CROATIE / CROATIA / KROATIEN / CROACIA

Ivana BULAJIĆ (Ms.), Head of Plant Health Service, Directorate for Food Quality and Fitosanitary Policy, Ministry of Agriculture, Zagreb (e-mail: ivana.bulajic@mps.hr)

DANEMARK / DENMARK / DÄNEMARK / DINAMARCA

Gerhard DENEKEN, Department of Variety Testing, The Danish AgriFish Agency (NaturErhvervstyrelsen), Skaelskoer (e-mail: gde@naturerhverv.dk)

ÉQUATEUR / ECUADOR / ECUADOR / ECUADOR

Lilián CARRERA GONZÁLEZ (Sra.), Directora Nacional de Obtenciones Vegetales, Instituto Ecuatoriano de la Propiedad Intelectual (IEPI), Quito (e-mail: lmcarrera@iepi.gob.ec)

ESPAGNE / SPAIN / SPANIEN / ESPAÑA

Luis SALAICES, Jefe del Área del Registro de Variedades, Subdirección general de Medios de Producción Agrícolas y Oficina Española de Variedades Vegetales (MPA y OEVV), Ministerio de Agricultura, Alimentación y Medio Ambiente (MAGRAMA), Madrid (e-mail: luis.salaices@magrama.es)

José Antonio SOBRINO, Jefe del servicio de registro de variedades, Oficina Española de Variedades Vegetales, Ministerio de Agricultura, Alimentación y Medio Ambiente, Madrid (e-mail: jasobrin@magrama.es)

ESTONIE / ESTONIA / ESTLAND / ESTONIA

Renata TSATURJAN (Ms.), Chief Specialist, Plant Production Bureau, Ministry of Agriculture, Tallinn (e-mail: renata.tsaturjan@agri.ee)

ÉTATS-UNIS D'AMÉRIQUE / UNITED STATES OF AMERICA / VEREINIGTE STAATEN
VON AMERIKA / ESTADOS UNIDOS DE AMÉRICA

Kitisri SUKHAPINDA (Ms.), Patent Attorney, Office of Policy and External Affairs, United States Patent and Trademark Office (USPTO), Alexandria (e-mail: kitisri.sukhapinda@uspto.gov)

Ruihong GUO (Ms.), Deputy Administrator, AMS, Science & Technology Program, United States Department of Agriculture (USDA), Washington D.C. (e-mail: ruihong.guo@ams.usda.gov)

Karin L. FERRITER (Ms.), Intellectual Property Attaché, United States Mission to the WTO, Chambesy (e-mail: karin_ferriter@ustr.eop.gov)

FÉDÉRATION DE RUSSIE / RUSSIAN FEDERATION / RUSSISCHE FÖDERATION /
FEDERACIÓN DE RUSIA

Yury A. ROGOVSKIY, Deputy Chairman, Head of Methodology and International Cooperation, State Commission of the Russian Federation for Selection Achievements Test and Protection, Moscow (e-mail: yrogovskij@yandex.ru)

Antonina TRETINNIKOVA (Ms.), Deputy Head, Methodology and International Cooperation Department, State Commission of the Russian Federation for Selection Achievements Test and Protection, Moscow (e-mail: tretinnikova@mail.ru)

FINLANDE / FINLAND / FINNLAND / FINLANDIA

Tarja Päivikki HIETARANTA (Ms.), Senior Officer, Seed Certification Unit, Finnish Food and Safety Authority (EVIRA), Loimaa (e-mail: tarja.hietaranta@evira.fi)

FRANCE / FRANCE / FRANKREICH / FRANCIA

Virginie BERTOUX (Mme), Responsable, Instance nationale des obtentions végétales (INOV), INOV-GEVES, Beaucauzé (e-mail: virginie.bertoux@geves.fr)

GÉORGIE / GEORGIA / GEORGIEN / GEORGIA

Nana PANTSKHAVA (Ms.), Chief Examiner, Department of Invention, Design and New Varieties and Breeds, National Intellectual Property Centre (SAKPATENTI), Mtskheta (e-mail: npantskhava@sakpatenti.org.ge)

HONGRIE / HUNGARY / UNGARN / HUNGRÍA

Szabolcs FARKAS, Head, Patent Department, Hungarian Intellectual Property Office (HIPO), Budapest (e-mail: szabolcs.farkas@hipo.gov.hu)

Katalin MIKLÓ (Ms.), Head of Chemical and Agricultural Division, Agriculture and Plant Variety Protection Section, Hungarian Intellectual Property Office, Budapest (e-mail: katalin.miklo@hipo.gov.hu)

IRLANDE / IRELAND / IRLAND / IRLANDA

Donal COLEMAN, Controller of Plant Breeders' Rights, National Crop Evaluation Centre, Department of Agriculture, National Crop Evaluation Centre, Leixlip (e-mail: donal.coleman@agriculture.gov.ie)

ITALIE / ITALY / ITALIEN / ITALIA

Loredana GUGLIELMETTI (Mrs.), Dirigente, Divisione XI - Invenzioni e modelli di utilità, Direzione generale per la lotta alla contraffazione, Italian Patent and Trademark Office, Ministry of Economic Development, Rome (e-mail: loredana.guglielmetti@sviluppoeconomico.gov.it)

Ivana PUGLIESE (Mrs.), Chief Patent Examiner, Patent and Plant Variety Division, Italian Patent and Trademark Office, Ministry of Economic Development, Rome (e-mail : ivana.pugliese@mise.gov.it)

Antonio ATAZ, Official of the General Secretariat of the Council of the EU, Council of the European Union, Brussels (e-mail: antonio.ataz@consilium.europa.eu)

JAPON / JAPAN / JAPAN / JAPÓN

Katsuhiko SAKA, Director, New Business and Intellectual Property Division, Ministry of Agriculture, Forestry and Fisheries (MAFF), Tokyo (e-mail: katsuhiko_saka@nm.maff.go.jp)

Akira MIYAKE, Senior Policy Advisor, New Business and Intellectual Property Division, Food Industry Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries (MAFF), Tokyo (e-mail: akira_miyake@nm.maff.go.jp)

LETTONIE / LATVIA / LETTLAND / LETONIA

Iveta OZOLINA (Mrs.), Deputy Director, Department of Agriculture, Ministry of Agriculture, Riga (e-mail: iveta.ozolina@zm.gov.lv)

LITUANIE / LITHUANIA / LITAUEN / LITUANIA

Rasa ZUIKIENĖ (Mrs.), Deputy Head of the plant variety division, State Plant Service under the Ministry of Agriculture, Vilnius (e-mail: rasa.zuikiene@vatzum.lt)

MAROC / MOROCCO / MAROKKO / MARRUECOS

Zoubida TAOUSSI (Mrs.), Responsible of Plant Variety Protection, Division of Seed and Plant Control, The National Office for Food Safety, Rabat (e-mail: ztaoussi67@gmail.com)

MEXIQUE / MEXICO / MEXIKO / MÉXICO

Eduardo PADILLA VACA, Director de Registro de Variedades Vegetales, Servicio Nacional de Inspección y Certificación de Semillas (SNICS), México (e-mail: eduardo.padilla@sagarpa.gob.mx)

NORVÈGE / NORWAY / NORWEGEN / NORUEGA

Marianne SMITH (Ms.), Senior Advisor, Norwegian Ministry of Agriculture and Food, Oslo (e-mail: marianne.smith@lmd.dep.no)

Tor Erik JØRGENSEN, Head of Department for National Approvals, Norwegian Food Safety Authority, Brumunddal (e-mail: tor.erik.jorgensen@mattilsynet.no)

ORGANISATION AFRICAINE DE LA PROPRIÉTÉ INTELLECTUELLE (OAPI) /
AFRICAN INTELLECTUAL PROPERTY ORGANIZATION (OAPI) /
AFRIKANISCHE ORGANISATION FÜR GEISTIGES EIGENTUM (OAPI) /
ORGANIZACIÓN AFRICANA DE LA PROPIEDAD INTELECTUAL (OAPI)

Juliette DOUMATEY AYITE (Mme), Directeur Général Adjoint, Organisation africaine de la propriété intellectuelle (OAPI), Yaoundé (e-mail: ayijuliette@yahoo.fr)

Wéré Régine GAZARO (Mme), Directeur, Protection de la propriété industrielle, Organisation africaine de la propriété intellectuelle (OAPI), Yaoundé (e-mail: were_regine@yahoo.fr)

PANAMA / PANAMA / PANAMÁ

Zoraida RODRIGUEZ MONTENEGRO (Sra.), Consejero Juridico, Misión Permanente de Panamá ante la Organización Mundial del Comercio (e-mail: zrodriguez11@gmail.com)

PAYS-BAS / NETHERLANDS / NIEDERLANDE / PAÍSES BAJOS

Kees Jan GROENEWOUD, Secretary, Plant Variety Board (Raad voor Plantenrassen), Naktuinbouw, Roelofarendsveen (e-mail: c.j.a.groenewoud@naktuinbouw.nl)

Marien VALSTAR, Sector Manager Seeds and Plant Propagation Material, Ministry of Economic Affairs, DG AGRO, The Hague (e-mail: m.valstar@minez.nl)

Kees VAN ETTEKOVEN, Head of Variety Testing Department, Naktuinbouw NL, Roelofarendsveen
(e-mail: c.v.ettekoven@naktuinbouw.nl)

POLOGNE / POLAND / POLEN / POLONIA

Edward S. GACEK, Director General, Research Centre for Cultivar Testing (COBORU), Slupia Wielka
(e-mail: e.gacek@coboru.pl)

Marcin BEHNKE, Deputy Director General for Experimental Affairs, Research Centre for Cultivar Testing (COBORU), Slupia Wielka (e-mail: m.behnke@coboru.pl)

Alicja RUTKOWSKA (Mrs.), Head, National Listing and Plant Breeders' Rights Protection Office,
The Research Centre for Cultivar Testing (COBORU), Slupia Wielka (e-mail: a.rutkowska@coboru.pl)

RÉPUBLIQUE DE CORÉE / REPUBLIC OF KOREA / REPUBLIK KOREA / REPÚBLICA DE COREA

Seung-In YI, Deputy Head, Plant Variety Protection Division, Korea Seed & Variety Service (KSVS),
Gyeongsangbuk-Do (e-mail: seedin@korea.kr)

Kwang-Hong LEE, Agricultural Researcher, Korea Seed and Variety Service (KSVS), Gyeongsangnam-Do
(e-mail: grin@korea.kr)

RÉPUBLIQUE DE MOLDOVA / REPUBLIC OF MOLDOVA / REPUBLIK MOLDAU / REPÚBLICA DE MOLDOVA

Mihail MACHIDON, Chairman, State Commission for Crops Variety Testing and Registration (SCCVTR),
Chisinau (e-mail: info@castsp.md)

RÉPUBLIQUE TCHÈQUE / CZECH REPUBLIC / TSCHECHISCHE REPUBLIK / REPÚBLICA CHECA

Daniel JURECKA, Director, Plant Production Section, Central Institute for Supervising and Testing in
Agriculture (ÚKZÚZ), Brno (e-mail: daniel.jurecka@ukzuz.cz)

ROUMANIE / ROMANIA / RUMÄNIEN / RUMANIA

Mihaela-Rodica CIORA (Mrs.), Senior Expert, State Institute for Variety Testing and Registration (ISTIS),
Bucarest (e-mail: mihaela_ciora@yahoo.com)

Cristian Irinel MOCANU, Head of Legal and Administrative Department, State Institute for Variety Testing
and Registration, Bucharest (e-mail: irinel_mocanu@istis.ro)

ROYAUME-UNI / UNITED KINGDOM / VEREINIGTES KÖNIGREICH / REINO UNIDO

Andrew MITCHELL, Policy Team Leader, Department for Environment, Food and Rural Affairs (DEFRA),
Cambridge (e-mail: andrew.mitchell@defra.gsi.gov.uk)

SLOVAQUIE / SLOVAKIA / SLOWAKEI / ESLOVAQUIA

Bronislava BÁTOROVÁ (Mrs.), National Coordinator for the Cooperation of the Slovak Republic with UPOV/
Senior Officer, Department of Variety Testing, Central Controlling and Testing Institute in Agriculture
(ÚKSÚP), Nitra (e-mail: bronislava.batorova@uksup.sk)

SUÈDE / SWEDEN / SCHWEDEN / SUECIA

Olof JOHANSSON, Head, Plant and Environment Department, Swedish Board of Agriculture, Jönköping (e-
mail: olof.johansson@jordbruksverket.se)

SUISSE / SWITZERLAND / SCHWEIZ / SUIZA

Hans DREYER, Leiter, Fachbereich Pflanzengesundheit und Sorten, Bundesamt für Landwirtschaft, Bern
(e-mail: hans.dreyer@blw.admin.ch)

Manuela BRAND (Ms.), Plant Variety Rights Office, Federal Department of Economic Affairs Education and Research EAER Plant Health and Varieties, Federal Office for Agriculture FOAG, Bern
(e-mail: manuela.brand@blw.admin.ch)

TUNISIE / TUNISIA / TUNESIEN / TÚNEZ

Tarek CHIBOUB, Directeur général de la protection et du contrôle de la qualité des produits agricoles, Direction générale de la protection et du contrôle de la qualité des produits agricoles, Ministère de l'agriculture, Tunis (e-mail: tarechib@yahoo.fr)

UNION EUROPÉENNE / EUROPEAN UNION / EUROPÄISCHE UNION / UNIÓN EUROPEA

Dana-Irina SIMION (Mme), Chef de l'Unité E2, Direction Générale Santé et Protection des Consommateurs, Commission européenne, Bruxelles (e-mail: dana-irina.simion@ec.europa.eu)

Thomas Peter WEBER, Policy Officer, DG Sanco, European Commission, Bruxelles
(e-mail: thomas.weber@ec.europa.eu)

Isabelle CLEMENT-NISSOU (Mrs.), Policy Officer - Unité E2, Plant Reproductive Material Sector, Direction Générale Santé et Protection des Consommateurs, Commission européenne (DG SANCO), Bruxelles (e-mail: isabelle.clement-nissou@ec.europa.eu)

Martin EKVAD, President, Community Plant Variety Office (CPVO), European Union, Angers
(e-mail: ekvad@cpvo.europa.eu)

II. OBSERVATEURS / OBSERVERS / BEOBACHTER / OBSERVADORES

ÉGYPTE / EGYPT / ÄGYPTEN / EGIPTO

Ahmed AGIBA, Head of CASC, Central Administration for Seed Testing and Certification (CASC), Giza, Egypt (e-mail: casc.egypt@hotmail.com)

Samy Hamed EL DEIB SALLAM, Head, Technical Secretary of Variety Registration Committee, Central Administration for Seed Certification (CASC), Giza, Egypt (e-mail: slamsam@yahoo.com)

RÉPUBLIQUE-UNIE DE TANZANIE / UNITED REPUBLIC OF TANZANIA / VEREINIGTE REPUBLIK TANSANIA / REPÚBLICA UNIDA DE TANZANÍA

Modest J. MERO, Ambassador, Permanent Representative, Permanent Mission of the United Republic of Tanzania to the United Nations Office at Geneva

Juma Ali JUMA, Deputy Principal Secretary, Ministry of Agriculture and Natural Resources, Zanzibar
(e-mail: j_alsaady@yahoo.com)

Patrick NGWEDIAGI, Registrar, Plant Breeders' Rights Office, Ministry of Agriculture, Food Security and Cooperatives, Dar es Salaam (e-mail: ngwedi@yahoo.com)

Sidra Juma AMRAN (Ms.), Legal Officer, Ministry of Agriculture and Natural Resources, Zanzibar
(e-mail: sidraamran@yahoo.com)

III. ORGANISATIONS / ORGANIZATIONS / ORGANISATIONEN / ORGANIZACIONES

ASSOCIATION FOR PLANT BREEDING FOR THE BENEFIT OF SOCIETY (APREBES)

Susanne GURA, (Ms.) Coordinator, Association for Plant Breeding for the Benefit of Society (APBREBES)
(e-mail: contact@apbrebes.org)

ASSOCIATION INTERNATIONALE D'ESSAIS DE SEMENCES (ISTA) / INTERNATIONAL SEED TESTING ASSOCIATION (ISTA) / INTERNATIONALE VEREINIGUNG FÜR SAATGUTPRÜFUNG (ISTA) / ASOCIACIÓN INTERNACIONAL PARA EL ENSAYO DE SEMILLAS (ISTA)

Benjamin KAUFMAN, Secretary General, International Seed Testing Association (ISTA),
Bassersdorf, Suisse (e-mail: beni.kaufman@ista.ch)

CROPLIFE INTERNATIONAL

Marcel BRUINS, Consultant, CropLife International, Bruxelles, Belgique (e-mail: mbruins1964@gmail.com)

INTERNATIONAL SEED FEDERATION (ISF)

Eric DEVRON, Directeur général, Union Française des Semenciers (UFS), Paris, France
(e-mail: eric.devron@ufs-asso.com)

Jan KNOL, Officer, Plant Variety Protection and Registration, Bayer CropScience Vegetable Seeds, Haalen

Stevan MADJARAC, Representative, American Seed Trade Association (ASTA), Alexandria,
United States of America (e-mail: smadjarac@gmail.com)

SEED ASSOCIATION OF THE AMERICAS (SAA)

Diego RISSO, Secretary General, Seed Association of the Americas (SAA), Montevideo, Uruguay
(e-mail: drisso@saaseed.org)

IV. BUREAU DE L'OMPI / OFFICE OF WIPO / BÜRO DER WIPO / OFICINA DE LA OMPI

Chitra NARAYANASWANY (Mrs.), Director, Program Planning and Finance (Controller),
Department of Finance and Budget

Janice COOK ROBBINS (Mrs.), Director, Finance Division, Department of Finance and Budget

V. VÉRIFICATEUR EXTERNE DE L'UPOV / EXTERNAL AUDITOR OF UPOV /
EXTERNER REVISOR DER UPOV / AUDITOR EXTERNO DE LA UPOV

Didier MONNOT, vérificateur externe, Contrôle fédéral des finances de la Confédération suisse, Berne

VI. BUREAU / OFFICER / VORSITZ / OFICINA

Kitisri SUKHAPINDA (Ms.), President

Luis SALAICES, Vice-President

VII. BUREAU DE L'UPOV / OFFICE OF UPOV / BÜRO DER UPOV / OFICINA DE LA UPOV

Francis GURRY, Secretary-General

Peter BUTTON, Vice Secretary-General

Yolanda HUERTA (Mrs.), Legal Counsel

Jun KOIDE, Technical/Regional Officer (Asia)

Ben RIVOIRE, Technical/Regional Officer (Africa, Arab countries)

Leontino TAVEIRA, Technical/Regional Officer (Latin America, Caribbean countries)

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



INTERNATIONALER
VERBAND
ZUM SCHUTZ VON
PFLANZENZÜCHTUNGEN

GENÈVE, SCHWEIZ

UNION INTERNATIONALE
POUR LA PROTECTION
DES OBTENTIONS
VÉGÉTALES

GENÈVE, SUISSE

UNIÓN INTERNACIONAL
PARA LA PROTECCIÓN
DE LAS OBTENCIONES
VEGETALES

GINEBRA, SUIZA

INTERNATIONAL UNION
FOR THE PROTECTION
OF NEW VARIETIES
OF PLANTS

GENEVA, SWITZERLAND

PRESS RELEASE

UPOV Press Release 98

Geneva, October 16, 2014

UPOV Council Holds its Forty-Eighth Ordinary Session

The Council of the International Union for the Protection of New Varieties of Plants (UPOV) held its forty-eighth ordinary session on October 16, 2014.

Round-up of key developments:

Appointment of Secretary-General

The Council appointed Mr. Francis Gurry by acclamation as the Secretary-General of UPOV for the period from October 16, 2014, to September 30, 2020.

Developments on the Plant Breeders' Rights Act for Zanzibar

The Council noted that the Plant Breeders' Rights Act of Zanzibar, which was adopted by the Zanzibar House of Representatives, incorporated the changes in the decision of the Council of March 22, 2013, and agreed that the additional changes did not concern the substantive provisions of the 1991 Act of the UPOV Convention. The legislation governing breeders' rights now covers the whole territory of the United Republic of Tanzania and the United Republic of Tanzania can become a UPOV member.

Special Project Fund

The Council, at its thirty-first extraordinary session, held in Geneva on April 11, 2014, decided to create a special project fund for amount of the reserve fund exceeding 15 percent of the total income for the 2012-2013 Biennium. At its forty-eighth ordinary session, the Council decided to use the special project fund for training purposes.

Observer status

The Council noted that the Consultative Committee had granted observer status:

- to the South Centre in the Council and the Administrative and Legal Committee (CAJ);
- to the World Farmers' Organisation (WFO) in the Council, the CAJ and the Technical Committee (TC).

Trilogy Publication

The Trilogy¹ publication, including the Executive Summary has been published in French (see http://www.upov.int/about/fr/benefits_upov_system.html). The Executive Summary has also been published in Spanish and the full publication will be available in the near future.

New Distance Learning Courses

In 2015, UPOV will launch a new DL-305 course “Examination of Applications for Plant Breeders’ Rights”, both as a single course, and also as two component courses: DL-305A “Administration of Plant Breeders’ Rights”; and DL-305B “DUS Examination”, in English, French and Spanish.

(see <http://www.upov.int/resource/en/training.html>)

Frequently Asked Questions (FAQs)

The Council agreed answers to the following FAQs:

- Does the UPOV Convention regulate varieties that are not protected by plant breeders’ rights?
- Is it possible for subsistence farmers to exchange propagating material of protected varieties against other vital goods within the local community?
- Under the UPOV system, breeders decide the conditions and limitations under which they authorize the exploitation of their protected varieties. Can farmers, for instance, be allowed to exchange seeds of protected varieties freely within the local community?

The Council also agreed a revision to the following FAQ:

- Why is plant variety protection necessary?

Plant Variety Protection Statistics

A total of 58 members of the Union now offer protection to all plant genera and species (56 in 2013), with 14 members of the Union offering protection to a limited number of plant genera and species. Of those 14, three countries (Brazil, China and South Africa) extended protection to additional plant genera and species in 2014.

In 2013, the number of titles in force exceeded 100,000 for the first time. The total of 103,261 titles in force in 2013 represented a 3.8 percent increase on figures for 2012 (99,501).

The Council noted that there had been a 6.3 percent increase in the number of applications for plant variety protection (14,788 in 2013; 13,908 in 2012), comprising an 8.7 percent increase in the number of applications by residents (9,502 in 2013; 8,739 in 2012) and a 2.3 percent increase in the number of applications by non-residents (5,286 in 2013; 5,169 in 2012). The number of titles granted increased from 9,822 in 2012 to 10,052 in 2013 (2.3 percent increase).

Cooperation in the Examination of New Plant Varieties

In 2014, the number of plant genera and species for which there were agreements between members of the Union for cooperation in the examination of distinctness, uniformity and stability totaled 2,005, compared to 1,997 in 2013.

¹ Publication combining the proceedings of the “UPOV Seminar on Plant Variety Protection and Technology Transfer: the Benefits of Public-Private Partnership”, the “Symposium on Plant Breeding for the Future” and the “Symposium on the benefits of plant variety protection for farmers and growers”.

Adoption of documents

The Council adopted the following documents:

- TGP/2/2 List of Test Guidelines Adopted by UPOV (Revision)
- TGP/5 Experience and Cooperation in DUS Testing: Section 10/3: Notification of Additional Characteristics and States of Expression (Revision)
- TGP/7/4 Development of Test Guidelines (Revision)
- TGP/8/2 Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability (Revision)
- TGP/14/2 Glossary of Terms Used in UPOV Documents (correction of Spanish version)
- TGP/0/7 List of TGP documents and latest issue dates (Revision)
- UPOV/INF/16/4 Exchangeable Software (Revision)
- UPOV/INF/22/1 Software and Equipment Used by Members of the Union
- UPOV/INF-EXN/6 List of UPOV/INF-EXN Documents and Latest Issue Dates

All adopted documents will be included in the UPOV Collection (see http://www.upov.int/upov_collection/en/)

Election of new Chairpersons of UPOV bodies:

The Council elected, in each case for a term of three years ending with the fifty-first ordinary session of the Council, in 2017:

- (a) Mr. Tanvir Hossain (Australia), Chairman, Technical Working Party for Agricultural Crops (TWA);
- (b) Mr. Adrian Roberts (United Kingdom), Chairman, Technical Working Party on Automation and Computer Programs (TWC);
- (c) Mr. Katsumi Yamaguchi (Japan), Chairman, Technical Working Party for Fruit Crops (TWF);
- (d) Mr. Kenji Numaguchi (Japan), Chairman, Technical Working Party for Ornamental Plants and Forest Trees (TWO);
- (e) Ms. Swenja Tams (Germany), Chairperson, Technical Working Party for Vegetables (TWV);
and
- (f) Mr. Kees van Ettehoven (Netherlands), Chairman, Working Group on Biochemical and Molecular Techniques and DNA-Profiling in Particular (BMT).

For further information about UPOV, please contact the UPOV Secretariat:

Tel: (+41-22) 338 9111
Fax: (+41-22) 733 0336

E-mail: upov.mail@upov.int
Website: www.upov.int

[Annex III follows]

C/48/22

ANNEX III

INTERVENTION BY OAPI

African Intellectual Property Organization

48th ordinary session of the International Union for the Protection of
New Varieties of Plants (UPOV)

STATEMENT BY MRS. Juliette AYITE,
DEPUTY DIRECTOR GENERAL OF THE AFRICAN INTELLECTUAL
PROPERTY ORGANIZATION (OAPI)

GENEVA, OCTOBER 16, 2014

Madam Chair of the Council of the International Union for the Protection of Plant Varieties (UPOV),

Secretary General of UPOV,

Distinguished

Delegates,

Ladies and

Gentlemen.

This is a memorable day for the African Intellectual Property Organization (OAPI) as it takes its first steps in the UPOV Council. I am delighted to be able to take the floor officially in the name of OAPI and its member states and I would like to express our great satisfaction at the fact that our Organization has become a member of the International Union for the Protection of Plant Varieties (UPOV).

It is a great honor and a great challenge for our member states to become part of this Union. Speaking on behalf of our member states, I can say that OAPI is happy to take part as a fully-fledged member, for the first time ever, in the work of the Council and other committees.

On June 10, 2014, OAPI deposited its instrument of accession to the 1991 Act of the UPOV Convention and thus became the seventy-second member of UPOV on July 10, 2014.

Madam Chair, I would like to express my deepest thanks to both you and to this august assembly for welcoming us so warmly into the UPOV family.

Food safety, i.e. the availability of food both in terms of quantity and quality, is a subject of constant concern for the member states of OAPI, whose economies are based primarily on agricultural activities.

OAPI member states were aware that one of the ways to achieve this objective was to set up an efficient system for the protection of plant varieties. On February 24, 1999 the member states of OAPI chose to review the Bangui Agreement which can be seen as the basic law in terms of intellectual property for each of said states. By drawing up Annex X, they created a system for the protection of plant varieties.

Subsequently, when the UPOV Council met in Geneva on April 7, 2000 at its seventeenth Extraordinary Session, it decided to issue a favorable opinion on the compliance of Annex X with the 1991 Act of the International Convention on the Protection of Plant Varieties. This system came into effect in OAPI on January 1st, 2006.

**Ladies and
Gentlemen,**

The improvement of plants and creation of new plant varieties are key issues for OAPI member states.

The creation of an efficient system for the protection of plant breeders' rights in these countries is a clear sign of the political will of the respective governments to encourage plant breeders to continue and to develop their research into new plant varieties in order to promote sustainable farming, food production and economic development.

**Madam Chair, Ladies
and Gentlemen,**

OAPI and its member states firmly believe that membership of UPOV is the best way forward for us to contribute to the development of new varieties for the benefit of society as a whole. As the well-known saying goes “United we stand, divided we fall.”

OAPI and its member states are aware of the fact that the best way to establish an efficient mechanism for the protection of plant varieties within its boundaries is by cooperating with the members of the Union. As a result, the Governing Body of OAPI authorized the Organization’s accession to the 1991 Act of UPOV at its 53rd Ordinary Session in December 2013.

In the coming months our Organization intends to spend a great deal of time and effort making the Convention and its advantages known to potential users of the system in the countries of our member states. We will seek to encourage each of them to become part of the noble UPOV family at their earliest convenience.

Similarly, national authorities will be requested to harness their efforts to support agricultural research in order to promote the development of new plant varieties which will be eligible for protection within OAPI and, why not, within the territories of other members of the Union?

If we are to achieve these goals we hope that we will be able to count on the cooperation and precious support of the Secretariat and the members of the Union, especially those who can provide technical and financial assistance to member states of the Organization.

Madam Chair,

I could not finish my speech without expressing our profound gratitude towards the Secretariat of the Union for the important and valuable assistance that it has provided from the preparatory phase to the procedure of adhesion to the UPOV Convention.

I would also like thank the European Union, the Community Plant Variety Office, the French Government and the many others whom I am unable to mention here, for the multifarious support that they have given us and for accompanying us in this adventure from day one.

More than ever, we need all of the above-mentioned well-wishers and all other members of the Union who do not know us yet to help us implement the system, particularly within the framework of the capacity building programs for OAPI and its member states.

Long live
OAPI,
Long live
UPOV,
Long live international
cooperation !

Thank you for your kind attention.