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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

COUNCIL

**Fiftieth Ordinary Session
Geneva, October 28, 2016**

PERFORMANCE REPORT FOR THE 2014-2015 BIENNIUM

Document prepared by the Office of the Union

Disclaimer: this document does not represent UPOV policies or guidance

1. This document presents the Performance Report for the 2014-2015 Biennium on the basis of the Program and Budget for the 2014-2015 Biennium adopted by the Council (see document C/47/4 Rev. "Program and Budget for the 2014-2015 Biennium").
2. The performance report for the 2014-2015 Biennium provides information on expenditure, total number of posts for the Office of the Union and results and performance indicators by subprogram on the basis of the program and budget adopted by the Council. This document also provides a view of trends over time.

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1. INTRODUCTION

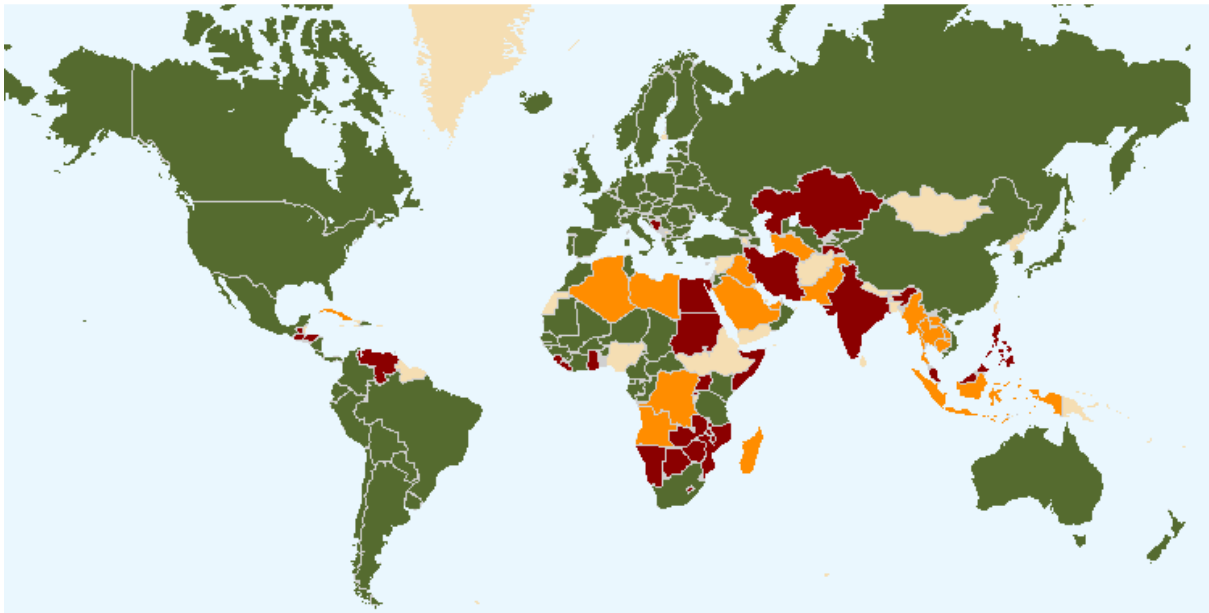
1. This document presents the Performance Report for the 2014-2015 Biennium on the basis of the Program and Budget for the 2014-2015 Biennium adopted by the Council at its forty-seventh ordinary session, held in Geneva on October 24, 2013 (see document C/47/4 Rev. "Program and Budget for the 2014-2015 Biennium").

2. The Performance Report for the 2014-2015 Biennium provides an overview of UPOV's performance based on information from the following documents, which contain further detailed information:

- (a) document C/47/4 Rev. "Program and Budget of the Union for the 2014-2015 Biennium";
- (b) document C/49/2 "Annual Report of the Secretary-General for 2014";
- (c) document C/50/2 "Annual Report of the Secretary-General for 2015"; and
- (d) document C/50/4 "Financial Management Report for the 2014-2015 Biennium".

3. Section 2 "Program Performance", provides a brief summary of the progress made towards the achievements of objectives at the level of sub-programs, followed by performance tables summarizing information on objectives, expected results and performance indicators. Section 3 "Financial Performance", provides an overview of the financial performance, in relation to the Program and Budget for the 2014-2015 Biennium.

4. The following map provides a graphic overview of the status in relation to UPOV at the end of the 2014-2015 Biennium.



The boundaries shown on this map do not imply the expression of any opinion whatsoever on the part of UPOV concerning the legal status of any country or territory

- 74 members of UPOV
- 15 States and 1 intergovernmental organization which had initiated the procedure for acceding the UPOV Convention
- 23 States and 1 intergovernmental organization which had been in contact with the Office of the Union for assistance in the development of laws based on the UPOV Convention

5. The following table provides detailed information on the status in relation to UPOV.

UPOV members

| | | | | |
|---|---------------------------------|--------------------------|----------------------------------|--|
| African Intellectual Property Organization ^{3,5} | Costa Rica ³ | Italy ² | Paraguay ² | The former Yugoslav Republic of Macedonia ³ |
| Albania ³ | Croatia ³ | Japan ³ | Peru ³ | Trinidad and Tobago ² |
| Argentina ² | Czech Republic ³ | Jordan ³ | Poland ³ | Tunisia ³ |
| Australia ³ | Denmark ³ | Kenya ² | Portugal ² | Turkey ³ |
| Austria ³ | Dominican Republic ³ | Kyrgyzstan ³ | Republic of Korea ³ | Ukraine ³ |
| Azerbaijan ³ | Ecuador ² | Latvia ³ | Republic of Moldova ³ | United Kingdom ³ |
| Belarus ³ | Estonia ³ | Lithuania ³ | Romania ³ | United Republic of Tanzania ³ |
| Belgium ¹ | European Union ^{3,4} | Mexico ² | Russian Federation ³ | United States of America ³ |
| Bolivia (Plurinational State of) ² | Finland ³ | Montenegro ³ | Serbia ³ | Uruguay ² |
| Brazil ² | France ³ | Morocco ³ | Singapore ³ | Uzbekistan ³ |
| Bulgaria ³ | Georgia ³ | Netherlands ³ | Slovakia ³ | Viet Nam ³ |
| Canada ³ | Germany ³ | New Zealand ² | Slovenia ³ | |
| Chile ² | Hungary ³ | Nicaragua ² | South Africa ² | |
| China ² | Iceland ³ | Norway ² | Spain ³ | |
| Colombia ² | Ireland ³ | Oman ³ | Sweden ³ | |
| | Israel ³ | Panama ³ | Switzerland ³ | (Total 74) |

¹ 1961 Convention as amended by the Additional Act of 1972 is the latest Act by which 1 State is bound.

² 1978 Act is the latest Act by which 18 States are bound.

³ 1991 Act is the latest Act by which 53 States and 2 organizations are bound.

⁴ Operates a plant breeders' rights system which covers the territory of its 28 member States.

⁵ Operates a plant breeders' rights system which covers the territory of its 17 member States.

States and intergovernmental organizations which had initiated the procedure for acceding to the UPOV Convention

Armenia, Bosnia and Herzegovina, Egypt, Ghana, Guatemala, Honduras, India, Iran (Islamic Republic of), Kazakhstan, Malaysia, Mauritius, Philippines, Tajikistan, Venezuela (Bolivarian Republic of), Zimbabwe, as well as the African Regional Intellectual Property Organization (ARIPO).

States and intergovernmental organizations which had been in contact with the Office of the Union for assistance in the development of laws based on the UPOV Convention

Algeria, Bahrain, Barbados, Brunei Darussalam, Cambodia, Cuba, Cyprus, El Salvador, Indonesia, Iraq, Lao People's Democratic Republic, Libya, Mozambique, Myanmar, Namibia, Pakistan, Saudi Arabia, Sudan, Thailand, Tonga, Turkmenistan, United Arab Emirates, Zambia, as well as the Southern African Development Community (SADC).

2. PROGRAM PERFORMANCE

2.1 SUB-PROGRAM UV.1: OVERALL POLICY ON PLANT VARIETY PROTECTION

The sessions of the Council and the Consultative Committee provided the basis for policy making, management and coordination of the activities within UPOV's overall program.

- Objectives**
- ◆ Policy direction and executive management.
 - ◆ Planning, implementation and evaluation of program and budget.

Results Achieved: Selected Performance Indicators

1. ORGANIZATION OF COUNCIL AND CONSULTATIVE COMMITTEE SESSIONS

(a) Participation in the sessions of the Council and the Consultative Committee

(see Figures 1 to 3)

Figure 1. Participation* in Ordinary Sessions of the Council (October sessions)

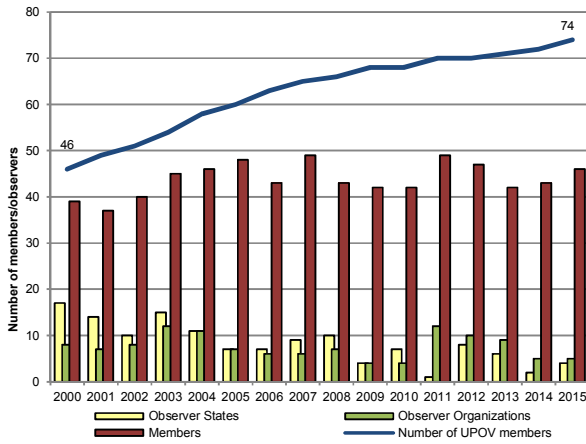


Figure 2. Participation* in Extraordinary Sessions of the Council (April sessions)

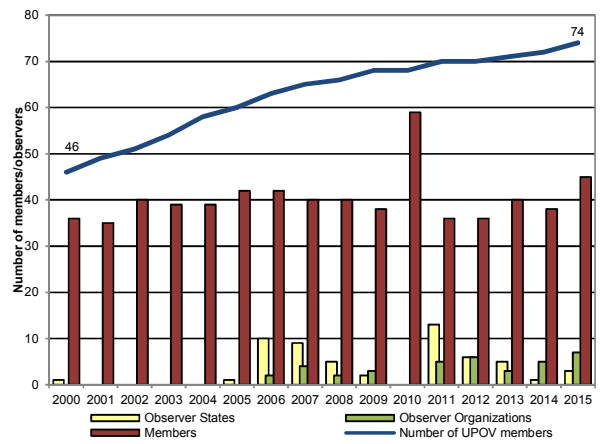
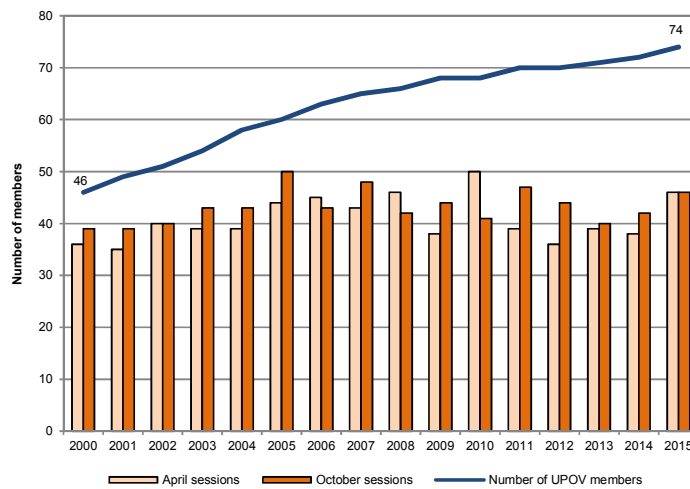


Figure 3. Participation* in Consultative Committee Sessions



* Participation is assessed on the basis of the number of participating members and observer States/organization, rather than the number of individual participants.

2. COORDINATION, MONITORING AND PERFORMANCE ASSESSMENT OF PROGRAM AND BUDGET FOR THE 2014-2015 BIENNIUM

(a) Delivery of program within budget for the 2014-2015 Biennium

See Section 3 “Financial Performance”

3. PREPARATION AND ADOPTION OF THE PROGRAM AND BUDGET FOR THE 2016-2017 BIENNIUM

(a) Preparation and adoption of the Program and Budget for the 2016-2017 Biennium in accordance with the “Financial Regulations and Rules of UPOV”

The Program and Budget for the 2016-2017 Biennium was adopted by the Council at its forty-ninth ordinary session, on October 29, 2015 (see document C/49/4 Rev.).

4. COUNCIL POLICY

(a) Recommendations by the Consultative Committee, and decisions by the Council

The Council took decisions, based on recommendations by the Consultative Committee, concerning the following:

- examination of the conformity of the Draft ARIPO Protocol for the Protection of New Varieties of Plants with the provisions of the 1991 Act of the International Convention for the Protection of New Varieties of Plants;
- confirmation of the decision of March 22, 2013 on conformity of the Plant Breeders’ Rights Act for Zanzibar with the 1991 Act of the UPOV Convention;
- examination of the conformity of the “Draft provisions of Book Four ‘Plant Variety Protection’ of Law No. 82 of 2002 Pertaining to the Protection of Intellectual Property Rights” (“Draft Law”) of Egypt with the provisions of the 1991 Act of the International Convention for the Protection of New Varieties of Plants;
- recommendation that the Islamic Republic of Iran incorporate the additional provisions and amendments in the “Act of Plant Varieties Registration, Control And Certification of Seeds And Plant Materials of 2003”, and that once the additional provisions and amendments have been incorporated in the Law, the amended Law should be submitted to the Council for examination in conformity with Article 34(3) of the 1991 Act;
- adoption of information materials (the adoption of information materials by the Council is reported under Sub-Program UV.2);
- calendar of meetings
- press releases
- adoption of answers to frequently asked questions (FAQs) and revision of the answer to the FAQ “Can I obtain protection for more than one country from a single application?”;
- creation of a special UPOV account to finance extra-budgetary projects agreed by the Council (Project Account) and the transfer of the amount of the reserve fund exceeding 15 percent of the total income for the 2012-2013 Biennium to that account.
- appointment of Mr. Francis Gurry as the Secretary-General of UPOV for the period from October 16, 2014, to September 30, 2020;
- use of the special project fund for training purposes;
- financial statements for 2013;
- arrears in contributions as of September 30, 2014;
- financial management report for the 2012-2013 financial period;
- extension of the appointment of the Vice Secretary-General from December 1, 2015, until November 30, 2018;
- Draft Program and Budget of the Union for the 2016-2017 Biennium;
- financial statements for 2014;
- arrears in contributions as of September 30, 2015.

(b) Other decisions by the Council

The Council also took decisions concerning the following:

- work programs of the Administrative and Legal Committee (CAJ), the Technical Committee (TC), the Technical Working Parties (TWPs) and the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT);
- election of the:
 - President and Vice-President of the Council
 - Chair and Vice-Chair of the TWA
 - Chair and Vice-Chair of the TWC
 - Chair and Vice-Chair of the TWF
 - Chair and Vice-Chair of the TWO
 - Chair and Vice-Chair of the TWV
 - Chair and Vice-Chair of the BMT

(c) Other work of the Consultative Committee

The Consultative Committee:

- agreed to change the title of the standard item to “Internal Audit and Reports of the WIPO Independent Advisory Oversight Committee”;
- agreed to the procedure for the checking of translations before posting on the UPOV website;
- agreed to invite ISF, CIOPORA and CropLife International to elaborate the problems faced with the current situation and possible solutions offered by an international filing system, a UPOV quality assurance program and a central examination system for variety denominations, and requested the Office of the Union to provide relevant information on the international filing systems of WIPO;
- agreed to the separation of the DL-305 course into two separate courses, DL-305-1 “Administration of Plant Breeders’ Rights” and DL-305-2 “DUS Examination”, and approved the program for distance learning courses in 2014 to 2015;
- requested the Office of the Union to identify with the Secretary of the ITPGRFA and the Secretariat of WIPO possible areas of interrelations among the international instruments of the ITPGRFA, WIPO and UPOV with a view to a possible joint publication on interrelated issues regarding innovation and plant genetic resources, and other possible initiatives;
- requested the Office of the Union to prepare a document to clarify the issues raised and possible ways forward with regard to an international system of cooperation;
- decided to grant observer status to the South Centre in the Council and the CAJ, and to grant observer status to the World Farmers’ Organisation (WFO) in the Council, the CAJ and the TC;
- agreed that information concerning consultants that were used by UPOV in 2014 be presented to the Consultative Committee at its ninetieth session, in October 2015;
- endorsed the plans for the launch of the 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”;
- approved the development of a proposal for a new logo for consideration by the Consultative Committee at its eighty-ninth session and approval by the Council at its thirty-second extraordinary session in March 2015;
- deferred plans for the updating of the Impact Study pending work to identify with the Secretary of the ITPGRFA and the Secretariat of WIPO possible areas of interrelations among the international instruments of the ITPGRFA, WIPO and UPOV with a view to a possible joint publication on interrelated issues regarding innovation and plant genetic resources;
- approved the issue of invitations to the former Yugoslav Republic of Macedonia and Peru to make presentations at the ninetieth session of the Consultative Committee, to be held in October 2015;
- agreed to invite the WIPO Internal Oversight Division (IOD) to give a presentation on its work at the ninetieth session and to consider plans for an internal audit of UPOV in 2016-2017;
- expressed its approval of the review of the UPOV training and assistance strategy and approved the planned use of the Special Project Fund for training purposes in the context of the UPOV training and assistance strategy;
- agreed that the Office of the Union should produce a document with more information about the need for an international system of cooperation, providing a business analysis and cost estimate;
- agreed to consider proposals in relation to a policy on documents, including communications provided by observers, at its ninetieth session;
- agreed to consider matters on the schedule of the UPOV sessions under the item “Preparation of the calendar of meetings” at its ninetieth session

- agreed the approach concerning the procedure to appoint the External Auditor of UPOV for the financial periods between 2018 and 2023;
- agreed to invite the Office of the Union to present proposals for the financing and containment of ASHI liabilities at its ninety-first session, to be held in Geneva in March 2016;
- agreed that any new developments with regard to the Working Group of the United Nations CEB Finance and Budget Network and any measures considered by WIPO in relation to the financing of long-term employee benefits be presented for consideration by the Consultative Committee at its ninety-first session;
- agreed that the balance of the Special Project Fund (SPF) at the end of 2015 be used in 2016 for activities in the context of the UPOV training and assistance strategy;
- agreed to request WIPO Internal Oversight Division (IOD) to conduct an evaluation in 2016-2017 of the program of activities of UPOV;
- agreed to invite I3PM to be present, at the relevant part of the item on observers in the program for its ninety-second session in October 2016, in order to explain how its statutes provided the basis to determine "competence in areas of direct relevance in respect of matters governed by the UPOV Convention";
- agreed on proposals concerning the translation of UPOV session documents, reports of sessions of UPOV bodies and written comments;
- requested the Office of the Union to present a proposal for developing an updated version of the Impact Study for consideration at its ninety-second session;
- agreed that the new UPOV logo should be presented to the UPOV Council at its fiftieth ordinary session, and that the new UPOV logo should be introduced on the UPOV website in conjunction with the fiftieth ordinary session of the Council, with the introduction of the stakeholder-focused features on the UPOV website;
- agreed that all members of the Union should have the opportunity to participate in the development of the prototype electronic application form (EAF) Version 2 (PV2), that certain items would need to be addressed prior to the launch of the EAF, and agreed to consider the possible implementation of an operational system;
- agreed that more information, including statistical information, and a legal analysis was needed with regard to a possible international system of cooperation (ISC) and agreed to request the Office of the Union to prepare a document containing a draft mandate and terms of reference for a possible working group (ISC-WG) to explore the issues concerning a possible ISC, to be considered by the Consultative Committee at its ninety-first session; that document would also present the additional issues provided in writing by members of the Union;
- agreed to invite the Secretary of the ITPGRFA to make a presentation at its ninety-first session on possible areas of interrelations between the ITPGRFA and the UPOV Convention. The Consultative Committee also agreed that members of the Union should be invited to comment on the areas of interrelations identified by ITPGRFA and suggest any other areas of interrelations. The Consultative Committee agreed that the information should be compiled by the Office of the Union for discussion at the ninety-first session in conjunction with the presentation by the Secretary of the ITPGRFA;
- requested the Office of the Union to prepare a document with options and possible impacts of holding the sessions of the bodies that meet in Geneva consecutively, only once a year.

(d) Adoption of information and position papers by the Council

The adoption of information materials by the Council is reported under Sub-Program UV.2.

2.2 SUB-PROGRAM UV.2: SERVICES TO THE UNION FOR ENHANCING THE EFFECTIVENESS OF THE UPOV SYSTEM

The main focus and priority for the 2014-2015 Biennium continued to be support for members of the Union in the operation of their plant variety protection systems. The UPOV system continued to expand in terms of the number of members of the Union, applications, titles granted and titles in force. Within the members of the Union, the estimated number of genera or species for which protection was sought for varieties rose to more than 3,500. These developments demonstrate why cooperation between members of the Union is a key benefit of UPOV membership. The guidance developed by UPOV for variety examination promotes harmonization between members of the Union, thereby facilitating the exchange of information and reports on the examination of Distinctness, Uniformity and Stability ("DUS"). By the end of the Biennium, members of the Union had developed more than 300 Test Guidelines, which were estimated to cover approximately 92% of applications for plant breeders' rights within the Union. In the Biennium, Version 1 of the web-based TG Template was introduced as a tool to assist in the development of Test Guidelines. In relation to cooperation between members of the Union, the information provided in the GENIE database, PLUTO database and database of laws of members of the Union (UPOV Lex) was enhanced. Members of the Union offered practical experience in the examination of DUS for more than 3,300 genera or species, although there was no significant increase in the number of agreements for cooperation between members of the Union during the Biennium, which remained at around 2,000. There was significant progress in the development of a UPOV electronic application form project, with the Prototype Version 1 (PV1) demonstrating the feasibility of the project. UPOV has developed an extensive set of guidance and information materials documents that enhance the understanding and the implementation of the provisions of the Convention in an internationally harmonized and effective way, thereby reinforcing the quality of protection and helping to reduce the cost of obtaining protection. In the Biennium, revisions to a number of information and guidance documents were adopted.

- Objectives**
- ◆ To maintain and improve the effectiveness of the UPOV system.
 - ◆ To provide and develop the legal, administrative and technical basis for international cooperation in plant variety protection according to the UPOV Convention.

Results Achieved: Selected Performance Indicators

1. GUIDANCE ON THE UPOV CONVENTION AND ITS IMPLEMENTATION AND INFORMATION ON ITS APPLICATION

(a) Adoption of new or revised information materials concerning the UPOV Convention

The Council adopted:

- 1 new information document

| | |
|---------------|---|
| UPOV/INF/22/1 | Software and equipment used by members of the Union |
|---------------|---|
- 9 revisions to previously adopted information documents

| | |
|----------------|--|
| UPOV/INF/4/4 | Financial Regulations and Rules of UPOV (Revision) |
| UPOV/INF/6/4 | Guidance for the preparation of laws based on the 1991 Act of the UPOV Convention (Revision) |
| UPOV/INF/15/3 | Guidance for members of UPOV on ongoing obligations and related notifications and on the provision of information to facilitate cooperation (Revision) |
| UPOV/INF/16/4 | Exchangeable Software (Revision) |
| UPOV/INF/16/5 | Exchangeable Software (Revision) |
| UPOV/INF/22/2 | Software and equipment used by members of the Union (Revision) |
| UPOV/INF-EXN/6 | List of INF-EXN Documents and Latest Issue Dates (Revision) |
| UPOV/INF-EXN/7 | List of INF-EXN Documents and Latest Issue Dates (Revision) |
| UPOV/INF-EXN/8 | List of INF-EXN Documents and Latest Issue Dates (Revision) |
- 0 new explanatory notes
- 4 revisions to previously adopted explanatory notes

| | |
|----------------|---|
| UPOV/EXN/CAN/2 | Explanatory Notes on Cancellation of the Breeder's Right under the UPOV Convention (Revision) |
| UPOV/EXN/NUL/2 | Explanatory Notes on the Nullity of the Breeder's Right under the UPOV Convention (Revision) |
| UPOV/EXN/PRP/2 | Explanatory Notes on Provisional Protection under the UPOV Convention (Revision) |
| UPOV/INF/12/5 | Explanatory Notes on Variety Denominations under the UPOV Convention (Revision) |

The CAJ, in conjunction with the Administrative and Legal Committee Advisory Group (CAJ-AG) and TC, as appropriate, considered drafts of the following:

- 1 new information document
 - UPOV/INF/22 Software and equipment used by members of the Union
- 4 revisions to previously adopted information documents
 - UPOV/INF/5 UPOV model plant breeders' rights Gazette (Revision)
 - UPOV/INF/12 Explanatory Notes on Variety Denominations under the UPOV Convention (Revision)
 - UPOV/INF/15 Guidance for Members of the Union on Ongoing Obligations and Related Notifications and on the Provision of Information to Facilitate Cooperation (Revision)
 - UPOV/INF/16 Exchangeable Software (Revision)
 - UPOV/INF/22 Software and equipment used by members of the Union (Revision)
- 1 new explanatory notes
 - UPOV/EXN/PPM Explanatory Notes on Propagation and Propagating Material under the UPOV Convention
- 5 revisions to previously adopted explanatory notes
 - UPOV/EXNCAN Explanatory Notes on Cancellation of the Breeder's Right under the UPOV Convention (Revision)
 - UPOV/EXN/EDV Explanatory Notes on Essentially Derived Varieties under the 1991 Act of the UPOV Convention (Revision)
 - UPOV/EXN/HRV Explanatory Notes on Acts in Respect of Harvested Material under the 1991 Act of the UPOV Convention (Revision)
 - UPOV/EXN/NUL Explanatory Notes on Nullity of the Breeder's Right under the UPOV Convention (Revision)
 - UPOV/EXN/PRP Explanatory Notes on Provisional Protection under the UPOV Convention (Revision)
- for TGP documents, see Section 2.2 "Sub-Program UV.2", expected result "2. Guidance on the examination of varieties" and "(a) Adoption of new or revised TGP documents and information materials"

(b) Publication of the UPOV Gazette and Newsletter

Two issues of UPOV Publication No. 438 "Plant Variety Protection Gazette and Newsletter" (English only) were published in the 2014-2015 Biennium.

(c) Inclusion of laws of members of the Union in UPOV Lex database

- 27 laws concerning the following 27 members of the Union were included in the UPOV Lex database (African Intellectual Property Organization (OAPI), Australia, Belarus, Belgium, Bolivia (Plurinational State of), Canada, China, Colombia, Ecuador, Estonia, France, Georgia, Germany, Latvia, Lithuania, Montenegro, New Zealand, Panama, Peru, Poland, Republic of Moldova, Romania, Serbia, Singapore, Trinidad and Tobago, Russian Federation, United Republic of Tanzania)

UPOV Lex database: visits to the UPOV Website^a in 2015

| Language | Pageviews | Unique pageviews |
|----------|-----------|------------------|
| English | 53,580 | 37,259 |
| Spanish | 18,379 | 12,543 |
| French | 5,601 | 3,989 |
| German | 2,875 | 2,185 |

Evolution of visits

| Year | Pageviews | Unique pageviews |
|------|-----------|------------------|
| 2015 | 80,460 | 55,991 |
| 2014 | 88,305 | 60,439 |
| 2013 | 88,533 | 61,230 |
| 2012 | 91,245 | 62,411 |
| 2011 | 19,269 | 12,575 |

(d) Participation in seminars and symposia held in Geneva in conjunction with UPOV sessions

No seminars/symposia were held in 2014-2015.

2. GUIDANCE ON THE EXAMINATION OF VARIETIES

(a) Adoption of new or revised TGP documents and information materials

TGP documents adopted and published on the UPOV website:

- 0 new TGP document
- 12 revisions to previously adopted TGP documents
 - TGP/2/2 List of Test Guidelines Adopted by UPOV (Revision)
 - TGP/5 Experience and Cooperation in DUS Testing
 - Section 3/2 Technical Questionnaire to be Completed in Connection with an Application for Plant Breeders' Rights (Revision)
 - Section 8/2 Cooperation in Examination (Revision)
 - Section 9/2 List of Species in Which Practical Knowledge has Been Acquired or for Which National Test Guidelines Have Been Established (Revision)
 - 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/9/2 Examining Distinctness (Revision)
 - TGP/14/2 Corr. (S) Correction of the Spanish version of document TGP/14: Section 2: Subsection 3: Color, paragraph 2.2.2
 - TGP/14/3 Glossary of Terms Used in UPOV Documents
 - TGP/0/7 List of TGP Documents and Latest Issue Dates (Revision)
 - TGP/0/8 List of TGP Documents and Latest Issue Dates (Revision)
- Drafts of TGP documents advanced in the CAJ, TC and/or the TWPs
 - 7 revisions to previously adopted TGP documents
 - TGP/2 List of Test Guidelines Adopted by UPOV (Revision)
 - TGP/5 Experience and Cooperation in DUS Testing
 - Section 3/2 Technical Questionnaire to be Completed in Connection with an Application for Plant Breeders' Rights (Revision)
 - Section 8/2 Cooperation in Examination (Revision)
 - Section 9/2 List of Species in Which Practical Knowledge has Been Acquired or for Which National Test Guidelines Have Been Established (Revision)
 - Section 10/3 Notification of Additional Characteristics and States of Expression (Revision)
 - TGP/7 Development of Test Guidelines (Revision)
 - TGP/8 Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability (Revision)
 - TGP/9 Examining Distinctness
 - TGP/10 Examining Uniformity
 - TGP/14 Glossary of Terms Used in UPOV Documents - Correction (Spanish)
- Drafts of information materials advanced in the CAJ, TC and/or the TWPs
 - 5 revisions to previously adopted information materials
 - UPOV/INF/5 UPOV model plant breeders' rights Gazette (Revision)
 - UPOV/INF/12 Explanatory Notes on Variety Denominations under the UPOV Convention (Revision)
 - UPOV/INF/15 Guidance for Members of UPOV on Ongoing Obligations and Related Notifications (Revision)
 - UPOV/INF/16 Exchangeable Software (Revision)
 - UPOV/INF/22 Software and equipment used by members of the Union
 - Revision of the following document considered in the Working Group for the Development of a UPOV Denomination Similarity Search Tool (WG-DST):
 - UPOV/INF/12 Explanatory Notes on Variety Denominations under the UPOV Convention (Revision)

(b) Adoption of new or revised Test Guidelines

Adopted Test Guidelines

- 41 Test Guidelines were adopted by the TC, comprising:
 - 18 new Test Guidelines
 - 10 revised Test Guidelines
 - 13 partially revised Test Guidelines

(see Figure 4)

At the end of 2015, the adopted Test Guidelines covered 92% of all PBR-related entries in the Plant Variety Database (246,890 of 267,550) (91% at the end of 2013 (217,298 of 247,818))

(see Figure 6)

Test Guidelines advanced in the Technical Working Parties

- In 2014, 57 draft Test Guidelines were advanced by the TWPs, comprising:
 - 26 new Test Guidelines
 - 15 revisions
 - 16 partial revisions
- In 2015, 46 draft Test Guidelines were advanced by the TWPs, comprising:
 - 16 new Test Guidelines
 - 21 revisions
 - 9 partial revisions

(see Figure 5)

Test Guidelines: visits to the UPOV Website in 2015

| Language | Pageviews | Unique pageviews |
|----------|-----------|------------------|
| English | 52,103 | 30,391 |
| Spanish | 8,157 | 5,138 |
| French | 2,585 | 1,657 |
| German | 1,561 | 942 |

Evolution of visits

| Year | Pageviews | Unique pageviews |
|------|---------------|------------------|
| 2015 | 64,425 | 38,144 |
| 2014 | 67,900 | 40,102 |
| 2013 | 68,479 | 38,979 |
| 2012 | 65,471 | 37,227 |
| 2011 | not available | not available |

Figure 4. Adoption of Test Guidelines

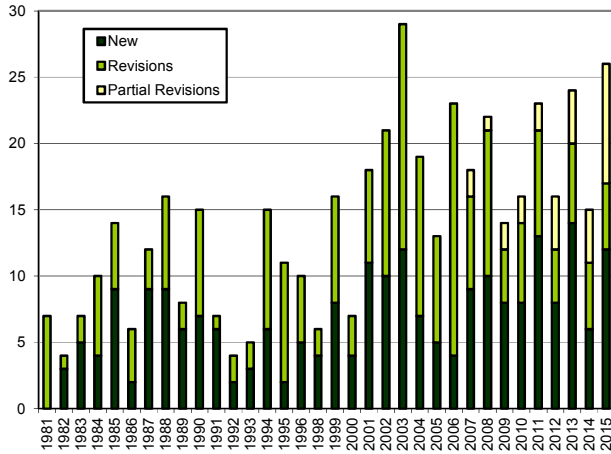


Figure 5. Draft Test Guidelines discussed in TWPs

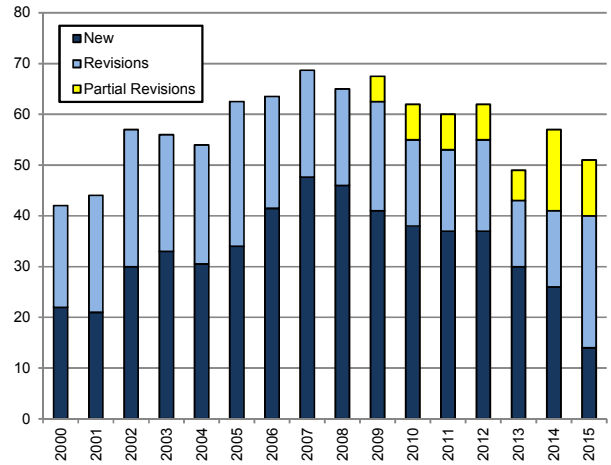
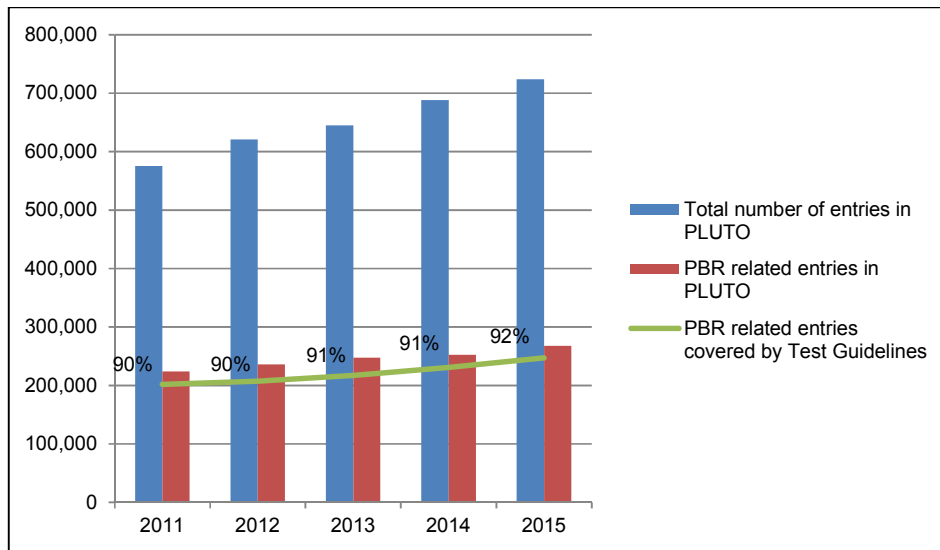


Figure 6. Plant Breeders' Rights Entries in Plant Variety Database covered by Test Guidelines



3. COOPERATION FOR THE EXAMINATION OF PLANT BREEDERS' RIGHTS



GENIE Database: visits to the UPOV Website in 2015

| | |
|--------------------|--------|
| Sessions | 15,727 |
| Users | 8,744 |
| Pageviews | 67,175 |
| New Visitors | 46.7% |
| Returning Visitors | 53.3% |

| Language | Pageviews | Unique pageviews |
|----------|-----------|------------------|
| English | 47,367 | 26,989 |
| Spanish | 9,530 | 5,832 |
| French | 5,451 | 3,527 |
| German | 2,706 | 1,833 |

Top 10 countries visiting the GENIE database in 2015

| Country / Territory | Sessions | % New Sessions | New Users |
|--------------------------|----------|----------------|-----------|
| France | 1,355 | 52.18% | 707 |
| Switzerland | 1,188 | 37.04% | 440 |
| Germany | 909 | 67.99% | 618 |
| United States of America | 861 | 70.27% | 605 |
| Japan | 835 | 21.56% | 180 |
| Spain | 798 | 63.16% | 504 |
| India | 691 | 77.71% | 537 |
| Mexico | 670 | 57.16% | 383 |
| Netherlands | 471 | 42.04% | 198 |
| Australia | 412 | 30.10% | 124 |

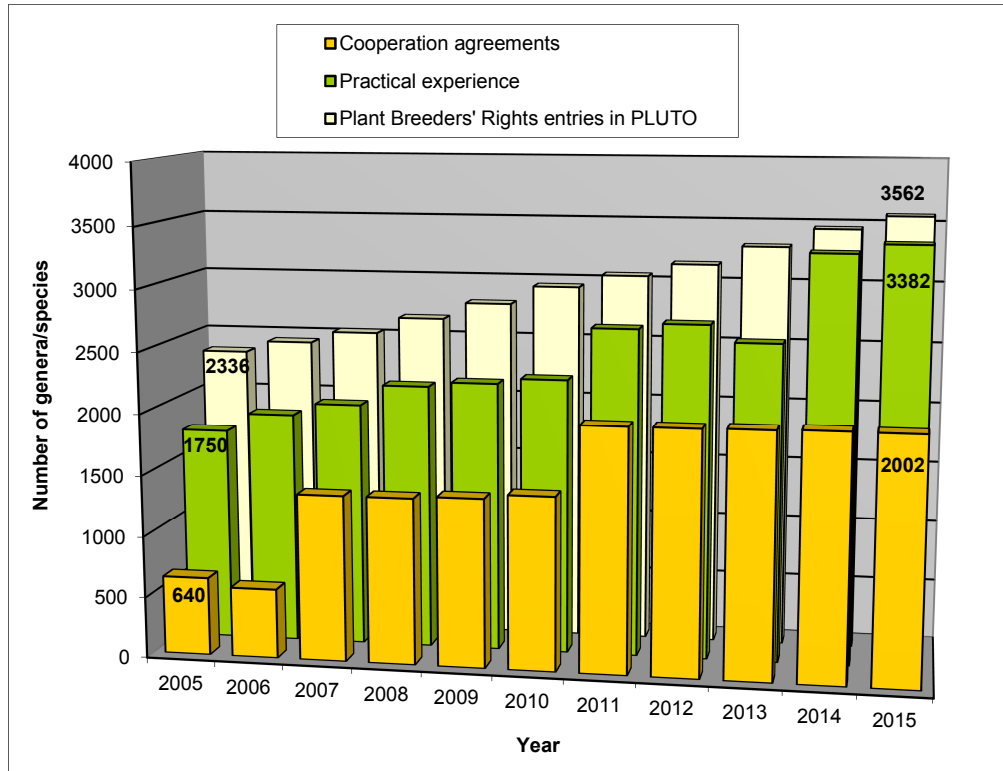
Evolution of visits

| Year | Pageviews | Unique pageviews |
|------|-----------|------------------|
| 2015 | 67,175 | 39,165 |
| 2014 | 72,018 | 40,027 |
| 2013 | 84,306 | 49,280 |
| 2012 | 85,149 | 46,122 |
| 2011 | 59,735 | 32,839 |
| 2010 | 51,457 | 28,565 |
| 2009 | 11,474 | 5,337 |
| 2008 | 14,063 | 5,763 |
| 2007 | 5,357 | 2,530 |

(a) Plant genera and species for which members of the Union have practical experience

Practical experience in examination of DUS reported for approximately 3,382 genera or species in 2015 (3,305 in 2014; 2,589 in 2013; 2,726 in 2012; 2,679 in 2011; 2,254 in 2010) (see Figure 7)

Figure 7. Plant Genera/Species with Cooperation Agreements, Practical Experience and Plant Breeders' Rights Entries in Plant Variety Database



(b) Plant genera and species for which members of the Union cooperate in DUS examination, as indicated in GENIE database

- *General cooperation*

Number of authorities which would provide existing DUS reports to any member of the Union:

3 in 2015 (2 in 2013)

Number of authorities which would, for any species for which they have experience in DUS examination, provide existing DUS reports to any member of the Union:

7 in 2015 (6 in 2013)

Number of authorities which would accept DUS reports from any other member of the Union:

1 in 2015 (1 in 2013)

Number of authorities which would accept DUS reports from any other member of the Union under certain circumstances:

2 in 2015 (2 in 2013)

- *Number of specific bilateral and regional arrangements on plant variety protection*

Agreement for cooperation in variety testing extended to approximately 2,002 genera or species in 2015 (2,005 in 2014; 1,997 in 2013; 1,991 in 2012; 1,990 in 2011; 1,417 in 2010) – excluding general cooperation (see Figure 7 and document C/49/5)

(c) Participation in the development of Test Guidelines

An overview of participation in the development of Test Guidelines by TWPs and by region of the leading expert is provided in Figures 8 to 11.

Figure 8. Total number of Test Guidelines adopted (by Technical Working Party)

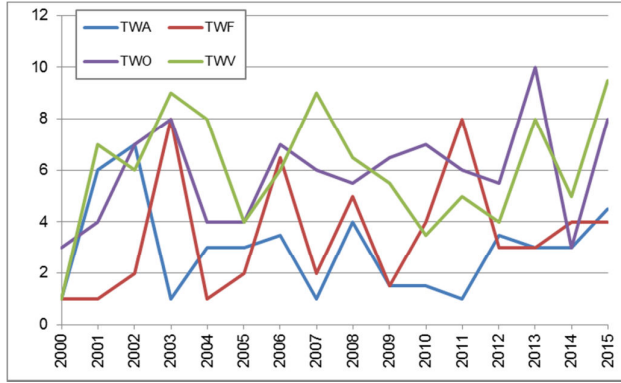


Figure 9. Total number of Test Guidelines under development (by Technical Working Party)

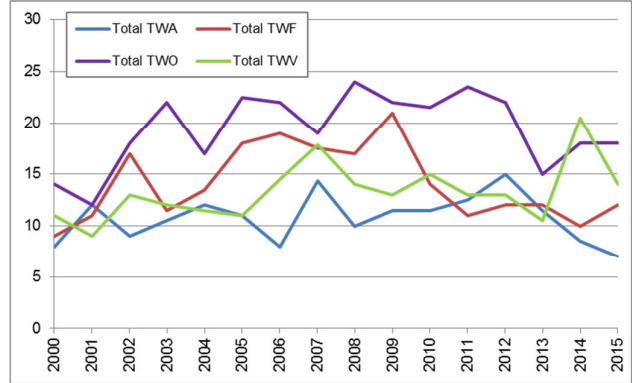


Figure 10. Total number of Test Guidelines adopted (by region of the leading expert)

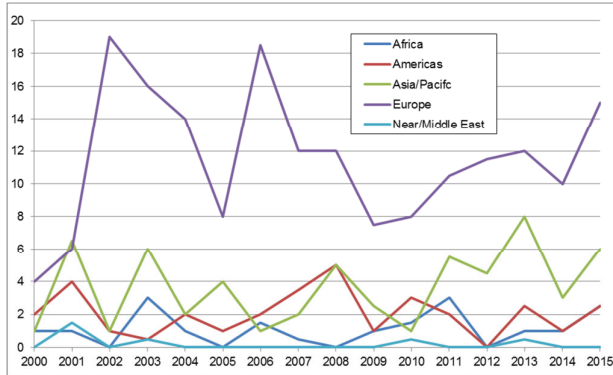
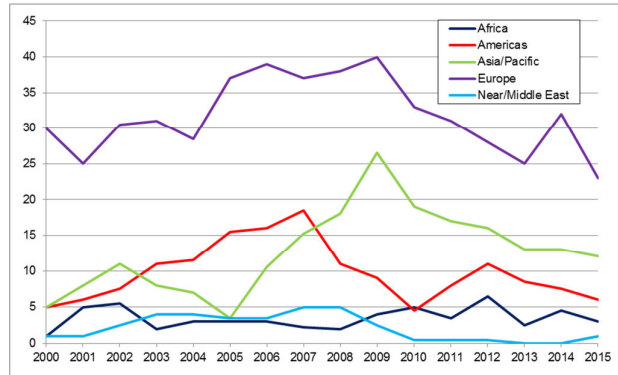
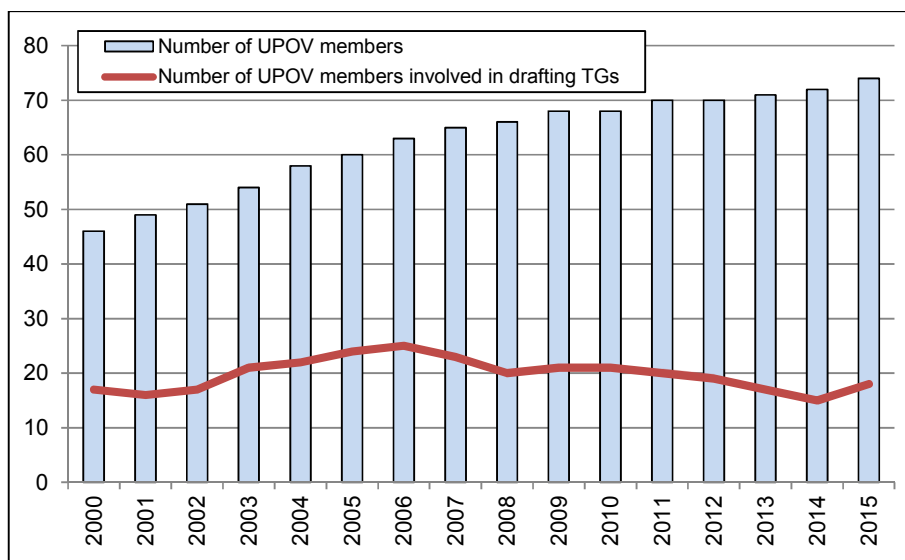


Figure 11. Total number of Test Guidelines under development (by region of the leading expert)



Total of 19 members of the Union involved in drafting Test Guidelines in the biennium (AR, AU, BR, CN, DE, DK, ES, FR, GB, IT, JP, KE, MA, MX, NL, NZ, OM, QZ, ZA).
(see Figure 12)

Figure 12. Number of members of the Union involved in drafting Test Guidelines



(d) Quality and completeness of data in the Plant Variety Database and quality of search facility; and facilities for access to other relevant data

- Total number of records included in the PLUTO database at the end of 2015:
723,783 (688,541 at the end of 2014; 645,068 at the end of 2013)
- Number of submissions of new data in 2014 and 2015 (each contributor was invited to make six submissions in 2015):
211 in 2015; 175 in 2014 (163 in 2013; 167 in 2012)
- Number of contributors included in the PLUTO database at the end of 2014 and 2015:
58 in 2015; 58 in 2014 (56 in 2013; 52 in 2012)
- Number of members of the Union that contributed data in 2014 and 2015:
44 in 2015; 48 in 2014 (45 in 2013; 45 in 2012)
- Number of members of the Union that contributed data for the first time in 2014 and 2015:
0 in 2015 (2 in 2014; 4 in 2013; 4 in 2012)
- Number of other contributors of data in 2014 and 2015:
0 in 2015; 1 in 2014, 2013 and 2012 (OECD)



PLUTO Database: visits to the UPOV Website in 2015

| | |
|--------------------|--------|
| Sessions | 53,270 |
| Users | 14,007 |
| Pageviews | 80,382 |
| New Visitors | 24.3% |
| Returning Visitors | 75.7% |

| Language | Pageviews | Unique pageviews |
|----------|-----------|------------------|
| English | 69,520 | 49,679 |
| Spanish | 5,003 | 3,266 |
| French | 4,517 | 3,314 |
| German | 1,341 | 899 |

Top 10 countries visiting the PLUTO database in 2015

| Country / Territory | Sessions | % New Sessions | New Users |
|--------------------------|----------|----------------|-----------|
| United States of America | 6,735 | 19.60% | 1,320 |
| Netherlands | 5,118 | 18.87% | 966 |
| France | 4,311 | 26.47% | 1,141 |
| Brazil | 3,991 | 18.92% | 755 |
| Australia | 2,893 | 12.03% | 348 |
| Ukraine | 2,753 | 13.04% | 359 |
| Japan | 2,215 | 27.86% | 617 |
| Switzerland | 2,143 | 24.31% | 521 |
| New Zealand | 1,940 | 10.67% | 207 |
| Russia | 1,803 | 12.26% | 221 |

Evolution of visits

| Year | Pageviews | Unique pageviews |
|------|-----------|------------------|
| 2015 | 80,382 | 57,159 |
| 2014 | 74,226 | 50,203 |
| 2013 | 70,739 | 44,370 |
| 2012 | 255,108 | 51,111 |
| 2011 | 30,226 | 6,316 |

Improvements in relation to the Plant Variety Database (PLUTO database) included:

In 2014:

- The fixed timetable for data submission was removed: new data can be sent to the database any time.
- The procedure for the allocation and correction of UPOV codes has been amended. On receipt of data, the PLUTO database administrator will allocate UPOV codes where they have not been provided and will amend UPOV codes where those do not correspond to the allocation in the GENIE database. Contributors will be notified of the proposed allocation and, in the absence of advice to the contrary, the UPOV codes proposed by the PLUTO database administrator will be used. In cases where the contributor notifies the PLUTO database administrator of a misallocation, the data will be amended at the subsequent uploading of data.

In 2015:

- The additional column showing the latest date on which the information was provided in the PLUTO database was introduced on May 4, 2015.
- The function to search both the data field "Denomination" and "Breeder's Ref" using the denomination search tools on the Denomination Search page, either individually or in combination, was introduced in the PLUTO database on May 4, 2015.

(e) Exchangeable software included in document UPOV/INF/16 "Exchangeable Software"

The following software was included in document UPOV/INF/16:

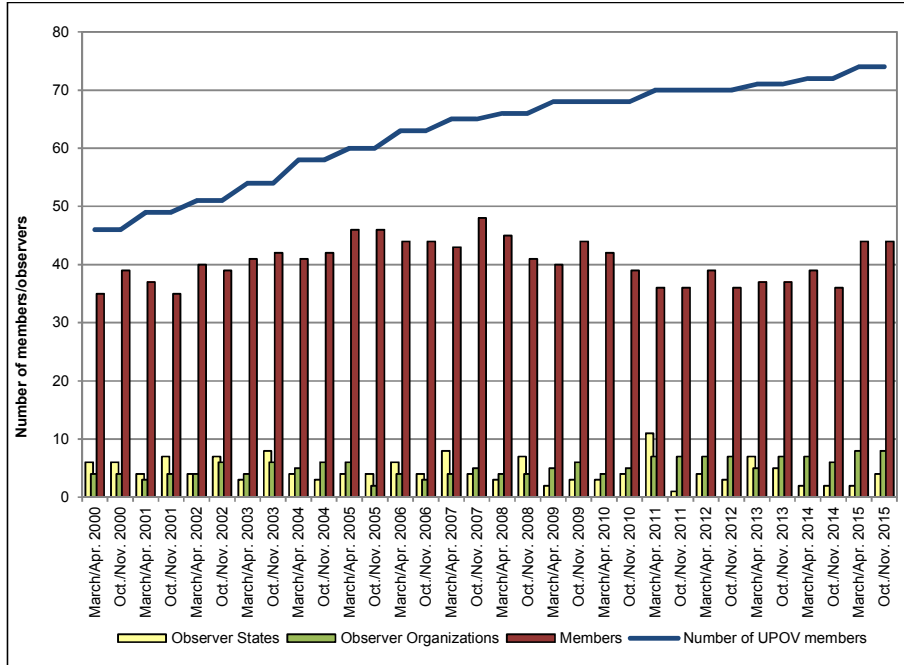
| <u>Program name</u> | <u>Category</u> | <u>Proposing country</u> |
|---------------------|--------------------------------|--------------------------|
| SIVAVE | Administration of applications | MX |

4. PARTICIPATION BY MEMBERS OF THE UNION AND STAKEHOLDERS IN THE WORK OF THE UPOV BODIES

(a) Participation in the Administrative and Legal Committee

(see Figure 13)

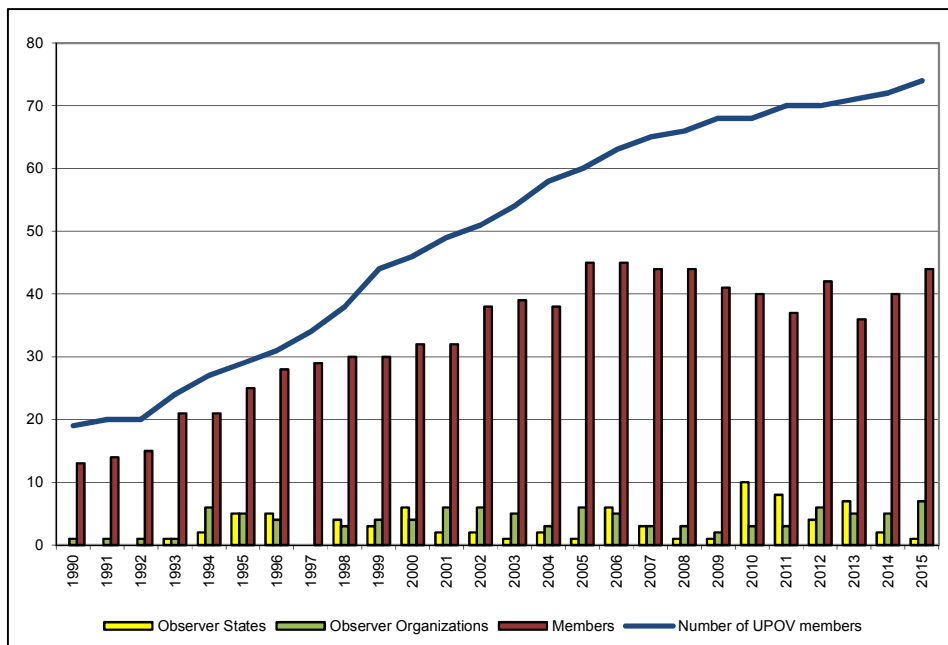
Figure 13. Number of Participating Members and Observer States/Organizations in the CAJ



(b) Participation in the Technical Committee

(see Figure 14)

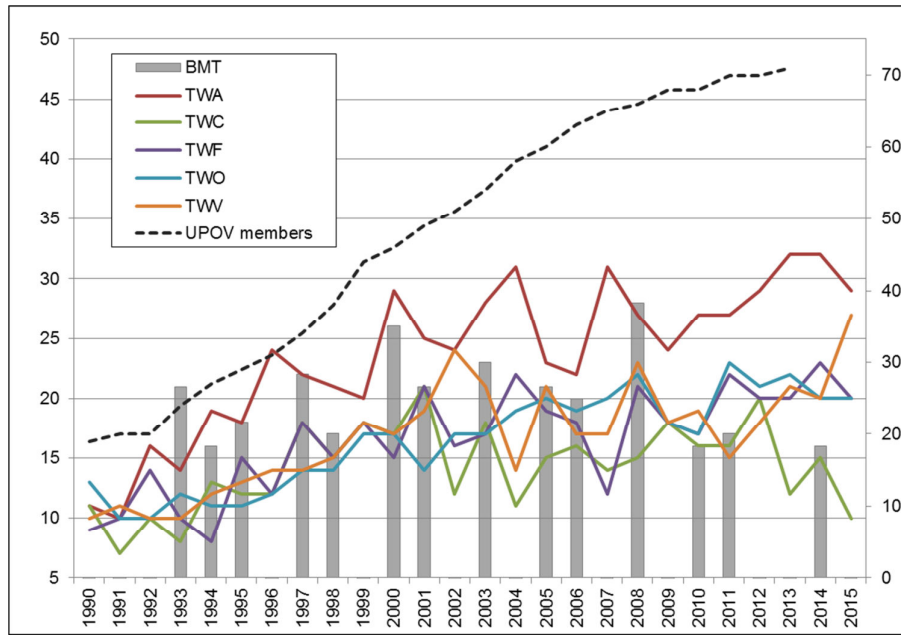
Figure 14. Number of Participating Members and Observer States/Organizations in the TC



(c) Participation in Technical Working Party Sessions

(see Figure 15)

Figure 15. Number of Participating Members and Observer States/Organizations in the TWPs

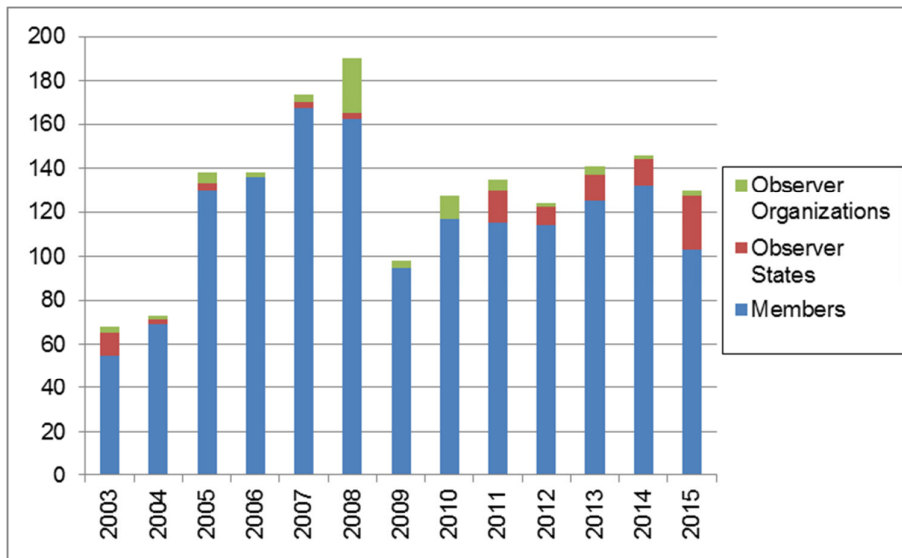


(d) Participation in Preparatory Workshops for the Technical Working Party Sessions

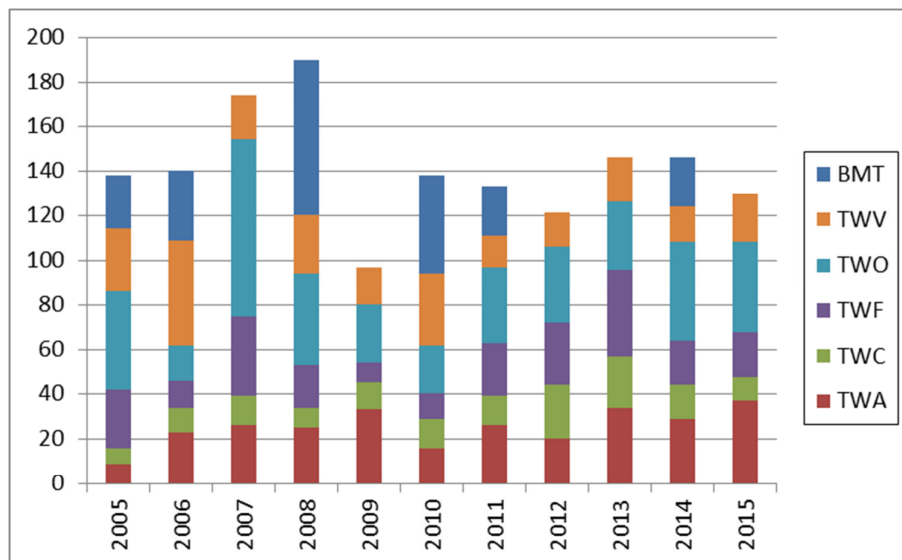
(see Figure 16)

Figure 16.

(i) **Number of individual participants in the Preparatory Workshops: members and observers**



(ii) Number of individual participants in the Preparatory Workshops by Technical Working Party



(e) Measures to improve the effectiveness of the TC, TWPs and Preparatory Workshops

The TC, at its fifty-first session, considered document TC/51/37 “Possible ways of improving the effectiveness of the Technical Committee, Technical Working Parties and Preparatory Workshops” and received a presentation by the UPOV Office. The TC noted the results of the surveys in 2014, presented in document TC/51/37, Annex I. The TC agreed with the proposals concerning possible means of improving the effectiveness of the TWPs, as set out in document TC/51/37, paragraph 24.

5. UPOV DOCUMENTS AND MATERIALS IN ADDITIONAL LANGUAGES

(a) Availability of UPOV documents and materials in languages other than the UPOV languages (English, French, German and Spanish)

- The 1991 Act of the UPOV Convention was translated into Khmer and published on the UPOV website. The translations in Bahasa Indonesia, Malay, Serbian, Vietnamese languages of the 1991 Act will be verified before publication on the UPOV website.

Web pageviews for languages other than English, French, German and Spanish of the UPOV site in 2015

| Language | Pageviews |
|----------|-----------|
| Russian | 772 |
| Chinese | 298 |
| Arabic | 198 |
| Khmer | 31 |

6. FACILITATING APPLICATIONS FOR PLANT BREEDERS' RIGHTS

(a) Number of applications for plant breeders' rights
(see Figures 17 and 19)

(b) Number of titles granted
(see Figure 20)

(c) Number of titles in force
(see Figure 18)

Figure 17. Applications for Plant Breeders' Rights

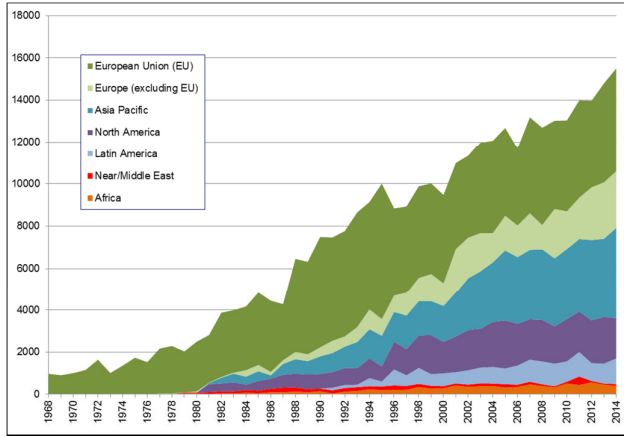


Figure 18. Plant Breeders' Rights Titles in Force

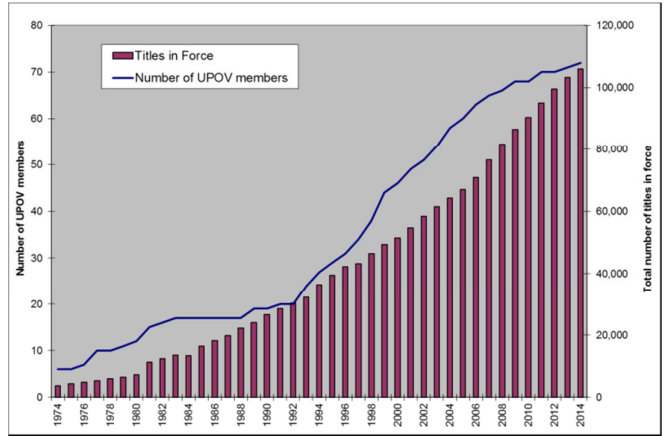


Figure 19. Applications for Plant Breeders' Rights by Resident/Non-Resident

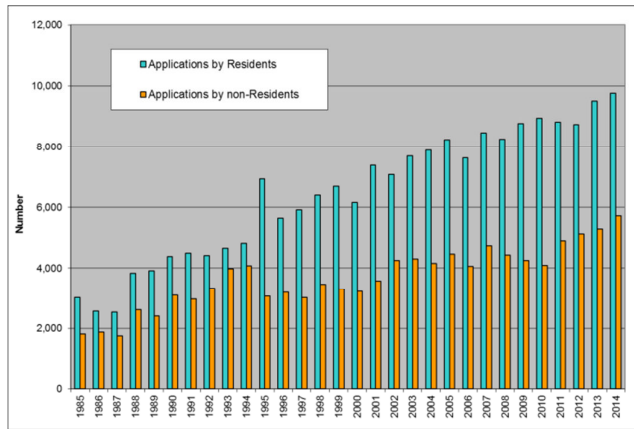
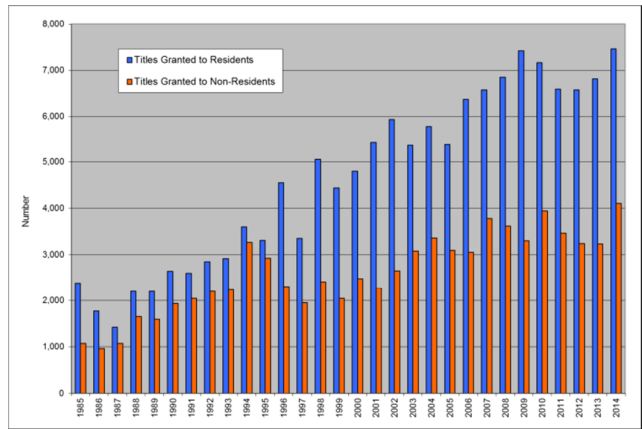


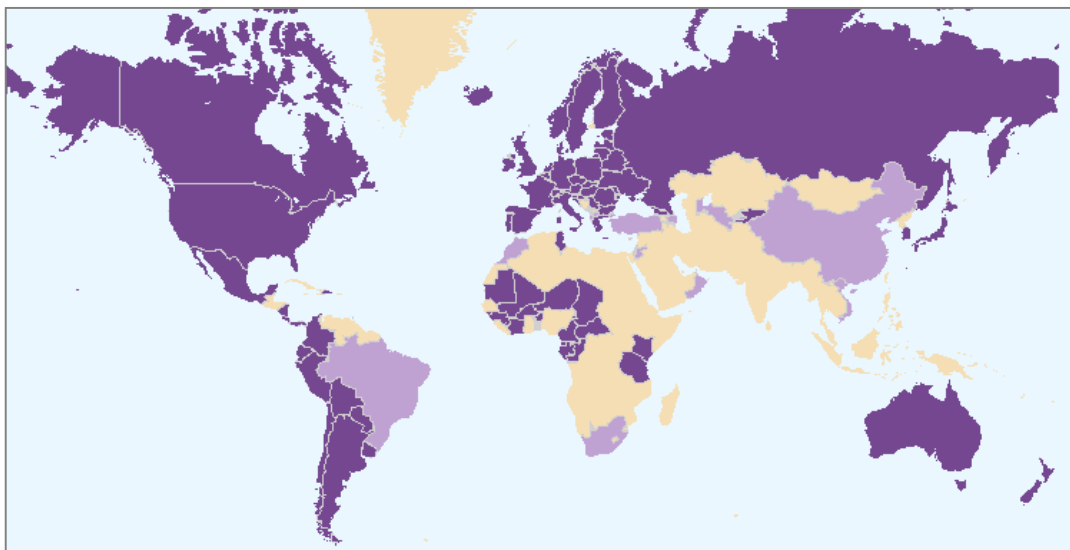
Figure 20. Plant Breeders' Rights Titles Granted by Resident/Non-Resident



(d) Number of genera/species protected by members of the Union

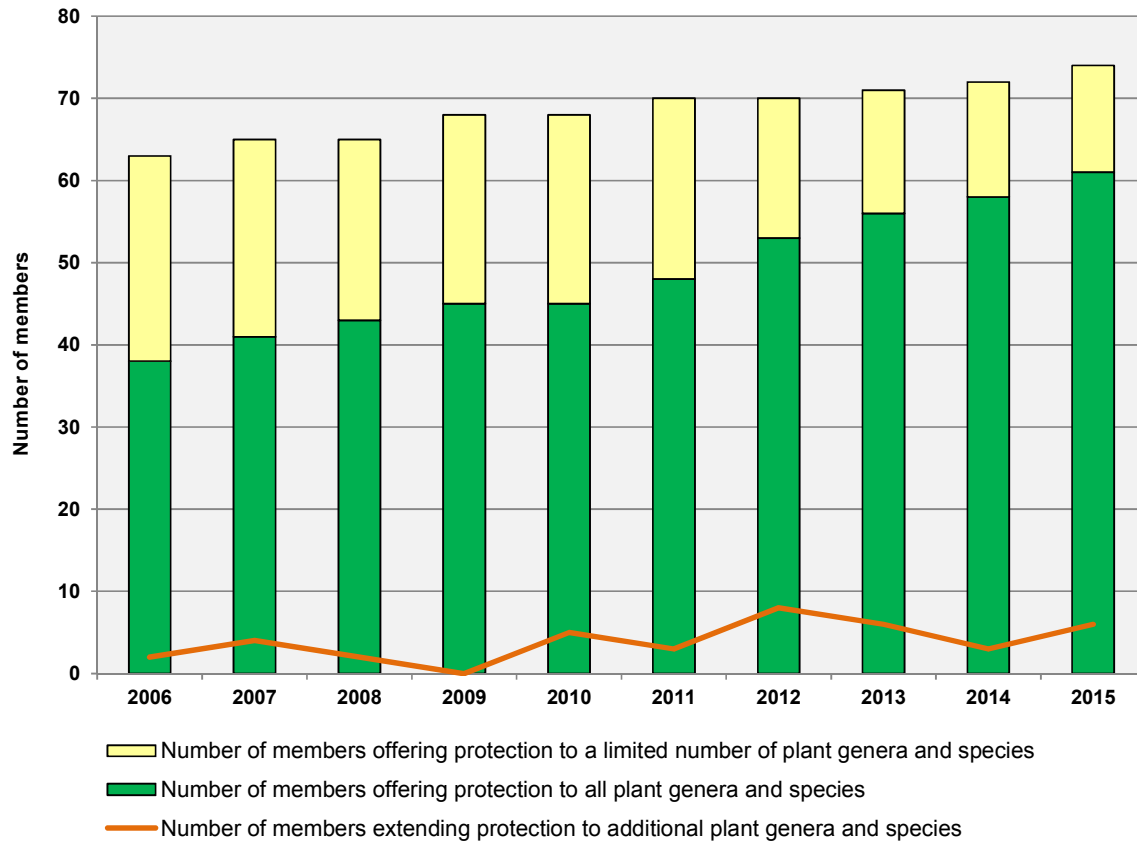
(see Figures 21 and 22)

Figure 21. Protection to plant genera and species in 2015



- Members of the Union offering protection for all plant genera and species
- Members of the Union offering protection for a limited number of plant genera and species

Figure 22. Evolution of offering protection to plant genera and species



(e) Number of genera/species for which varieties have been protected

See Figure 7 “Plant Genera/Species with Cooperation Agreements, Practical Experience and Plant Breeders’ Rights Entries in Plant Variety Database”

(f) Use by members of the Union of standard UPOV references in application forms

No new developments.

(g) Use of linear blank forms corresponding to the “UPOV Model Form for the Application for Plant Breeders’ Rights”

No new developments.

7. PROVISION OF INFORMATION ON THE UPOV CONVENTION FOR STAKEHOLDERS (BREEDERS, FARMERS, GROWERS, SEED-MERCHANTS, ETC.)

(a) Stakeholder-orientated information on the UPOV website

– The following material was published on the UPOV website in 2014:

- the UPOV Trilogy (in French, German and Spain), containing the following publications:
 - Executive Summary (UPOV Publication 357.1)
 - Symposium on Plant Breeding for the Future (UPOV Publication 357.2)
 - Seminar on Plant Variety Protection and Technology Transfer: the Benefits of Public-Private Partnership (UPOV Publication 357.3)
 - Symposium on the Benefits of Plant Variety Protection for Farmers and Growers (UPOV Publication 357.4)
- the Proceedings of the Seminar on Essentially Derived Varieties, held in Geneva, on October 22, 2013 (Publication 358) in English, French, German and Spanish
- updated editions of the information leaflet "What it is, What it does" on UPOV and plant variety protection in English, French, German and Spanish (Publication No. 437)
- answers to the following frequently asked questions (FAQs):
 - What is UPOV?
 - What does UPOV do?
 - Who can attend UPOV meetings?
 - What is a plant variety?
 - Why do farmers and growers need new plant varieties?
 - Why is plant variety protection necessary?
 - How does plant variety protection work?
 - What are the requirements for protecting a new plant variety?
 - Why does UPOV require varieties to be uniform and stable; doesn't that lead to a loss of diversity?
 - Can breeders use a protected variety in their breeding programs
 - Who can protect a plant variety?
 - Where do I apply for protection of a variety?
 - Can I obtain protection for more than one country from a single application?
 - What are the benefits of plant variety protection and UPOV membership?
 - What is the effect of plant variety protection on varieties that are not protected (e.g. traditional varieties, landraces etc.)?
 - What is the relationship between the UPOV Convention and international treaties concerning genetic resources, e.g. the Convention on Biological Diversity (CBD) and the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)?
 - What is the relationship between patents and plant breeders' rights?
 - What is the relationship between plant breeders' rights and measures regulating commerce, e.g. seed certification, official registers of varieties admitted to trade (e.g. National List, Official Catalogue) etc.?
 - Can I protect an existing plant or variety that I discover?
 - Does the UPOV Convention allow a variety to be refused protection because it is genetically modified?
 - Can I use plant variety protection to protect the following:
 - a trait (e.g. disease resistance, flower color)
 - a chemical or other substance (e.g. oil, DNA)
 - a plant breeding technology (e.g. tissue culture)?
 - Can I protect a hybrid variety under the UPOV system?
 - Can a farmer replant seed of a protected variety without the authorization of the breeder?
 - Can a farmer sell seed of a protected variety without the authorization of the breeder?
 - How do I know if a variety is protected?
 - Who is responsible for enforcing plant breeders' rights?
 - Does UPOV allow molecular techniques (DNA profiles) in the examination of Distinctness, Uniformity and Stability ("DUS")?
 - Is it true that UPOV only promotes commercially bred plant varieties geared to industrialized farmers?
 - 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?

– No new material was published on the UPOV website in 2015.

2.3 SUB-PROGRAM UV.3: ASSISTANCE IN THE INTRODUCTION AND IMPLEMENTATION OF THE UPOV SYSTEM

UPOV assisted a number of States in the implementation of plant variety protection based on the UPOV Convention and provided advice to governments in the preparation of legislation. Cooperation with members of the Union, particularly with regard to training courses, provided substantial benefits for outreach. The use of the distance learning courses "Introduction to the UPOV System of Plant Variety Protection under the UPOV Convention" (DL-205) and "Examination of Applications for Plant Breeders' Rights" (DL-305), and training of trainers have been of particular importance in providing assistance to a wide range of experts.

Objectives

- ◆ To raise awareness of the role of plant variety protection according to the UPOV Convention.
- ◆ To assist States and organizations, particularly governments of developing countries and countries in transition to a market economy, in the development of legislation in accordance with the 1991 Act of the UPOV Convention.
- ◆ To assist States and organizations in their accession to the 1991 Act of the UPOV Convention.
- ◆ To assist States and organizations in implementing an effective plant variety protection system in accordance with the UPOV Convention.

Results Achieved: Selected Performance Indicators

1. RAISING AWARENESS OF THE ROLE OF PLANT VARIETY PROTECTION IN ACCORDANCE WITH THE UPOV CONVENTION

(a) Publications on the role of plant variety protection, including material on UPOV website

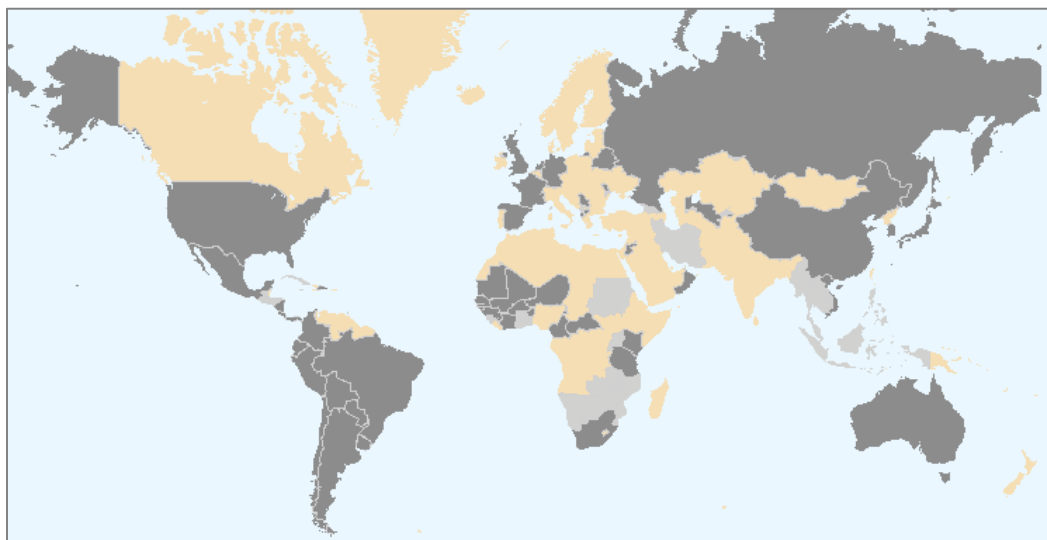
See section 2.2 "Sub-Program UV.2", expected result "7. Provision of information on the UPOV Convention for stakeholders", "(a) Stakeholder-orientated information on the UPOV website"

(b) States and organizations provided with information at UPOV activities

States provided with information at UPOV activities:

Albania, Argentina, Australia, Belarus, Benin, Bolivia (Plurinational State of), Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Dominican Republic, Ecuador, El Salvador, France, Gambia, Georgia, Germany, Ghana, Guatemala, Guinea, Guinea-Bissau, Honduras, Indonesia, Iran (Islamic Republic of), Jamaica, Japan, Jordan, Kenya, Lao People's Democratic Republic, Malawi, Malaysia, Mali, Mauritania, Mexico, Mozambique, Myanmar, Namibia, Netherlands, Nicaragua, Niger, Oman, Panama, Paraguay, Peru, Philippines, Republic of Korea, Republic of Moldova, Russian Federation, Rwanda, Senegal, Serbia, Sierra Leone, Singapore, South Africa, Spain, Sudan, Swaziland, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Uganda, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Viet Nam, Zambia, Zimbabwe (see Figure 23)

Figure 23. States provided with information at UPOV activities



■ Members of the Union ■ Non-members of the Union

Intergovernmental organizations provided with information at UPOV activities:

ARIPO, CGIAR, European Union, ISTA, OAPI, OECD,

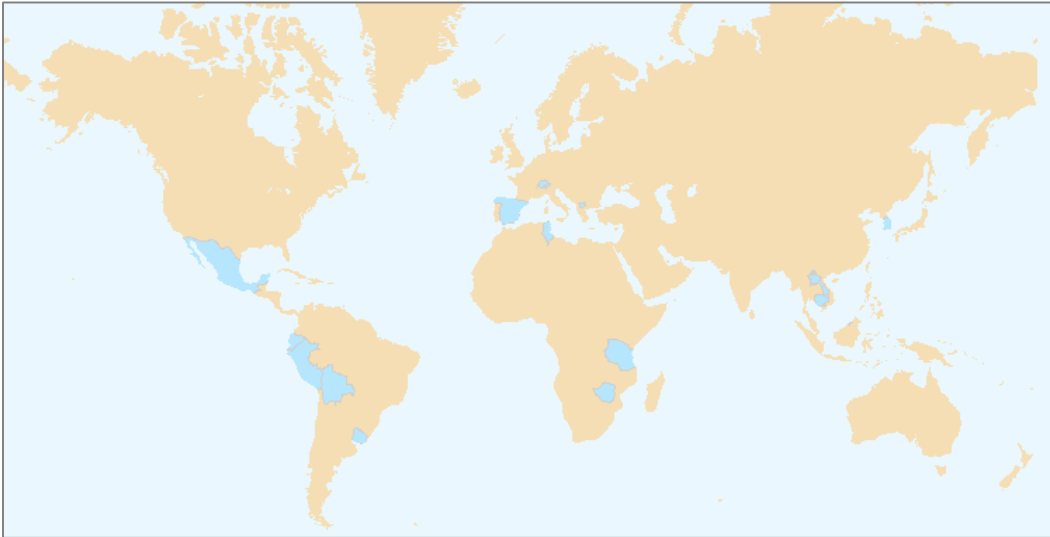
Non-governmental organizations provided with information at UPOV activities:

AFSTA, ASTA, CropLife International, *Groupement technique horticole de Genève*, ISF

Location of UPOV activities:

Bolivia, Brunei Darussalam, Cambodia, Ecuador, Lao People's Democratic Republic, Mexico, Peru, Republic of Korea, Spain, Switzerland, the former Yugoslav Republic of Macedonia, Tunisia, United Republic of Tanzania, Uruguay, Zimbabwe (see Figure 24)

Figure 24. Location of UPOV activities



(c) States and organizations that contacted the Office of the Union for assistance in the development of legislation on plant variety protection

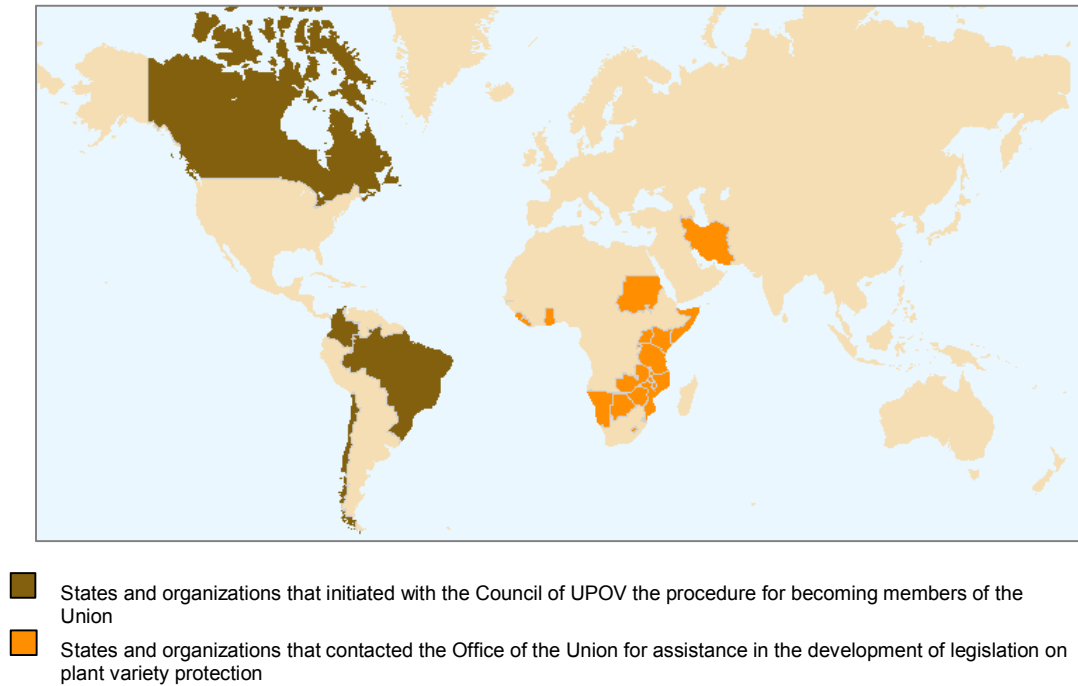
Members of the Union: Brazil, Canada, Chile, Colombia, Singapore

Non-members of the Union: ARIPO, Barbados, Bosnia and Herzegovina, Brunei Darussalam, Cambodia, Egypt, Guatemala, Iran (Islamic Republic of), Jamaica, Liberia, Malaysia, Mauritius, Myanmar, Pakistan, Tajikistan, United Arab Emirates, United Republic of Tanzania, Zimbabwe (see Figure 25)

(d) States and organizations that initiated with the Council of UPOV the procedure for becoming members of the Union

ARIPO, Iran (Islamic Republic of), United Republic of Tanzania (see Figure 25)

Figure 25. States and organizations that contacted the Office of the Union for assistance in the development of legislation on plant variety protection and States and organizations that initiated with the Council of UPOV the procedure for becoming members of the Union



(e) Participation in UPOV awareness-raising activities, or activities involving UPOV staff or UPOV trainers on behalf of UPOV staff

- (i) Activities organized by, or with, UPOV: see (b) above
- (ii) Activities/meetings in which UPOV participated: see Figure 26

Location of activities/meetings where UPOV made presentations:

Argentina, Australia, Austria, Barbados, Belgium, Bolivia (Plurinational State of), Brazil, Cameroon, Chile, China, Côte d'Ivoire, Croatia, France, Germany, India, Italy, Japan, Malaysia, Mauritius, Mexico, Netherlands, Paraguay, Poland, Republic of Korea, Republic of Moldova, Senegal, Slovakia, South Africa, Spain, Switzerland, Thailand, Tunisia, Turkey, Uganda, United Kingdom, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Viet Nam, Zambia, Zimbabwe

Figure 26. Location of activities/meetings where UPOV made presentations



2. ASSISTANCE IN DRAFTING LEGISLATION ON PLANT VARIETY PROTECTION IN ACCORDANCE WITH THE 1991 ACT OF THE UPOV CONVENTION

(a) States and organizations provided with comments on laws¹

Members of the Union: Brazil, Chile, Singapore

Non-members of the Union: ARIPO, Bosnia and Herzegovina, Brunei Darussalam, Egypt, Guatemala, Iran (Islamic Republic of), Malaysia, Mauritius, Myanmar, Tajikistan, United Arab Emirates, United Republic of Tanzania

(see Figure 28)

(b) States and organizations which received a positive advice from the Council of UPOV

ARIPO, Egypt, United Republic of Tanzania (whole territory)

(see Figure 29)

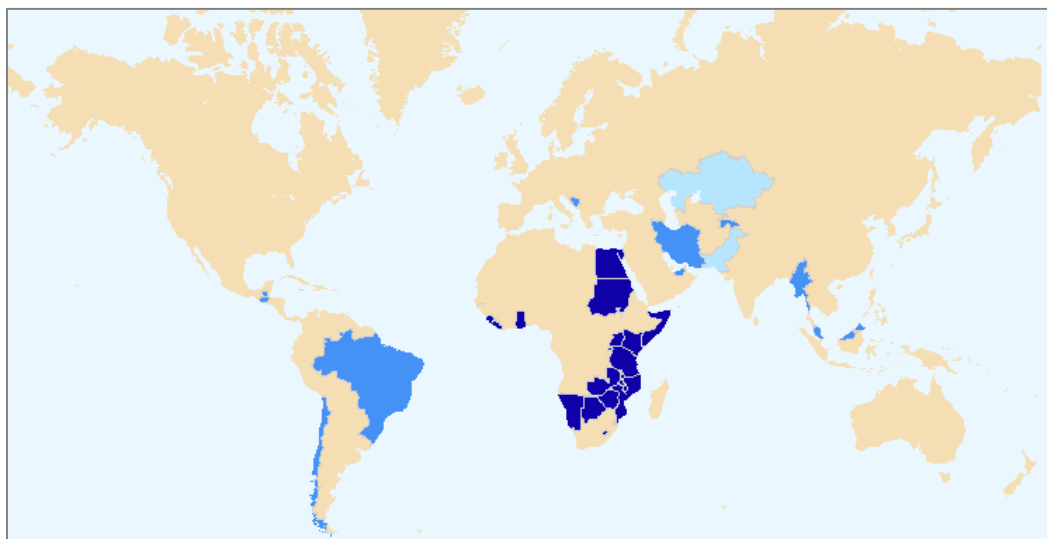
(c) Meetings with government officials²

Members of the Union: Brazil, Canada, Chile, Colombia, Singapore, South Africa, Turkey

Non-members of the Union: ARIPO, Barbados, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Egypt, Iran (Islamic Republic of), Jamaica, Kazakhstan, Liberia, Malaysia, Mauritius, Myanmar, Pakistan, Rwanda, United Arab Emirates, United Republic of Tanzania, Zimbabwe

(see Figure 27)

Figure 27. Assistance provided in drafting legislation on plant variety protection



- States and organizations which received a positive advice from the Council of UPOV
- States and organizations provided with comments on laws
- Meetings with government officials

¹ Provision of detailed comments on laws and/or assistance in the development of laws.

² Meetings and/or consultations for the provision of advice and information on legislative matters.

3. ASSISTANCE TO STATES AND ORGANIZATIONS IN THE ACCESSION TO THE 1991 ACT OF THE UPOV CONVENTION

(a) States that acceded to or ratified the 1991 Act of the UPOV Convention

Canada, Montenegro, OAPI, United Republic of Tanzania
(see Figure 31)

(b) States and organizations that became members of the Union

Montenegro, OAPI, United Republic of Tanzania
(see Figure 30)

Figure 28. States/Organizations provided with comments on laws

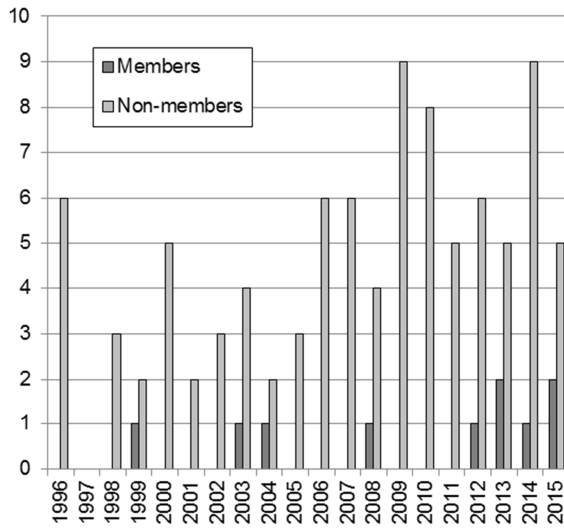


Figure 29. States/Organizations which received positive advice from the Council

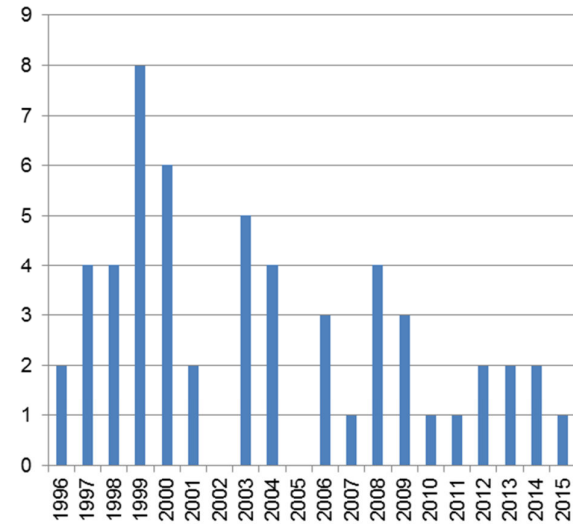


Figure 30. New members of the Union

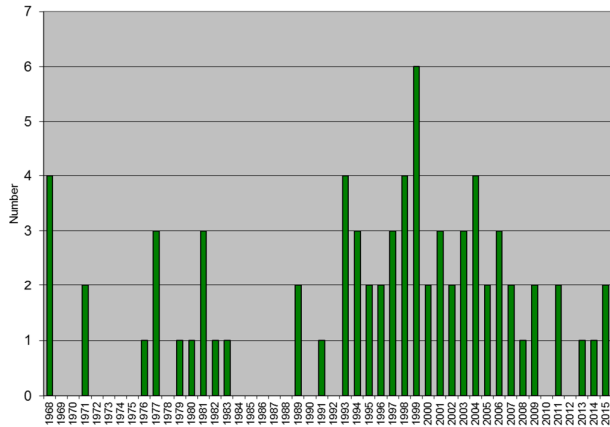
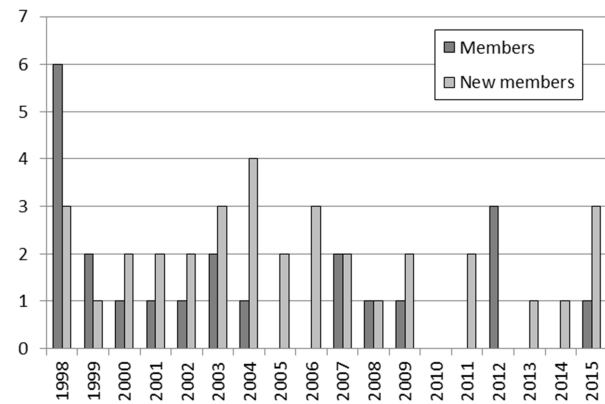


Figure 31. Accession to/ratification of the 1991 Act



4. ASSISTANCE IN IMPLEMENTING AN EFFECTIVE PLANT VARIETY RIGHTS SYSTEM IN ACCORDANCE WITH THE 1991 ACT OF THE UPOV CONVENTION

(a) Participation in distance learning courses

- UPOV DL-205 “Introduction to the UPOV System of Plant Variety Protection under the UPOV Convention”

Number of participants in regular DL-205 sessions in 2014 and 2015

| Category | Number of students |
|---|--------------------|
| Category 1: Government officials of members of the Union nominated by the relevant representative to the UPOV Council | 382 |
| Category 2: Officials of observer States / intergovernmental organizations nominated by the relevant representative to the UPOV Council | 17 |
| Category 3: Others | 31 |
| Category 4: Discretionary waiving of fee for selected students | 18 |
| Total: | 448 |

- UPOV DL-305 “Examination of applications for plant breeders’ rights”

Number of participants in the DL-305 Course in 2014 and 2015

| Category | Number of students |
|---|--------------------|
| Category 1: Government officials of members of the Union nominated by the relevant representative to the UPOV Council | 199 |
| Category 2: Officials of observer States / intergovernmental organizations nominated by the relevant representative to the UPOV Council | 4 |
| Category 3: Others | 1 |
| Category 4: Discretionary waiving of fee for selected students | 1 |
| Total: | 205 |

- UPOV DL-305A “Administration of Plant Breeders’ Rights”

Number of participants in the DL-305A Course (1 session in 2015)

| Category | Number of students |
|---|--------------------|
| Category 1: Government officials of members of the Union nominated by the relevant representative to the UPOV Council | 58 |
| Category 2: Officials of observer States / intergovernmental organizations nominated by the relevant representative to the UPOV Council | 2 |
| Category 3: Others | 0 |
| Category 4: Discretionary waiving of fee for selected students | 0 |
| Total: | 60 |

- UPOV DL-305B “DUS Examination”

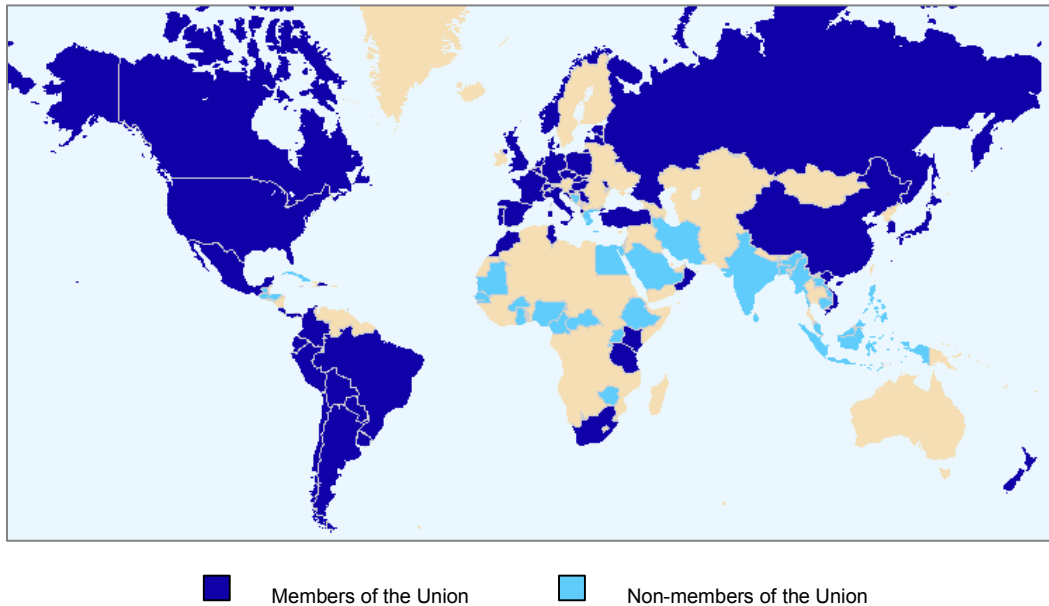
Number of participants in the DL-305B Course (1 session in 2015)

| Category | Number of students |
|---|--------------------|
| Category 1: Government officials of members of the Union nominated by the relevant representative to the UPOV Council | 61 |
| Category 2: Officials of observer States / intergovernmental organizations nominated by the relevant representative to the UPOV Council | 2 |
| Category 3: Others | 0 |
| Category 4: Discretionary waiving of fee for selected students | 2 |
| Total: | 65 |

**List of States from which there were participants in all distance learning sessions
in 2014 and 2015**

Albania, Argentina, Bangladesh, Belgium, Benin, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Burkina Faso, Cambodia, Cameroon, Canada, Central African Republic, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, France, France, Gabon, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Israel, Italy, Jamaica, Japan, Kenya, Lao People's Democratic Republic, Latvia, Malaysia, Mali, Mauritania, Mexico, Mexico, Morocco, Myanmar, Netherlands, New Zealand, Nigeria, Norway, Oman, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Russian Federation, Rwanda, Saudi Arabia, Senegal, Serbia, Singapore, Slovakia, South Africa, Spain, Sri Lanka, Switzerland, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Kingdom, United Republic of Tanzania, United States of America, Uruguay, Viet Nam, Zimbabwe, OAPI (total: 90 countries and 1 organization).

**Figure 32. UPOV DL-205, DL-305, DL-305A and DL-305B Courses:
2014 and 2015 participation**



Total number of participants by category in regular DL-205 sessions since 2006

| Category | Number of students |
|---|--------------------|
| Category 1: Government officials or members of the Union nominated by the relevant representative to the UPOV Council | 2385 |
| Category 2: Officials of observer States / intergovernmental organizations nominated by the relevant representative to the UPOV Council | 147 |
| Category 3: Others | 201 |
| Category 4: Discretionary waiving of fee for selected students | 25 |
| Total: | 2758 |

Figure 33a. Participants in the main sessions of the DL-205 Course by registration category

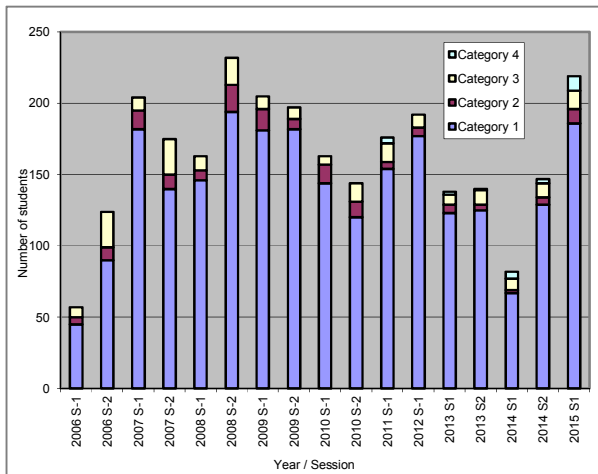


Figure 34a. Participants in the main sessions of the DL-205 Course by language

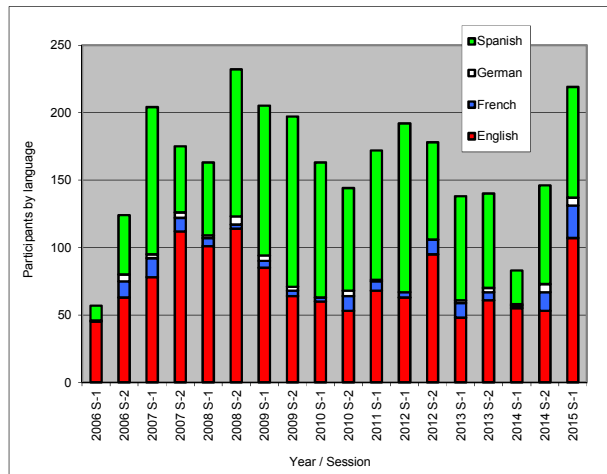


Figure 33b. Participants in the main sessions of the DL-305, 305A, 305B Courses by registration category

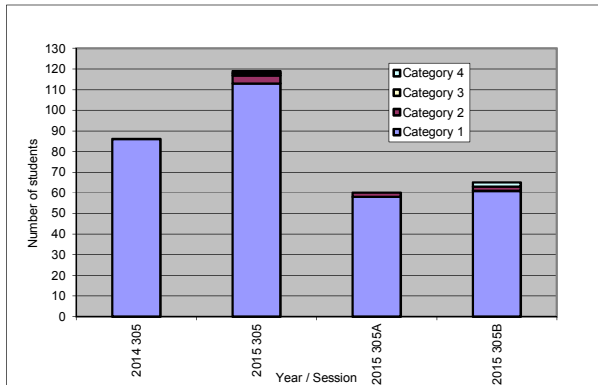
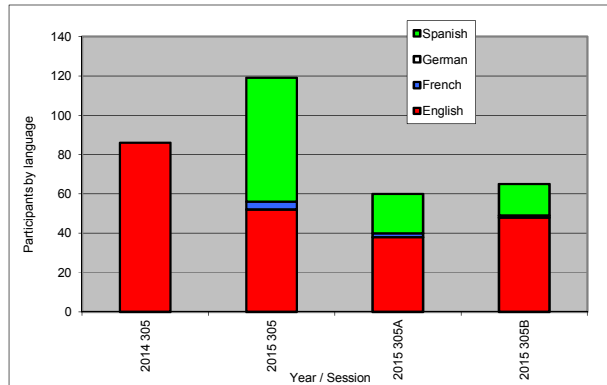


Figure 34b. Participants in the main sessions of the DL-305, 305A, 305B Courses by language



Special sessions of DL-205 in 2014 and 2015

| Month/ Year | Name of Course | Language | Number. of participants |
|----------------|---|------------|----------------------------|
| June 2014 | Naktuinbouw International Course on Plant Variety Protection Course (Netherlands) | EN | 11 |
| July 2014 | KOICA Training Course on Plant Variety Protection (Republic of Korea) | EN | 13 |
| July 2014 | JICA Training Course on "Internationally Harmonized Plant Variety Protection System" (Japan) | EN | 10 |
| October 2014 | Arusha PVP Training Course (United Republic of Tanzania) | EN | 10 |
| September 2014 | International Seminar on Plant Variety protection and International Workshop on Plant Variety Characteristics: fine cocoa aroma (Ecuador) | ES | 219 |
| November 2014 | Training Course for Ibero-American Countries on the Protection of New Varieties of Plants (Uruguay) | ES | 2 |
| May 2015 | Train the Trainer Course on Plant Variety Protection under the UPOV Convention (Geneva, Switzerland) | EN | 11 |
| June 2015 | KOICA Training Course on Plant Variety Protection (Republic of Korea) | EN | 6 |
| June 2015 | Naktuinbouw International Course on Plant Variety Protection Course (Netherlands) | EN | 10 |
| June 2015 | JICA Training Course on "Internationally Harmonized Plant Variety Protection System" (Japan) | EN | 10 |
| October 2015 | National Seminar on plant variety protection under the UPOV Convention (Chile) | ES | 39 |
| November 2015 | Train the Trainer Course on Plant Variety Protection under the UPOV Convention (Geneva, Switzerland) | FR | 17 |
| November 2015 | Train the Trainer Course for Ibero-American Countries on Plant Variety Protection Under the UPOV Convention and Complementary forms of Intellectual Property Protection (Santa Cruz, Bolivia) | ES | 5 |
| November 2015 | Others (UPOV fee waiver) | EN, FR, ES | 10 |

(b) Participation by observer States and organizations in the CAJ, TC, TWPs and the associated preparatory workshops

See Sub-Program UV.2, Section 2.2, performance indicator 4 "Participation by members of the Union and stakeholders in the work of the UPOV bodies", sections (a) to (d)

(c) Participation in UPOV activities

See Sub-Program UV.3, Section 2.3, performance indicator 1 "Raising awareness of the role of plant variety protection in accordance with the UPOV Convention", section (b)

(d) Participation in activities involving UPOV staff or UPOV trainers on behalf of UPOV staff

See Sub-Program UV.3, Section 2.3, performance indicator 1 "Raising awareness of the role of plant variety protection in accordance with the UPOV Convention", section (e)

(e) Training provided by UPOV trainers in non-UPOV activities

It was not possible to collect complete information on activities by UPOV trainers for the period 2014-2015.

(f) Implementation of projects with partner organizations and donors

World Seed Project:

- In 2014, 4 electronic meetings, 2 face-to-face meetings of the Steering Committee
- In 2015, 2 electronic meetings, 2 face-to-face meetings of the Steering Committee

(g) Use of training and assistance web-page

- The training and assistance web-page provides training materials from the Train the Trainer program.

2.4 SUB-PROGRAM UV.4: EXTERNAL RELATIONS

UPOV maintained contacts with a number of intergovernmental organizations and non-governmental organizations representing stakeholders, including breeders, farmers and growers, in order to explain the UPOV system of plant variety protection and to exchange information. The UPOV website continues to be an important resource for dissemination of information. The regular publication of press releases, including those highlighting developments in the Council of UPOV, also continued to provide a valuable means of disseminating information to the general public.

A number of intergovernmental organizations have invited UPOV to contribute to their work. UPOV has participated in meetings with other relevant organizations.

- Objectives**
- ◆ To broaden and enhance the understanding of the UPOV system of plant variety protection.
 - ◆ To provide information on the UPOV Convention to other intergovernmental organizations, with the aim of achieving mutual supportiveness with other international treaties.
 - ◆ To inform members of the Union of developments of relevance to UPOV.

Results Achieved: Selected Performance Indicators

1. INCREASED PUBLIC UNDERSTANDING OF UPOV'S ROLE AND ACTIVITIES

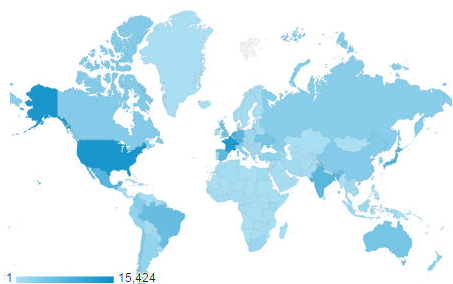
(a) Availability of public-orientated information and materials on UPOV Website

- See Sub-Program UV.2, performance indicator "7. Provision of information on the UPOV Convention for stakeholders (breeders, farmers, growers, seed-merchants, etc.)", section (a)
- 8 press releases (<http://www.upov.int/news/en/pressroom/>)

(b) Visits to website

| | 2015 | 2014 | 2013 | 2012 | 2011 | 2010 |
|----------------------------------|-----------|-----------|-----------|-----------|----------|----------|
| <i>Number of sessions:</i> | 191,534 | 187,125 | 178,732 | 151,914 | 140,371 | 118,895 |
| <i>Unique users:</i> | 86,366 | 86,291 | 84,336 | 71,506 | 75,673 | 62,758 |
| <i>Number of pageviews:</i> | 1,087,382 | 1,127,786 | 1,129,052 | 1,139,570 | 798,942 | 656,722 |
| <i>Number of pages/visit:</i> | 5.68 | 6.03 | 6.32 | 7.50 | 5.69 | 5.52 |
| <i>Average visit duration:</i> | 00:05:15 | 00:06:00 | 00:06:35 | 00:07:19 | 00:04:41 | 00:04:12 |
| <i>Percentage of new visits:</i> | 43.21% | 44.19% | 54.6% | 45.05% | 51.91% | 50.57% |

Website Overview: Global Coverage in 2015



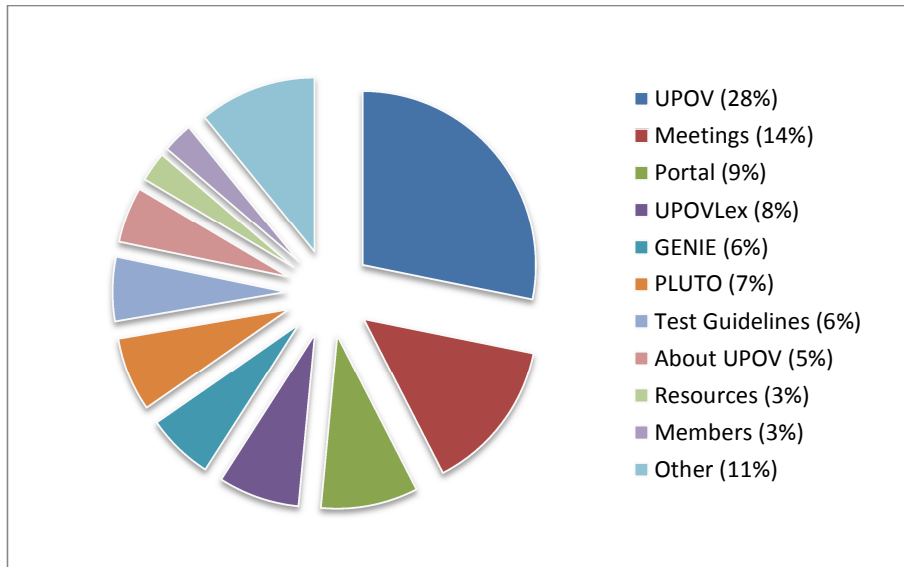
Sessions by country:

| | | |
|-----|--------------------------|---------|
| 1. | Switzerland | (8.05%) |
| 2. | United States of America | (7.07%) |
| 3. | France | (6.81%) |
| 4. | Netherlands | (4.92%) |
| 5. | Japan | (4.32%) |
| 6. | Mexico | (4.08%) |
| 7. | Germany | (4.00%) |
| 8. | India | (3.91%) |
| 9. | Spain | (3.70%) |
| 10. | Brazil | (3.32%) |

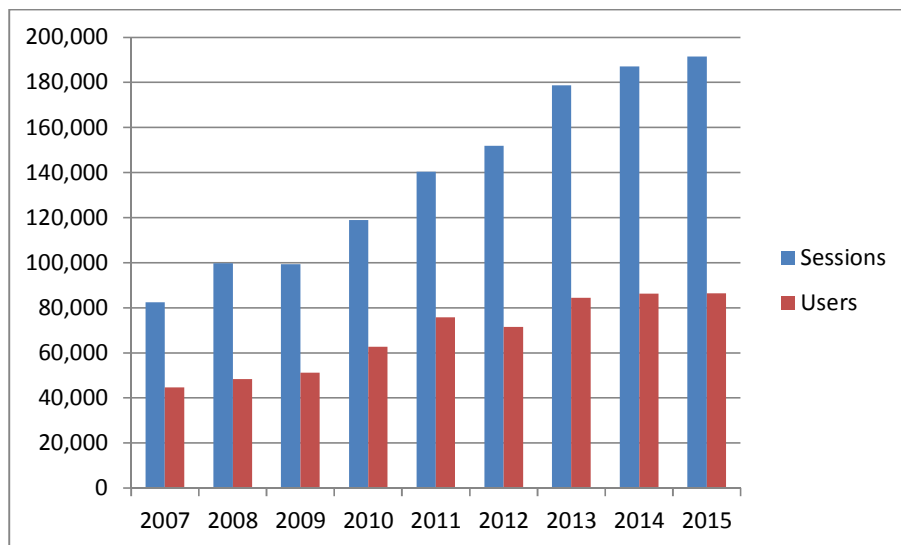
| Language of visitor's browser | 2015 | | 2014 | | 2013 | | 2012 | | 2011 | |
|-------------------------------|--------|-------|--------|-------|--------|-------|--------|-------|--------|-------|
| | Visits | % | Visits | % | Visits | % | Visits | % | Visits | % |
| 1. en-us | 66,347 | 39.58 | 72,248 | 38.61 | 70,706 | 39.56 | 57,341 | 37.75 | 50,571 | 36.03 |
| 2. es | 17,765 | 59.03 | 18,154 | 9.70 | 18,669 | 10.45 | 19,001 | 12.51 | 23,605 | 16.82 |
| 3. fr | 11,413 | 52.99 | 11,862 | 6.34 | 13,876 | 7.76 | 14,212 | 9.36 | 10,670 | 7.60 |
| 4. es-es | 7,972 | 4.16 | 9,180 | 4.91 | 9,234 | 5.17 | 5,698 | 3.75 | 9,124 | 6.50 |
| 5. en-gb | 6,743 | 3.52 | 4,508 | 2.41 | 3,028 | 1.69 | 2,371 | 1.56 | 2,069 | 1.47 |
| 6. ru | 6,608 | 3.45 | 6,824 | 3.65 | 6,596 | 3.69 | 3,630 | 2.39 | 3,168 | 2.26 |
| 7. pt-br | 5,819 | 3.04 | 4,386 | 2.34 | 4,014 | 2.25 | 3,148 | 2.07 | 2,073 | 1.48 |
| 8. ja | 5,277 | 2.76 | 5,729 | 3.06 | 6,444 | 3.61 | 7,562 | 4.98 | 6,387 | 4.55 |
| 9. nl-nl | 4,981 | 2.60 | 2,837 | 1.52 | 4,347 | 2.43 | 4,152 | 2.73 | 2,742 | 1.95 |
| 10. de | 4,925 | 2.57 | 3,619 | 1.93 | 4,065 | 2.27 | 4,562 | 3.00 | 5,577 | 3.97 |

1. en-us: American English; 2. es: Spanish; 3. fr: French; 4. es-es: Castilian Spanish; 5. en-gb: British English; 6. ru: Russian; 7. pt-br: Brazilian Portuguese; 8. ja: Japanese; 9. nl-nl: Dutch (Netherlands); 10. de: German

Website Overview: Where are the users going?



Number of sessions and users of the UPOV site since 2007



Summary of selected website features for the past five years (Pageviews)

| | 2015 | 2014 | 2013 | 2012 | 2011 |
|-----------------|--------|--------|--------|---------|---------------|
| GENIE | 67,175 | 72,018 | 84,306 | 85,149 | 59,735 |
| PLUTO | 80,283 | 74,226 | 70,739 | 255,108 | 30,226 |
| Test Guidelines | 64,425 | 67,900 | 68,479 | 65,471 | not available |
| UPOV LEX | 80,382 | 88,305 | 88,533 | 91,245 | 19,269 |

Devices used to consult the UPOV Website in 2015

| | |
|---------|---------------|
| Desktop | 175,755 (92%) |
| Mobile | 11,645 (6%) |
| Tablet | 4,134 (2%) |

2. PROVISION OF INFORMATION TO OTHER ORGANIZATIONS

Participation at meetings and/or activities with relevant organizations

Intergovernmental organizations:

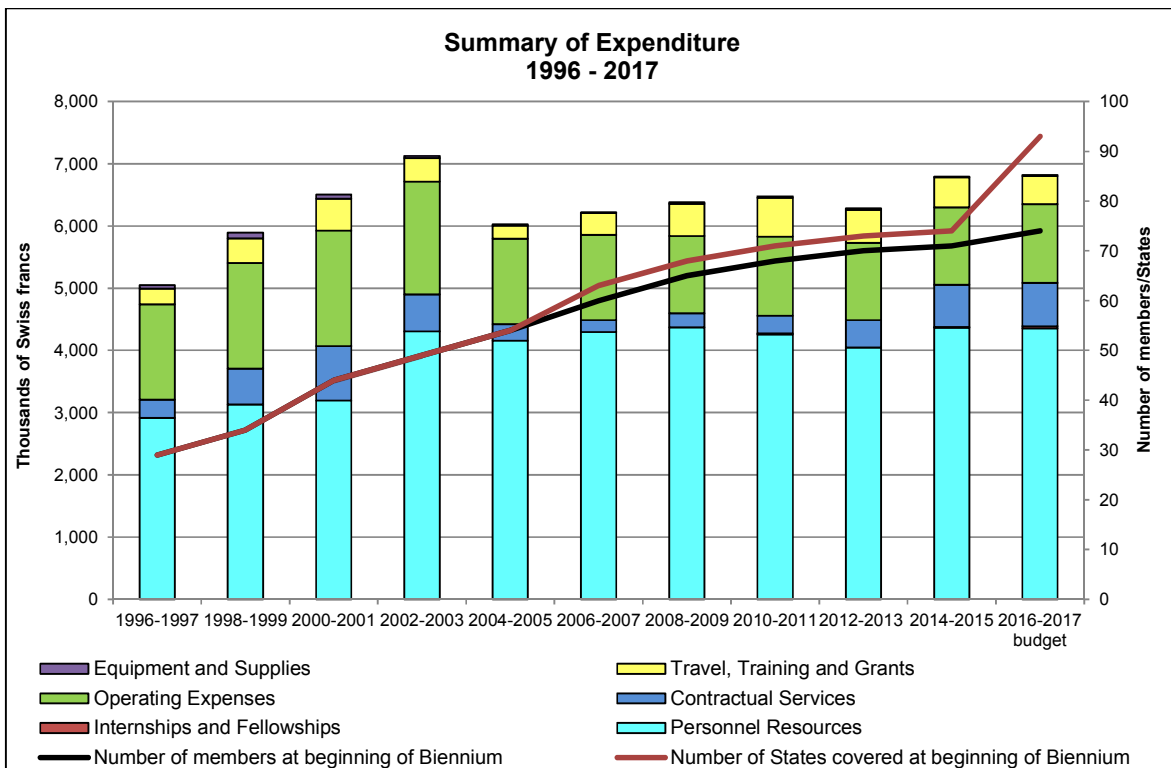
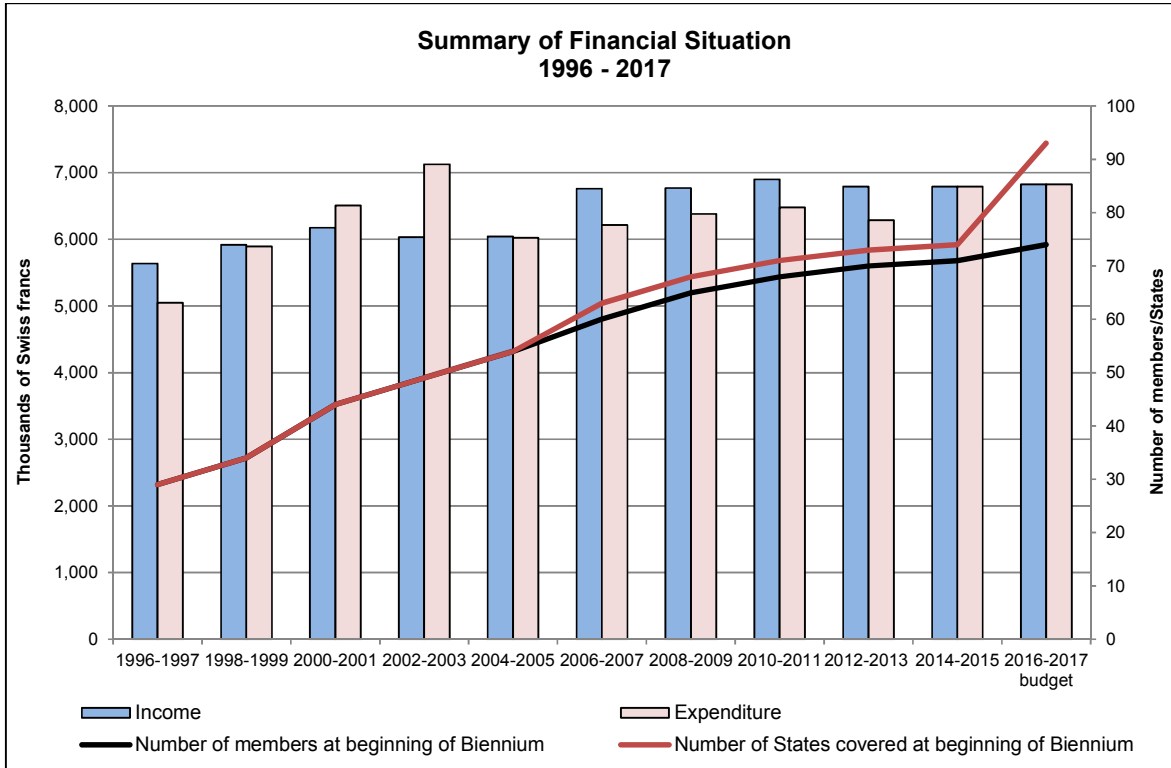
- ARIPO, CGIAR, European Union (CPVO), FAO, ISTA, ITPGRFA, OIF, OAPI, OECD, United Nations, WIPO, World Bank and WTO.

Other organizations:

- AFSTA, APSA, ASIPI, CIOPORA, ESA, ISF, SAA, WECARD and WFO.

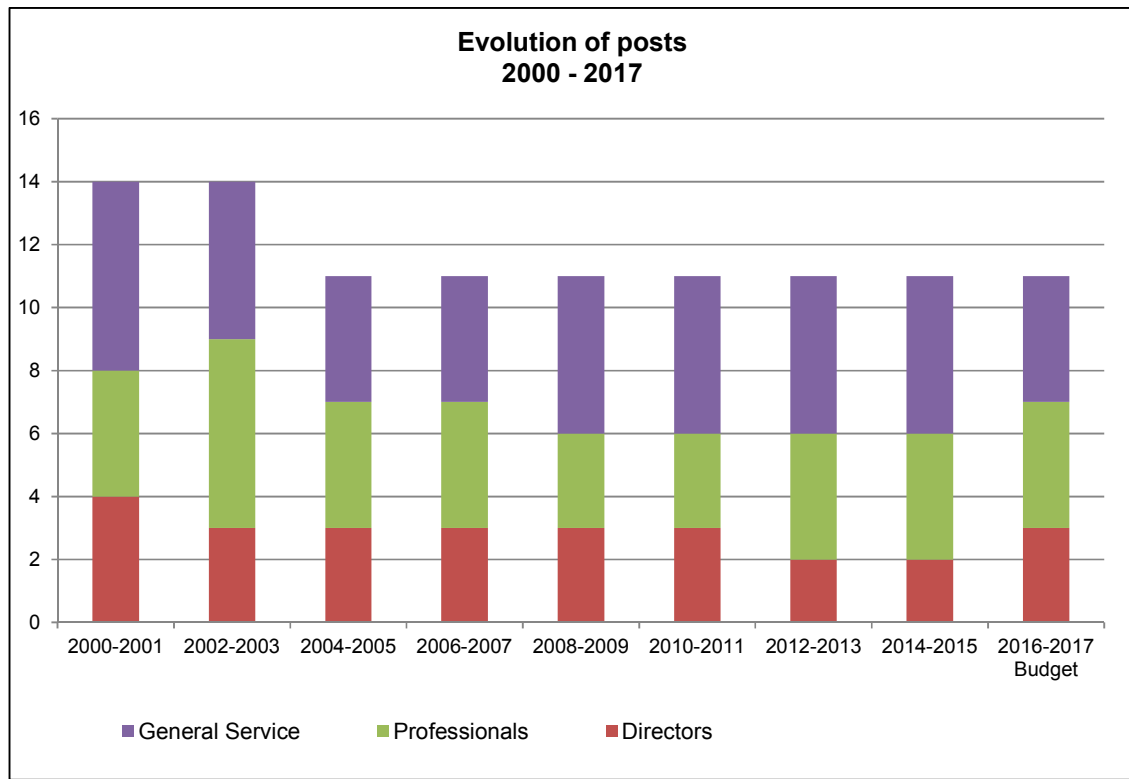
3. FINANCIAL PERFORMANCE

This section provides an overview of financial performance of the Office of the Union on a budgetary basis, using the “actual” figures as stated in the Program and Budget documents for relevant biennia (e.g. document C/49/4Rev. provides the actual figures on a budgetary basis for 2012-2013). Further detailed information and the number of posts are provided in documents C/50/4 “Financial Management Report for the 2014-2015 Biennium” and C/50/13 “Financial Statements for 2015”.



The following table and graph summarizes the evolution of posts of the Office of the Union.

| Post Category | 2000-2001 | 2002-2003 | 2004-2005 | 2006-2007 | 2008-2009 | 2010-2011 | 2012-2013 | 2014-2015 | 2016-2017 Budget |
|-----------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------------|
| Directors | 4 | 3 | 3 | 3 | 3 | 3 | 2 | 2 | 3 |
| Professionals | 4 | 6 | 4 | 4 | 3 | 3 | 4 | 4 | 4 |
| General Service | 6 | 5 | 4 | 4 | 5 | 5 | 5 | 5 | 4 |
| Total | 14 | 14 | 11 | 11 | 11 | 11 | 11 | 11 | 11 |



[Appendix follows]

APPENDIX

ACRONYMS AND ABBREVIATIONS

UPOV terms

| | |
|---------|---|
| BMT | Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular |
| CAJ | Administrative and Legal Committee |
| DL-205 | UPOV distance learning course "Introduction to the UPOV System of Plant Variety Protection under the UPOV Convention" |
| DL-305 | UPOV distance learning course "Examination of Applications for Plant Breeders' Rights" |
| DL-305A | UPOV distance learning course "Administration of Plant Breeders' Rights" (part A of DL-305) |
| DL-305B | UPOV distance learning course "DUS Examination" (part B of DL-305) |
| DUS | Distinctness, Uniformity and Stability |
| EDV | essentially derived variety |
| Office | Office of the Union |
| PBR | Plant Breeder's Right |
| TC | Technical Committee |
| TC-EDC | Enlarged Editorial Committee |
| TWA | Technical Working Party for Agricultural Crops |
| TWC | Technical Working Party on Automation and Computer Programs |
| TWF | Technical Working Party for Fruit Crops |
| TWO | Technical Working Party for Ornamental Plants and Forest Trees |
| TWP(s) | Technical Working Party(ies) |
| TWV | Technical Working Party for Vegetables |

Acronyms

| | |
|-------------|--|
| AATF | African Agricultural Technology Foundation |
| AECID | Spanish Agency for Cooperation and Economic Development |
| AFSTA | African Seed Trade Association |
| AGEPI | State Agency on Intellectual Property of the Republic of Moldova |
| AGRA | Alliance for Green Revolution in Africa |
| APSA | Asia and Pacific Seed Association |
| ARIPO | African Regional Intellectual Property Organization |
| ASIPI | Inter-American Association of Intellectual Property |
| ASTA | American Seed Trade Association |
| CBD | Convention on Biological Diversity |
| CGIAR | Consultative Group on International Agricultural Research |
| CGRFA | Commission on Genetic Resources for Food and Agriculture |
| CIOPORA | International Community of Breeders of Asexually Reproduced Ornamental and Fruit Varieties |
| CPVO | Community Plant Variety Office of the European Union |
| EAPVP Forum | East Asia Plant Variety Protection Forum |
| ESA | European Seed Association |
| FAO | Food and Agriculture Organization of the United Nations |
| GIZ | <i>Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH</i> (German Agency for International Cooperation) |
| ICARDA | International Center for Agricultural Research in the Dry Areas |
| ICBA | International Center for Biosaline Agriculture |
| ICNP | Open-ended Ad Hoc Intergovernmental Committee for the Nagoya Protocol on Access and Benefit-sharing |
| IEPI | <i>Instituto Ecuatoriano de la Propiedad Intelectual</i> (Ecuadorian Institute of Intellectual Property) |
| ILO | International Labour Organization |
| ISF | International Seed Federation |
| ISTA | International Seed Testing Association |

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| ITPGRFA | International Treaty on Plant Genetic Resources for Food and Agriculture |
| JICA | Japan International Cooperation Agency |
| KOICA | Korea International Cooperation Agency |
| KSVS | Korea Seed and Variety Service |
| OAPI | African Intellectual Property Organization |
| OIF | Organisation internationale de la francophonie |
| OECD | Organisation for Economic Co-Operation and Development |
| OEVV | Spanish Plant Variety Office |
| QUT | Queensland University of Technology |
| SAA | Seed Association of the Americas |
| TAIEX | Technical Assistance and Information Exchange Instrument (TAIEX) of the European Union |
| TRIPS | Trade Related Aspects of Intellectual Property Rights |
| UBIS | University of Business and International Studies |
| UN | United Nations |
| UNIGE | University of Geneva |
| USPTO | United States Patent and Trademark Office |
| WECARD | West and Central African Council for Agricultural Research and Development |
| WFO | World Farmers' Organization |
| WIPO | World Intellectual Property Organization |
| WIPO IGC | WIPO Intergovernmental Committee on Intellectual Property and Genetic Resources, Traditional Knowledge and Folklore |
| WTO | World Trade Organization |

^a Definitions used in Website statistics in this report:

- "Users" are individuals who have had at least one session within the selected date range.
- A "session" is the period of time a user is actively engaged with your website. "Sessions" are the total number of sessions within the given date range.
- "Unique Pageviews" are the number of visits during which the specified page was viewed at least once.
- "Pageviews" are the total number of times that a page was viewed. Repeated views of a single page by the same user during the same session are counted.

[End of appendix and of document]