

C/50/20

ORIGINAL: English **DATE:** March 24, 2017

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

COUNCIL

Fiftieth Ordinary Session Geneva, October 28, 2016

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 fiftieth ordinary session in Geneva on October 28, 2016, chaired by Mr. Raimundo Lavignolle (Argentina), Vice-President of the Council.
- 2. The Council noted that Mr. Luis Salaices had retired from his post as Head of the Varieties Registry, General Sub-Department of Agricultural Production Facilities and Spanish Plant Variety Office (MPA and OEVV), Ministry of Agriculture, Food and the Environment (MAGRAMA), Spain. Mr. Luis Salaices was no longer a part of the Delegation of Spain and could not hold the position of President of the Council. Therefore, an item had been included in the agenda of the fiftieth ordinary session of the Council, for the election of a new President and a new Vice-President of the UPOV Council. The Council further noted that, as provided in the Rules of Procedure of the Council, Mr. Raimundo Lavignolle, as the Vice-President of the Council, would preside over the Council.
- ^{*}3. The list of participants is reproduced in Annex I to this report.
- 4. The session was opened by the Vice-President who welcomed the participants.
- *5. The Council took the decisions recorded below under each relevant agenda item.
- ^{*}6. The Vice-President reported that Kenya, which had been a member of the Union since May 13, 1999, had deposited its instrument of accession to the 1991 Act of the UPOV Convention on April 11, 2016, and had become bound by the 1991 Act on May 11, 2016.
- 7. The Council noted the intervention made by the Delegation of Kenya, a copy of which is reproduced in Annex III to this report.

Adoption of the agenda

8. The Council adopted the revised draft agenda, as presented in document C/50/1 Rev.2.

An asterisk next to the paragraph number indicates that the text is reproduced from the Report on the Decisions (document C/50/19).

Report by the Vice-President on the work of the ninety-second session of the Consultative Committee; adoption of recommendations, if any, prepared by that Committee

- ^{*}9. The Council considered document C/50/7.
- *10. Based on the recommendations of the Consultative Committee, the Council:
- (a) agreed to retain the amount exceeding 15 percent of the total income for the 2014-2015 Biennium (i.e. 31,860 Swiss francs) in the Reserve Fund;
- (b) adopted the following FAQ concerning information on the situation in UPOV with regard to the use of molecular techniques for a wider audience ("FAQ on molecular techniques"), including the public in general:

"Is it possible to obtain protection of a variety on the basis of its DNA-profile?

"For a variety to be protected, it needs to be clearly distinguishable from all existing varieties on the basis of characteristics that are physically expressed, e.g. plant height, time of flowering, fruit color, disease resistance etc. The DNA-profile is not the basis for obtaining the protection of a variety, although this information may be used as supporting information.

"A more detailed explanation is provided in the FAQ 'Does UPOV allow molecular techniques (DNA profiles) in the examination of Distinctness, Uniformity and Stability ('DUS')?"

"See also:

"What are the requirements for protecting a new plant variety?"

- (c) agreed that the new UPOV logo be introduced on the UPOV website, in conjunction with the introduction of the stakeholder-focused features on the UPOV website and the launch of the UPOV YouTube Channel, on November 8, 2016; and
- (d) approved the launch of the Electronic Application Form (EAF) in January 2017 for rose, soya bean, lettuce, apple fruit varieties and potato, as set out in document C/50/17, paragraphs 40 to 47.
- 11. The Council received a presentation on the "Evaluation of the International Union for the Protection of New Varieties of Plants (UPOV)" (Evaluation Report), by Mr. Tuncay Efendioglu, Acting Director, WIPO Internal Oversight Division (IOD) and noted that the Evaluation Report would be published on the UPOV website. A copy of Mr. Efendioglu's PowerPoint presentation is reproduced, in English only, in Annex IV to this report.
- ^{*}12. The Council expressed its appreciation to the WIPO IOD for the Evaluation Report.
- ^{*}13. The Council noted the work of the Consultative Committee at its ninety-second session, as reported in document C/50/17.

Adoption of documents

*14. The Council considered documents C/50/15, TGP/7/5 Draft 1, TGP/8/3 Draft 1, TGP/0/9 Draft 1, UPOV/INF/16/6 Draft 1, UPOV/INF/22/3 Draft 1 and UPOV/INF-EXN/9 Draft 1.

TGP/7: Development of Test Guidelines (Revision)

*15. The Council adopted a revision of document TGP/7 "Development of Test Guidelines" (document TGP/7/5), on the basis of document TGP/7/5 Draft 1.

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

16. The Council adopted a revision of document TGP/8 "Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability" (document TGP/8/3), on the basis of document TGP/8/3 Draft 1.

C/50/20 page 3

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

^{*}17. The Council adopted a revision of document TGP/0 "List of TGP documents and latest issue dates" (document TGP/0/9), on the basis of document TGP/0/9 Draft 1.

UPOV/INF/16: Exchangeable Software (Revision)

*18. The Council adopted a revision of document UPOV/INF/16 "Exchangeable Software" (document UPOV/INF/16/6), on the basis of document UPOV/INF/16/6 Draft 1.

UPOV/INF/22: Software and Equipment Used by Members of the Union (Revision)

^{*}19. The Council adopted a revision of document UPOV/INF/22 "Software and Equipment Used by Members of the Union" (document UPOV/INF/22/3), on the basis of document UPOV/INF/22/3 Draft 1.

UPOV/INF-EXN: List of UPOV/INF-EXN Documents and Latest Issue Dates (Revision)

*20. The Council adopted a revision of document UPOV/INF-EXN/9 "List of INF-EXN Documents and Latest Issue Dates" (document UPOV/INF-EXN/9) on the basis of document UPOV/INF-EXN/9 Draft 2.

Financial statements for 2015

²21. The Council approved the Financial Statements for 2015, as presented in document C/50/13.

Report of the External Auditor

- ^{*}22. The Council noted the information contained in the Report of the External Auditor, as presented in document C/50/14, in conjunction with a presentation made by Mr. Didier Monnot, *Responsable de mandats, Contrôle fédéral des finances* (Switzerland).
- 23. The Council expressed its gratitude to the Government of Switzerland for acting as External Auditor.

Arrears in contributions as of September 30, 2016

- ^{*}24. The Council considered document C/50/11.
- ^{*}25. The Council noted the status of payment of contributions as of September 30, 2016, and noted that due to recent payments, Belarus and the United States of America had no arrears.
- ^{*}26. The Council noted that the payment of the contributions of Brazil and Poland would be made in the near future.

Financial Management Report for the 2014-2015 Biennium

^{*}27. The Council approved the Financial Management Report for the 2014-2015 Biennium, as presented in document C/50/14.

Annual report of the Secretary-General for 2015; Performance report for the 2014-2015 Biennium; Report on activities during the first nine months of 2016

- *28. The Council considered documents C/50/2, C/50/12 and C/50/3.
- ^{*}29. The Council noted the report of the Secretary-General on the activities of the Union in 2015 and the results and performance indicators for 2015, as provided in document C/50/2.
- ^{*}30. The Council noted the performance report for the 2014-2015 Biennium, as provided in document C/50/12.

*31. The Council noted the report on activities during the first nine months of 2016, as provided in document C/50/3.

Progress report of the work of the Administrative and Legal Committee

- 32. The Council considered document C/50/9 and received an oral report by the Chair of the CAJ on the work of the seventy-third session of the CAJ (see document CAJ/73/10 "Report on the Conclusions").
- 33. The Council approved the work program for the seventy-fourth session of the CAJ, as provided in document CAJ/73/10, paragraph 59.

<u>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</u>

- ^{*}34. The Council noted the work of the Technical Committee (TC) and of the Technical Working Parties (TWPs) and the Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in Particular (BMT), as provided in document C/50/10.
- *35. The Council approved the work of the TC and the work programs of the TWPs and BMT reported to the TC, as provided in document C/50/10.

Calendar of meetings in 2017

- ^{*}36. The Council considered document C/50/8 and the recommendation made by the Consultative Committee at its ninety-second session, as reported in document C/50/17.
- *37. The Council approved the calendar of meetings in 2017, as set out in document C/50/8, with the following changes:

Council

C(Extr.)/34 April 7 6 (afternoon) (extraordinary session)

C/51 October 26

Consultative Committee

CC/93 April 7 <u>6</u> (morning)

(Working Group on a Possible International System of Cooperation (WG-ISC/2):

April 5 (afternoon))

CC/94 October 25

Administrative and Legal Committee

CAJ/74 April 6

CAJ/7574 October 23 and 24

(Working Group on Variety Denominations (WG-DEN/3): April 7 (morning))

(Meeting on the Development of a Prototype Electronic Form (EAF/9): April 7 (afternoon))

Technical Committee

TC/53 April 3 to 5 (morning)

(Editorial Committee: (January 11 and 12), April 3 (evening), April 4 (evening))

Election of new Chairpersons

- ^{*}38. The Council elected, in each case for a term of three years ending with the fifty-third ordinary session of the Council, in 2019:
 - (a) Mr. Raimundo Lavignolle (Argentina), President of the Council;
 - (b) Mr. Marien Valstar (Netherlands), Vice-President of the Council;
 - (c) Mr. Anthony Parker (Canada), Chair of the Administrative and Legal Committee;
 - (d) Mr. Patrick Ngwediagi (United Republic of Tanzania), Vice-Chair of the Administrative and Legal Committee;
 - (e) Mr. Kees van Ettekoven (Netherlands), Chair of the Technical Committee; and
 - (f) Mr. Nik Hulse (Australia), Vice-Chair of the Technical Committee.
- ^{*}39. The Council expressed its appreciation to the outgoing President of the Council, Mr. Luis Salaices (Spain), and to the outgoing Chairs, Mr. Martin Ekvad (European Union), Chair of the Administrative and Legal Committee, and Mr. Alejandro Barrientos-Priego (Mexico), Chair of the Technical Committee, for the work carried out during their terms.

Situation in the legislative, administrative and technical fields

Reports by representatives of members and observers

- ^{*}40. The Council noted the information provided in document C/50/16.
- ^{*}41. The Council noted that the African Regional Intellectual Property Organization (ARIPO) would provide a report that, with any other reports received after September 2, 2016, would be included in an addendum to document C/50/16.

List of the taxa protected by the members of the Union

- *42. The Council considered document C/50/6.
- 43. The Council noted that a total of 61 members of the Union now offered protection to all plant genera and species (59 in 2015), with 13 members of the Union offering protection to a limited number of plant genera and species. Of those 13, five members (Brazil, China, Morocco, South Africa and Turkey) had extended protection to additional plant genera and species in 2016.

Plant variety protection statistics for the period 2011-2015

- *44. The Council considered document C/50/7.
- 45. The Council noted that in 2015, there was a 3.2 percent decrease in the number of applications for plant variety protection (15,017 in 2015; 15,511 in 2014), resulting from a 2.9 percent increase in the number of applications by residents (10,061 in 2015; 9,778 in 2014) and a 13.6 percent decrease in the number of applications by non-residents (4,956 in 2015; 5,733 in 2014). The number of titles granted increased from 11,566 in 2014 to 12,409 in 2015 (7.3 percent increase).
- *46. The total of 107,232 titles in force in 2015 represented a 0.6 percent increase on figures for 2014 (106,575).

Cooperation in examination

- ^{*}47. The Council considered document C/50/5.
- 48. The Council noted that, in 2015, 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 2,031, compared to 2,002 in 2014.

Press release

- ^{*}49. The Council considered the draft press release contained in document C/50/18.
- *50. The Council approved the draft press release, as reproduced in Annex II to this report.

UPOV Medal

- 51. The Secretary-General of UPOV, Mr. Francis Gurry, awarded Mr. Luis Salaices (Spain) a UPOV Gold Medal in recognition of his outstanding contribution to the development of the Union over the last thirty years and as President of the Council of UPOV from November 2015 to September 2016.
 - 52. 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 French names 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

ARGENTINE / ARGENTINA / ARGENTINIEN / ARGENTINA

Raimundo LAVIGNOLLE, Presidente del Directorio, Instituto Nacional de Semillas (INASE), Ministerio de Economía, Buenos Aires

(e-mail: rlavignolle@inase.gov.ar)

Carmen Amelia M. GIANNI (Sra.), Coordinadora de Propiedad Intelectual / Recursos Fitogenéticos, Instituto Nacional de Semillas (INASE), Buenos Aires

(e-mail: cgianni@inase.gov.ar)

AUSTRALIE / AUSTRALIA / AUSTRALIEN / AUSTRALIA

Nik HULSE, Chief of Plant Breeders' Rights, Plant Breeder's Rights Office, IP Australia, Woden (e-mail: nik.hulse@ipaustralia.gov.au)

BÉLARUS / BELARUS / BELARÚS

Uladzimir BEINIA, Director, State Inspection for Testing and Protection of Plant Varieties, Minsk (e-mail: belsort@mail.ru)

Tatsiana SIAMASHKA (Ms.), Deputy Director of DUS Testing, State Inspection for Testing and Protection of Plant Varieties. Minsk

(e-mail: tatianasortr@mail.ru)

Maryna SALADUKHA (Ms.), Head, International Cooperation Department, State Inspection for Testing and Protection of Plant Varieties, Minsk

(e-mail: belsort@mail.ru)

BELGIQUE / BELGIUM / BELGIEN / BÉLGICA

Björn COENE, Attaché, Office de la Propriété Intellectuelle, Direction générale de la Réglementation économique, Bruxelles

(e-mail: bjorn.coene@economie.fgov.be)

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

Luis Fernando ROSALES LOZADA, Primer Secretario, Misión Permanente, Ginebra (e-mail: fernando.rosales@bluewin.ch)

BRÉSIL / BRAZIL / BRASILIEN / BRASIL

Ricardo ZANATTA MACHADO, Fiscal Federal Agropecuário, Coordinador do SNPC, Serviço Nacional de Proteção de Cultivares (SNPC), Ministério da Agricultura, Pecuária e Abastecimento, Brasilia, D.F. (e-mail: ricardo.machado@agricultura.gov.br)

Adriana SOUZA DE SIQUEIRA (Ms.), Permanent Mission to the United Nations Office, Geneva

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

Natalia SOTOMAYOR CABRERA (Ms.), Legal Advisor, Oficina de Estudios y Politicas Agrarias (ODEPA), Santiago de Chile

(e-mail: nsotomayor@odepa.gob.cl)

C/50/20 Annexe I / Annex I / Anlage I / Anexo I page 2 / Seite 2 / página 2

CHINE / CHINA / CHINA / CHINA

Wenjun CHEN, Project Officer, State Intellectual Property Office, Beijing

(e-mail: chenwenjun@sipo.gov.cn)

Faji HUANG, Officer, Office for the Protection of New Plant Varieties, State Forestry Administration, Beijing (e-mail: huangfaji@sina.com)

Yang YANG (Ms.), Plant Variety Protection Examiner, Division of New Plant Variety Protection, Development Center for Science and Technology, Ministry of Agriculture, Ministry of Agriculture, Beijing (e-mail: yangyang@agri.gov.cn)

Chuanhong ZHANG (Ms.), Associate Professor, Research Institute of Forestry, Chinese Academy of Forestry, Beijing

(e-mail: zhangchenator@163.com)

COLOMBIE / COLOMBIA / KOLUMBIEN / COLOMBIA

Ana Luisa DÍAZ JIMÉNEZ (Sra.), Directora Técnica de Semillas, Dirección Técnica de Semillas, Instituto Colombiano Agropecuario (ICA), Bogotá D.C.

(e-mail: ana.diaz@ica.gov.co)

Juan Camilo SARETZKI-FORERO, Consejero, Misión Permanente de Colombia, Ginebra (e-mail: juan.saretzki@misioncolombia.ch)

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

Kristine Bech KLINDT (Ms.), Special Consultant, Ministry of Environment and Food of Denmark, The Danish AgriFish Agency, Copenhagen (e-mail: krba@naturerhverv.dk)

ÉQUATEUR / ECUADOR / ECUADOR / ECUADOR

Ñusta MALDONADO (Sra.), Tercera Secretaria, Misión Permanente ante la Organización Mundial del Comercio (OMC), Ginebra

(e-mail: nmaldonado@cancilleria.gob.ec)

ESPAGNE / SPAIN / SPANIEN / ESPAÑA

Esther ESTEBAN RODRIGO (Sra.), Subdirectora 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: eesteban@magrama.es)

ESTONIE / ESTONIA / ESTLAND / ESTONIA

Laima PUUR (Ms.), Head, Variety Department, Estonian Agricultural Board, Viljandi (e-mail: laima.puur@pma.agri.ee)

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

Kristiina DIGRYTE (Ms.), Adviser, Plant Health Department, Tallinn

(e-mail: kristiina.digryte@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 International Affairs, United States Patent and Trademark Office (USPTO), Department of Commerce, Alexandria (e-mail: kitisri.sukhapinda@uspto.gov)

Christian HANNON, Patent Attorney, United States Patent and Trademark Office (USPTO), Alexandria (e-mail: christian.hannon@uspto.gov)

C/50/20 Annexe I / Annex I / Anlage I / Anexo I page 3 / Seite 3 / página 3

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)

Yasmine Nicole FULENA (Ms.), Intellectual Property Assistant, Permanent Mission, Geneva

(e-mail: fulenayn@state.gov)

<u>FÉDÉRATION DE RUSSIE / RUSSIAN FEDERATION / RUSSISCHE FÖDERATION / FEDERACIÓN DE RUSIA</u>

Ismail MERZHOEV, Deputy Chairman, State Commission of the Russian Federation for Selection Achievements Test and Protection, Moscow

(e-mail: gossort@gossort.com)

Yury A. ROGOVSKIY, Head, Methodology and International Cooperation Department, Candidate of Agricultural Sciences, State Commission of the Russian Federation for Selection Achievements Test and Protection, Moscow

(e-mail: yrogovskij@yandex.ru)

Nataliya NOVOSELOVA (Ms.), Deputy Head, Methodology and International Cooperation Department, State Commission of the Russian Federation for Selection Achievements Test and Protection, Moscow (e-mail: n.novoselova13@mail.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, Finnish Food and Safety Authority (EVIRA), Loimaa

(e-mail: tarja.hietaranta@evira.fi)

FRANCE / FRANCE / FRANKREICH / FRANCIA

Virginie BERTOUX (Ms.), Responsible / Head, Instance nationale des obtentions végétales (INOV), INOV-GEVES, Beaucouzé

(e-mail: virginie.bertoux@geves.fr)

Yvane MERESSE (Ms.), Responsable juridique / Legal Expert, Groupe d'Etude et de Contrôle des Variétés et des Semences (GEVES), Beaucouzé

(e-mail: yvane.meresse@geves.fr)

Francis GUÉNON, Conseiller diplomatique, Mission permanente de la France, Genève francis.guenon@diplomatie.gouv.fr

HONGRIE / HUNGARY / UNGARN / HUNGRÍA

Krisztina KOVÁCS (Ms.), Head, Industrial Property Law Section, Hungarian Intellectual Property Office (HIPO), Budapest

(e-mail: krisztina.kovacs@hipo.gov.hu)

Katalin MIKLÓ (Ms.), Deputy Head, Patent Department, Hungarian Intellectual Property Office (HIPO), Budapest

(e-mail: katalin.miklo@hipo.gov.hu)

<u>JAPON / JAPAN / JAPAN / JAPÓN</u>

Katsumi YAMAGUCHI, Director, Plant Variety Protection Office, Intellectual Property Division, Food Industry Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries (MAFF), Tokyo (e-mail: katsumi yamaguchi130@maff.go.jp)

Kenji NUMAGUCHI, Senior Examiner, Plant Variety Protection Office, Intellectual Property Division, Food Industry Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries (MAFF), Tokyo (e-mail: kenji_numaguchi760@maff.go.jp)

KENYA / KENYA / KENIA / KENYA

Simon Mucheru MAINA, Head, Seed Certification and Plant Variety Protection, Kenya Plant Health Inspectorate Service (KEPHIS), Nairobi (e-mail: smaina@kephis.org)

C/50/20 Annexe I / Annex I / Anlage I / Anexo I page 4 / Seite 4 / página 4

MAROC / MOROCCO / MAROKKO / MARRUECOS

Zoubida TAOUSSI (Ms.), Chargée de la protection des obtentions végétales, Office National de Sécurité de Produits Alimentaires, Rabat

(e-mail: ztaoussi67@gmail.com)

MEXIQUE / MEXICO / MEXIKO / MÉXICO

Maria del Pilar ESCOBAR BAUTISTA (Ms.), Counsellor, Misión Permanente de México ante la Oficina de las Naciones Unidas en Ginebra

(e-mail: pescobar@sre.gob.mx)

Federico SAAVEDRA, Assistant, Misión Permanente de México ante la Oficina de las Naciones Unidas en Ginebra

NORVÈGE / NORWAY / NORWEGEN / NORUEGA

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

Marianne SMITH (Ms.), Senior Advisor, Norwegian Ministry of Agriculture and Food, Oslo

(e-mail: marianne.smith@lmd.dep.no)

Martin GARFJELL, Legal Advisor, Norwegian Food Safety Authority, As

(e-mail: Martin.garfjell@mattilsynet.no) Elin Cecilie RANUM, Advisor, Oslo (e-mail: elin@utviklingsfondet.no)

NOUVELLE-ZÉLANDE / NEW ZEALAND / NEUSEELAND / NUEVA ZELANDIA

Christopher J. BARNABY, Assistant Commissioner / Principal Examiner for Plant Variety Rights, Plant Variety Rights Office, Intellectual Property Office of New Zealand, Ministry of Business, Innovation and Employment, Christchurch

(e-mail: Chris.Barnaby@pvr.govt.nz)

OMAN / OMAN / OMÁN

Hamoud Darwish AL-HASANI, Director General of Agriculture and Livestock Research, Ministry of Agriculture and Fisheries, Muscat (e-mail: research@omantel.net.om)

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 AYITE DOUMATEY (Mme), Directeur Général Adjoint, Organisation africaine de la propriété intellectuelle (OAPI), Yaoundé

(e-mail: ayijuliette@gmail.com)

Dosso MÉMASSI, Directeur, Département de la protection de la propriété industrielle, Organisation africaine de la propriété intellectuelle (OAPI), Yaoundé

(e-mail: dossomemassi59@gmail.com)

PARAGUAY / PARAGUAY / PARAGUAY / PARAGUAY

Dólia Melania GARCETE G. (Sra.), Directora, Dirección de Semillas (DISE), Servicio Nacional de Calidad y Sanidad Vegetal y de Semillas (SENAVE), Asunción

(e-mail: dolia.garcete@senave.gov.py)

Miryan Concepción CANDIA VERGARA (Sra.), Técnica, Departamento de Protección y Uso de Variedades, Dirección de Semillas (DISE), Servicio Nacional de Calidad y Sanidad Vegetal y de Semillas (SENAVE), San Lorenzo

(e-mail: miryan.candia@senave.gov.py)

PAYS-BAS / NETHERLANDS / NIEDERLANDE / PAÍSES BAJOS

Marien VALSTAR, Senior Policy Officer, Seeds and Plant Propagation Material, Ministry of Economic Affairs, DG AGRO, The Hague

(e-mail: m.valstar@minez.nl)

C/50/20 Annexe I / Annex I / Anlage I / Anexo I page 5 / Seite 5 / página 5

Kees Jan GROENEWOUD, Secretary, Dutch Board for Plant Variety (Raad voor Plantenrassen),

Naktuinbouw, Roelofarendsveen

(e-mail: c.j.a.groenewoud@naktuinbouw.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)

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

Jino YOO, Deputy Director, Senior Examiner, Korean Intellectual Property Office (KIPO), Daejeon Metropolitan City

(e-mail: jino0524@kipo.go.kr)

Eunhee SOH (Ms.), Deputy Director, Senior Examiner, Korea Seed and Variety Service (KSVS), Seobu

Office, Jeonllabuk-do

(e-mail: eunhee.soh@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@cstsp.md)

Ala GUSAN (Ms.), Head, Patents Division, Inventions and Plant Varieties Department, State Agency on Intellectual Property of the Republic of Moldova (AGEPI), Chisinau

(e-mail: ala.gusan@agepi.gov.md)

RÉPUBLIQUE TCHÈQUE / CZECH REPUBLIC / TSCHECHISCHE REPUBLIK / REPÚBLICA CHECA

Miroslava CZETMAYER EHRLICHOVÁ (Ms.), Plant Commodity Department, Ministry of Agriculture, Praha (e-mail: miroslava.czetmayer@mze.cz)

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

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

Patrick NGWEDIAGI, Registrar, Plant Breeders' Rights Office, Ministry of Agriculture, Food Security and Cooperatives, Dar es Salaam

(e-mail: ngwedi@yahoo.com)

ROUMANIE / ROMANIA / RUMÄNIEN / RUMANIA

Cristian Irinel MOCANU, Head of Legal Department, State Institute for Variety Testing and Registration, Bucharest

(e-mail: irinel_mocanu@istis.ro)

Aura Giorgiana MINDRUTA (Ms.), Expert, State Institute for Variety Testing and Registration (ISTIS), Bucarest

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

Andrew MITCHELL, Head of Varieties and Seeds, Department for Environment, Food and Rural Affairs (DEFRA), Cambridge

(e-mail: andrew.mitchell@defra.gsi.gov.uk)

SLOVAQUIE / SLOVAKIA / SLOWAKEI / ESLOVAQUIA

Bronislava BÁTOROVÁ (Ms.), 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)

L'uba GASPAROVÁ (Ms.), Senior Officer, Deputy of the National Coordinator for the Cooperation of the Slovak Republic with UPOV, Central Controlling and Testing Institute in Agriculture (UKSUP), Bratislava (e-mail: Luba.Gasparova@uksup.sk)

C/50/20 Annexe I / Annex I / Anlage I / Anexo I page 6 / Seite 6 / página 6

SUÈDE / SWEDEN / SCHWEDEN / SUECIA

John BĀCKNĀS, Permanent Mission to the United Nations Office, Geneva (e-mail: jonh.backnas@gov.se):

SUISSE / SWITZERLAND / SCHWEIZ / SUIZA

Manuela BRAND (Ms.), Plant Variety Rights Office, Plant Health and Varieties, Federal Office for Agriculture FOAG, Bern

(e-mail: manuela.brand@blw.admin.ch)

Eva TSCHARLAND (Frau), Juristin, Fachbereich Recht und Verfahren, Bundesamt für Landwirtschaft, Bern (e-mail: eva.tscharland@blw.admin.ch)

TUNISIE / TUNISIA / TUNESIEN / TÚNEZ

Fatma Chiha BELGAROUI (Mme), Ingénieur en chef, Sous-directeur des semences et plants, Direction Générale de la Protection et Contrôle de la Qualité des produits Agricoles, Ministère de l'Agriculture, des Ressources Hydrauliques et de la Pêche, Tunis (e-mail: fatmachiha@yahoo.fr)

(o mam raumaorima o yamoorin)

TURQUIE / TURKEY / TÜRKEI / TURQUÍA

Mehmet ŞAHİN, Director, Variety Registration and Seed Certification Centre, Ministry of Food, Agriculture and Livestock, Yenimahalle - Ankara

E-mail: mehmet_sahin@tarim.gov.tr

Mehmet ÇAKMAK, PBR Expert, Seed Department, General Directorate of Plant Production, Ministry of Food, Agriculture and Livestock, Ankara, Turkey

E-mail: mehmet.cakmak@tarim.gov.tr

Mehmet SIĞIRCI, Head, Seed Department, Ministry of Agriculture and Rural Affairs, Ankara, Turkey E-mail: mehmet.sigirci@tarim.gov.tr

UNION EUROPÉENNE / EUROPEAN UNION / EUROPÄISCHE UNION / UNIÓN EUROPEA

Bronislava BÁTOROVÁ (Ms.), 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)

Päivi MANNERKORPI (Ms.), Team Leader - Unit G1, Plant Health, Directorate General for Health and Food Safety (DG SANCO), European Commission, Brussels

(e-mail: paivi.mannerkorpi@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

KAZAKHSTAN / KAZAKHSTAN / KASACHSTAN / KAZAJSTÁN

Madina SMANKULOVA (Ms.), Second Secretary, Section on the WTO Issues, Permanent Mission to the United Nations Office, Geneva

(e-mail: m.smankulova@kazakhstan-geneva.ch)

SÉNÉGAL / SENEGAL / SENEGAL / SENEGAL

Youssoupha NDIAYE, First Secretary, Permanent Mission of Senegal, Geneva E-mail: youssoumae@hotmail.com

THAÏLANDE / THAILAND / THAILAND / TAILANDIA

Pornthep SRITANATORN, Minister Counsellor, Permanent Mission of Thailand to the World Trade Organization (WTO), Cointrin (e-mail: pornthep@thaiwto.com)

C/50/20 Annexe I / Annex I / Anlage I / Anexo I page 7 / Seite 7 / página 7

III. ORGANISATIONS / ORGANIZATIONS / ORGANISATIONEN / ORGANIZACIONES

ORGANISATION RÉGIONALE AFRICAINE DE LA PROPRIÉTÉ INTELLECTUELLE (ARIPO) / AFRICAN REGIONAL INTELLECTUAL PROPERTY ORGANIZATION (ARIPO) / AFRIKANISCHE REGIONALORGANISATION ZUM SCHUTZ GEISTIGEN EIGENTUMS (ARIPO) / ORGANIZACIÓN REGIONAL AFRICANA DE LA PROPIEDAD INTELECTUAL (ARIPO)

Emmanuel SACKEY, Industrial Property Development Executive, African Regional Intellectual Property Organization (ARIPO), Harare, Zimbabwe

(e-mail: esackey@aripo.org)

Pierre Claver RUNIGA, Head, Policy, Legal and International Cooperation, African Regional Intellectual Property Organization (ARIPO), Harare, Zimbabwe

(e-mail: pruniga@aripo.org)

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

Sangeeta SHASHIKANT (Ms.), President, Association for Plant Breeding for the Benefit of Society (APBREBES), Bonn, Germany

(e-mail: ssangeeta@myjaring.net)

Susanne GURA (Ms.), APBREBES Coordinator, Association for Plant Breeding for the Benefit of Society (APBREBES), Bonn, Germany

(e-mail: contact@apbrebes.org)

CROPLIFE INTERNATIONAL

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

INTERNATIONAL SEED FEDERATION (ISF)

Hélène GUILLOT (Mme), International Agricultural Manager, International Seed Federation (ISF), Nyon, Switzerland

(e-mail: h.guillot@worldseed.org)

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

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

Janice COOK ROBBINS (Ms.), Director, Finance Division, Department of Program Planning and Finance Tuncay EFENDIOGLU, Acting Director, Internal Oversight Division

Nelly DOLIDZE (Ms.), Evaluation Officer, Internal Oversight Division

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. AUTRES / OTHERS / ANDERE / OTROS

Luis SALAICES

VII. BUREAU / OFFICER / VORSITZ / OFICINA

Raimundo LAVIGNOLLE, Vice-President

C/50/20 Annexe I / Annex I / Anlage I / Anexo I page 8 / Seite 8 / página 8

VIII. 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 (Ms.), 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)
Hend MADHOUR (Ms.), Data Modeler
Ariane BESSE (Ms.), Administrative Assistant

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

ANNEX II

UPOV Press Release 106

Geneva, October 28, 2016

UPOV Council Holds its Fiftieth Ordinary Session

The Council of the International Union for the Protection of New Varieties of Plants (UPOV) held its fiftieth ordinary session on October 28, 2016.

Round-up of key developments:

UPOV Logo and Website

The Council approved the following new UPOV logo and agreed that it should be introduced on the UPOV website in conjunction with the introduction of the new stakeholder features for: Breeders; Farmers; Policy-makers; and the General Public and with the introduction of the UPOV YouTube channel.



The updated website will be launched on November 8, 2016 (see http://www.upov.int/portal/index.html.en).

UPOV Electronic Application Form

The Council approved the launch of the UPOV Electronic Application Form (EAF) in January 2017 for rose, soya bean, lettuce, apple fruit varieties and potato.

The EAF will enable breeders to submit data to participating UPOV members via an online form. The main benefits of the EAF are to:

- provide an online system for UPOV members that to not have their own online application system;
- allow applicants to read all questions in any of the languages of participating members;
- enable applicants to reuse existing application data for subsequent applications;
- facilitate exchange of data in a standard format (PVP-XML).

Events

On October 24, 2016, UPOV organized a "Seminar on Propagating and Harvested Material in the Context of the UPOV Convention". The Seminar was attended by 151 participants (see http://www.upov.int/meetings/en/details.jsp?meeting_id=39124).

On October 26, 2016, UPOV and the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) jointly organized a "Symposium on Possible Interrelations between the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) and the International Convention for the Protection of New Varieties of Plants (UPOV Convention)" (see http://www.upov.int/meetings/en/details.jsp?meeting_id=40584).

The Symposium was opened by Mr. Francis Gurry, Secretary-General, UPOV and Mr. Kent Nnadozie, Secretary *ad interim* of the ITPGRFA.

C/50/20 Annex II, page 2

In their closing remarks, the Co-Moderators: Mr. Muhamad Sabran, Chairperson of the Seventh Session of the Governing Body, ITPGRFA and Mr. Raimundo Lavignolle, Vice-President of the Council of UPOV concluded that:

- We have seen the objectives and benefits of both treaties: UPOV Convention, ITPGRFA;
- It is important to interpret and implement the two treaties in a mutually supportive way in the context
 of each Contracting Party;
- In order to succeed in these objectives, it is important for the two organizations to work together and to provide the necessary support;
- The Symposium highlights the need to involve all stakeholders in this process.

The Symposium was attended by 147 participants.

Plant Variety Protection Statistics

A total of 61 members of the Union now offer protection to all plant genera and species (59 in 2015), with 13 members of the Union offering protection to a limited number of plant genera and species. Of those 13, five members (Brazil, China, Morocco, South Africa and Turkey) extended protection to additional plant genera and species in 2016.

The Council noted that, in 2015, there was a 3.2 percent decrease in the number of applications for plant variety protection (15,017 in 2015; 15,511 in 2014), resulting from a 2.9 percent increase in the number of applications by residents (10,061 in 2015; 9,778 in 2014) and a 13.6 percent decrease in the number of applications by non-residents (4,956 in 2015; 5,733 in 2014). The number of titles granted increased from 11,566 in 2014 to 12,409 in 2015 (7.3 percent increase).

The total of 107,232 titles in force in 2015 represented a 0.6 percent increase on figures for 2014 (106,575).

Cooperation in the Examination of New Plant Varieties

In 2015, 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 2,031, compared to 2,002 in 2014.

Adoption of documents

The Council adopted revised versions of the following documents:

(a) TGP documents:

TGP/7 Development of Test Guidelines (Revision)

TGP/8 Trial Design and Techniques Used in the Examination of Distinctness, Uniformity

and Stability (Revision)

(b) Information documents:

UPOV/INF/16 Exchangeable Software

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

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

Election of President and Vice-President of the UPOV Council

The Council elected, in each case for a term of three years ending with the fifty-third ordinary session of the Council, in 2019:

- (a) Mr. Raimundo Lavignolle (Argentina), President of the Council
- (b) Mr. Marien Valstar (Netherlands), Vice-President of the Council

C/50/20 Annex II, page 3

Election of Chair and Vice-Chair of the Administrative and Legal Committee

The Council elected, in each case for a term of three years ending with the fifty-third ordinary session of the Council, in 2019:

- (a) Mr. Anthony Parker (Canada), Chair of the Administrative and Legal Committee
- (b) Mr. Patrick Ngwediagi (United Republic of Tanzania), Vice-Chair of the Administrative and Legal Committee

Election of Chair and Vice-Chair of the Technical Committee

The Council elected, in each case for a term of three years ending with the fifty-third ordinary session of the Council, in 2019:

- (a) Mr. Kees van Ettekoven (Netherlands), Chair of the Technical Committee
- (b) Mr. Nik Hulse (Australia), Vice-Chair of the Technical Committee

UPOV is an intergovernmental organization based in Geneva, with 74 members, covering 93 States.

The purpose of UPOV is to provide and promote an effective system of plant variety protection, with the aim of encouraging the development of new varieties of plants, for the benefit of society.

The members of UPOV are:

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

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

[Annex III follows]

C/50/20

ANNEX III

INTERVENTION MADE BY THE DELEGATION OF KENYA

Thank you Mr President for the floor.

Good morning everyone.

Allow me to convey Kenya's gratitude to both the UPOV Office and my fellow delegates here today. The process of amending the Seeds and Plant Varieties Act to incorporate provisions of the 1991 UPOV convention began early in the 2000s, with legislative changes that culminated in presidential assent in 2012. During this period, Kenya benefited immensely from assistance from the UPOV Secretariat and members of the Union in terms of training, sharing experiences and awareness creation. Kenyan PVP staff have participated in trainings organized by UPOV in collaboration with member countries such as Japan, Republic of Korea, United States of America, the Netherlands, Sweden, Australia, European Union, among others. In-country trainings and awareness creation for stakeholders have gone a long way in improving understanding of the Convention to examiners, breeders and other stakeholders. Much guidance and support was provided by the UPOV Secretariat throughout the process of preparing and depositing the instrument of accession.

The 1991 Convention provides for enhanced protection, thus creating incentives for breeders to develop new varieties. In the last four years, following incorporation of aspects of the 1991 Convention in the Kenyan law, there has been an increase in the diversity of crops applied for protection. In particular, applications for protection of potato were received for the first time.

Kenya looks forward to increased cooperation with UPOV members especially with regards to implementation of the 1991 Convention. There are many lessons to be learnt from members who have implemented the 1991 Convention earlier.

Once again, Mr President and fellow UPOV members, I thank you for the floor.

Delivered by:

Simon M. Maina

Head, Seed Certification and Plant Variety Protection

Kenya Plant Health Inspectorate Service (KEPHIS)

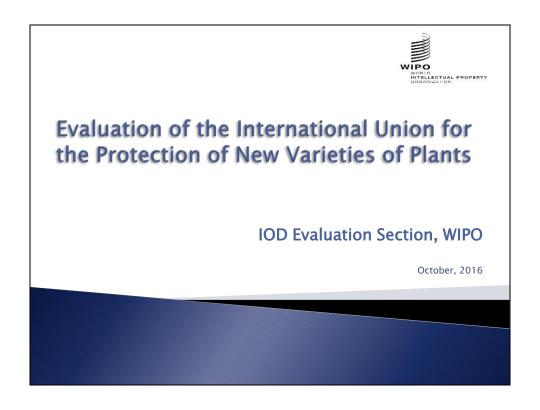
[Annex IV follows]

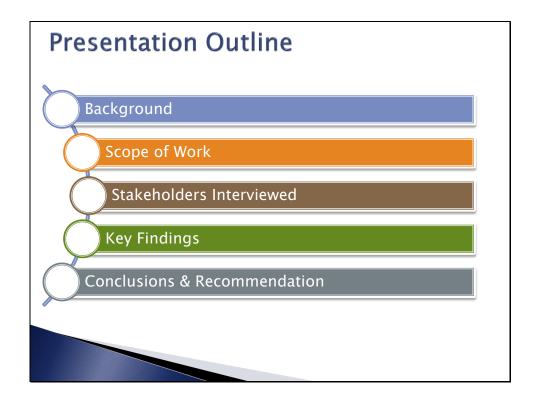
C/50/20

ANNEX IV / ANNEXE IV / ANLAGE IV / ANEXO IV

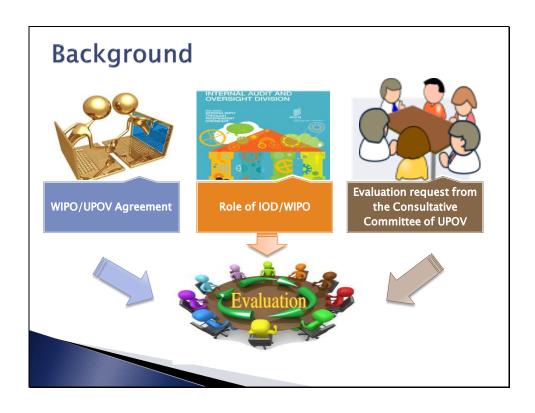
PRESENTATION BY WIPO INTERNAL OVERSIGHT DIVISION (IOD)

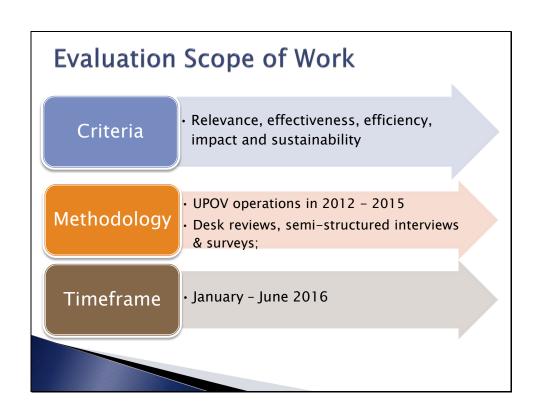
[In English only / En anglais seulement / Nur auf Englisch / En Inglés solamente]



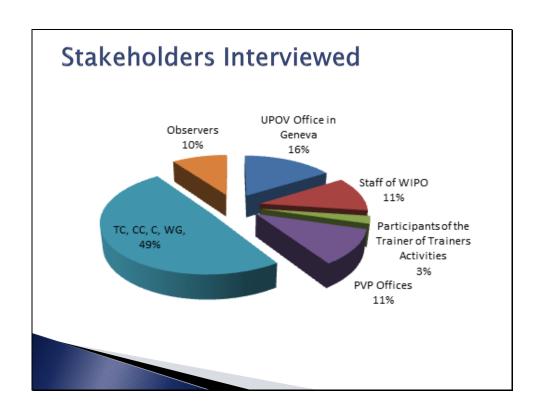


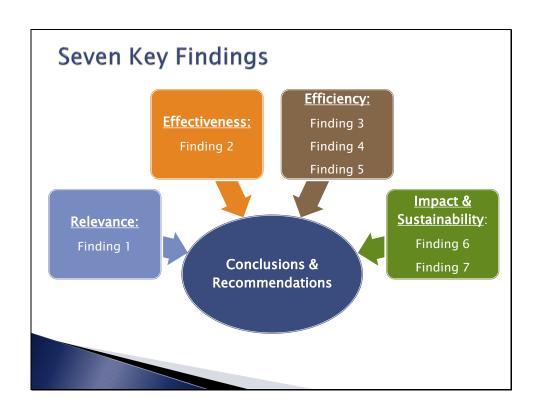
C/50/20 Annex IV / Annexe IV / Anlage IV / Anexo IV page 2 / Seite 2 / página 2



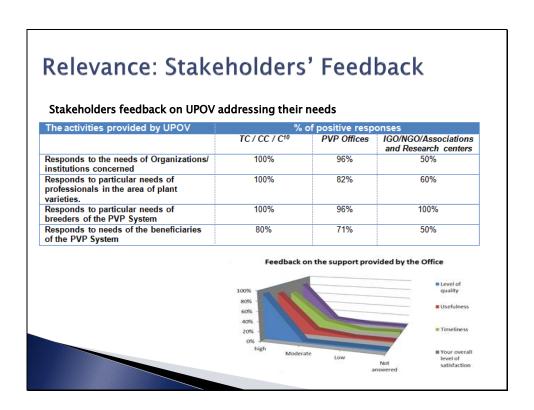


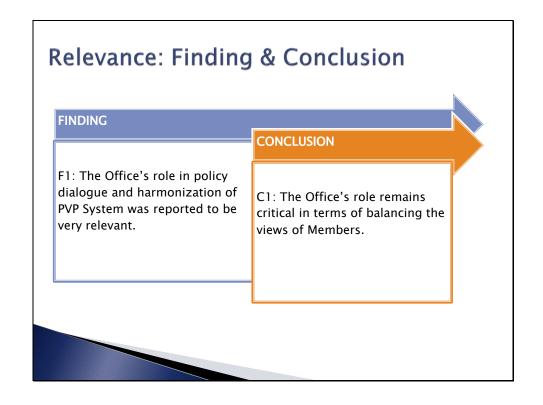
C/50/20 Annex IV / Annexe IV / Anlage IV / Anexo IV page 3 / Seite 3 / página 3



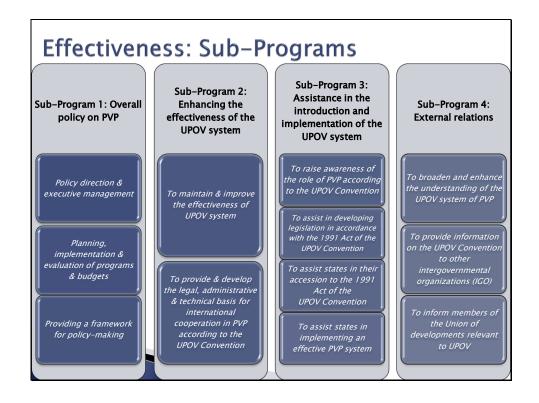


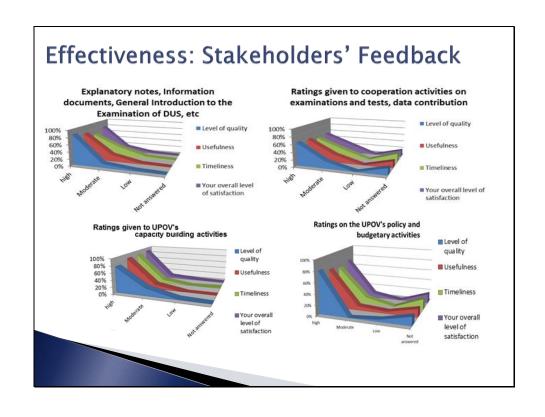
C/50/20 Annex IV / Annexe IV / Anlage IV / Anexo IV page 4 / Seite 4 / página 4



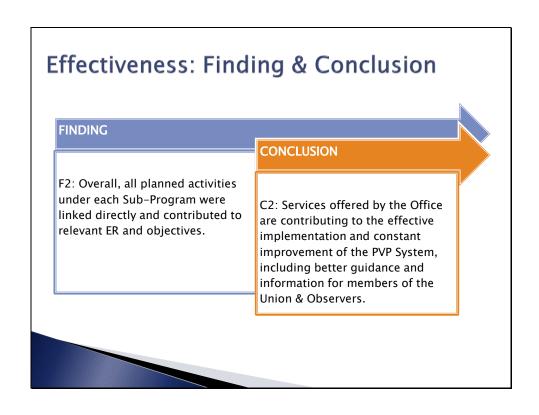


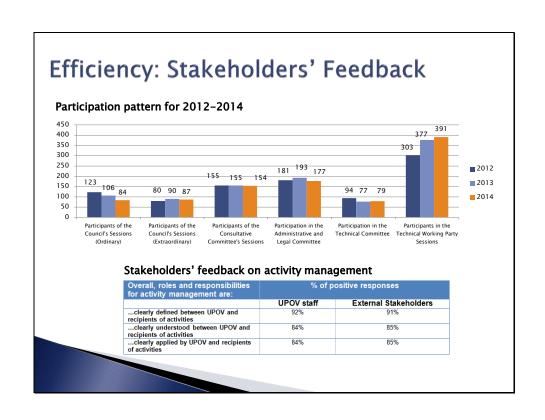
C/50/20 Annex IV / Annexe IV / Anlage IV / Anexo IV page 5 / Seite 5 / página 5





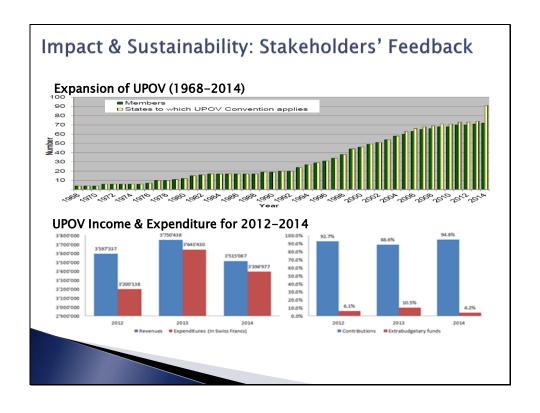
C/50/20 Annex IV / Annexe IV / Anlage IV / Anexo IV page 6 / Seite 6 / página 6



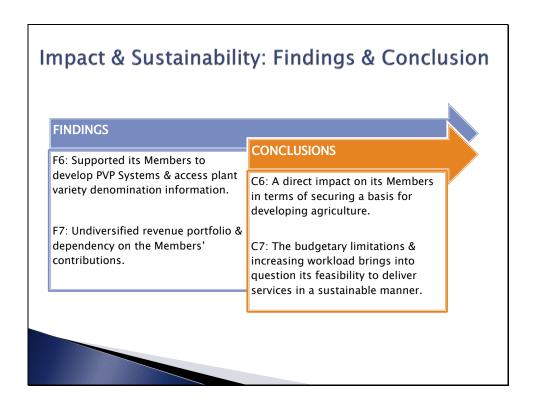


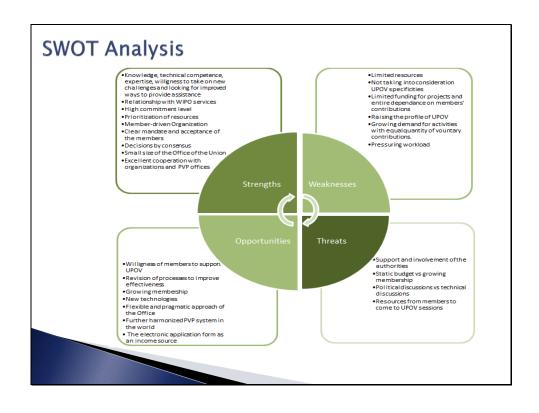
C/50/20 Annex IV / Annexe IV / Anlage IV / Anexo IV page 7 / Seite 7 / página 7

Efficiency: Findings & Conclusions FINDINGS CONCLUSIONS F3: A structured business model; services are delivered with high quality C3: Functional & complex governance and within a reasonable timeframe. structure of the Union. F4: A limiting factor for output. C4: The limited human resources could challenge the effectiveness & efficiency of the operations. F5: Assistance to Members and Nonmembers /Organizations, & long-C5: The effectiveness of the Union's standing partnerships created. existing partnership strategy has been proved.



C/50/20 Annex IV / Annexe IV / Anlage IV / Anexo IV page 8 / Seite 8 / página 8





C/50/20 Annex IV / Annexe IV / Anlage IV / Anexo IV page 9 / Seite 9 / página 9





[End of Annex IV and of document/ Fin de l'annexe IV et du document/ Ende der Anlage IV und des Dokuments/ Fin del Anexo IV y del documento]