

**Council**
**C/56/3**
**Fifty-Sixth Ordinary Session  
Geneva, October 28, 2022**
**Original:** English  
**Date:** July 15, 2022

**ADOPTION OF DOCUMENTS**
*Document prepared by the Office of the Union*
*Disclaimer: this document does not represent UPOV policies or guidance*

1. The purpose of this document is to provide information and invite adoption of the following documents:

Information documents

- |              |  |
|--------------|--|
| UPOV/INF/16  | Exchangeable Software (Revision) (document UPOV/INF/16/11 Draft 1)                                     |
| UPOV/INF/22  | Software and Equipment Used by Members of the Union (Revision)<br>(document UPOV/INF/22/9 Draft 1)     |
| UPOV/INF-EXN | List of UPOV/INF-EXN Documents and Latest Issue Dates (Revision)<br>(document UPOV/INF-EXN/16 Draft 1) |

Explanatory Notes

- |              |   |
|--------------|---|
| UPOV/EXN/DEN | Explanatory Notes on Variety Denominations under the UPOV Convention<br>(Revision) (document C/56/3, Annex I)   |
| UPOV/EXN/EDV | Explanatory Notes on Essentially Derived Varieties under the 1991 Act of<br>the UPOV Convention (Revision)<br>(documents C/56/9 and UPOV/EXN/EDV/3 Draft 3) |

TGP documents:

- |        |  |
|--------|--|
| TGP/5  | Experience and Cooperation in DUS Testing<br><br>Section 6: UPOV Report on Technical Examination and UPOV Variety Description<br>(Revision) (document TGP/5 Section 6/4 Draft 1) |
| TGP/8  | Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and<br>Stability (Revision) (document C/56/3, Annex II)  |
| TGP/12 | Guidance on Certain Physiological Characteristics (Revision) (document C/56/3,<br>Annex III)   |
| TGP/0  | List of TGP documents and latest issue dates (Revision) (document TGP/0/14 Draft 1)  |

2. The following abbreviations are used in this document:

CAJ:	Administrative and Legal Committee
TC:	Technical Committee

INFORMATION DOCUMENTS

UPOV/INF/16: Exchangeable Software (Revision) (document UPOV/INF/16/11 Draft 1)

3. The TC and the CAJ will be invited to agree the proposals to revise document UPOV/INF/16/10 “Exchangeable Software”, as presented in document UPOV/INF/16/11 Draft 1.

*4. The Council is invited to adopt a revision of document UPOV/INF/16/10 “Exchangeable Software”, on the basis of document UPOV/INF/16/11 Draft 1, subject to agreement by the TC and the CAJ.*

UPOV/INF/22: Software and Equipment Used by Members of the Union (Revision) (document UPOV/INF/22/9 Draft 1)

5. The TC and the CAJ will be invited to agree the proposals to revise document UPOV/INF/22/8 “Software and equipment used by members of the Union”, as presented in document UPOV/INF/22/9 Draft 1.

*6. The Council is invited to adopt a revision of document UPOV/INF/22/8 “Software and equipment used by members of the Union”, on the basis of document UPOV/INF/22/9 Draft 1, subject to agreement by the TC and the CAJ.*

UPOV/INF-EXN: List of UPOV/INF-EXN Documents and Latest Issue Dates (Revision) (document UPOV/INF-EXN/15 Draft 1)

7. In conjunction with the information documents that the Council will be invited to adopt in 2022, it is proposed to adopt a revision of document UPOV/INF-EXN/15 “List of UPOV/INF-EXN Documents and Latest Issue Dates” on the basis of document UPOV/INF-EXN/16 Draft 1.

*8. The Council is invited to adopt document UPOV/INF-EXN/16, on the basis of document UPOV/INF-EXN/16 Draft 1, subject to adoption of the documents concerned.*

EXPLANATORY NOTES

UPOV/EXN/DEN: Explanatory Notes on Variety Denominations under the UPOV Convention (Revision) (document C/56/3, Annex I)

9. The CAJ will be invited to agree the proposals to revise document UPOV/EXN/DEN/1 “Explanatory Notes on Variety Denominations under the UPOV Convention”, as presented in Annex I to this document.

*10. The Council is invited to adopt a revision of document UPOV/EXN/DEN/1 “Explanatory Notes on Variety Denominations under the UPOV Convention”, on the basis of the proposed amendments presented in Annex I to this document, subject to agreement by the CAJ.*

UPOV/EXN/EDV: Explanatory Notes on Essentially Derived Varieties under the 1991 Act of the UPOV Convention (Revision) (documents C/56/9 and UPOV/EXN/EDV/3 Draft 3)

11. Document C/56/9 “Explanatory Notes on Essentially Derived Varieties under the 1991 Act of the UPOV Convention” provides information to assist the Council in its consideration of the revision of document UPOV/EXN/EDV2 (UPOV/EXN/EDV/3 Draft 3).

12. *The Council is invited to note that document C/56/9 provides information to assist the Council in its consideration of the revision of document UPOV/EXN/EDV2 (UPOV/EXN/EDV/3 Draft 3).*

#### TGP DOCUMENTS

##### TGP/5: Experience and Cooperation in DUS Testing, Section 6: UPOV Report on Technical Examination and UPOV Variety Description (Revision) (document TGP/5: Section 6/4 Draft 1)

13. The TC and the CAJ will be invited to agree the proposals to revise document TGP/5 “Experience and Cooperation in DUS Testing”, Section 6 “UPOV Report on Technical Examination and UPOV Variety Description”, as presented in document TGP/5: Section 6/4 Draft 1.

14. *The Council is invited to adopt a revision of document TGP/5 “Experience and Cooperation in DUS Testing”, Section 6/3 “UPOV Report on Technical Examination and UPOV Variety Description”, on the basis of document TGP/5: Section 6/4 Draft 1, subject to agreement by the TC and the CAJ.*

##### TGP/8: Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability (Revision) (document C/56/3, Annex II)

15. The CAJ will be invited to agree the proposal of the TC to amend document TGP/8/4 “Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability”, as presented in Annex II to this document.

16. *The Council is invited to adopt a revision of document TGP/8/4 “Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability”, as presented in Annex II to this document, subject to the agreement of the CAJ.*

##### TGP/12: Guidance on Certain Physiological Characteristics (Revision) (document C/56/3, Annex III)

17. The CAJ will be invited to agree the proposal of the TC to amend document TGP/12/2 “Guidance on certain physiological characteristics”, as presented in Annex III to this document.

18. *The Council is invited to adopt a revision of document TGP/12/2 “Guidance on certain physiological characteristics”, as presented in Annex III to this document, subject to the agreement of the CAJ.*

##### TGP/0: List of TGP documents and latest issue dates (Revision) (document TGP/0/14 Draft 1)

19. In conjunction with the adoption of the revised TGP document by the Council in 2022, it is proposed to adopt a revision of document TGP/0 “List of TGP documents and latest issue dates” (document TGP/0/13) on the basis of document TGP/0/14 Draft 1.

20. *The Council is invited to adopt document TGP/0/14 Draft 1 “List of TGP documents and latest issue dates”, subject to adoption of the documents concerned.*

[Annexes follow]



Document UPOV/EXN/DEN: Explanatory Notes on Variety Denominations under the UPOV Convention (Revision)

*Revision of denomination Class 201*

The TC, at its fifty-seventh session, held via electronic means on October 25 and 26, 2021, considered a proposal to revise document UPOV/EXN/DEN/1, Annex I, Part II “Classes encompassing more than one genus” and agreed to propose the inclusion of genus “~~x~~ *Trititrigia*” in the variety denomination Class 201, as follows (see document TC/57/25 “Report”, paragraph 34):

LIST OF CLASSES (Part II)

*Classes encompassing more than one genus*

	Botanical names	UPOV codes
Class 201	<i>Secale, Triticale, Triticum, <del>x</del>Trititrigia</i>	SECAL; TRITL; TRITI; <u>TRIT</u>

[Annex II follows]



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

*Data processing for the production of variety descriptions for measured quantitative characteristics*

The TC, at its fifty-seventh session, held via electronic means on October 25 and 26, 2021, agreed to include guidance on "Different forms that variety descriptions could take and the relevance of scale levels" in document TGP/8 Part I Section 2 "Data to be recorded" as new Section 2.5, as follows (see document TC/57/25 "Report", paragraph 27):

**"DIFFERENT FORMS THAT VARIETY DESCRIPTIONS COULD TAKE  
AND THE RELEVANCE OF SCALE LEVELS**

"Variety descriptions can be based on different data depending on the purpose of the description. Different variety descriptions may be used for the assessment of distinctness or in the official document which forms the basis for granting protection. When variety descriptions are used for the assessment of distinctness it is important to take into account on which data the descriptions for different varieties are based. Special attention has to be given to the potential influence of years and locations.

"The different forms of variety descriptions and their relevance for the assessment of distinctness can be classified according to the different process levels to look at a characteristic. The process levels are defined in document TGP/8: Part I "DUS trial design and data analysis" Section 2 "Data to be recorded" as follows:

*Table 5: Definition of different process levels to consider characteristics*

Process level	Description of the process level
1	characteristics as expressed in trial
2	data for evaluation of characteristics
3	variety description

"The process levels relevant for the assessment of distinctness are level 2 and 3. Any comparison between varieties in the same trial (same year(s), same location) is carried out on the actual data recorded in the trial. This approach relates to process level 2. If varieties are not grown in the same trial, they have to be compared on the basis of variety descriptions which relates to process level 3. In general, the identification of similar varieties to be included in the growing trial ("Management of variety collection") relates to process level 3, whereas data evaluation within the growing trial relates to process level 2.

Process level	Measurements (QN)	Visual assessment (QN/QL/PQ)	Remark
2	Values	Notes	Basis for comparison within the same trial
3	<div style="text-align: center;">             Transformation into notes            Notes         </div>	<div style="text-align: center;">             Same Notes as in Process level 1            Notes    <b>"Mean variety description"</b> </div>	Notes resulting from one year and location  Basis for management of variety collection If varieties are assessed in several trials/years/locations mean descriptions can be established.

"In general, quantitative characteristics are influenced by the environment. An efficient way to reduce the environmental influence is the transformation of actual measurements into notes. The notes represent a standardized description of varieties in relation to example varieties (see TGP/7). In addition, the comparability of variety descriptions for varieties not tested in the same trial can be improved by calculating

a mean description over several growing cycles. In particular, the mean description over several growing cycles at the same location can provide a representative description related to the location. The calculation of a mean description over different locations should only be considered if the effects of the locations are very well known and variety x location interactions can be excluded for all characteristics. The calculation of mean descriptions over locations should be restricted to the cases where these conditions are fulfilled.

“If variety descriptions from different growing trials are used for the assessment of distinctness - that means for the management of variety collections - it is important to take into account the origin of the different variety descriptions of the candidate variety and the varieties of common knowledge. The comparability of variety descriptions is influenced by many factors, for example:

- Description based on a single year or a mean over several years?
- Description based on the same location or different locations?
- Are the effects of the different location known?
- Varieties described in relation to the same variety collection or a variety collection which might cover a different range of variation?

“The potential bias of variety descriptions due to environmental effects between candidate varieties and varieties in the variety collection have to be taken into account in the process of distinctness testing, and in particular, for the identification of varieties of common knowledge to be included in the growing trial.”

[Annex III follows]

Document TGP/12: Guidance on certain physiological characteristics (Revision)

The TC, at its fifty-seventh session, held via electronic means on October 25 and 26, 2021, agreed to amend document TGP/12/2, Section 2.3.2, to replace state of expression “moderately resistant” by “intermediate” in the example of disease resistance characteristic with ‘1-3’ scale, to read as follows (see document TC/57/25 “Report”, paragraphs 44 and 45):

Example with “1–3” scale: Resistance to *Sphaerotheca fuliginea* (*Podosphaera xanthii*) (Powdery mildew) in Melon (UPOV Test Guidelines: TG/104/5)

	English	Example Varieties	Note
<b>70. VG (+)</b>	<b>Resistance to <i>Sphaerotheca fuliginea</i> (<i>Podosphaera xanthii</i>) (Powdery mildew)</b>		
<b>70.1</b>	<b>Race 1</b>		
QN	susceptible	[...]	1
	<del>moderately intermediate</del> resistant <sup>1</sup>	[...]	2
	highly resistant	[...]	3

[End of Annex III and of document]

<sup>1</sup> The TWV, at its fifty-sixth session, held via electronic means from April 18 to 22, 2022, agreed that state “intermediate” in the example provided in document TWP/6/1, paragraph 28, should read “intermediate resistant” (see document TWV/56/22 “Report”, paragraph 20).