

Council**C/58/13 Add.****Fifty-Eighth Ordinary Session
Geneva, October 25, 2024****Original:** English/Spanish
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ADDENDUM**SITUATION IN THE LEGISLATIVE, ADMINISTRATIVE AND TECHNICAL FIELDS:
REPORTS BY REPRESENTATIVES OF MEMBERS AND OBSERVERS***Document prepared by the Office of the Union**Disclaimer: this document does not represent UPOV policies or guidance.*

The following reports were received after September 27, 2024 (in the alphabetical order of the names in French):

Members: Annexes I and II: Colombia and Japan

[Annexes follow]

(Original language: Spanish)

This translation has been generated using machine translation and the accuracy cannot be guaranteed. Therefore, the text in the original language is the only authentic version.

Period: October 2023 - September 2024

Situation in the legislative field

During the reporting period, there were no changes in the legislation on breeders' rights. Colombia continues to apply the legislation in force to protect the rights of breeders of plant varieties, based on Decision 345 of 1993, is a party to the UPOV Convention through the approval of the 1978 Act and, in practice, is applying the rules provided for in the 1991 Act, since it has a body of legislation that structures the system of breeders' rights under the same basic pillars and foundations as those of the 1991 UPOV Convention.

In Colombia, the breeder's right is applicable to varieties of all botanical genera and species provided that their cultivation, possession or use is not prohibited for reasons of human, animal or plant health.

Situation in the administrative and technical field

There have been no changes in the administrative structure or in the administrative procedures and systems of the Technical Seeds Directorate of the Colombian Agricultural Institute (ICA). Cooperation in technical examination continues to be maintained with several of the member countries of the Union. As shown in Figure 1, during the reporting period (October 2023 - September 2024), 134 requests from different countries were received, analyzed and processed. Especially the Netherlands (Kingdom of the), Germany, Canada, the United States of America and Colombia, among others.

The varieties requested were Rose, Chrysanthemum, Carnation, Alstroemeria and Gulupa species, among others. Distinction, uniformity and stability (DUS.) tests were carried out on 19 candidate varieties of different species, such as rice, industrial hemp, among others, and tests are in progress on coffee hemp in its second cycle and oil palm. Seventy-four breeder's certificates were issued (Figure 2).

The ICA also prepares and publishes the Gazette of Protected Plant Varieties, which contains detailed information on new developments in the protection of plant breeders' rights in Colombia; since 2024, this publication has been issued every six months, and during the period reported, Gazette No. 26 was issued, corresponding to the year 2023 and No. 27-I corresponding to the first semester 2024.

Likewise, in the administrative field, the ICA acted as the competent national authority in the field of plant breeders' rights and technical expert appointed for the identification of protected plant varieties in various legal proceedings where the infringement of plant breeders' rights is being discussed. As such, the ICA, in its capacity as expert and technical expert, carried out a judicial support activity in which it rendered various concepts and expert opinions on the infringement of plant breeders' rights.

Figure 1: Applications received by species
October 2023 - September 2024

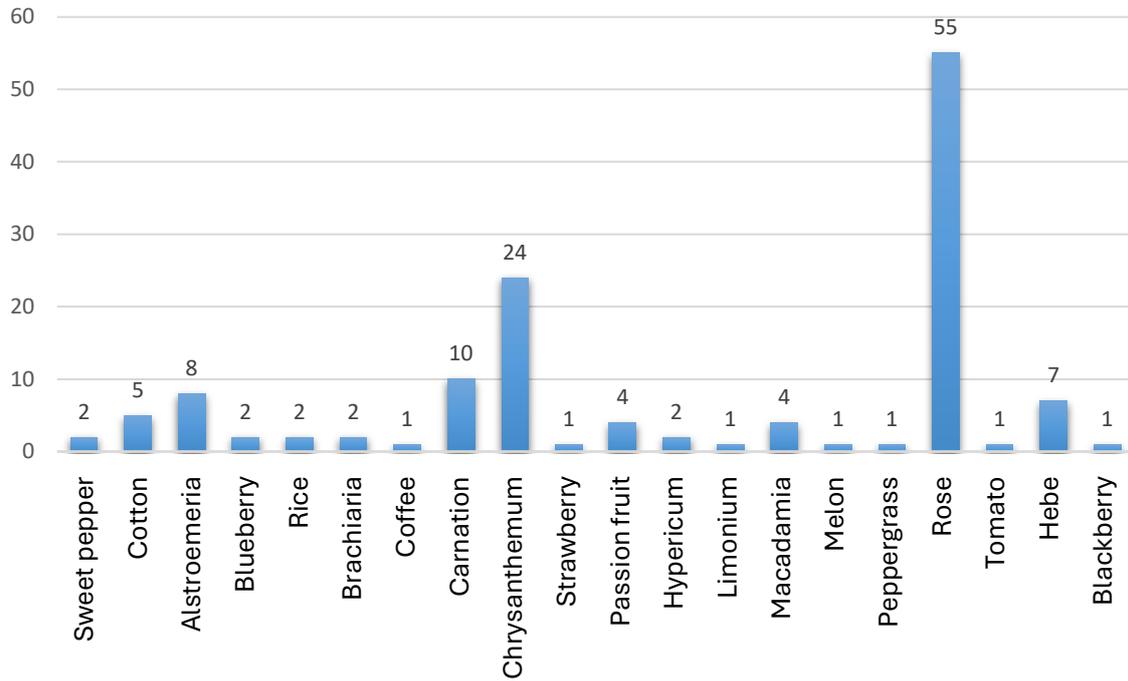
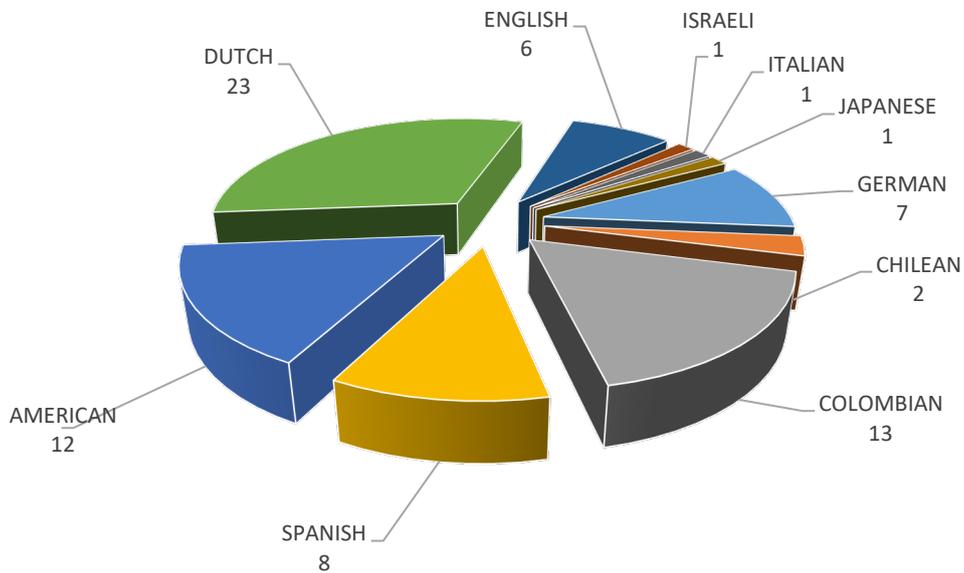


Figure 2: Plant Breeder's Certificates issued according to applicant's nationality
October 2023 - September 2024



[Annex II follows]

ANNEX II

JAPAN

PLANT VARIETY PROTECTION

1. Situation in the legislative field

Nothing to report.

2. Cooperation in examination

- Conclusion of new agreements (completed, in progress or planned)

The Ministry of Agriculture, Forestry and Fisheries (MAFF) of Japan and the Instituto Colombiano Agropecuario (the ICA) concluded a general agreement on cooperation of examinations in May 2023.

Japan and the United Kingdom are considering updating cooperation in DUS examination.

3. Situation in the administrative field

Nothing to report.

4. Situation in the technical field

MAFF operates a national electronic application system (Variety registration data Integrated Portal System (VIPS)) for an on-line tool to assist in making plant variety protection (PVP) applications to PVP Office since 2018 to improve convenience of applicants. Applicants can submit their application data and payment of fees for applications and registrations electronically through the online system. 2,031 applications were filed through VIPS until 31 March 2024. VIPS is under the system update to be linked to UPOV PRISMA.

TAIEX FPI Expert Mission on EU-Japan cooperation on plant breeder rights has taken place in Japan from 13-17 November 2023. Four experts visited MAFF and NCSS to discuss collaboration activities to enhance strengthening of the plant breeder rights system particularly focusing on the enforcement (specifically DNA-related technology in tools for identifying Plant Varieties) and royalties management system. The experts of EU-Japan agreed that the Netherlands Inspection Service for Horticulture (Naktuinbouw) and the Center for Seeds and Seedlings, NARO (NCSS) will have joint experimental pilot projects for DNA techniques for Strawberry, Tomato and Potato which are in progress.

The Naktuinbouw and NCSS had joint activity to develop Calibration Manual for DUS test. A manual for Verbena was established and has been published on the website. The manual for 11 genera or species is available on the website which can be used as supportive tool for DUS tests in other countries:

https://www.naro.go.jp/english/laboratory/ncss/dus_growing_test/index.html

5. Activities for the promotion of plant variety protection

Title of activity	Date	Location	Organizer(s)	Purpose of activity	Participating countries/ organizations (number of participants from each)	Comments
CWA event "Leveraging Plant Variety Rights and Innovative Plant Breeding to Enhance Competitiveness in the Agricultural Sector"	11 October 2023	Bahamas	CarIPI, CPVO, UPOV, CARDI	Raising awareness among CARIFORUM Agricultural stakeholders of the economic importance of developing robust plant variety protection systems in the region, inclusive of plant breeding		MAFF presented "Supporting plant breeding initiatives through technical assistance on plant variety protection"

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Title of activity	Date	Location	Organizer(s)	Purpose of activity	Participating countries/ organizations (number of participants from each)	Comments
Visit of Vice-Minister of MAFF to Thailand on promoting Plant Variety Protection	10 & 11 October 2023	Thailand	MOAC, MAFF	Promotion of Plant Variety Protection	Thailand, Japan	MAFF presented the benefits for Thailand to join the UPOV 1991
TAIEX FPI Expert Mission on EU-Japan cooperation on plant breeder rights	13-17 November 2023	Japan	CPVO, Naktuinbouw, Dutch Ministry of Agriculture, MAFF, NARO, NCSS	Cooperation in Plant Variety Protection matters, strengthening enforcement measures such as DNA tools.	Naktuinbouw, Dutch Ministry of Agriculture, CropXR, CPVO, MAFF, NCSS, NARO	Exchanged information and planned for further cooperation on the topic of DNA use
IP Key SEA - Seminar on Plant Variety Protection and UPOV 1991 (Indonesia)	4 December 2023	Indonesia	CPVO, EUIPO, Ministry of Agriculture of Indonesia, UPOV	Promotion of Plant Variety Protection	Indonesia, EU, Japan, Argentina, Thailand, Viet Nam, Kenya	MAFF and INASE jointly presented "synergies between plant breeding and conservation of genetic resources"
Workshop on Farm-Saved seeds under the 1991 Act of the UPOV Convention	26 February 2024	Online	MAFF	To develop a basic understanding of the 1991 Act of the UPOV Convention regarding "farm-saved seed" provisions (Article 15(2)) and to share the experiences to address challenges in introducing and implementing those provisions among the region	UPOV, ASEAN Plus Three Countries	Online Workshop on Farm-saved seeds under the 1991 Act of the UPOV Convention held Report of the Forum Activities The East Asia Plant Variety Protection Forum (eapvp.org)
Japanese Expert Visit to the Netherlands Spain, and CPVO	1-12 July 2024	Netherlands (Kingdom of the), Spain, France	CPVO, Naktuinbouw, Dutch Ministry of Agriculture, OEVV, GEVES, MAFF, NCSS	Cooperation in Plant Variety Protection matters, strengthening enforcement measures such as DNA tools.	Netherlands (Kingdom of), Spain, France	Exchanged information and further cooperated on the topic of DNA use
JICA Training Course 2024	From 23 July to 6 September 2024	Japan	JICA, JICE, MAFF, UPOV	To increase awareness on the PVP system under the UPOV convention	Mozambique, Thailand, Philippines, Cambodia, Madagascar	MAFF provided lectures on the PVP system in Japan under the UPOV convention, DUS examination, and electronic tools
IP Keys South East Asia "UPOV 1991: Promoting Sustainability and Economic Development"	19 August 2024	Thailand	EUIPO, CPVO, UPOV, Department of Agriculture of Thailand	Promotion of Plant Variety Protection	Thailand, Viet Nam, Japan, EU	MAFF presented a topic on "Climate Change and the Impacts of Plant Variety Protection" with refence to how UPOV system can be a continuous source for competitiveness under the stress of climate change
17th Annual Meeting of EAPVP Forum	27 August 2024	Cambodia	Ministry of Agriculture, Forestry and Fisheries (MAFF) of Cambodia	To promote individual and/or regional activities regarding Plant Variety Protection	ASEAN Plus Tree Countries, UPOV, CPVO, Naktuinbouw, USDA and MUSP	The East Asia Plant Variety Protection Forum Held its 17th Annual Meeting Report of the Forum Activities The East Asia Plant Variety Protection Forum (eapvp.org)

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Title of activity	Date	Location	Organizer(s)	Purpose of activity	Participating countries/ organizations (number of participants from each)	Comments
International Seminar	28 August 2024	Cambodia	Ministry of Agriculture, Forestry and Fisheries (MAFF) of Cambodia	To raise awareness about the role of plant variety protection in development of agriculture	ASEAN Plus Three Countries, MISTI, UPOV, CPVO, Naktuinbouw, USDA and MUSP, private seed company	International Seminar held in Phnom Penh, Kingdom of Cambodia Report of the Forum Activities The East Asia Plant Variety Protection Forum (eapvp.org)
JICA PVP Training Course "Introduction of Plant Variety Protection (PVP) System and Utilization of New Improved Varieties and High Quality Seeds"	30 August 2024	Japan	JICA, JICE, MAFF	Promotion of Plant Variety Protection	Mozambique, Thailand, Philippines, Cambodia, Madagascar, Japan	MAFF presented a topic on "Climate Change and the Impacts of Plant Variety Protection" with reference to how UPOV system can be a continuous source for competitiveness under the stress of climate change, and how it supports the development of a good seed system that delivers good seeds to farmers
Meeting on Cooperation between the Republic of Ecuador and Japan	5 September 2024	Online	SENADI, the Embassy of Ecuador, MAFF	Promotion of Plant Variety Protection	Ecuador, Japan	MAFF presented the impacts joining UPOV1991
Chinese experts visit to Japan	7-11 October 2024	Japan	MAFF	To deepen mutual understanding on PVP system and DUS examinations in both countries	Japan, China	MAFF hosted a visit by Chinese experts including information exchange sessions and site visits

[End of Annex II and of document]