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UPOV

C/XXI/ 12.

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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

COUNCIL

**Twenty-first Ordinary Session
Geneva, October 15 and 16, 1987**

REPORT ON THE DECISIONS OF THE COUNCIL

adopted by the CouncilOpening of the Session

1. The Council of the International Union for the Protection of New Varieties of Plants (UPOV) held its twenty-first ordinary session in Geneva on October 15 and 16, 1987.
2. The session was presided over by the President of the Council, Mr. S.D. Schlosser (United States of America).
3. The list of participants is given in annex I to this report.
4. A more detailed report will be prepared shortly after the session and will be adopted by correspondence.

Adoption of the Agenda

5. The Council adopted the agenda as appearing in document C/XXI/1 Rev. 2.

Present Situation, Problems Arising and Progress Achieved in the Legislative, Administrative and Technical Fields

6. The Council noted the declarations made under this agenda item.
7. The Council also noted the contents of documents C/XXI/5, 6, 7 and 8.

Report by the President on the Work of the Thirty-Fifth and Thirty-Sixth Sessions of the Consultative Committee

8. The Council noted the report on the work of the thirty-fifth session of the Consultative Committee as given in paragraph 3 of document C/XXI/2 Add. and also the oral report by the President on the work of the thirty-sixth session.

9. The Council decided as follows on the basis of the recommendations made by the Consultative Committee:

(i) There would be no symposium in 1988 in connection with the twenty-second ordinary session of the Council; workshops on variety examination would be held instead in various countries in 1988 and 1989; the possibility of holding a symposium in 1989 was reserved;

(ii) The UPOV Recommendations on Variety Denominations were adopted as appearing in document C/XXI/11, subject to some drafting amendments in the German version;

(iii) The preparatory work for the revision of the Convention would be done by the Administrative and Legal Committee, which could create subgroups to deal with special questions if necessary;

(iv) Mr. F. Gougé (France) was elected Vice-Chairman of the Administrative and Legal Committee for the remainder of the term of office of Mr. M. Simon (France), who has taken up other duties;

(v) There would not be an UPOV stand at the EXPOFLORE Exhibition to be held in 1988, but the question of whether to have an UPOV stand at the 1989 EXPOFLORE Exhibition would be reviewed in the light of the 1988 EXPOFLORE Exhibition;

(vi) The principle that non-member States should be invited to UPOV meetings open to them only if they show, at official level, interest in participation was confirmed; the Office of the Union would extend invitations in future to Council and Administrative and Legal Committee sessions if it considered the said condition to be met and report post facto to the Consultative Committee; invitations of organizations would continue to require a decision of the Consultative Committee;

(vii) There would be no common UPOV/WIPO meeting on biotechnology and intellectual property and no joint invitation to the forthcoming session of the WIPO Committee of Experts on Biotechnological Inventions and Industrial Property; a copy of the invitations to the said session issued by WIPO would be transmitted by the Office of the Union to the plant variety protection authorities of the member States to enable them to add plant variety protection experts to their national delegations.

Report by the Secretary-General on the Activities of the Union in 1986 and in the First Nine Months of 1987

10. The Council unanimously approved the report by the Secretary-General as contained in document C/XXI/2 and in its supplement (document C/XXI/2 Add.).

Progress of the Work of the Administrative and Legal Committee

11. The Council unanimously approved the report on the progress of the work of the Administrative and Legal Committee and of its Biotechnology Subgroup as contained in document C/XXI/9. It also noted the oral report given by Mr. F. Espenhain (Denmark), Chairman of the Administrative and Legal Committee.

12. It further noted with approval the plans for the future work of the Committee. It decided that the Committee should reconsider the question of the harmonization of national lists of protected taxa on the basis of document C/XXI/8 (statistics on the number of protected varieties) and consider establishing a subgroup comprising one delegate per member State in order to further progress in the matter. Council members were invited to take the necessary steps to facilitate the said work.

Progress of the Work of the Technical Committee and of the Technical Working Parties

13. The Council unanimously approved the report on the progress of the work of the Technical Committee and of the Technical Working Parties as contained in document C/XXI/10. It also noted the oral report given by the Office of the Union in the absence of Dr. J.K. Doodson (United Kingdom), Chairman of the Technical Committee.

14. It further noted with approval the plans for the future work of these organs.

Report by the President on the Third Meeting with International Organizations

15. The Council noted the oral report by the President on the proceedings of the third meeting with international organizations.

Examination and Approval of the Program and Budget of the Union for the 1988-89 Biennium

16. Discussions were based on document C/XXI/4.

17. The Council adopted the draft program and budget as presented, with equal contribution units for 1988 and 1989, subject to the decisions recorded in paragraph 9(i), (iii) and (v) above. The value of one unit would thus be 43,512 Swiss francs.

Calendar of Meetings in 1988

18. The Council adopted the calendar of meetings in 1988 as contained in document C/XXI/3 Rev. [Two further sessions were subsequently added to the calendar by the Consultative Committee following the resignation of the Vice Secretary-General. The calendar of meetings, as amended, is given in Annex II to this report.]

Election of New Chairmen

19. The Council unanimously elected the following officers for a term of office of three years, expiring at the end of the twenty-fourth ordinary session of the Council, in 1990:

(i) Mr. D.P. Feeley (Ireland) as Chairman of the Technical Working Party for Agricultural Crops;

(ii) Dr. F. Laidig (Federal Republic of Germany) as Chairman of the Technical Working Party on Automation and Computer Programs;

(iii) Mr. B. Bar-Tel (Israel) as Chairman of the Technical Working Party for Fruit Crops;

(iv) Mr. C.J. Barendrecht (Netherlands) as Chairman of the Technical Working Party for Ornamental Plants and Forest Trees;

(v) Mr. R. Brand (France) as Chairman of the Technical Working Party for Vegetables.

Resignation of the Vice Secretary-General

20. The President announced that, by a letter addressed to him, Dr. Walter Gfeller, Vice Secretary-General, had resigned as from the end of February 1988.

21. The President, in his own name and in the name of all members of the Council, thanked Dr. Gfeller for his services rendered to UPOV during his tenure as Vice Secretary-General and wished him much success in his future career.

22. The Secretary-General, also in the name of the staff of the Office of the Union, expressed appreciation for the services of Dr. Gfeller and understanding for the family reasons which prompted his resignation. The Secretary-General also expressed his hope that, in his future positions, Dr. Gfeller would maintain contact with UPOV in connection with which he acquired a very vast experience thanks not only to his tenure as Vice Secretary-General but also, before that tenure and for 10 years, as the representative of Switzerland on the Council of UPOV.

23. This report was unanimously adopted by the Council at its meeting of October 16, 1987.

[Annexes follow]

ANNEX I/ANNEXE I/ANLAGE I

LIST OF PARTICIPANTS/LISTE DES PARTICIPANTS/TEILNEHMERLISTE

I. MEMBER STATES/ETATS MEMBRES/VERBANDSSTAATEN

BELGIUM/BELGIQUE/BELGIEN

M. W.J.G. VAN ORMELINGEN, Ingénieur agronome, Ministère de l'agriculture, Manhattan Center, 21, avenue du Boulevard, 1210 Bruxelles

DENMARK/DANEMARK/DAENEMARK

Mr. F. ESPENHAIN, Head of Office, Board for Plant Novelties, Tystofte, 4230 Skaelskor

Mr. A.B. JOSEFSEN, Head of Division, Board for Plant Novelties, Statens Planteavlskontor, Kongevejen 83, 2800 Lyngby

FRANCE/FRANKREICH

M. G. GEOFFROY, Sous-directeur des productions végétales, Ministère de l'agriculture, 3, rue Barbet de Jouy, 75007 Paris

Mlle N. BUSTIN, Secrétaire général, Comité de la protection des obtentions végétales, Ministère de l'agriculture, 11, rue Jean Nicot, 75007 Paris

GERMANY (FED. REP. OF)/ALLEMAGNE (REP. FED. D')/DEUTSCHLAND (BUNDESREPUBLIK)

Dr. D. BOERINGER, Präsident, Bundessortenamt, Postfach 61 04 40, 3000 Hannover 61

Mr. W. BURR, Ministerialrat, Bundesministerium für Ernährung, Landwirtschaft und Forsten, Rochusstrasse 1, 5300 Bonn

HUNGARY/HONGRIE/UNGARN

Dr. B. SZALOCZY, Director General, Institute for Plant Cultivation and Qualification, Ministry of Agriculture and Food, P.O. Box 93, 1525 Budapest 114

Dr. J. BOBROVSZKY, Head of Legal and International Department, National Office of Inventions, P.O. Box 552, 1370 Budapest 5

IRELAND/IRLANDE/IRLAND

Mr. K. O'DONOHUE, Controller of Plant Breeders' Rights, Agriculture House, Kildare Street, Dublin 2

ISRAEL

Dr. M. HOFFMAN-HADAR, Chairman, Plant Breeders' Rights Council, Agricultural Research Organization, Volcani Center, P.O. Box 6, Bet Dagan 50 250

ITALY/ITALIE/ITALIEN

M. M.G. FORTINI, Délégué Italien pour les accords de propriété intellectuelle, Ministère des affaires étrangères, Palazzo della Farnesina, 00100 Rome

Dr. B. PALESTINI, Primo Dirigente, Ministry of Agriculture and Forestry, D.G. Produzione Agricola, 20, Via XX Settembre, 00187 Rome

JAPAN/JAPON/JAPAN

Mr. Y. BAN, Assistant Director, Seeds and Seedlings Division, Ministry of Agriculture, Forestry and Fisheries, 1-2-1, Kasumigaseki, Chiyoda-ku, Tokyo

Mr. N. INOUE, First Secretary, Permanent Mission of Japan, 10, avenue de Budé, 1202 Geneva, Switzerland

NETHERLANDS/PAYS-BAS/NIEDERLANDE

Mr. W.F.S. DUFFHUES, Director, Arable Crops and Horticulture, Ministry of Agriculture and Fisheries, Bezuidenhoutseweg 73, The Hague

Mr. M. HEUVER, Chairman, Board for Plant Breeders' Rights, P.O. Box 104, 6700 AC Wageningen

Miss Y.E.T.M. GERNER, Legal Adviser, Ministry of Agriculture and Fisheries, Bezuidenhoutseweg 73, The Hague

NEW ZEALAND/NOUVELLE-ZELANDE/NEUSEELAND

Mr. F.W. WHITMORE, Registrar of Plant Varieties, Plant Varieties Office, P.O. Box 24, Lincoln, Canterbury

SOUTH AFRICA/AFRIQUE DU SUD/SUEDAFRIKA

Mr. D.C. LOURENS, Deputy Director, Directorate of Plant and Seed Control, Department of Agriculture, Private Bag X179, 0001 Pretoria

Mr. J.U. RIETMANN, Agricultural Counsellor, South African Embassy, 59, Quai d'Orsay, 75007 Paris, France

SPAIN/ESPAGNE/SPANIEN

Dr. J.M. ELENA ROSSELLO, Jefe del Registro de Variedades, Instituto Nacional de Semillas y Plantas de Vivero, José Abascal 56, 28003 Madrid

SWEDEN/SUEDE/SCHWEDEN

- Mr. S. MEJEGAARD, President of Division of the Court of Appeal, Armfelts-
gatan 4, 115 34 Stockholm
- Prof. L. KAAHRE, Vice-Chairman, Department of Plant Husbandry, Swedish Univer-
sity of Agricultural Sciences, Box 7042, 75007 Uppsala

SWITZERLAND/SUISSE/SCHWEIZ

- Mrs. M. JENNI, Leiterin des Büros für Sortenschutz, Bundesamt für Landwirt-
schaft, Mattenhofstrasse 5, 3003 Bern
- Dr. M. INGOLD, Adjoint de Direction, Station fédérale de recherche agrono-
mique, Changins, 1260 Nyon

UNITED KINGDOM/ROYAUME-UNI/VEREINIGTES KOENIGREICH

- Mr. J. HARVEY, Controller, Plant Variety Rights Office, White House Lane,
Huntingdon Road, Cambridge CB3 0LF
- Mr. J. ARDLEY, Deputy Controller, Plant Variety Rights Office, White House
Lane, Huntingdon Road, Cambridge CB3 0LF

UNITED STATES OF AMERICA/ETATS-UNIS D'AMERIQUE/VEREINIGTE STAATEN VON AMERIKA

- Mr. S.D. SCHLOSSER, Attorney, Office of Legislation and International
Affairs, Patent and Trademark Office, Department of Commerce,
Washington D.C. 20231

II. OBSERVER STATES/ETATS OBSERVATEURS/BEOBACHTERSTAATEN

AUSTRALIA/AUSTRALIE/AUSTRALIEN

- Mrs. K.H. ADAMS, Registrar, Plant Variety Rights, Department of Primary
Industry, NFF Building, Brisbane Ave., Barton A.C.T. 2600

BRAZIL/BRESIL/BRASILIEN

- M. P.R. ALMEIDA, Premier secrétaire, Mission permanente du Brésil, 33, rue
Antoine-Carteret, 1202 Genève, Suisse

CHILE/CHILI/CHILE

- M. S. MONSALVE, Conseiller, Mission permanente du Chili, 56, rue de
Moillebeau, 1209 Genève, Suisse

CHINA/CHINE/CHINA

Mr. Z.Q. ZHANG, First Secretary, Permanent Mission of the Republic of China,
11, chemin de Surville, 1213 Petit-Lancy, Switzerland

MOROCCO/MAROC/MAROKKO

M. M. TOURKMANI, Chef du Service de contrôle des semences et des plants,
B.P. 1308, Rabat

M. R. LAKHDAR, Chef de la Division des contrôles techniques et phytosanitaires,
B.P. 1308, Rabat

Dr. K. ROHRMOSER, Chef du Projet GTZ, Contrôle et certification des semences,
B.P. 1308, Rabat

POLAND/POLOGNE/POLEN

M. J. VIRION, Chef-expert au Ministère de l'agriculture et de l'économie
alimentaire, Ministerstwo Rolnictwa, 30, rue Wspolna, Warszawa

Mr. K. DMOCHOWSKI, Head of the Laboratory in the Research Center on Cultivars
(COBORU), 63-022 Slupia Wielka

PORTUGAL

M. T.P. CORREA, Eng. Agronome, Ministère de l'agriculture, C.N.P.A. -
Tapada Ajuda, 1300 Lisboa

III. INTERGOVERNMENTAL ORGANIZATIONS/
ORGANISATIONS INTERGOUVERNEMENTALES/
ZWISCHENSTAATLICHE ORGANISATIONEN

EUROPEAN ECONOMIC COMMUNITY (EEC)/COMMUNAUTE ECONOMIQUE EUROPEENNE (CEE)/EURO-
PAEISCHE WIRTSCHAFTSGEMEINSCHAFT (EWG)

M. D.M.R. OBST, Administrateur principal, 200, rue de la Loi (Loi 84-7/9),
1049 Bruxelles, Belgique

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS (FAO)/ORGANISATION DES
NATIONS UNIES POUR L'ALIMENTATION ET L'AGRICULTURE (FAO)/ERNAEHRUNGS- UND
LANDWIRTSCHAFTSORGANISATION DER VEREINTEN NATIONEN (FAO)

Mr. A.O. WIGNELL, Seed Certification Officer, Seed Service, Plant Production
and Protection Division, Via delle Terme di Caracalla, 00100 Rome, Italy

INTERNATIONAL SEED TESTING ASSOCIATION (ISTA)/ASSOCIATION INTERNATIONALE
D'ESSAIS DE SEMENCES (ISTA)/INTERNATIONALE VEREINIGUNG FUER SAATGUTPRUEFUNG
(ISTA)

Mr. H.U. SCHWARZENBACH, Executive Officer, P.O. Box 412, 8046 Zürich,
Switzerland

IV. OFFICERS/BUREAU/VORSITZ

Mr. S.D. SCHLOSSER, President
Mr. W.F.S. DUFFHUES, Vice-President

III. OFFICE OF UPOV/BUREAU DE L'UPOV/BUERO DER UPOV

Dr. A. BOGSCH, Secretary-General
Dr. W. GFELLER, Vice Secretary-General
Dr. M.-H. THIELE-WITTIG, Senior Counsellor
Mr. A. HEITZ, Senior Officer
Mr. C. ROGERS, Legal Officer
Mr. M. TABATA, Associate Officer

IV. OFFICE OF WIPO/BUREAU DE L'OMPI/BUERO DER WIPO

Dr. T.A.J. KEEFER, Director and Controller, Budget and Finance Division
Mr. A. HARGREAVES, Head, Budget and Systems Section

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

C/XXI/12

ANNEX II

DATES FOR MEETINGS IN 1988

Council

February 19 (eighth extraordinary session)
October 18 and 19 (twenty-second ordinary session)

Consultative Committee

April 22
October 17

Administrative and Legal Committee

April 18 to 21
October 11 to 14

Technical Committee

October 20 and 21

Technical Working Party for Agricultural Crops

July 5 to 8, Surgères, France

Technical Working Party on Automation and Computer Programs

June 7 to 9, Edinburgh, United Kingdom

Technical Working Party for Fruit Crops

June 29 to July 1, Hanover, Federal Republic of Germany
Subgroups on June 28 at the same place

Technical Working Party for Ornamental Plants and Forest Trees

June 20 to 24, Melle, Belgium

Technical Working Party for Vegetables

June 13 to 15, Wageningen, Netherlands

Workshops on Variety Examination

for lettuce: June 16 and 17, Wageningen, Netherlands

on examination techniques: September 27 and 28, Cambridge, United Kingdom

[others still to be decided]

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