



CAJ/67/13

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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

ADMINISTRATIVE AND LEGAL COMMITTEE**Sixty-Seventh Session
Geneva, March 21, 2013**

REPORT ON DEVELOPMENTS IN THE TECHNICAL COMMITTEE

prepared by the Office of the Union

The purpose of this document is to report on developments in the Technical Committee (TC) at its forty-ninth session, held in Geneva from March 18 to 20, 2013, of particular relevance for matters to be considered by the Administrative and Legal Committee (CAJ) at its sixty-seventh session, to be held in Geneva on March 21, 2013. Those developments are reported in the Annex to this document. The report on all the conclusions of the TC is available in document TC/49/41 "Report on the Conclusions".

[Annex follows]

CONCLUSIONS OF THE TECHNICAL COMMITTEE IN RELATION TO MATTERS
TO BE CONSIDERED BY THE ADMINISTRATIVE AND LEGAL COMMITTEE (CAJ)

AGENDA ITEM 5: TGP DOCUMENTS

TGP Documents

(i) New TGP Document

TGP/15 ~~[New Types of Characteristics]~~ [Guidance on the Use of Biochemical and Molecular Markers in the Examination of Distinctness, Uniformity and Stability (DUS)]

1. The TC considered document TGP/15/1 Draft 4.
2. The TC agreed, subject to agreement by the CAJ at its sixty-seventh session, to be held in Geneva on March 21, 2013, to submit document TGP/15/1 Draft 5 "Guidance on the Use of Biochemical and Molecular Markers in the Examination of Distinctness, Uniformity and Stability (DUS)" as the basis for adoption of TGP/15 by the Council, at its forty-seventh session, to be held on October 24, 2013. The TC noted that the editing of the original English text and the French, German and Spanish translations would be checked by the relevant members of the Editorial Committee (TC-EDC) prior to submission of the draft of document TGP/15/1 to the Council.
3. The TC noted that document TGP/15/1 could be revised in the future, for instance to incorporate additional examples for the models.

(ii) Revision of TGP Documents

TGP/14 *Glossary of Terms Used in UPOV Documents*

Revision of existing sections of document TGP/14: Section 2: Botanical Terms, Subsection 2: Shapes and Structures (document CAJ/67/11)

Revision of document TGP/14: Section 2: Botanical Terms, Subsection 3: Color (document CAJ/67/12)

4. The TC considered documents TC/49/35 and TC/49/36.
5. The TC agreed, subject to agreement by the CAJ at its sixty-seventh session, to be held in Geneva on March 21, 2013, to invite the Council to adopt document TGP/14/2 "Glossary of Terms Used in UPOV Documents", at its forty-seventh session, to be held on October 24, 2013, on the basis of documents TC/49/35 and TC/49/36, subject to the following amendments:

document TC/49/35, Annex I, Section 1.5	to amend "narrow" and "broad" to "long" and "short"
document TC/49/36, Part IV, 4.1	to amend "sharply" to "sharp"
"Schematic overview" and 4.2.1.2	

6. The TC noted that the updating of definitions of terms and indices, and the checking of the French, German and Spanish translations of the original English text by the relevant members of the TC-EDC, would be done prior to submission of the draft of document TGP/14/2 to the Council.

TGP/0 *List of TGP documents and latest issue dates*

7. The TC noted that the Council would be invited to adopt document TGP/0/6, in order to reflect the adoption of documents TGP/15/1 and TGP/14/2.

Program for the Development of TGP Documents

8. The TC approved the program for the development of TGP documents, as set out in the Annex to document TC/49/5, subject to its conclusions on all matters concerning TGP documents at its forty-ninth session.

AGENDA ITEM 6: MOLECULAR TECHNIQUES

Molecular techniques

9. The TC considered document TC/49/7 and noted that document TGP/15/1 Draft 4 had been considered under agenda item 7 "TGP documents" (see document TC/49/5).

Working Group on Biochemical and Molecular Techniques, and DNA-Profiling in particular (BMT)

10. The TC agreed to propose to hold a coordinated meeting of the fourteenth session of the BMT with meetings of other relevant international organizations in 2014, as set out in document TC/49/7. It also agreed that, if it was not possible to organize a joint meeting with other organizations in 2014, a meeting of the BMT should be organized in the meantime.

AGENDA ITEM 7: VARIETY DENOMINATIONS

Variety denominations

11. The TC considered document TC/49/8.

12. The TC noted the developments concerning potential areas for cooperation between UPOV and the International Commission for the Nomenclature of Cultivated Plants of the International Union for Biological Sciences (IUBS Commission) and the International Society for Horticultural Science Commission for Nomenclature and Cultivar Registration (ISHS Commission), as set out in paragraphs 24 and 25 of document TC/49/8.

AGENDA ITEM 8: INFORMATION AND DATABASES

Information and databases

(a) UPOV information databases (document CAJ/67/6)

13. The TC considered document TC/49/6 and received a demonstration of the PLUTO Plant Variety Database by Mr. Glenn Mac Stravic, Brand Database Section, World Intellectual Property Organization (WIPO).

UPOV CODE SYSTEM

14. The TC noted the amendments to UPOV codes and the plan of the Office of the Union to prepare tables of UPOV code additions and amendments, for checking by the relevant authorities, for each of the TWPs sessions in 2013.

PLANT VARIETY DATABASE

15. The TC noted the following developments concerning the program for improvements to the Plant Variety Database with regard to the features of the PLUTO database.

Information on the latest date of submission by the contributors

16. For the short-term, information on the latest date of submission by the contributors was provided for the PLUTO database in the form of a pdf document. However, in the longer term, it was planned that the date of submission would be provided for individual data retrieved from the database.

Search rules

17. The TC noted the demonstration of the search rules for the PLUTO database, including the new page that was provided for searching variety denominations.

Facility to save search settings

18. The TC noted the demonstration of the possibilities to save search settings for the PLUTO database.

User registration

19. The TC noted the demonstration of the registration system for users of PLUTO, which had been introduced in order that the use of PLUTO could be monitored, with a view to using that feedback for future improvements. It was noted that PLUTO would still be freely accessible.

Alphabets

20. The TC noted that the necessary arrangements for the inclusion of data in the original alphabet, in addition to the data being provided in Roman alphabet, had been made.

21. The TC noted the information on the contribution of data and the provision of assistance to contributors, as set out in Annex IV to document TC/49/6.

SURVEY OF MEMBERS OF THE UNION ON THEIR USE OF DATABASES AND ELECTRONIC APPLICATION SYSTEMS

22. The TC noted the plans of the Office of the Union to conduct a survey of members of the Union on their use of databases for plant variety protection purposes and on their use of electronic application systems.

(b) Exchangeable software (document CAJ/67/7)

23. The TC considered documents TC/49/12 and TC/49/12 Add.

I. REVIEW OF REQUIREMENTS FOR EXCHANGEABLE SOFTWARE

24. The TC reviewed the title of document UPOV/INF/16 "Exchangeable Software" and Section "1. Requirements for exchangeable software" and agreed that these texts should remain unchanged on the basis that the document concerned software that had been developed or customized by a member of the Union for UPOV purposes. However, it agreed that it would be useful to develop a separate information document that would allow members of the Union to provide information on the use of non-customized software and equipment (e.g. data loggers) that was used by members of the Union.

II. SOFTWARE PROPOSED FOR INCLUSION IN UPOV/INF/16

25. The TC agreed with the recommendation of the TWC concerning the inclusion of "Information System (IS) used for Test and Protection of Plant Varieties in the Russian Federation" in document UPOV/INF/16, as set out in paragraph 18 of document TC/49/12. The TC also requested the Office of the Union to investigate the possibility of the translation into English of the user interfaces and user manual, on the basis that the Russian Federation would verify the translation provided by the Office of the Union.

26. The TC agreed with the recommendation of the TWC concerning the inclusion of the AIM software from France in document UPOV/INF/16, as set out in paragraph 19 of document TC/49/12. The TC requested the Office of the Union to translate the software to English of the user interfaces and user manual, on the basis that France would verify the translation provided by the Office of the Union.

III. INFORMATION ON USE BY MEMBERS

27. The TC agreed with the inclusion of the information contained in the Annex I to document TC/49/12 Add. for a revision of document UPOV/INF/16 by the Council at its forty-seventh session, to be held in Geneva on October 24, 2013. The TC noted that the comments of the TC would be reported to the CAJ at its sixty-seventh session, to be held in Geneva on March 21, 2013.

28. The TC noted that Mexico would be invited to present its proposed exchangeable software, as set out in Annex II to document TC/49/12 Add., at the thirty-first session of the TWC for possible inclusion in a future revision of document UPOV/INF/16.

(c) *Electronic application systems (document CAJ/67/8)*

29. The TC considered document TC/49/13.

30. The TC noted the developments concerning the use of standard references of the UPOV Model Application Form in the application forms of members of the Union and the endorsement by the CAJ of the development of prototype electronic form, as set out in document TC/49/13.

AGENDA ITEM 9: USE OF ELECTRONIC COMMUNICATION FOR MEETINGS

Use of electronic communication for meetings

31. The TC considered document TC/49/15.

32. The TC noted that the Consultative Committee, at its eighty-fourth session, held in Geneva on October 31, 2012, had approved the use of web conferencing by UPOV bodies, as considered appropriate by the UPOV body concerned, to facilitate participation by members of the Union and observers in accordance with the existing procedures. The Consultative Committee had recalled that the procedures concerning the invitations to the sessions of the UPOV bodies were contained in the UPOV Convention, rules of procedure, guidance for members of UPOV on ongoing obligations and related notifications, rules governing the granting of observer status to States, intergovernmental organizations and international non-governmental organizations in UPOV bodies and the rules governing access to UPOV documents. In accordance with those procedures, web conferencing participation would be by means of a password issued to the designated persons in the relevant UPOV body and participation would be monitored by the Office of the Union.

33. The TC noted that the Consultative Committee, at its eighty-fourth session, had also approved the use of webcasting of sessions of UPOV bodies for viewing by members of the Union and observers in accordance with the existing procedures, as considered appropriate by the UPOV body concerned. The Consultative Committee noted that the procedures concerning the invitations to the sessions of the UPOV bodies were contained in the UPOV Convention, rules of procedure, guidance for members of UPOV on ongoing obligations and related notifications, rules governing the granting of observer status to States, intergovernmental organizations and international non governmental organizations in UPOV bodies and the rules governing access to UPOV documents. In accordance with those procedures, webcasting viewing would be by means of a password issued to the designated persons in the relevant UPOV body and participation would be monitored by the Office of the Union. The TC also noted that the Consultative Committee, at its eighty-fourth session, had agreed that, in all other cases of webcasting, the Consultative Committee would be invited to approve any arrangements for a possible webcast.

[End of Annex and of document]