



CAJ/69/13

ORIGINAL: English

DATE: September 8, 2014

**INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS**

Geneva

**ADMINISTRATIVE AND LEGAL COMMITTEE****Sixty-Ninth Session  
Geneva, April 10, 2014****REPORT***adopted by the Administrative and Legal Committee**Disclaimer: this document does not represent UPOV policies or guidance*Opening of the session

- \*1. The Administrative and Legal Committee (CAJ) held its sixty-ninth session in Geneva on April 10, 2014, under the chairmanship of Mr. Martin Ekvad (European Union).
- \*2. The session was opened by the Chair, who welcomed the participants. The list of participants is reproduced in the Annex to this report.
- \*3. The Vice Secretary-General reported that Mr. Fuminori Aihara had completed his three-year secondment to UPOV and had been replaced by Mr. Jun Koide, national of Japan.
- \*4. The Chair confirmed that the report of the sixty-eighth session of the CAJ, held in Geneva on October 21, 2013 (document CAJ/68/11), had been adopted by correspondence and was available on the UPOV website.

Adoption of the agenda

- \*5. The CAJ adopted the draft agenda, as proposed in document CAJ/69/1.
- \*6. The CAJ noted that document CAJ/69/11 "Report on the Conclusions of the Technical Committee at its fiftieth session on matters to be considered by the Administrative and Legal Committee" would be considered under items 3, 5, 6, 7, 8 and 9.

Report on developments in the Technical Committee

- \*7. The CAJ considered document CAJ/69/11.
- \*8. The CAJ noted the report made by Mr. Alejandro Barrientos Priego (Mexico), Chair of the Technical Committee (TC), on developments in the TC at its fiftieth session, held in Geneva from April 7 to 9, 2014. The CAJ noted that the conclusions of the TC in relation to matters to be considered by the CAJ were

---

\* An asterisk next to the paragraph number indicates that the text is reproduced from the Report on the Conclusions (document CAJ/69/12).

reported in document CAJ/69/11. It further noted that the report on the conclusions of the TC was available in document TC/50/36 "Report on the Conclusions".

#### Development of information materials concerning the UPOV Convention

##### *Matters concerning essentially derived varieties*

\*9. The CAJ considered documents CAJ/69/2 and CAJ-AG/13/8/10 "Report".

\*10. The CAJ noted the developments concerning the publication of the Seminar on Essentially Derived Varieties (EDV Seminar), which had been held in Geneva, on October 22, 2013, as set out in document CAJ/69/2, paragraphs 6 to 8.

\*11. The CAJ noted the work of the Administrative and Legal Committee Advisory Group (CAJ-AG), at its eighth session, concerning a new draft of document UPOV/EXN/EDV/2 "Explanatory Notes on Essentially Derived Varieties under the 1991 Act of the UPOV Convention", as set out in document CAJ/69/2, paragraphs 9 to 18.

\*12. The CAJ noted that the CAJ-AG, at its eighth session, had agreed to consider the development of guidance concerning the status of essentially derived varieties that were not granted protection in their own right, after the adoption of the revised document UPOV/EXN/EDV/2, as set out in document CAJ/69/2, paragraphs 19 and 20.

\*13. The CAJ noted that the CAJ-AG, at its eighth session, had noted that, at an appropriate future session of the CAJ-AG, the Delegations of Australia, Brazil and the European Union and other members of the Union would be invited to make presentations on their systems concerning essentially derived varieties, as set out in document CAJ/69/2, paragraph 21.

\*14. The CAJ noted that the CAJ-AG, at its eighth session, had agreed that the Office of the Union should prepare an information document for the CAJ-AG on developments on alternative dispute settlement mechanisms at International Community of Breeders of Asexually Reproduced Ornamental and Fruit Varieties (CIOPORA), the International Seed Federation (ISF) and the World Intellectual Property Organization (WIPO) and that the CAJ-AG had noted that one aspect for consideration would be the possible role of UPOV in the provision of experts on EDV matters, as set out in document CAJ/69/2, paragraph 23.

15. The Delegation of the European Union was of the view that the EDV Seminar provided a good starting point to develop further guidance on EDV matters. While recognizing that detailed discussions on EDV would take place at the CAJ-AG in October, the Delegation explained that the European Union was currently working on EDV matters and therefore would welcome the development of guidance that could be endorsed by all the members of the Union.

16. The Delegation of Argentina proposed to discuss the potential role of authorities granting breeders' rights in determining whether a variety was an EDV or not at the CAJ-AG in October. It noted that the Explanatory Notes on Essentially Derived Varieties under the 1991 Act of the UPOV Convention (document UPOV/EXN/EDV/1) adopted by the Council contained a recommendation in that regard. The Delegation believed that it might be useful to explore if it would be possible to broaden and further develop the existing recommendation on matters concerning EDV determination. The Delegation offered to send comments to the Office of the Union that might assist in the development of the document.

\*17. The CAJ agreed that the Office of the Union should prepare a document, for consideration by the CAJ-AG at its ninth session, to explore a possible role of authorities granting breeders' rights in matters concerning essentially derived varieties and agreed that the document would be included under item 3 of the program for the ninth session of the CAJ-AG. The CAJ welcomed the offer of the Delegation of Argentina to assist the Office of the Union in the development of the document.

##### *Matters concerning variety descriptions*

\*18. The CAJ noted the matters concerning variety descriptions to be considered by the CAJ-AG in the first instance, as set out in document CAJ/69/2, paragraph 26.

\*19. The CAJ, in accordance with the proposal by the CAJ-AG, agreed to invite the TC to consider the development of guidance on certain matters concerning variety descriptions, as set out in document CAJ/69/2, paragraphs 27 and 28.

*Matters concerning observers in the CAJ-AG*

*Conclusions of the Consultative Committee concerning participation of observers in the CAJ-AG*

\*20. The CAJ noted that the Consultative Committee, at its eighty-sixth session, had endorsed the current approach whereby the CAJ-AG invites, on an *ad hoc* basis, organizations that have observer status in the CAJ to present their views at the relevant part of the CAJ-AG, as it considered appropriate.

*Ad hoc invitations to the relevant part of the ninth session of the CAJ-AG*

\*21. The CAJ noted that the CAJ-AG, at its eighth session, had recalled that observers to the CAJ could send comments on relevant matters of the program of the CAJ-AG and that, in cases where written comments were received from observers to the CAJ, the CAJ-AG had agreed to invite those observers to the relevant part of the ninth session of the CAJ-AG and the Office of the Union would issue the corresponding *ad hoc* invitations.

\*22. The CAJ requested to invite the CAJ-AG, at its ninth session, to consider whether the CAJ-AG would need the possibility for some discretion in relation to *ad hoc* invitations, for observers who had made written comments, to attend the relevant part of the CAJ-AG, and if so, the mechanism for implementation in a timely manner.

*Report of the work of the CAJ-AG at its eighth session*

\*23. The CAJ noted the plans of the CAJ-AG concerning the:

- development of the “Explanatory Notes on Propagation and Propagating Material under the UPOV Convention”, as set out in document CAJ/69/2, paragraphs 39 to 43;
- revision of the “Explanatory Notes on Harvested Material under the 1991 Act of the UPOV Convention”, as set out in document CAJ/69/2, paragraphs 45 to 48;
- possible revision of the “Explanatory Notes on Cancellation of the Breeder's Right under the UPOV Convention”, as set out in document CAJ/69/2, paragraph 51;
- possible revision of the “Explanatory Notes on Nullity of the Breeder's Right under the UPOV Convention”, as set out in document CAJ/69/2, paragraph 54;
- possible revision of the “Explanatory Notes on Variety Denominations under the UPOV Convention”, as set out in document CAJ/69/2, paragraphs 57 and 58.

\*24. The CAJ noted that other developments on variety denominations that might be relevant in the context of a possible revision of the “Explanatory Notes on Variety Denominations under the UPOV Convention” (document UPOV/INF/12/4) were considered in documents CAJ/69/5 “Variety Denominations” and CAJ/69/9 “Possible development of a UPOV similarity search tool for variety denomination purposes”.

\*25. The CAJ noted that the CAJ-AG had agreed not to consider the development of guidance on matters arising after the grant of a breeder's right in relation to the filing of applications, nor enforcement of breeders' rights.

\*26. The CAJ noted that the CAJ-AG had agreed to consider the possible revision of the “Explanatory Notes on Provisional Protection under the UPOV Convention”, as set out in document CAJ/69/2, paragraph 63.

\*27. The CAJ noted the report on the work of the CAJ-AG, at its eighth session, as provided in document CAJ-AG/13/8/10 “Report”.

*Program for the development of information materials*

*Work program for the development of information materials for the ninth session of the CAJ-AG, to be held in Geneva in October 2014*

\*28. The CAJ approved the work program for the development of information materials for the ninth session of the CAJ-AG, to be held in October 2014, as set out in document CAJ/69/2, paragraphs 65 and 66.

\*29. The CAJ agreed that the following new drafts of explanatory notes be provided to the CAJ-AG by May 9, 2014, and that CAJ members and observers would also be given the opportunity to provide comments:

Explanatory Notes on Essentially Derived Varieties under the 1991 Act of the UPOV Convention (document UPOV/EXN/EDV/2 Draft 4)

Explanatory Notes on Propagation and Propagating Material under the UPOV Convention (document UPOV/EXN/PPM Draft 2)

Explanatory Notes on Acts in Respect of Harvested Material under the 1991 Act of the UPOV Convention (document UPOV/EXN/HRV/2 Draft 1)

Explanatory Notes on Cancellation of the Breeder's Right under the UPOV Convention (document UPOV/EXN/CAN/2 Draft 1)

Explanatory Notes on Nullity of the Breeder's Right under the UPOV Convention (document UPOV/EXN/NUL/2 Draft 1)

Explanatory Notes on Variety Denominations under the UPOV Convention (document UPOV/INF/12/5 Draft 1)

Explanatory Notes on Provisional Protection under the UPOV Convention (document UPOV/EXN/PRP/2 Draft 1)

\*30. On the basis of comments received, the CAJ noted that new drafts of the above explanatory notes would be posted by August 29, 2014 and that CAJ members and observers would be notified accordingly. The CAJ-AG would then consider those new drafts at its ninth session.

\*31. The CAJ agreed that the ninth session of the CAJ-AG be held on October 14 and 17, 2014.

*Updating of document UPOV/INF/5 "UPOV Model Plant Breeders' Rights Gazette"*

\*32. The CAJ noted that the CAJ, at its sixty-eighth session, held in Geneva on October 21, 2013, had agreed to include an item for the updating of document UPOV/INF/5 "UPOV Model Plant Breeders' Rights Gazette" in the program for the seventieth session of the CAJ, to be held in October 2014.

*Revision of document UPOV/INF/15 "Guidance for Members of UPOV on Ongoing Obligations and Related Notifications and on the Provision of Information to Facilitate Cooperation"*

\*33. The CAJ noted that the revision of document UPOV/INF/15 was presented in document CAJ/69/10 "Matters raised by the International Seed Federation (ISF)".

Information and databases

(a) *UPOV information databases*

\*34. The CAJ considered documents CAJ/69/6 and CAJ/69/11.

*UPOV code system*

\*35. The CAJ noted the developments concerning UPOV codes, as set out in document CAJ/69/6, paragraphs 4 and 5.

*Information on type of crop*

\*36. The CAJ noted that the TC had agreed to provide information on the type of crop for each UPOV code in the GENIE database, as set out in document TC/50/6, paragraph 8. It was clarified that more than one crop type could be allocated to a single UPOV Code.

\*37. The CAJ noted that the TC had noted that the proposed approach would enable the data in the PLUTO database to be analyzed with regard to applications filed, titles issued and titles having ceased to be in force by type of crop, whilst noting that the multiple crop types for some UPOV codes would result in some limitations in that regard.

*PLUTO Database*

\*38. The CAJ noted the developments concerning the program for improvements to the Plant Variety Database, as reported in document CAJ/69/6, paragraphs 7 to 10.

*Survey of members of the Union on their use of databases and electronic application systems*

\*39. The CAJ noted the results of the 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*

\*40. The CAJ considered document CAJ/69/7.

*(i) Proposal to develop a new information document*

\*41. The CAJ agreed with the proposal of the TC at its fiftieth session to present document UPOV/INF/22 "Software and equipment used by members of the Union" for adoption by the Council at its forty-eighth ordinary session, to be held in Geneva on October 16, 2014.

\*42. The CAJ noted the plan, subject to adoption of document UPOV/INF/22 by the Council at its forty-eighth ordinary session, to be held in Geneva on October 16, 2014, to issue a circular to the designated persons of the members of the Union in the TC, inviting them to provide information regarding non-customized software and equipment used by members of the Union, as appropriate, as set out in document CAJ/69/7, paragraph 9.

*(ii) Review of document UPOV/INF/16 "Exchangeable Software"*

*Software proposed for inclusion in document UPOV/INF/16 "Exchangeable software"*

\*43. The CAJ agreed to the inclusion of SIVAVE software in document UPOV/INF/16, as set out in document CAJ/69/7, Annex II.

\*44. The CAJ agreed with the TC that a revision of document UPOV/INF/16/3 concerning the inclusion of the SIVAVE software should be presented for adoption by the Council at its forty-eighth ordinary session, to be held on October 16, 2014.

\*45. The CAJ noted that Mexico had been invited to provide further information on the SISNAVA software at the thirty-second session of the Technical Working Party on Automation and Computer Programs (TWC), to be held in Helsinki, Finland, from June 3 to 6, 2014.

*Information on use by members*

\*46. The CAJ agreed the proposed revision of document UPOV/INF/16 concerning the inclusion of information on the use of software by members of the Union as a basis for its adoption by the Council at its forty-eighth ordinary session, to be held on October 16, 2014, as provided in document CAJ/69/7, Annex III.

*Translation of Software in document UPOV/INF/16/3*

\*47. The CAJ noted that an expert from France would make a presentation on the AIM software at the thirty-second session of the TWC, based on the English translation of the software, as set out in document CAJ/69/7, paragraph 25.

\*48. The CAJ noted the proposal for selected screenshots in English of the software "Information System (IS) used for Test and Protection of Plant Varieties in the Russian Federation" to be presented to the TWC at its thirty-second session, in order to explain how the software works.

*(c) Electronic application systems*

\*49. The CAJ considered documents CAJ/69/8 and CAJ/69/11.

\*50. The CAJ noted the developments concerning the development of a prototype electronic form as set out in document CAJ/69/8.

\*51. The CAJ received a report of the meeting on the prototype electronic form, held in Geneva on April 9, 2014. It noted that the following features had been agreed for inclusion in the prototype:

- All the features presented in the mock-up,
- An administration interface with a dashboard to edit, submit or delete informations,
- A possibility to import facility and export XML information.

\*52. The CAJ noted that the following aspects would not be included in the prototype but would be included in the final version:

- Payment authorization
- Different languages
- Possibility for introducing or modifying questions in the form
- Technical aspects such as business support for applicants; routine maintenance provisions; compliance with Web Content Accessibility Guidelines (WCAG); legal aspect and disclaimer.

\*53. The CAJ noted that the following timetable had been agreed on the development of the prototype:

Participating members to send their database structure, XML format or interface tables (requirement for participation in the project) Circular to be sent, requesting input from participants (PVP Offices + Breeders)	By May 30, 2014
Analysis of databases of participating members, design of the database structure and data interface tables	By September 2014
Consolidation of questions (bi/multilateral communication)	By September 2014
Finalization of project brief and request for cost estimate from approved supplier	June 2014
Agreement on the database structure/ import-export option/ interface tables format	October 2014
Start of the project	October 2014
Presentation of the prototype to the CAJ and Council	October 2015

\*54. The CAJ noted the request of the Delegation of Ecuador to participate in the meetings on the development of a prototype electronic form, and to provide information on its PVP platform project, which would be launched in July 2014.

\*55. The next meeting on the prototype electronic form, will be held in Geneva on October 14, 2014, at 6.00 p.m. A report on that meeting will be provided to the CAJ at its seventy-first session.

## TGP documents

\*56. The CAJ considered documents CAJ/69/3 and CAJ/69/11.

### *TGP/0: List of TGP Documents and Latest Issue Dates*

\*57. The CAJ noted that the Council would be invited to adopt document TGP/0/7 "List of TGP Documents and Latest Issue Dates", in order to reflect the adoption of TGP documents.

### *TGP/2: List of Test Guidelines Adopted by UPOV*

\*58. The CAJ agreed the revision of document TGP/2 "List of Test Guidelines Adopted by UPOV" as set out in document CAJ/69/3, paragraph 13.

### *TGP/5: Experience and Cooperation in DUS Testing: Section 10: Notification of Additional Characteristics and States of Expression*

\*59. The CAJ agreed the proposed amendment to the guidance in document TGP/5: Section 10: Notification of Additional Characteristics and States of Expression" as set out in document CAJ/69/3, paragraph 17.

### *TGP/7: Development of Test Guidelines*

\*60. The CAJ agreed the revisions to document TGP/7 previously agreed by the TC, as set out in document CAJ/69/3, Annex I, as a basis for the adoption of document TGP/7/4 "Development of Test Guidelines" by the Council, at its forty-eighth ordinary session, subject to the following amendments agreed by the TC at its fiftieth session:

Annex I, ASW 0	in the German version: to amend the translation of "Subject of these Test Guidelines" to read " <u>Gegenstand</u> dieser Prüfungsrichtlinien"
Annex I, GN 7	last paragraph to read: "In general, in the case of <i>plants</i> required only for a single growing trial (e.g. no plants required for special tests or variety collections), the number of plants requested in Chapter 2.3 often corresponds to the number of plants specified in Chapters 3.4 "Test Design" and 4.2 "Uniformity". In that respect, it is recalled the quantity of plant material specified in Chapter 2.3 of the Test Guidelines is the minimum quantity that an authority might request of the applicant. Therefore, each authority may decide to request a larger quantity of plant material, for example to allow for potential losses during establishment (see GN 7 (a))."
Annex I, GN 28, Section 3.2.2.	to read as follows: "3.2.2 Where different sets of example varieties are provided for different types of varieties covered by the same Test Guidelines, they are placed in the Table of Characteristics in the same column as normal. The sets of example varieties (e.g. winter and spring) are separated by a semicolon, and/or indicated by a key which is provided for each set and an explanation for the option chosen should be included in the legend of Chapter 6 of the Test Guidelines."
Annex I, GN 28, Section 4.	4.1 Reference to Section 2 to be replaced by reference to Section 4.2 4.2.3 Reference to Figure 1 to be replaced by reference to Section 4.2.3 4.2.5 Reference to Figure 1 to be deleted
Annex I, GN 35, Introduction	First sentence to read: "The taking of photographs is influenced by factors, such as light conditions, quality and setting of the camera, and the background."

\*61. The CAJ agreed the proposals for revisions to document TGP/7 "Development of Test Guidelines" for adoption in 2014 as set out in Annex V of document CAJ/69/3, subject to the following amendments agreed by the TC at its fiftieth session:

- (i) *Revision of document TGP/7: Additional Standard Wording for Growing Cycle for Tropical Species*

"New (after (b)): Evergreen species with indeterminate growth

"The growing cycle is considered to be the period ranging from the beginning of development of an individual flower or inflorescence, through fruit development and concluding with the harvesting of fruit from the corresponding individual flower or inflorescence."

(iv) *Revision of document TGP/7: Presence of Leading Expert at Technical Working Party Sessions*

"In order to be considered by a Technical Working Party, the Leading Expert of the draft Test Guidelines should be present at the session. Subject to approval by the Technical Working Party Chairperson, and where arranged sufficiently in advance of the session, a suitable alternative expert may act as the Leading Expert at the session, or the Leading Expert may participate by electronic means, where that enables the Test Guidelines to be considered in an effective way."

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

\*62. The CAJ agreed the revisions to document TGP/8 previously agreed by the TC, as set out in document CAJ/69/3, Annex II, as a basis for the adoption of document TGP/8/2 "Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability" by the Council, at its forty-eighth ordinary session, subject to the following amendments agreed by the TC at its fiftieth session:

Annex II, Part I, Section 2.3.3.6.2	to delete heading "The absolute zero point"
Annex II, Part I, Section 2.3.3.7.3	to correct format for case I and case II and formulas
Annex II, Part I, Sections 3.5.1 and 4.2.2	to reinsert scales to graphs and remove colors
Annex II, Part I, Section 5	<ul style="list-style-type: none"> <li>• title to read as follows: "Cyclic planting of varieties from the variety collection to reduce trial size"</li> <li>• paragraph 1.1 to read as follows: "Cyclic planting of varieties from the variety collection (established varieties) to reduce trial size is appropriate for use in trials where:"</li> <li>• paragraph 1.1 to introduce a last bullet point: "three independent growing cycles are normally grown. The guidance below is for this case. However, it may also be adapted for crops where two independent growing cycles are normally grown."</li> <li>• last sentence of second paragraph in 1.2 to read as follows: "If, after DUS testing, a variety is added to the variety collection it is allocated to a series and is cyclically omitted from the trial every third year."</li> <li>• paragraph 1.3, sentences 5 and 6 to read as follows: "Because of a possible lag between final DUS testing and the decision on the application, candidate varieties are kept in trial for a fourth year after the three-year test period. If a positive decision is taken, they will become an established variety and will enter the cyclic planting system."</li> <li>• note in paragraph 1.4, first sentence to read as follows: Note: if the DUSTNT software is used, a variety can be made to appear missing simply by removal of the variety from the "E file".</li> <li>• paragraph 4.2.1, to remove extra dash in "t—test"</li> </ul>

\*63. The CAJ agreed with the proposed revision of document TGP/8 "Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability, Section 10: Uniformity Assessment on the Basis of the Relative Variance Method" for adoption in 2014 as set out in Annex V of document CAJ/69/3.

*TGP/9: Examining Distinctness*

\*64. The CAJ agreed to delay the revision of document TGP/9 until 2015, in accordance with the conclusions of the TC at its fiftieth session.

*TGP/14: Glossary of Terms Used in UPOV Documents – Correction (Spanish)*

\*65. The CAJ noted the correction to the Spanish version of document TGP/14: Section 2: Subsection 3: Color, paragraph 2.2.2, as set out in document CAJ/69/3, paragraph 33.

*Program for the development of TGP documents*

\*66. The CAJ agreed the program for the development of TGP documents, as set out in Annex VI of document CAJ/69/3, as amended in accordance with the conclusions on TGP documents.

Molecular techniques

\*67. The CAJ considered documents CAJ/69/4 and CAJ/69/11.

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

\*68. The CAJ noted that the fourteenth session of the BMT would be held in Seoul, the Republic of Korea, from November 10 to 13, 2014.

\*69. The CAJ noted the amended program of the fourteenth session of the BMT, as follows:

1. Opening of the session
2. Adoption of the agenda
3. Reports on developments in UPOV concerning biochemical and molecular techniques
4. Short presentations on new developments in biochemical and molecular techniques by DUS experts, biochemical and molecular specialists, plant breeders and relevant international organizations
5. Report of work on molecular techniques on a crop-by-crop basis:
  - (a) vegetatively propagated crops
  - (b) self-pollinated crops
  - (c) cross-pollinated crops
6. International guidelines on molecular methodologies
7. Variety description databases
8. Methods for analysis of molecular data
9. The use of molecular techniques in examining essential derivation
10. The use of molecular techniques in variety identification
11. Date and place of next session
12. Future program
13. Report of the session (if time permits)
14. Closing of the session

\*70. The CAJ noted that a Joint Workshop with the International Seed Testing Association (ISTA), the Organization for Economic Co-operation and Development (OECD) and UPOV would be held in conjunction with the fourteenth session of the BMT, on November 12, 2014, as set out in document CAJ/69/4, paragraph 17.

*Presentation of information on the situation in UPOV with regard to the use of molecular techniques to a wider audience, including breeders and the public in general*

\*71. The CAJ considered the proposed explanation of the situation in UPOV with regard to the use of molecular techniques, as set out in document CAJ/69/4, paragraph 22.

\*72. The CAJ noted that the TC had recalled that, at its forty-ninth session, held in Geneva from March 18 to March 20, 2013, it had agreed that there was a need to provide suitable information on the situation in UPOV with regard to the use of molecular techniques to a wider audience, including breeders and the public in general. That information should explain the potential advantages and disadvantages of the techniques, and the relationship between genotype and phenotype, which lay behind the situation in UPOV (see document TC/49/41 "Report on the Conclusions"). In that regard, the TC had agreed that the explanation

provided in document CAJ/69/4, paragraph 22, provided suitable information on the situation in UPOV with regard to the use of molecular techniques for breeders and persons with knowledge of DUS testing, subject to the following amendments:

Question: Does UPOV allow molecular techniques (DNA profiles) in the DUS examination?

Answer: "It is important to note that, in some cases, varieties may have a different DNA profile but be ~~morphologically~~ phenotypically identical, whilst, in other cases, varieties which have a large phenotypic difference may have the same DNA profile for a particular set of molecular markers (e.g. some mutations).

"In relation to the use of molecular markers that are not related to phenotypic differences, the concern is that it might be possible to use a limitless number of markers to find differences between varieties. ~~In particular, differences could be found at the genetic level that are not reflected in morphological~~ phenotypic characteristics.

"On the above basis, UPOV has agreed the following uses of molecular markers in relation to DUS examination:

"(a) Molecular markers can be used as a method of examining DUS characteristics that satisfy the criteria for characteristics set out in the General Introduction if there is a reliable link between the marker and the characteristic.

"(b) A combination of phenotypic differences and molecular distances can be used to improve the selection of varieties to be compared in the growing trial if the molecular distances are sufficiently related to phenotypic differences and the method does not create an increased risk of not selecting a variety in the variety collection which should be compared to candidate varieties in the DUS growing trial.

"The situation in UPOV is explained in documents TGP/15 'Guidance on the Use of Biochemical and Molecular Markers in the Examination of Distinctness, Uniformity and Stability (DUS)' and UPOV/INF/18 'Possible use of Molecular Markers in the Examination of Distinctness, Uniformity and Stability (DUS)'".

With regard to a wider audience, the TC had agreed that the question was not framed in an appropriate way and, therefore, it would not be appropriate to seek to develop an answer to that question. The TC had agreed that the question should be rephrased after clarification of the issues of interest to a wider audience.

#### Variety denominations

\*73. The CAJ considered documents CAJ/69/5 and CAJ/69/11.

*Possible revision of document UPOV/INF/12 "Explanatory Notes on Variety Denominations under the UPOV Convention"*

74. The Delegation of Argentina explained that suitable examples in relation to pronunciation and the number of letters should take into consideration language differences. For example, it noted that for English and Spanish, certain letters might be pronounced differently or the pronunciation might differ from the written word.

\*75. The CAJ noted that the TC, at its fiftieth session, had agreed that the example "Bough" and "Bow" in document UPOV/INF/12, paragraph 2.3.3(i) should be replaced by a suitable example and further noted that the work on the possible development of a UPOV similarity search tool might be reflected in a review of document UPOV/INF/12. It also agreed that guidance on confusion for phonetic reasons should continue to be included in document UPOV/INF/12.

\*76. The CAJ considered that it would be appropriate to amend document UPOV/INF/12, paragraph 2.3.3(a)(i), as set out in document CAJ/69/5, paragraph 7.

*Possible development of a UPOV similarity search tool for variety denomination purposes*

\*77. The CAJ noted that a report concerning the possible development of a UPOV similarity search tool for variety denomination purposes was contained in document CAJ/69/9 "Possible development of a UPOV similarity search tool for variety denomination purposes".

*Developments concerning potential areas for cooperation with the IUBS Commission and the ISHS Commission*

\*78. The CAJ noted the developments concerning potential areas for cooperation between the International Commission for the Nomenclature of Cultivated Plants of the International Union for Biological Sciences (IUBS Commission), the International Society for Horticultural Science Commission for Nomenclature and Cultivar Registration (ISHS Commission) and UPOV, as set out in Section III of document CAJ/69/5.

Possible development of a UPOV similarity search tool for variety denomination purposes

\*79. The CAJ considered documents CAJ/69/9 and CAJ/6911.

\*80. The CAJ noted that the TC, at its fiftieth session, had welcomed the establishment of a working group for the development of a UPOV similarity search tool and had invited experts to contribute to its work. Furthermore, the CAJ agreed with the TC that there were some challenges concerning linguistic and alphabet aspects which should be considered by the working group when defining the objectives of its work.

\*81. The CAJ noted that the first meeting of the working group would be arranged for June/July, 2014, and a report would be made to the CAJ at its seventieth session, to be held in Geneva, on October 13 and 14, 2014.

Matters raised by the International Seed Federation (ISF)

\*82. The CAJ considered document CAJ/69/10.

*(i) Individual matters which the CAJ is invited to consider*

*Application slot*

83. The Delegation of Argentina requested a clarification in relation to application slot. It noted that there might be specific periods for submitting material of the variety for examination purposes but that applications might be received all year round.

84. The representative of CropLife International confirmed that there were situations where applications for a certain crop could, for example, only be filed between November 15 and December 15 of each year.

85. The representative of ISF clarified that ISF was referring to the time periods for the filing of applications and not to the time periods for the submission of samples of the variety for DUS examination purposes.

86. The Delegation of the European Union was in favor of developing guidance on the possibility of filing applications all year round and it was of the view that the filing of applications should not be restricted to a certain time period. It noted that the provision of samples of plant material during particular periods was intended to facilitate the planting of material at the appropriate time.

\*87. The CAJ endorsed the development of guidance on the time period for the filing of applications in document UPOV/INF/15.

*Pedigree information*

88. The Delegation of the European Union was in favor of developing further guidance in relation to the importance of treating certain information included in the application for a breeder's right or provided to the authorities, in a confidential manner.

89. The Delegation of France recalled the importance of pedigree information for examination and reference collection purposes. It expressed its support for maintaining the confidentiality of pedigree information if requested by the breeder.

90. The representative of APBREBES stated that it was important for parent lines to be provided in relation to an application for a breeder's right of a hybrid variety and that such a provision should not be subject to a confidentiality requirement. The representative was also of the view that pedigree information should not be subject to a confidentiality requirement. The representative suggested to draw from the experience of the patent system where, in exchange for receiving certain rights, the right holder was required to make a full disclosure on the best way to develop the invention. The representative was of the opinion that the breeder's consent should not be required before materials were exchanged between authorities; once an application for a breeder's right was filed, it was up to the authorities to decide how best to deal with the relevant elements concerning the application.

\*91. The CAJ agreed to the development of further guidance on requests for pedigree information.

*Electronic application.*

\*92. The CAJ noted the existing initiatives, as set out in document CAJ/69/10, paragraph 9, concerning electronic applications.

\*93. The CAJ agreed to the development of guidance in document UPOV/INF/15 on the possibility to file applications electronically.

*Correspondence*

\*94. The CAJ noted the existing guidance in document TGP/5 Section 2 "UPOV Model Form for the Application for Plant Breeders' Rights", with regard to correspondence, and agreed not to seek to develop additional guidance for the time being.

*Material*

(a) Providing parental lines for applications concerning hybrids

\*95. The CAJ noted the existing guidance with regard to parent lines in relation to applications concerning hybrids, as set out in document CAJ/69/10, paragraph 16, and agreed not to develop additional guidance for the time being.

(b) Availability and exchange of material

\*96. The CAJ noted the existing guidance in relation to the availability and exchange of material as set out in document CAJ/69/10, paragraph 19, and agreed not to develop additional guidance for the time being.

(c) Confidentiality of the applicant's material when the examination centers are breeding varieties of the same species

97. The Delegation of the European Union was of the opinion that there might be a conflict of interest if a DUS examination center was also involved in breeding activities and supported the development of guidance on how to deal with the applicant's material in those situations.

\*98. The CAJ noted the discussions that had taken place in the CAJ concerning the "Recommendations to Ensure the Independence of those DUS Examination Centers Which Have, or Have Links to, Breeding Activities", as set out in document CAJ/69/10, paragraph 22.

\*99. The CAJ agreed to the development of guidance in document UPOV/INF/15 on confidentiality of applicants' material when DUS examination centers have, or have links to, breeding activities.

*Frequency of data submission and completeness of databases*

100. The Delegation of the European Union explained that it was very important to obtain reliable information on variety denominations as quickly as possible to facilitate the checking of variety denominations. It would therefore welcome the development of guidance, in documents UPOV/INF/5 and

UPOV/INF/15, not only on the frequency of data submission but also on the completeness and quality of the data.

101. With regard to the scope of databases, the representative of CropLife International supported the suggestion made by ISF concerning the inclusion of information of pending applications in the databases. He recalled that Article 30 of the 1991 Act of the UPOV Convention stated that each Contracting Party should ensure that the public was informed through the regular publication of information concerning applications for and grants of breeders' rights.

\* 102. The CAJ noted that document CAJ/69/6 "UPOV information databases" contained relevant matters on the regular provision of information to the PLUTO Plant Variety Database and that document CAJ/69/6 contained the replies from 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.

\* 103. The CAJ agreed to the development of guidance concerning frequency of data submission and completeness of databases in conjunction with the updating of document UPOV/INF/5 "UPOV Model Plant Breeders' Rights Gazette", as set out in document CAJ/69/10, paragraph 26, and in document UPOV/INF/15.

#### *Denomination rules*

\* 104. The CAJ noted that guidance on denominations was already covered under ongoing work in relation to variety denominations.

(ii) *Umbrella document UPOV/INF/15 "Guidance for Members of UPOV on Ongoing Obligations and Related Notifications and on the Provision of Information to Facilitate Cooperation"*

\* 105. The CAJ agreed to the development of document UPOV/INF/15 "Guidance for Members of UPOV on Ongoing Obligations and Related Notifications and on the Provision of Information to Facilitate Cooperation" into an umbrella document that would identify key issues for the operation of a plant variety protection system and provide a link to relevant detailed guidance, as set out in document CAJ/69/10, paragraph 32.

\* 106. The CAJ agreed, in relation to the next steps, that the Office of the Union would prepare relevant documents on the issues concerning each of the items that the CAJ had agreed to develop further guidance and would present those issues for further consideration by the CAJ at its seventieth session. At that point, the CAJ would decide on the relevant bodies that might consider those issues.

#### Program for the seventieth session

\* 107. The following program was agreed for the seventieth session of the CAJ:

1. Opening of the session
2. Adoption of the agenda
3. Development of information materials concerning the UPOV Convention
4. Updating of document UPOV/INF/5 "UPOV Model Plant Breeders' Rights Gazette"
5. Molecular techniques
6. Variety denominations
7. Information and databases
  - (a) UPOV information databases
  - (b) Exchangeable software
  - (c) Electronic application systems
8. Guidance for Members of UPOV on Ongoing Obligations and Related Notifications and on the Provision of Information to Facilitate Cooperation
9. Pedigree information

10. Application slot
11. Electronic application
12. Confidentiality of the applicant's material when the examination centers are breeding varieties of the same species
13. Frequency of data submission and completeness of databases
14. Program for the seventy-first session
15. Adoption of the report on the conclusions (if time permits)
16. Closing of the session

\*108. The CAJ agreed to consider the possibility to modify CAJ documents in order to:

- include an executive summary
- make reference to previous documents in footnotes
- use presentations
- combine decision paragraphs relating to matters for information.

\*109. The CAJ requested the Office of the Union to develop examples for consideration by the CAJ at its seventieth session and to provide information on resource implication for the Office of the Union.

*110. This report was adopted by correspondence.*

[Annex follows]

ANNEXE / ANNEX / ANLAGE / ANEXO

LISTE DES PARTICIPANTS / LIST OF PARTICIPANTS /  
TEILNEHMERLISTE / LISTA DE PARTICIPANTES

(dans l'ordre alphabétique des noms en français des membres/  
in the alphabetical order of the names in French 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

ALLEMAGNE / GERMANY / DEUTSCHLAND / ALEMANIA



Barbara SOHNEMANN (Frau), Justiziarin, Leiterin, Rechtsangelegenheiten,  
Sortenverwaltung, Gebühren, Bundessortenamt, Postfach 610440, D-30604 Hannover  
(tel.: +49 511 95665624 fax: +49 511 95669600  
e-mail: barbara.sohnemann@bundessortenamt.de)

ARGENTINE / ARGENTINA / ARGENTINIEN / ARGENTINA



Raimundo LAVIGNOLLE, Presidente, Instituto Nacional de Semillas (INASE),  
Venezuela 162. 3º, C1095AAD Buenos Aires  
(tel.: +54 11 3220 5434 e-mail: rlavignolle@inase.gov.ar)



Carmen Amelia M. GIANNI (Sra.), Coordinadora de Propiedad Intelectual / Recursos  
Fitogenéticos, Instituto Nacional de Semillas (INASE), Venezuela 162, 1063 Buenos Aires  
(tel.: +54 11 32205414 e-mail: cgianni@inase.gov.ar)



Alberto BALLESTEROS, Examiner for Cereal, Cotton and Forage Crops/Examinador  
técnico, Registro de Variedades, Instituto Nacional de Semillas (INASE), Venezuela 162,  
3 piso, of. 347, 1063 Buenos Aires  
(tel.: +54 11 3220 5424 fax: +54 11 4349 2444 e-mail: aballesteros@inase.gov.ar)

AUSTRALIE / AUSTRALIA / AUSTRALIEN / AUSTRALIA



Nik HULSE, Senior Examiner of PBR, Plant Breeder's Rights Office, IP Australia, 47 Bowes  
Street, Phillip ACT 2606  
(tel.: +61 2 6283 7982 fax: +61 2 6283 7999 e-mail: nik.hulse@ipaustralia.gov.au)

BELGIQUE / BELGIUM / BELGIEN / BÉLGICA



Françoise DE SCHUTTER (Madame), Attachée, Office belge de la Propriété intellectuelle  
(OPRI), 16, bvd Roi Albert II, B-1000 Bruxelles  
(tel.: 32 2 277 9555 fax: 32 2 277 52 62 e-mail: francoise.deschutter@economie.fgov.be)

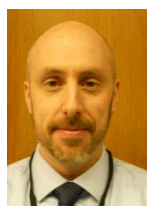
BRÉSIL / BRAZIL / BRASILIEN / BRASIL



Fabrício SANTANA SANTOS, Coordinator, National Plant Variety Protection Office (SNPC), Esplanada dos Ministerios, Bloco 'D', Anexo A, Sala 250, CEP 70043-900 Brasilia, D.F. (tel.: +55 61 3218 2923 fax: +55 61 3224 2842 e-mail: fabricio.santos@agricultura.gov.br)

Cleiton SCHENKEL, First Secretary, Permanent Mission of Brazil to the World Trade Organization (WTO), 71, Ave. Louis Casaï, Case postale 120, 1216 Cointrin, Switzerland (tel.: +41 22 929 0961 fax: +41 22 788 2505 e-mail: cleiton.schenkel@itamaraty.gov.br)

CANADA / CANADA / KANADA / CANADÁ



Anthony PARKER, Commissioner, Plant Breeders' Rights Office, Canadian Food Inspection Agency (CFIA), 59, Camelot Drive, Ottawa Ontario K1A 0Y9 (tel.: +1 613 7737188 fax: +1 613 7737261 e-mail: anthony.parker@inspection.gc.ca)

CHILI / CHILE / CHILE / CHILE



Manuel TORO UGALDE, Jefe Subdepartamento, Registro de Variedades Protegidas, División Semillas, Servicio Agrícola y Ganadero (SAG), Paseo Bulnes 140, piso 2, 1167-21 Santiago de Chile (tel.: +562 23451561 ext 3063 fax: +56 2 6972179 e-mail: manuel.toro@sag.gob.cl)

Marcela PAIVA (Sra.), Consejera, Misión Permanente de Chile ante la Organización Mundial del Comercio, 58, rue de Moillebeau, 1209 Ginebra, Suiza (tel.: +41 22 918 00 88 fax: +41 22 734 41 94 e-mail: mpaiva@minrel.gov.cl)

CHINE / CHINA / CHINA / CHINA



Qi WANG, Director, Division of Protection for New Varieties of Plants, Office of Protection of New Varieties of Plants, State Forestry Administration, 18 Hepingli East Street, 100714 Beijing (tel.: +86 10 84239104 fax: +86 10 84238883 e-mail: wangqihq@sina.com)



Wang WEI, Deputy Director-General, Office of Protection of New Varieties of Plants, State Forestry Administration, No. 18 Hepingli East Street, Beijing 100714 (tel.: +86 10 842 385 32 fax: +86 10 842 387 10 e-mail: wang.wei@cfcs.org.cn)



Jing XUE (Mrs.), Project Administrator, State Intellectual Property Office of the People's Republic of China, 6 Xitucheng Road, Haidan, Beijing 100088 (tel.: +86 10 620 838 20 fax: +86 10 620 196 15 e-mail: xuejing@sipo.gov.cn)



Yang YANG (Ms.), Examiner, Division of New Plant Variety Protection, Development Center for Science and Technology, Ministry of Agriculture, Room No. 713, Nonfeng Building, No. 96, Dongsanhuan Nanlu, Chaoyang District, Beijing 100122 (tel.: +86 10 591 99392 fax: +86 10 591 99396 e-mail: yangyang@agri.gov.cn)



ZHENG Yongqi, Director, Molecular Identification for Plant Varieties, Office of Protection of New Varieties of Plants, State Forestry Administration, Xiangshan Road, Haidian district, Beijing 100091  
(tel.: +86 10 62888565 fax: +86 10 62872015 e-mail: zyq8565@126.com)

COLOMBIE / COLOMBIA / KOLUMBIEN / COLOMBIA



Ana Luisa DÍAZ JIMÉNEZ (Sra.), Directora Técnica de Semillas, Dirección Técnica de Semillas, Instituto Colombiano Agropecuario (ICA), Carrera 41 No. 17-81, Piso 4°, Zona Industrial de Puente Aranda, Bogotá D.C.  
(tel.: +57 1 3323700 fax: +57 1 3323700 e-mail: ana.diaz@ica.gov.co)

DANEMARK / DENMARK / DÄNEMARK / DINAMARCA



Gerhard DENEKEN, Head, Department of Variety Testing, The Danish AgriFish Agency (NaturErhvervstyrelsen), Ministry of Food, Agriculture and Fisheries, Teglvaerksvej 10, Tystofte, DK-4230 Skaelskoer  
(tel.: +45 5816 0601 fax: +45 58 160606 e-mail: gde@naturerhverv.dk)

ÉQUATEUR / ECUADOR / ECUADOR / ECUADOR



Lilián CARRERA GONZÁLEZ (Sra.), Directora Nacional de Obtenciones Vegetales, Instituto Ecuatoriano de la Propiedad Intelectual (IEPI), Av. República 396 y Diego de Almagro, Edif. Forum 300, Planta Baja, Mezzanine, Pisos 1, 3, 5 y 8, 89-62 Quito  
(tel.: +593 2394 0000 ext 1400 fax: +593 998241492 e-mail: lmcarrera@iepi.gob.ec)



Edison TROYA ARMIJOS, Experto principal en obtenciones vegetales, Instituto Ecuatoriano de la Propiedad Intelectual (IEPI), Edificio Forum 300, Av. República 396 y Almagro, Pichincha, Quito  
(tel.: +593 2 3940002 Ext. 1402 e-mail: etroya@iepi.gob.ec)

Juan Carlos CASTRILLÓN J., Ministro, Misión Permanente del Ecuador ante la OMC, Rue de Lausanne 145, 1202 Ginebra, Suiza  
(tel.: +41 22 7315289 fax: +41 22 7318391 e-mail: jccastrillonj@gmail.com)



Alexandra BHATTACHARYA (Ms.), Consejera, Misión Permanente del Ecuador ante la OMC, Rue de Lausanne 145, 1201 Ginebra, Suiza  
Instituto Ecuatoriano de la Propiedad Intelectual (IEPI), República 396 y Diego de Almagro, Quito, Ecuador  
(tel.: +41 22 9083550 fax: +593 023 940 000 e-mail: alexandra.bhattacharya@gmail.com)

ESPAGNE / SPAIN / SPANIEN / ESPAÑA



Luis SALAICES, Jefe del Área del Registro de Variedades, Subdirección general de Medios de Producción Agrícolas y Oficina Española de Variedades Vegetales (MPA y OEVV), Ministerio de Agricultura, Alimentación y Medio Ambiente (MAGRAMA), C/ Almagro No. 33, planta 7a, E-28010 Madrid  
(tel.: +34 91 347 6712 fax: +34 91 347 6703 e-mail: luis.salaices@magrama.es)

ESTONIE / ESTONIA / ESTLAND / ESTONIA



Renata TSATURJAN (Ms.), Chief Specialist, Plant Production Bureau, Ministry of Agriculture, 39/41 Lai Street, EE-15056 Tallinn  
(tel.: +372 625 6507 fax: +372 625 6200 e-mail: renata.tsaturjan@agri.ee)

ÉTATS-UNIS D'AMÉRIQUE / UNITED STATES OF AMERICA / VEREINIGTE STAATEN VON AMERIKA / ESTADOS UNIDOS DE AMÉRICA



Kitisi SUKHAPINDA (Ms.), Patent Attorney, Office of Policy and External Affairs, United States Patent and Trademark Office (USPTO), Madison Building, West Wing, 600 Dulany Street, MDW 10A30, Alexandria VA 22313  
(tel.: +1 571 272 9300 fax: + 1 571 273 0085 e-mail: kitisi.sukhapinda@uspto.gov)



Paul M. ZANKOWSKI, Commissioner, Plant Variety Protection Office, USDA, AMS, S&T, Plant Variety Protection Office, 1400 Independence Ave., S.W., Room 4512 - South Building, Mail Stop 0273, Washington D.C. 20250-0274  
(tel.: +1 202 720-1128 fax: +1 202 260-8976 e-mail: paul.zankowski@ams.usda.gov)



Fawad S. SHAH, Director, Seed Regulatory and Testing Division, United States Department of Agriculture, 801 Summit Crossing Place, Suite C, Gastonia, NC 28054  
(tel.: +1 704 810 8884 fax: +1 704 852 4109 e-mail: fawad.shah@ams.usda.gov)



Minna MOEZIE (Ms.), Patent Attorney, Office of Policy and External Affairs, United States Patent and Trademark Office (USPTO), Madison Building, West Wing, 600 Dulany Street, MDW 10A30, Alexandria VA 22313  
(tel.: +1 571 272 9300 fax: +1 571 273 0085 e-mail: minna.moezie@uspto.gov)



Ruihong GUO (Ms.), Deputy Administrator, AMS, Science & Technology Program, United States Department of Agriculture (USDA), 1400 Independence Avenue, SW, Room 3543 - South Building, Mail Stop 0270, Washington D.C.  
(tel.: +1 202 720 8556 fax: +1 202 720 8477 e-mail: ruihong.guo@ams.usda.gov)



Karin L. FERRITER (Ms.), Intellectual Property Attaché, United States Mission to the WTO, 11, route de Pregny, 1292 Chambesey  
(tel.: +41 22 749 5281 e-mail: karin\_ferriter@ustr.eop.gov)

FINLANDE / FINLAND / FINNLAND / FINLANDIA



Tarja Päivikki HIETARANTA (Ms.), Senior Officer, Seed Certification Unit, Finnish Food and Safety Authority (EVIRA), Tampereentie 51, P.O. Box 111, FIN-32200 Loimaa  
(tel.: +358 50 3443748 e-mail: tarja.hietaranta@evira.fi)

FRANCE / FRANCE / FRANKREICH / FRANCIA



Joel-Pierre FRANCAERT, Ministère de l'Agriculture, 251 rue de Vaugirard, F-75015 Paris  
(tel.: +33 49 55 50 82 e-mail: joel.francart@agriculture.gouv.fr)



Arnaud DELTOUR, Directeur général, Groupe d'étude et de contrôle des variétés et des semences (GEVES), 25 rue Georges Morel, CS 90024, F-49071 Beaucouze  
(tel.: +33 241 22 86 40 e-mail: arnaud.deltour@geves.fr)



Virginie BERTOUX (Mme), Responsable, Instance nationale des obtentions végétales (INOV), INOV-GEVES, 25 Rue Georges Morel, CS 90024, F-49071 Beaucouze  
(tel.: +33 2 41 22 86 49 fax: +33 2 41 22 86 01 e-mail: Virginie.bertoux@geves.fr)



Yvane MERESSE, Juriste GEVES/ Legal Expert GEVES, Groupe d'Etude et de Contrôle des Variétés et des Semences (GEVES), 25 rue Georges Morel, CS 90024, F-49071 Beaucouze Cedex  
(tel.: +33 2 41 22 86 40)

HONGRIE / HUNGARY / UNGARN / HUNGRÍA



Ágnes Gyözöné SZENCI (Mrs.), Senior Chief Advisor, Agricultural Department, Ministry of Rural Development, Kossuth Tér. 11, H-1055 Budapest, Pf. 1  
(tel.: +36 1 7953826 fax: +36 1 7950498 e-mail: gyozone.szenci@vm.gov.hu)



Katalin MIKLÓ (Ms.), Head of Chemistry and Agriculture Unit, Agriculture and Plant Variety Protection Section, Hungarian Intellectual Property Office, Garibaldi U. 2., H-1054 Budapest  
(tel.: 36 1 474 5894 fax: 36 1 474 5914 e-mail: katalin.miklo@hipo.gov.hu)

IRLANDE / IRELAND / IRLAND / IRLANDA



Donal COLEMAN, Controller of Plant Breeders' Rights, National Crop Evaluation Centre, Department of Agriculture, Backweston Farm, Leixlip, Co. Kildare  
(tel.: +353 1 630 2902 fax: +353 1 628 0634 e-mail: donal.coleman@agriculture.gov.ie)



Antonio ATAZ, Official of the General Secretariat of the Council of the EU, Council of the European Union, General Secretariat DG B II, Agriculture, Justus Lipsius Building, 175, rue de la Loi, 1048 Brussels  
(tel.: +32 2 281 4964 fax: +32 2 281 9425 e-mail: antonio.ataz@consilium.europa.eu)

#### JAPON / JAPAN / JAPAN / JAPÓN



Yoshihiko AGA, Associate Director for International Affairs, New Business and Intellectual Property Division, Food Industry Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries (MAFF), 1-2-1 Kasumigaseki, Chiyoda-ku, 100-8950 Tokyo  
(tel.: +81 3 6738 6444 fax: +81 3 3502 5301 e-mail: yoshihiko\_aga@nm.maff.go.jp)



Takayuki MATSUI, Director, Plant Variety Protection Office, New Business and Intellectual Property Division, Food Industry Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries (MAFF), 1-2-1, Kasumigaseki, Chiyoda-ku, 100-8950 Tokyo  
(tel.: +81 3 6738 6446 fax: +81 3 3502 6572 e-mail: takayuki\_matui@nm.maff.go.jp)



Kenji NUMAGUCHI, Examiner, Plant Variety Protection Office, New Business and Intellectual Property Division, Seeds and Seedlings Division Agricultural Production Bureau, Ministry of Agriculture, Forestry and Fisheries (MAFF), 1-2-1 Kasumigaseki, Chiyoda-ku, 100-8950 Tokyo  
(tel.: +81 3 6738 6449 fax: +81 3 3502 6572 e-mail: kenji\_numaguchi@nm.maff.go.jp)

#### KENYA / KENYA / KENIA / KENYA



James M. ONSANDO, Managing Director, Kenya Plant Health Inspectorate Service (KEPHIS), P.O. Box 49592, 00100 Nairobi  
(tel.: +254 20 3536171/2 fax: +254 20 3536175 e-mail: director@kephis.org)

#### LETTONIE / LATVIA / LETTLAND / LETONIA



Iveta OZOLINA (Ms.), Deputy Director, Department of Agriculture, Ministry of Agriculture, 2 Republikas laukums, LV-1981 Riga  
(tel.: +371 67027346 fax: +371 6727514 e-mail: iveta.ozolina@zm.gov.lv)

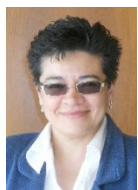
Daiga BAJALE (Miss), Senior Officer, Seed Control Department, Division of Seed Certification and Plant Variety Protection, State Plant Protection Service, Lielvārdes 36/38, LV-1006 Riga  
(tel.: +371 67550938 fax: +371 67365571 e-mail: daiga.bajale@vaad.gov.lv)

#### MAROC / MOROCCO / MAROKKO / MARRUECOS



Asma SERHANI (Madame), Chef du service de l'homologation des variétés, Office National de Sécurité Sanitaire des Produits Alimentaires, Rue El Hafiane, Cherquaoui, Airfane Agdal, Rabat  
(tel.: +212 537 771 085 fax: +212 537 779 852 e-mail: asma.serhani@yahoo.fr)

MEXIQUE / MEXICO / MEXIKO / MÉXICO



Enriqueta MOLINA MACÍAS (Srta.), Directora General, Servicio Nacional de Inspección y Certificación de Semillas (SNICS), Secretaría de Agricultura, Ganadería, Desarrollo Rural, Pesca y Alimentación (SAGARPA), Av. Presidente Juárez 13, Col. El Cortijo, 54000 Tlalnepantla, Estado de México  
(tel.: +52 55 36220667 fax: +52 55 3622 0670 e-mail: enriqueta.molina@snics.gob.mx)



Eduardo PADILLA VACA, Director de Registro de Variedades Vegetales, Servicio Nacional de Inspección y Certificación de Semillas (SNICS), Av. Presidente Juárez 13, Col. El Cortijo, 54000 Tlalnepantla, Estado de México  
(tel.: +52 55 3622 0667 fax: +52 55 3622 0670 e-mail: eduardo.padilla@snics.gob.mx)



Alejandro F. BARRIENTOS-PRIEGO, Profesor, Departamento de Fitotecnia, Universidad Autónoma Chapingo (UACH), Km. 38.5 Carretera México-Texcoco, CP 56230, Chapingo, Estado de México  
(tel.: +52 59 59 52 1559 fax: +52 595 9521642 e-mail: abarrien@gmail.com)

NORVÈGE / NORWAY / NORWEGEN / NORUEGA



Marianne SMITH (Ms.), Senior Advisor, Norwegian Ministry of Agriculture and Food, Ostboks 8007 Dep., N-0030 Oslo  
(tel.: +47 22 24 9264 fax: +47 22 24 27 53 e-mail: marianne.smith@lmd.dep.no)



Tor Erik JØRGENSEN, Head of Department for National Approvals, Norwegian Food Safety Authority, Felles postmottak, P.O. Box 383, N-2381 Brumunddal  
(tel.: +47 6494 44 00 fax: +47 6494 4411 e-mail: tor.erik.jorgensen@mattilsynet.no)

NOUVELLE-ZÉLANDE / NEW ZEALAND / NEUSEELAND / NUEVA ZELANDIA



Christopher J. BARNABY, Assistant Commissioner / Principal Examiner, Plant Variety Rights Office, Intellectual Property Office of New Zealand, Private Bag 4714, Christchurch 8140  
(tel.: +64 3 9626206 fax: +64 3 9626202 e-mail: Chris.Barnaby@pvr.govt.nz)

OMAN / OMAN / OMAN / OMÁN



Ali AL LAWATI, Plant Genetic Resources Expert, The Research Council, Oman Animal and Plant Genetic Resources, P.O. Box 1422, CP 130, Muscat  
(tel.: +968 24509891 fax: +968 24509820 e-mail: ali.allawati@trc.gov.om)

Fatima AL-GHAZALI (Ms.), Minister Plenipotentiary, Commercial Affairs, Permanent Mission, 3A, chemin de Roilbot, 1292 Chambésy  
(tel.: +41 22 758 03 81 fax: +41 22 758 1359 e-mail: ghazali92@hotmail.com)

PARAGUAY / PARAGUAY / PARAGUAY / PARAGUAY



Liz Carmen ROJAS CABALLERO (Sra.), Directora, Dirección de Semillas (DISE), Servicio Nacional de Calidad y Sanidad Vegetal y de Semillas (SENAVE), Rodríguez de Francia No. 685 c/ Mcal. Estigarribia, San Lorenzo  
(tel.: +595 21 582201 / 577243 fax: +595 21 584645 e-mail: liz.rojas@senave.gov.py)



Ada Concepción CENTURIÓN DE GUILLÉN (Sra.), Jefa, Departamento de Certificación de Semillas, Dirección de Semillas (DISE), Rodríguez de Francia No. 685 c/ Mcal. Estigarribia, San Lorenzo  
(tel.: +595 215 84645 fax: +595 21 584645 e-mail: ada.centurion@senave.gov.py)

PAYS-BAS / NETHERLANDS / NIEDERLANDE / PAÍSES BAJOS



Marien VALSTAR, Sector Manager Seeds and Plant Propagation Material, Ministry of Economic Affairs, DG AGRO, P.O. Box 20401, NL-2500 The Hague  
(tel.: +31 70 379 8911 fax: +31 70 378 6153 e-mail: m.valstar@minez.nl)



Kees Jan GROENEWOUD, Secretary, Plant Variety Board (Raad voor Plantenrassen), Naktuinbouw, P.O. Box 40, NL-2370 AA Roelofarendsveen  
(tel.: +31713326301 fax: +31713326363 e-mail: c.j.a.groenewoud@naktuinbouw.nl)



Kees VAN ETTEKOVEN, Head of Variety Testing Department, Naktuinbouw NL, Sotaweg 22, NL-2371 GD Roelofarendsveen  
(tel.: +31 71 332 6128 fax: +31 71 332 6565 e-mail: c.v.ettekoven@naktuinbouw.nl)

POLOGNE / POLAND / POLEN / POLONIA



Edward S. GACEK, Director General, Research Centre for Cultivar Testing (COBORU), PL-63-022 Slupia Wielka  
(tel.: +48 61 285 2341 fax: +48 61 285 3558 e-mail: e.gacek@coboru.pl)

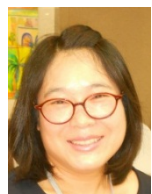


Alicja RUTKOWSKA-ŁOŚ (Mrs.), Head, National Listing and Plant Breeders' Rights Protection Office, The Research Centre for Cultivar Testing (COBORU), PL-63-022 Slupia Wielka  
(tel.: +48 61 285 2341 fax: +48 61 285 3558 e-mail: a.rutkowska@coboru.pl)

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



Seung-In YI, Examiner (Senior Researcher), Plant Variety Protection Division, Korea Seed & Variety Service (KSVS), Anyang-ro 184, Manan-gu, Anyang, Gyeonggi-do 430-833  
(tel.: +82 31 467 0112 fax: +82 31 467 0116 e-mail: seedin@korea.kr)



Oksun KIM (Ms.), Researcher, Plant Variety Protection Division, Korea Seed & Variety Service (KSVS), Anyang-ro 184, Manan-gu, Anyang, Gyeonggi-do 430-833  
(tel.: +82 31 467 0190 fax: +82 31 467 0160 e-mail: oksunkim@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), Bd. Stefan cel Mare, 162, C.P. 1873, MD-2004 Chisinau  
(tel.: +373 22 220300 fax: +373 2 211537 e-mail: info@cstsp.md)



Ala GUSAN (Mrs.), Head, Inventions and Plant Varieties Department, State Agency on Intellectual Property (AGEPI), 24/1 Andrei Doga str., MD-2024 Chisinau  
(tel.: +373 22 40 05 14 fax: +373 22 44 01 19 e-mail: ala.gusan@agepi.gov.md)

RÉPUBLIQUE TCHÈQUE / CZECH REPUBLIC / TSCHECHISCHE REPUBLIK / REPÚBLICA CHECA

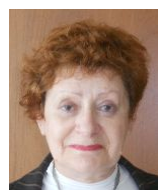


Radmila SAFARIKOVA (Mrs.), Head of Division, Central Institute for Supervising and Testing in Agriculture (UKZUZ), National Plant Variety Office, Hroznová 2, 656 06 Brno  
(tel.: +420 543 548 221 fax: +420 543 212 440 e-mail: radmila.safarikova@ukzuz.cz)

ROUMANIE / ROMANIA / RUMĂNIEN / RUMANIA



Mihai POPESCU, Director, State Institute for Variety Testing and Registration (ISTIS), Bd. Marasti 61, sector 1, P.O. Box 32-35, 011464 Bucharest  
(tel.: +40 213 184380 fax: +40 213 184408 e-mail: mihai\_popescu@istis.ro)



Mihaela-Rodica CIORA (Mrs.), Senior Expert, State Institute for Variety Testing and Registration (ISTIS), Bd. Marasti 61, Sector 1, P.O. Box 32-35, 011464 Bucarest  
(tel.: +40 213 184380 fax: +40 213 184408 e-mail: mihaela\_ciora@yahoo.com)

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



Andrew MITCHELL, Policy Team Leader, Controller of Plant Variety Rights, Department for Environment, Food and Rural Affairs (DEFRA), Zone H, Eastbrook, Shaftesbury Road, Cambridge CB2 8DR  
(tel.: +44 300 060 0762 e-mail: andrew.mitchell@defra.gsi.gov.uk)

SLOVAQUIE / SLOVAKIA / SLOWAKEI / ESLOVAQUIA



Bronislava BÁTOROVÁ (Mrs.), 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), Akademická 4, SK-949 01 Nitra  
(tel.: +421 37 655 1080 fax: +421 37 652 3086 e-mail: bronislava.batorova@uksup.sk)

SUÈDE / SWEDEN / SCHWEDEN / SUECIA



Olof JOHANSSON, Head, Plant and Environment Department, Swedish Board of Agriculture, S-551 82 Jönköping  
(tel.: +46 36 155703 fax: +46 36 710517 e-mail: olof.johansson@jordbruksverket.se)

SUISSE / SWITZERLAND / SCHWEIZ / SUIZA



Eva TSCHARLAND (Frau), Juristin, Direktionsbereich Landwirtschaftliche Produktionsmittel, Office fédéral de l'agriculture (OFAG), Mattenhofstrasse 5, CH-3003 Bern  
(tel.: +41 31 322 2594 fax: +41 31 323 2634 e-mail: eva.tscharland@blw.admin.ch)



Manuela BRAND (Frau), Leiterin, Büro für Sortenschutz, Fachbereich Pflanzengesundheit und Sorten, Office fédéral de l'agriculture (OFAG), Mattenhofstrasse 5, CH-3003 Bern  
(tel.: +41 31 322 2524 fax: +41 31 322 2634 e-mail: manuela.brand@blw.admin.ch)

UNION EUROPÉENNE / EUROPEAN UNION / EUROPÄISCHE UNION / UNIÓN EUROPEA



Päivi MANNERKORPI (Mrs.), Head of Sector - Unit E2, Plant Reproductive Material, Direction Générale Santé et Protection des Consommateurs, Commission européenne (DG SANCO), rue Belliard 232, 04/075, 1049 Bruxelles, Belgique  
(tel.: +32 2 299 3724 fax: +32 2 296 0951 e-mail: paivi.mannerkorpi@ec.europa.eu)



Isabelle CLEMENT-NISSOU (Mrs.), Policy Officer - Unité E2, Plant Reproductive Material Sector, Direction Générale Santé et Protection des Consommateurs, Commission européenne (DG SANCO), rue Belliard 232, 04/075, 1040 Bruxelles, Belgique  
(tel.: +32 229 87834 fax: +33 229 60951 e-mail: isabelle.clement-nissou@ec.europa.eu)



Martin EKVAD, President, Community Plant Variety Office (CPVO), 3, boulevard Maréchal Foch, CS 10121, 49101 Angers Cedex 02  
(tel.: +33 2 4125 6400 fax: +33 2 4125 6410 e-mail: ekvad@cpvo.europa.eu)



Carlos GODINHO, Vice-President, Community Plant Variety Office (CPVO), 3, boulevard Maréchal Foch, CS 10121, 49101 Angers Cedex 02  
(tel.: +33 2 4125 6413 fax: +33 2 4125 6410 e-mail: godinho@cpvo.europa.eu)

#### URUGUAY / URUGUAY / URUGUAY / URUGUAY



Gerardo CAMPS, Sustituto, Gerente Evaluación y Registro de Cultivares, Instituto Nacional de Semillas (INASE), Cno. Bertolotti s/n R-8 Km 29, Barros Blancos, Canelones  
(tel.: +598 2 288 7099 fax: +598 2 288 7077 e-mail: gcamps@inase.org.uy)

#### II. OBSERVATEURS / OBSERVERS / BEOBACHTER / OBSERVADORES

##### ARABIE SAOUDITE / SAUDI ARABIA / SAUDI-ARABIEN / ARABIA SAUDITA



Abdullah H. ALGHAMDI, Deputy Director for Administrative Affairs, General Directorate of Industrial Property, King Abdul Aziz City for Science and Technology (KACST), P.O. Box 6086, Riyadh 11442  
(tel: +966 1 481 4346 fax: +966 1 481 3322 e-mail: ahghamdi@kacst.edu.sa)

##### SÉNÉGAL / SENEGAL / SENEGAL / SENEGAL



Cheikh Alassane FALL, Directeur, Unité d'Information et de Valorisation des Résultats de la Recherche, Institut sénégalais de recherches agricoles (ISRA), Pôle de Recherches de Hann, Route du Front de Terre, Dakar  
(tel.: +221 33 832 84 51 fax: +221 33 832 24 27 e-mail: alassane.fall@isra.sn)

#### 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 SACKKEY, Chief Examiner, Industrial Property Directorate, P.O. Box 4228, Harare, Zimbabwe  
(tel.: +263 4 794065/6 fax: +263 4 794072/2 e-mail: esackey@aripo.org)



Flora Kokwihyukya MPANJU (Mrs.), Senior Patent Examiner, Technical Department,  
P.O. Box 4228, Harare, Zimbabwe  
(tel.: +263 4 794065/6 fax: +263 4 794072/3 e-mail: fmpanju@aripo.org)

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

Sangeeta SHASHIKANT (Ms.), Board Member, Association for Plant Breeding for the  
Benefit of Society (APBREBES), Burghofstr. 116, 53229 Bonn, Germany  
(tel.: +49 228 9480670 e-mail: sangeeta@twnetwork.org)



François MEIENBERG, Board Member, Burghofstr. 116, 53229 Bonn, Germany  
(tel.: +49 228 9480670 e-mail: food@evb.ch)



Susanne GURA (Ms.), APBREBES Coordinator, Association for Plant Breeding for the  
Benefit of Society (APBREBES), Burghofstr. 116, 53229 Bonn, Germany  
(tel.: +49 228 9480670 e-mail: contact@apbrebes.org)

Edward HAMMOND, Advisor, 3103 Powell Circle, Austin, TX 78704,  
United States of America  
(tel.: +1 325 347 2829)

ASSOCIATION INTERNATIONALE DES PRODUCTEURS HORTICOLES (AIPH) /  
INTERNATIONAL ASSOCIATION OF HORTICULTURAL PRODUCERS (AIPH) /  
INTERNATIONALER VERBAND DES ERWERBSGARTENBAUES (AIPH) / ASOCIACIÓN INTERNACIONAL  
DE PRODUCTORES HORTÍCOLAS (AIPH)



Mia BUMA (Mrs), Secretary, Committee for Novelty Protection, International Association of  
Horticultural Producers (AIPH), Horticulture House, 19, High Street, Theale, RG7 5AH  
Reading, United Kingdom  
(tel.: +44 118 9308956 e-mail: info@miabuma.nl)

COMMUNAUTÉ INTERNATIONALE DES OBTENTEURS DE PLANTES ORNEMENTALES ET FRUITIÈRES  
À REPRODUCTION ASEXUÉE (CIOPORA) / INTERNATIONAL COMMUNITY OF BREEDERS OF  
ASEXUALLY REPRODUCED ORNAMENTAL AND FRUIT PLANTS (CIOPORA) / INTERNATIONALE  
GEMEINSCHAFT DER ZÜCHTER VEGETATIV VERMEHRBARER ZIER- UND OBSTPFLANZEN (CIOPORA) /  
COMUNIDAD INTERNACIONAL DE OBTENTORES DE VARIEDADES ORNAMENTALES Y FRUTALES DE  
REPRODUCCIÓN ASEXUADA (CIOPORA)



Edgar KRIEGER, Secretary General, International Community of Breeders of Asexually  
Reproduced Ornamental and Fruit Plants (CIOPORA), Gänsemarkt 45, 20354 Hamburg,  
Germany  
(tel.: +49 40 555 63702 fax: +49 40 555 63703 e-mail: edgar.krieger@ciopora.org)



Bruno ETAVARD, Board Member, Meilland International, Domaine de Saint-André,  
83340 Le Cannet des Maures  
(tel.: +33 494 500320 fax: +33 494 479829 e-mail: bruno@meilland.com)

#### CROPLIFE INTERNATIONAL



Marcel BRUINS, Consultant, CropLife International, 326, Avenue Louise, Box 35,  
1050 Bruxelles, Belgique  
(tel.: +32 2 542 0410 fax: +32 2 542 0419 e-mail: mbruins1964@gmail.com)

#### EUROPEAN SEED ASSOCIATION (ESA)



Szonja CSÖRGÖ (Mrs), Director, Intellectual Property & Legal Affairs, European Seed  
Association (ESA), 23, rue du Luxembourg, 1000 Bruxelles, Belgique  
(tel.: +32 2 7432860 fax: +32 2 7432869 e-mail: szonjacsorgo@euroseeds.org)



Christiane DUCHENE (Mrs.), IP and Seed Regulation Manager, Limagrain, 1 rue Limagrain,  
63720 Chappes  
(tel.: +33 473 63 43 61 e-mail: christiane.duchene@limagrain.com)



Hélène GUILLOT (Mlle), Lawyer, Union Française des Semenciers (UFS), 17 rue du  
Louvre, 75001 Paris, France  
(tel.: +33 1 53 00 99 34 e-mail: helene.guillot@ufs-asso.com)

#### INTERNATIONAL SEED FEDERATION (ISF)



Piero SISMONDO, Director of Technology and Trade, International Seed Federation,  
Chemin du Reposoir 7, 1206 Nyon, Switzerland  
(tel.: +41 22 365 4420 fax: +41 22 365 4421)



Eric DEVRON, Directeur général, Union Française des Semenciers (UFS), 17, rue du  
Louvre, 75001 Paris, France  
(tel.: +33 1 53009930 fax: +33 1 53407410 e-mail: eric.devron@ufr-asso.com)



Stevan MADJARAC, Representative, American Seed Trade Association (ASTA), 1701 Duke  
Street, Suite 275, Alexandria, VA22314, United States of America  
(tel.: +1 636 7374395 fax: +1 314 694 5311 e-mail: smadjarac@gmail.com)

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



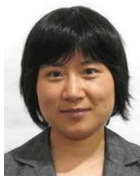
Michael JUNG, Head, External Web Applications Section, IP Office Business Solutions Division, Global Infrastructure Sector



Monica DEDU (Ms.), Project Manager, External Web Applications Section, IP Office Business Solutions Division, Global Infrastructure Sector



Glenn MAC STRAVIC, Head, Brand Database Section, Global Databases Service, Global Infrastructure Sector



Lili CHEN (Ms.), Software Developer, Brand Database Section, Global Databases Service, Global Infrastructure Sector



José APPAVE, Senior Service Data Administration Clerk, Brand Database Section, Global Databases Service, Global Infrastructure Sector

V. BUREAU / OFFICER / VORSITZ / OFICINA



Martin EKVAD, Chair



James M. ONSANDO, Vice-Chair

VI. BUREAU DE L'UPOV / OFFICE OF UPOV / BÜRO DER UPOV / OFICINA DE LA UPOV



Peter BUTTON, Vice Secretary-General



Yolanda HUERTA (Mrs.), 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)

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