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# INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

## ADMINISTRATIVE AND LEGAL COMMITTEE

**Sixty-Ninth Session  
Geneva, April 10, 2014**

### UPOV INFORMATION DATABASES

*Document prepared by the Office of the Union*

*Disclaimer: this document does not represent UPOV policies or guidance*

1. The purpose of this document is to provide an update on developments concerning the GENIE database, the UPOV Code System, the PLUTO Database and to present the results of the survey of members of the Union on their use of databases and electronic application systems.

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## GENIE DATABASE

2. It is recalled that the GENIE database (<http://www.upov.int/genie/en/>) has been developed to provide, for example, online information on the status of protection (see document C/[session]/6), cooperation in examination (see document C/[session]/5), experience in DUS testing (see document TC/[session]/4), and existence of UPOV Test Guidelines (see document TC/[session]/2) for different GENera and specIEs (hence GENIE), and is used to generate the relevant Council and Technical Committee (TC) documents concerning that information. In addition, the GENIE database is the repository of the UPOV codes and also provides information concerning alternative botanical and common names.

## UPOV CODE SYSTEM

### Guide to the UPOV Code System

3. The “Guide to the UPOV Code System”, as amended by the Technical Committee (TC), at its forty-eighth session, held in Geneva from March 26 to 28, 2012, and the Administrative and Legal Committee (CAJ), at its sixty-fifth session, held on March 29, 2012, was reproduced in Annex I to documents CAJ/67/6 and TC/49/6 and is available on the UPOV website (see [http://www.upov.int/genie/en/pdf/upov\\_code\\_system.pdf](http://www.upov.int/genie/en/pdf/upov_code_system.pdf)).

4. In 2013, 209 new UPOV codes were created and amendments were made to 47 UPOV codes. The total number of UPOV codes in the GENIE database at the end of 2013 was 7,251.

	Year								
	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
New UPOV codes	n/a	n/a	n/a	300 (approx)	148	114	173	212	209
Amendments	n/a	n/a	n/a	30 (approx)	17	6	12*	5	47**
Total UPOV Codes (at end of year)	5,759	5,977	6,169	6,346	6,582	6,683	6,851	7,061	7,251

\* including changes to UPOV codes resulting from reclassification of *Lycopersicon*, *Solanum* and *Cyphomandra* (see document TC/47/8).

\*\* including changes to UPOV codes resulting from the amendment of the “Guide to the UPOV Code System” concerning hybrids (see document TC/49/6).

5. In accordance with the procedure set out in Section 3.3 of the Guide to the UPOV Code System, the Office of the Union will prepare tables of UPOV code additions and amendments, for checking by the relevant authorities, for each of the Technical Working Party (TWP) sessions in 2014.

6. *The CAJ is invited to note the developments concerning UPOV codes, as set out in paragraphs 4 and 5 of this document.*

## PLUTO DATABASE

7. Annex I to this document contains the Program for Improvements to the Plant Variety Database (Program) as approved by the CAJ, at its fifty-ninth session, held in Geneva on April 2, 2009, and amended by the CAJ at its sixty-fifth session, held in Geneva on March 29, 2012, and at its sixty-eighth session, held in Geneva on October 21, 2013 (see document CAJ/68/10 “Report on the Conclusions”, paragraphs 23 to 28).

8. Circular E-14/037, of March 7, 2014, was issued to members of the Union and other contributors to the PLUTO database informing them of the changes with regard to:

(a) Frequency of data submission (see documents CAJ/68/6 “UPOV Information Databases”, paragraphs 12 to 14 and document CAJ/68/10 “Report on the Conclusions”, paragraph 24); and

(b) UPOV code allocation (see documents CAJ/68/6 “UPOV Information Databases”, paragraphs 4 to 11 and document CAJ/68/10 “Report on the Conclusions”, paragraph 24);

9. In the case of members of the Union that provide data to the PLUTO database via the Community Plant Variety Office of the European Union (CPVO) in accordance with the Memorandum of Understanding between UPOV and the CPVO (“UPOV-CPVO Memorandum”) (see document CAJ/57/6 “UPOV-ROM Plant Variety Database”, paragraph 6), the above circular was sent via the CPVO in order to clarify how the arrangement would be implemented for those members of the Union.

10. In relation to the frequency of data submission by the CPVO and other members of the Union that operate databases and, therefore, do not have a fixed publication date, new data can be sent to the PLUTO database administrator as frequently as desired, e.g. daily. The PLUTO database administrator will issue a notification to all registered users each time the PLUTO database is updated. In accordance with the UPOV-CPVO Memorandum, the updated data in the PLUTO database will be notified, and made available, to the CPVO after each update.

*11. The CAJ is invited to note the developments concerning the program for improvements to the Plant Variety Database, as reported in paragraphs 7 to 10.*

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

12. The CAJ, at its sixty-sixth session, requested 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 also on their use of electronic application systems (see document CAJ/66/8 “Report on the Conclusions”, paragraph 21). The Office of the Union issued a survey on November 25, 2013 (English) and on January 27, 2014 (English, French, German and Spanish).

13. The results of the survey are provided in Annex II to this document.

*14. The CAJ is invited to consider 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.*

[Annexes follow]

## PROGRAM FOR IMPROVEMENTS TO THE PLANT VARIETY DATABASE

*as approved by the Administrative and Legal Committee (CAJ),  
at its fifty-ninth session, held in Geneva on April 2, 2009,  
and amended by the CAJ at its sixty-fifth session, held in Geneva on March 21, 2012,  
and at its sixty-eighth session, held in Geneva on October 21, 2013*

### 1. *Title of the Plant Variety Database*

The name of the Plant Variety Database is the “PLUTO database” (PLUTO = **PL**ant varieties in the **UPOV** system: **The Omnibus**).

### 2. *Provision of assistance to contributors*

2.1 The PLUTO database administrator<sup>1</sup> will continue to contact all members of the Union and contributors to the PLUTO database that do not provide data for the PLUTO database, do not provide data on a regular basis, or do not provide data with UPOV codes. In each case, they will be invited to explain the type of assistance that would enable them to provide regular and complete data for the PLUTO database.

2.2 In response to the needs identified by members of the Union and contributors to the PLUTO database in 2.1, the PLUTO database administrator will seek to develop solutions for each of the PLUTO database contributors.

2.3 An annual report on the situation will be made to the Administrative and Legal Committee (CAJ) and Technical Committee (TC).

2.4 With regard to the assistance to be provided to contributors, the PLUTO database “General Notice and Disclaimer” states that “[...] All contributors to the PLUTO database are responsible for the correctness and completeness of the data they supply. [...]”. Thus, in cases where assistance is provided to contributors, the contributor will continue to be responsible for the correctness and completeness of the data. In cases where the PLUTO database administrator is requested by the contributor to allocate UPOV codes, or where it is considered to be appropriate to amend a UPOV code allocated by the contributor, the PLUTO database administrator will make proposals for approval by the contributor. In the absence of responses within the designated time, the proposed UPOV codes will be used in the PLUTO database. Where the contributor subsequently notifies the PLUTO database administrator of a need for correction, the correction will be made at the first opportunity, in accordance with Section 4 “Frequency of data updating”

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<sup>1</sup> At its seventy-sixth session, held in Geneva on October 29, 2008, the Consultative Committee, approved an arrangement between UPOV and the World Intellectual Property Organization (WIPO) (UPOV-WIPO arrangement), concerning the UPOV Plant Variety Database, as follows:

“(a) WIPO to undertake the collation of data for the UPOV-ROM and to provide the necessary assistance to deliver the program of improvements concerning, in particular, options for receiving data for the UPOV-ROM in various formats and assistance in allocating UPOV codes to all entries (see documents CAJ/57/6, paragraphs 3 and 8 and TC/44/6, paragraphs 12 and 17). In addition, WIPO to undertake the development of a web-based version of the UPOV Plant Variety Database, and the facility to create CD-ROM versions of that database, and to provide the necessary technical support concerning the development of a common search platform (see documents CAJ/57/6, paragraphs 18 to 21 and TC/44/6, paragraphs 27 to 30)).

“(b) UPOV to agree that data in the UPOV-ROM Plant Variety Database may be included in the WIPO Patentscope® search service. In the case of data provided by parties other than members of the Union (e.g. the Organisation for Economic Co-operation and Development (OECD)), permission for the data to be used in the WIPO Patentscope® search service would be a matter for the parties concerned.”

### 3. Data to be included in the PLUTO database

#### 3.1 Data format

3.1.1 In particular, the following data format options to be developed for contributing data to the PLUTO database:

- (a) data in XML format;
- (b) data in Excel spreadsheets or Word tables;
- (c) data contribution by on-line web form;
- (d) an option for contributors to provide only new or amended data

3.1.2 To consider, as appropriate, restructuring TAG items; for example, where parts of the field are mandatory and other parts not.

3.1.3 Subject to Section 3.1.4, the character set for data shall be the ASCII [American Standard Code for Information Interchange] representation, as defined in ISO [International Standards Organization] Standard 646. Special characters, symbols or accents (˜, ^, ¨, °, etc.) are not accepted. Only characters of the English alphabet may be used.

3.1.4 In the case of data submitted for TAG <520>, <550>, <551>, <552>, <553>, <650> <651>, <652>, <750>, <751>, <752>, <753>, <760>, <950> and <960>, the data must be submitted in Unicode Transformation Format-8 (UTF-8).

#### 3.2 Data quality and completeness

The following data requirements to be introduced in the PLUTO database

TAG	Description of Item	Current Status	Proposed status	Database developments required
<000>	<b>Start of record and record status</b>	mandatory	<b>start of record to be mandatory</b>	mandatory, subject to development of facility to calculate record status (by comparison with previous data submission), if required
<190>	<b>Country or organization providing information</b>	mandatory	<b>mandatory</b>	data quality check: to verify against list of codes
<010>	<b>Type of record and (variety) identifier</b>	mandatory	<b>both mandatory</b>	(i) meaning of "(variety) identifier" to be clarified in relation to item <210>; (ii) to review whether to continue type of record "BIL"; (iii) data quality check: to check against list of types of record
<500>	<b>Species--Latin name</b>	mandatory until UPOV code provided	<b>mandatory (even if UPOV code provided)</b>	
<509>	Species--common name in English	mandatory if no common name in national language (<510>) is given.	not mandatory	
<510>	Species--common name in national language other than English	mandatory if no English common name (<509>) is given	REQUIRED if <520> is provided	
<520>	Species--common name in national language other than English in non-Roman alphabet		not mandatory	

TAG	Description of Item	Current Status	Proposed status	Database developments required
<511>	<b>Species--UPOV Taxon Code</b>	mandatory	<b>mandatory</b>	(i) if requested, the PLUTO database administrator to provide assistance to the contributor for allocating UPOV codes; (ii) data quality check: to check UPOV codes against the list of UPOV codes; (iii) data quality check: to check for seemingly erroneous allocation of UPOV codes (e.g. wrong code for species)
<b>DENOMINATIONS</b>				
<540>	<b>Date + denomination, proposed, first appearance or first entry in data base</b>	mandatory if no breeder's reference (<600>) is given	<b>(i) mandatory to have &lt;540&gt;, &lt;541&gt;, &lt;542&gt;, or &lt;543&gt; if &lt;600&gt; is not provided</b> (ii) date not mandatory (iii) REQUIRED if <550>, <551>, <552> or <553> are provided	(i) to clarify meaning and rename; (ii) data quality check: mandatory condition in relation to other items
<550>	Date + denomination, proposed, first appearance or first entry in data base in non-Roman alphabet		not mandatory	
<541>	<b>Date + proposed denomination, published</b>		<b>see &lt;540&gt;</b>	(i) to clarify meaning and rename (ii) data quality check: mandatory condition in relation to other items
<551>	Date + proposed denomination, published in non-Roman alphabet		not mandatory	
<542>	<b>Date + denomination, approved</b>	mandatory if protected or listed	<b>see &lt;540&gt;</b>	(i) to clarify meaning and rename; (ii) to allow for more than one approved denomination for a variety (i.e. where a denomination is approved but then replaced) (iii) data quality check: mandatory condition in relation to other items
<552>	Date + denomination, approved in non-Roman alphabet		not mandatory	
<543>	<b>Date + denomination, rejected or withdrawn</b>		<b>see &lt;540&gt;</b>	(i) to clarify meaning and rename (ii) data quality check: mandatory condition in relation to other items
<553>	Date + denomination, rejected or withdrawn in non-Roman alphabet		not mandatory	
<600>	Breeder's reference	mandatory if existing	REQUIRED if <650> is provided	
<650>	Breeder's reference in non-Roman alphabet		not mandatory	
<601>	Synonym of variety denomination		REQUIRED if <651> is provided	
<651>	Synonym of variety denomination in non-Roman alphabet		not mandatory	
<602>	Trade name		REQUIRED if <652> is provided	(i) to clarify meaning (ii) to allow multiple entries
<652>	Trade name in non-Roman alphabet		not mandatory	
<210>	<b>Application number</b>	mandatory if application exists	<b>mandatory if application exists</b>	to be considered in conjunction with <010>
<220>	Application/filing date	mandatory if application exists	<b>mandatory</b>	explanation to be provided if TAG<220> not completed

TAG	Description of Item	Current Status	Proposed status	Database developments required
<400>	Publication date of data regarding the application (protection)/filing (listing)		not mandatory	
<111>	<b>Grant number (protection)/registration number (listing)</b>	mandatory if existing	<b>(i) mandatory to have &lt;111&gt; / &lt;151&gt; / &lt;610&gt; or &lt;620&gt; if granted or registered</b> (ii) date not mandatory	(i) data quality check: mandatory condition in relation to other items; (ii) to resolve any inconsistencies concerning the status of TAG<220>
<151>	<b>Publication date of data regarding the grant (protection) / registration (listing)</b>		<b>see &lt;111&gt;</b>	data quality check: mandatory condition in relation to other items
<610>	<b>Start date--grant (protection)/registration (listing)</b>	mandatory if existing	<b>see &lt;111&gt;</b>	(i) data quality check: mandatory condition in relation to other items; (ii) data quality check: date cannot be earlier than <220>
<620>	<b>Start date--renewal of registration (listing)</b>		<b>see &lt;111&gt;</b>	(i) data quality check: mandatory condition in relation to other items: (ii) data quality check: date cannot be earlier than <610> (iii) to clarify meaning
<665>	Calculated future expiration date	mandatory if grant/listing	not mandatory	
<666>	Type of date followed by "End date"	mandatory if existing	not mandatory	
<b>PARTIES CONCERNED</b>				
<730>	<b>Applicant's name</b>	mandatory if application exists	<b>mandatory if application exists or REQUIRED</b> if <750> is provided	
<750>	Applicant's name in non-Roman alphabet		Not mandatory	
<731>	<b>Breeder's name</b>	mandatory	<b>mandatory</b>	to clarify meaning of "breeder" according to document TGP/5 (see <733>)
<751>	Breeder's name in non-Roman alphabet		Not mandatory	
<732>	Maintainer's name	mandatory if listed	REQUIRED if <752> is provided	to be accompanied by start and end date (maintainer can change)
<752>	Maintainer's name in non-Roman alphabet		Not mandatory	
<733>	<b>Title holder's name</b>	mandatory if protected	<b>mandatory if protected or REQUIRED</b> if <753> is provided	(i) to clarify meaning of "title holder" according to document TGP/5 (see <731>) (ii) to be accompanied by start and end date (title holder can change)
<753>	Title holder's name in non-Roman alphabet		Not mandatory	
<740>	Type of other party followed by party's name		REQUIRED if <760> is provided	
<760>	Type of other party followed by party's name in non-Roman alphabet		not mandatory	
<b>INFORMATION REGARDING EQUIVALENT APPLICATIONS IN OTHER TERRITORIES</b>				
<300>	Priority application: country, type of record, date of application, application number		not mandatory	
<310>	Other applications: country, type of record, date of application, application number		not mandatory	

TAG	Description of Item	Current Status	Proposed status	Database developments required
<320>	Other countries: Country, denomination if different from denomination in application		not mandatory	
<330>	Other countries: Country, breeder's reference if different from breeder's reference in application		not mandatory	
<900>	Other relevant information (phrase indexed)		REQUIRED if <950> is provided	
<950>	Other relevant information (phrase indexed) in non-Roman alphabet		not mandatory	
<910>	Remarks (word indexed)		REQUIRED if <960> is provided	
<960>	Remarks (word indexed) in non-Roman alphabet		not mandatory	
<920>	Tags of items of information which have changed since last transmission (optional)		not mandatory	to develop option to generate automatically (see 2.1.1.(a))
<998>	FIG		not mandatory	
<999>	Image identifier (for future use)		not mandatory	to create possibility to provide hyperlink to image (e.g. an authority's webpage)
DATES OF COMMERCIALIZATION				
<800>	Commercialization dates		not mandatory	

<800> example: "AB CD 20120119 source status"  
or "AB CD 2012 source status"

### 3.3 Mandatory and required "items"

3.3.1 With respect to items that are indicated as "mandatory" in Section 3.2, data will not be excluded from the PLUTO database if that item is absent. However, a report of the non-compliances will be provided to the contributor.

3.3.2 A summary of non-compliances will be reported to the TC and CAJ on an annual basis.

3.3.3 With respect to items that are indicated as "REQUIRED" in Section 3.2, data will be excluded from the PLUTO database if the required item is absent in Roman alphabet.

### 3.4 Dates of commercialization

3.4.1 An item has been created in the PLUTO database to allow for information to be provided on dates on which a variety was commercialized for the first time in the territory of application and other territories, on the following basis:

Item <XXX>: dates on which a variety was commercialized for the first time in the territory of application and other territories (not mandatory)

	Comment
(i) Authority providing the [following] information	ISO two letter code
(ii) Territory of commercialization	ISO two letter code



(iii) Date on which the variety was commercialized <sup>1</sup> for the first time in the territory ( <sup>1</sup> The term “commercialization” is used to cover “sold or otherwise disposed of to others, by or with the consent of the breeder, for purposes of exploitation of the variety” (Article 6(1) of the 1991 Act of the UPOV Convention) or “offered for sale or marketed, with the agreement of the breeder” (Article 6(1)(b) of the 1978 Act of the UPOV Convention), as appropriate.	according to the format YYYY[MMDD] (Year[MonthDay]): month and day will not be mandatory if not available
(iv) Source of information	mandatory for each entry in item <XXX>
(v) Status of information	mandatory for each entry in item <XXX> (to provide an explanation or a reference to where an explanation is provided (e.g. the website of the authority providing the data for this item))
<i>Note: for the same application, the authority in (i) could provide more than one entry for items (ii) to (v). In particular, it could provide information on commercialization in the “territory of application”, but also “other territories”</i>	

3.4.2 The following disclaimer will appear alongside the title of the item in the database:

*“The absence of information in [item XXX] does not indicate that a variety has not been commercialized. With regard to any information provided, attention is drawn to the source and status of the information as set out in the fields ‘Source of information’ and ‘Status of information’. However, it should also be noted that the information provided might not be complete and accurate.”*

#### 4. Frequency of data submission

Contributors will be encouraged to provide data as soon as practical after it is published by the authority(ies) concerned. The PLUTO database will be updated with new data as quickly as possible after receipt, in accordance with the uploading procedure. The PLUTO database can, as necessary, be updated with corrected data, in accordance with the uploading procedure.

#### 5. Disclaimer

5.1 The following disclaimer appears on the PLUTO page of the UPOV website:

“The data currently in the Plant Variety Database (PLUTO database) was last updated on [dd/mm/yyyy] .

“To continue to the PLUTO page, you must first acknowledge the following disclaimer.

“Please note that the information concerning plant breeders' rights provided in the PLUTO database does not constitute the official publication of the authorities concerned. To consult the official publication, or to obtain details on the status and completeness of the information in the PLUTO database, please contact the relevant authority, contact details for which are provided at [http://www.upov.int/members/en/pvp\\_offices.html](http://www.upov.int/members/en/pvp_offices.html).

“All contributors to the PLUTO database are responsible for the correctness and completeness of the data they supply. Users are particularly requested to note that it is not obligatory for members of the Union to supply data for the PLUTO database and, for those members of the Union who supply data, it is not obligatory to supply data for all items.”

5.2 The following disclaimer appears with reports generated by the PLUTO database:

“The data in this report was generated from the PLUTO database on [dd/mm/yyyy].

“Please note that the information concerning plant breeders' rights provided in the PLUTO database does not constitute the official publication of the authorities concerned. To consult the official publication, or to obtain details on the status and completeness of the information in the PLUTO database, please contact the relevant authority, contact details for which are provided at [http://www.upov.int/members/en/pvp\\_offices.html](http://www.upov.int/members/en/pvp_offices.html).

“All contributors to the PLUTO database are responsible for the correctness and completeness of the data they supply. Users are particularly requested to note that it is not obligatory for members of the Union to supply data for the PLUTO database and, for those members of the Union who supply data, it is not obligatory to supply data for all items.”

6. *Common search platform*

A report on developments concerning the development of a common search platform will be made to the TC and CAJ. Any proposals concerning a common search platform will be put forward for consideration by the TC and CAJ.

[Annex II follows]

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

The results of the survey are presented as follows:

1. List of UPOV members that replied to the survey
2. Summary of responses
3. Additional comments respondent

1. Responses to the survey were received from the following UPOV members:

AZ	Azerbaijan
BE	Belgium
BG	Bulgaria
CA	Canada
CZ	Czech Republic
EU	European Union
GE	Georgia
DE	Germany
HU	Hungary
IL	Israel
JP	Japan
KE	Kenya
LV	Latvia
LT	Lithuania
MA	Morocco
MX	Mexico
NL	Netherland
NZ	New Zealand
NO	Norway
PL	Poland
PT	Portugal
MD	Republic of Moldova
RO	Romania
RU	Serbia
SE	Sweden
CH	Switzerland
US	United States of America
VN	Viet Nam

5 respondents did not indicate the UPOV member for which they were replying.

2. Summary of responses:

Question	Number			Percentage			
	Yes	No	Not answered	Yes	No	Not answered	
1	UPOV member						
2	Does your authority have its own database for plant variety protection purposes?	28	5	0	85%	15%	0%
3(a)	Does your database include the following information: Applicant (name and details)	28	0	5	85%	0%	15%
3(b)	Applicant's representative (name and details)	28	0	5	85%	0%	15%
3(c)	The person(s)* who bred, or discovered and developed, the variety (if different from applicant) (name and details) * The term "person" in Article 1(iv) of the 1991 Act of the UPOV Convention should be understood as embracing both physical and legal persons (e.g.companies).	25	3	5	76%	9%	15%
3(d)	Title holder (name and details)	22	6	5	67%	18%	15%
3(e)	Botanical name of species	28	0	5	85%	0%	15%
3(f)	Common name of species	27	1	5	82%	3%	15%
3(g)	UPOV code	24	4	5	73%	12%	15%
3(h)	Breeder's reference	24	4	5	73%	12%	15%
3(i)	Denomination proposals	24	4	5	73%	12%	15%
3(j)	Denomination approvals	19	9	5	58%	27%	15%
3(k)	Changes to denominations	23	5	5	70%	15%	15%
3(l)	Application number	27	1	5	82%	3%	15%
3(m)	Unique variety identifier (an identifier that is unique for the variety, e.g. a combination of application type (PBR), application number and crop/species)	18	10	5	55%	30%	15%
3(n)	Application rejections/withdrawals	26	2	5	79%	6%	15%
3(o)	Grant number	26	2	5	79%	6%	15%
3(p)	Start date of protection	28	0	5	85%	0%	15%
3(q)	End date of protection	25	3	5	76%	9%	15%
3(r)	Dates on which the variety was commercialized for the first time in the territory of application and other territories	11	17	5	33%	52%	15%
3(s)	Variety descriptions in the form of states of expression/notes	15	13	5	45%	40%	15%
3(t)	Variety data (other than descriptions in the form of states of expression/notes)	12	16	5	36%	48%	15%
3(u)	Variety DNA-profile	2	26	5	6%	79%	15%
3(v)	Photographs	17	11	28	52%	33%	15%
3(w)	Other (please provide information on any other important PVP information that is contained in your database)	13	15	5	39%	46%	15%
4	Is your database used to generate the official publication?	27	6	0	82%	18%	0%
5	If you do not have a database for plant variety protection purposes, do you have plans to develop a database, or would you wish assistance in the development of such a database?						
6	Do you provide an electronic application form? (if no, please proceed to question 12)	9	24	0	27%	73%	0%

Question	Number			Percentage			
	Yes	No	Not answered	Yes	No	Not answered	
7	Is the information provided in the electronic form sufficient to receive a filing date?	9	24	0	27%	73%	0%
8	Are applicants required to provide supplementary material (e.g. signed paper copies) or information in addition to the information required in the electronic form?	11	22	0	33%	67%	0%
9	Are applicants able to provide an electronic signature or other form of authorization for electronic application?	7	26	0	21%	79%	0%
10	Are applicants able to pay online?	8	25	0	24%	76%	0%
11	In what languages can the electronic form be completed?						
12	If you do not provide an electronic application form, do have plans to develop a database, or would you wish assistance in the development of such a database?						
13	Please indicate other information/features that are included in the authority's electronic application form						

3. Additional comments:

3(a) Does your database include the following information: Applicant (name and details)

CA	database and application form
CH	Applicant registered only if he/she is not the representative or owner of a plant variety, i.e. another representative from the EU area or another country
RO	Name and address. If there are many applicants, for each one: name, address

3(b) Applicant's representative (name and details)

JP	Only corporation
PL	In fact it is the breeder's representative
NZ	We also have a field which specifically identifies the official contact/address for service. This field is automatically filled by the applicants address or if using a representative, the representative address.
CA	Canadian agent required for foreign applicants; database and application form
CH	If owner's residence is not in Switzerland.
RO	Name and address

3(c) The person(s)\* who bred, or discovered and developed, the variety (if different from applicant) (name and details) \* The term "person" in Article 1(iv) of the 1991 Act of the UPOV Convention should be understood as embracing both physical and legal persons (e.g.companies).

DE	only in applications for plant breeders rights and not in applications for national listings
CA	database and application form
RO	Name and address. If there are many breeders, for each one: name, address

3(d) Title holder (name and details)

PL	The same as (c) - we consider the breeder as title holder
NZ	This is the applicant/owner
NO	Is this the same as maintainer?
DE	we ask whether the variety is protected in an application file for national listing
CA	Same as applicant (name & details); database only
CH	Variety owners who are not from Switzerland are obliged to have a representative in Switzerland
RO	Name and address. If there are many title holders, for each one: name, address

3(e) Botanical name of species

NZ	Varieties are recorded under the genus only or genus and species
CA	database and application form

3(f) Common name of species

CA	database and application form
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3(g) UPOV code

DE	not requested in the application form but stored in the database
CA	database only
CH	Not requested but stored in PVP Office database

3(h) Breeder's reference

US	Also referred to as temporary or experimental name
CA	when applicable; database and application form

3(i) Denomination proposals

DE	only the latest proposal will be stored
CA	database and application form
CH	If already exists

3(j) Denomination approvals

NZ	Denominations are only approved at time of grant. A grant is a denomination approval.
DE	approval date is the date of granting or listing
US	In the U.S. the name that a variety is sold as becomes its permanent name.
CA	database only
CH	Brands or commercial names newly requested

3(k) Changes to denominations

DE	only the latest
CA	database only
CH	Date registered for new denominations, publication dates etc.

3(l) Application number

NZ	We have an alpha numeric application number e.g ROS100 (for rose) POT150 (for potato) and in addition a system number. If granted, the system number becomes the grant number.
CA	database only
CH	Effectuated under breeder's reference if nothing else is mentioned. Not requested on application form

3(m) Unique variety identifier (an identifier that is unique for the variety, e.g. a combination of application type (PBR), application number and crop/species)

IL	The identifier is the application number
NZ	This is the application number. See comments under f
DE	our reference number is the same for granting and listing procedures
CA	Application ID in database only; also, assign a unique PBR Application Number when application is accepted for filing = YY- #### (YY is last 2 digits of year filed and #### is next consecutive number)

3(n) Application rejections/withdrawals

DE	the date of the rejection/withdrawal
US	This is covered within the application status field
CA	database only
CH	Left in database, including reasons, etc.
RO	The varieties were not new

3(o) Grant number

NZ	The system number used during application becomes the grant number at time of grant
US	This is the same as the application number and referred to as the PVP number.
CA	database only

3(p) Start date of protection

NZ	Provisional Protection begins at te date of application. Full protection at the date of grant.
DE	identical with the date of granting
CA	database only

3(q) End date of protection

JP	Is it meaning of one of the following; Expiration scheduled date. The day it was actually canceled.
NZ	The date of expiry, surrender or cancellation.
NO	We are about to change this
CA	database only; all possible end dates including lapsed, revoked, surrendered
RO	After the expiration date of protection At the request of the title holder If the title holder did not pay the maintenance fees

3(r) Dates on which the variety was commercialized for the first time in the territory of application and other territories

PL	We plan to add this information
NZ	Adding this field is currently under consideration
BG	We have this option but usually we don't have this information. The substantive examination is carried out in the Executive Agency for Variety Testing, Approbation and Seed Control.
NO	Not in the base, but in archive
US	The applicant provides this information if they respond affirmative to "Has the variety been sold?". They respond when and where.
CA	database and application form; however, only track other territories in the database

3(s) Variety descriptions in the form of states of expression/notes

CZ	Under reconstruction, we plan to include descriptions in the beginning of the next year
NZ	The format follows the UPOV model for technical examination
NO	Not in the base, but in archive
US	The applicant provides a detailed description of the variety that includes multiple descriptors (30-200) dependent on the species. This is the US PVP Exhibit C form.
CA	database only using words associated with states of expression

3(t) Variety data (other than descriptions in the form of states of expression/notes)

NZ	Dependent on species
BG	Technical questionnaire.
NL	We have pictures of the ornamental varieties in a separate database.
US	The applicant can provide additional data not covered in the US exhibit C form. This is the exhibit D.
CA	summary of comparison to selected reference varieties of distinguishing characteristics only; comparative test and trial description & details; table of measured distinguishing characteristics only; origin and breeding history

3(u) Variety DNA-profile

BG	Information regarding the parent varieties or lines and the selection method. This information is filled in the technical questionnaire.
US	This is not required, but can be included by an applicant.

3(v) Photographs

JP	There is a photo of the following The submission by the applicant's The investigation by the authorities
CZ	Under reconstruction, we plan to include photographs during next year
PL	For the moment - for ornamental and fruit plants
NZ	Not for all genera
BG	If they are filed by the applicant.
NO	Not in the base, but in archive
NL	We have pictures of the ornamental varieties in a separate database.
CA	However, comparative photographs of candidate and reference variety (ies) are kept on a network drive and exported to the web-site to become part of the description; not required at time of filing the application nor saved directly in the PBR database
CH	Indicated if received but not stored in database



3(w) Other (please provide information on any other important PVP information that is contained in your database)

MD	Termination of validity with the right of restitution Termination of validity without right of restitution Publication of restitution Testing period Testing place Date of receipt of examination results Test Guide Group of maturity Direction of use Recommended cultivation area
CZ	Internal information - maintenance fees, invoices
PL	Data (results) from single DUS tests from given trial in each vegetation season, including agrotechnical information
NZ	Documents regarding ownership, authorisation of agent, application correspondence. All matters relating to a variety application and grant are held in the database.
BG	Information concerning the fees, assignment of rights.
NO	A field for comments
NL	submission requirements check on novelty take over of DUS-report for the granting of PBR status of the application
US	is the variety a class of certified seed scientific family name does the variety contain transgenes is the variety or any component of the variety protected by intellectual property rights
CA	when and where application filed in other territories; when and where granted rights in other territories; priority claims; synonym denominations; trade names
EU	Many other information, eg priority, management of the reception of applications, management of unsuitable denominations, organisation of the technical examination, publications, financial information, database of documents linked to the file
	Location, map, number of plants etc.
SE	Date of publications (application and decision for PBR and variety denomination). Priority and in which country. information if DUS-examination is carried out in any country (which country) and if it is finished and where the applicant would like the DUS-examination to take place (country). Appendix as letter of attorney, novelty declaration, assignment, application of denomination (if handed in after application of PBR). Field for comments (date and short not of action)
CH	Power of attorney, transfer of rights or other important information and remarks.

4. Is your database used to generate the official publication?

JP	For National gazette, Registry of Plant Varieties, Notification to the applicant and webpage etc.
VN	The results of database will be public on website: pvpo.mard.gov.vn
NZ	Generated quarterly. 1 Jan, 1 April, 1 July, 1 Oct Journal data is drawn directly from the database under the UPOV model section numbering. There is no printable complete Journal.
BG	The Official Gazette of the Bulgarian Patent Office: <a href="http://www1.bpo.bg/index.php?option=com_content&amp;task=view&amp;id=167&amp;Itemid=269">http://www1.bpo.bg/index.php?option=com_content&amp;task=view&amp;id=167&amp;Itemid=269</a>
US	Yes - the data is sent to the USDA GRIN system for web publication.
MA	We have Word files relating to applications for the protection of new varieties of plants and protected varieties in Morocco
SE	We use the database to generate lists, which are used to generate the official publication (word document)

PT	We do not have a database
RO	Official Gazette for Plant Variety Protection

5. If you do not have a database for plant variety protection purposes, do you have plans to develop a database, or would you wish assistance in the development of such a database?

	Yes we have plans to develop a databases but we need assistance.
MD	You have
NZ	Although we have database "Plant and breeds", we are introducing the system "IPAS" and we have an intention to create an elaborate module for this purposis.
BG	Existing database is in Microsoft Excel. Yes, this tool is to be improved and yes, assistance is desired for development.
MX	We have one in Excel and it is being developed with a database, no assistance required.
MA	We request technical assistance to create and develop a database.
SE	We have a database
AZ	Assistance is needed to develop database for plant variety protection
CH	We are developing and have plans for a new version with an integrated catalogue of varieties. Why not? Advice is always useful.
PT	We do not have a high number of applications so a database is not a priority

6. Do you provide an electronic application form? (if no, please proceed to question 12)

VN	We are developing the electronic application form.
CZ	Partly, the applicant can download necessary application forms and send back them via so called "databox" electronically. Data boxes are maintain by the Czech Ministry of the Interior and can be used only by a person who is a resident in the Czech Republic only
NZ	Introduced in Dec 2012. The contents follow that of the UPOV Model application form and uses the UPOV code system.
NO	writable PDF-form but not directly in the base
NL	Not yet, but this project is in development.
US	The US ePVP system is in development with an anticipated launch of June 2014
AZ	But we plan to use electronic application form
CH	Not yet, but we have a plan, together with specific ideas and indications as to how it will work.

7. Is the information provided in the electronic form sufficient to receive a filing date?

NL	Not yet, but this project is in development.
EU	Although still provisional sometimes if documents with ink signature need to be provided within a given delay
AZ	Currently we don't use electronic application form
HU	We do not have an electronic application form.

8. Are applicants required to provide supplementary material (e.g. signed paper copies) or information in addition to the information required in the electronic form?

CZ	In case of using of databox NO
NZ	All additional documents, technical questionnaire can be submitted electronically as attachments.
NL	Not yet, but this project is in development.
DE	it depends on the applicant and on the species
	Original copies of the representative.
AZ	We do not have an electronic application form.

9. Are applicants able to provide an electronic signature or other form of authorization for electronic application?

CZ	In case of using of databox YES
NZ	There is a registered user login system.
NL	Not yet, but this project is in development.
HU	We do not have an electronic application form.

10. Are applicants able to pay online?

BG	They are able to pay
HU	Not yet, but this project is in development.

11. In what languages can the electronic form be completed?

VN	Vietnamese and English
	In national Language.
MD	Romanian
CZ	Czech and English
NZ	English
BG	We don't have this opportunity.
	Georgian, English
NO	Norwegian or English
NL	Not yet, but this project is in development.
DE	German
US	English
EU	23 EU languages
MX	No electronic form.
	Spanish
LT	In the Lithuanian and English
AZ	Our initially plan is to have electronic form in national language
CH	As before. GE, FR, EN
	English and Hebrew

12. If you do not provide an electronic application form, do have plans to develop a database, or would you wish assistance in the development of such a database?

JP	Pending
	Yes.
MD	yes
IL	Yes
PL	There are such plans. Your assistance would be very much appreciated.
BG	At this stage we don't have such plans and possibilities.
RS	Yes, We do (according to improvement of electronic administration system in Serbia)
NO	No plans today
NL	No
CA	Not at the present time.
MX	Yes, assistance is desired.
LT	Yes, we have plans but it depends on the financing
SE	We have a database but are in need for a new database.
AZ	we need assistance to provide electronic form and develop database

HU	We plan to develop an electronic application form.
CH	We have a plan and specific ideas as to how it should work.
LT	Yes, we have a plan to improve our database.
RU	Yes
KE	We would like assistance in the development of such a database.

13. Please indicate other information/features that are included in the authority's electronic application form

MD	Variety descriptions in the form of states of expression/notes
NZ	The application system is based upon that used for patent, trademark and designs in the Intellectual Property Office of New Zealand. The application form has been adapted for PVR.
NL	Not applicable.
US	Complete descriptive information of the variety with interactive feedback on the completeness of the application submission.
AZ	all relevant information needed
CH	Information on DUS tests, testing stations, test reports etc.

[End of Annex II and of document]