

Administrative and Legal Committee**CAJ/74/6****Seventy-Fourth Session
Geneva, October 23 and 24, 2017****Original:** English
Date: September 26, 2017

EXCHANGE AND USE OF SOFTWARE AND EQUIPMENT*Document prepared by the Office of the Union**Disclaimer: this document does not represent UPOV policies or guidance***EXECUTIVE SUMMARY**

1. The purpose of this document is to report on developments concerning exchange and use of software and equipment and to consider proposals for revision of documents UPOV/INF/16 “Exchangeable Software” and UPOV/INF/22/2 “Software and equipment used by members of the Union”.
2. The CAJ is invited to:
 - (a) consider the proposed revision of document UPOV/INF/16/6 concerning the inclusion of information on the use of software by members of the Union as presented in document UPOV/INF/16/7 Draft 1;
 - (b) note that, if agreed by the CAJ, a draft of document UPOV/INF/16/7 “Exchangeable Software” will be presented for adoption by the Council at its fifty-first ordinary session, to be held on October 26, 2017;
 - (c) consider the proposed revision of document UPOV/INF/22/3 concerning software and equipment used by members of the Union as presented in document UPOV/INF/22/4 Draft 1; and
 - (d) note that, if agreed by the CAJ, a draft of document UPOV/INF/22 concerning software and equipment used by members of the Union will be presented for adoption by the Council at its fifty-first ordinary session, to be held on October 26, 2017.

UPOV/INF/16 “EXCHANGEABLE SOFTWARE”

3. The Technical Committee (TC), at its fifty-third session¹, noted the deletion of SIVAVE software from document UPOV/INF/16, as follows:

“(a) Administration of applications

October 16, 2014	SIVAVE	<p>Database: Mysql 5.1</p> <p>PHP Version 2.5.9</p> <p>Ajax.</p> <p>Javascript.</p> <p>Routines are integrated with Java Applets and several Java Archives (JARS).</p> <p>Complements: Zend Optimizer 3.3</p> <p>Compilers: Zend Studio</p> <p>ScriptCase</p>	<p>Allows for the real-time dissemination of the status of proceedings concerning applications for breeders' rights in Mexico.</p>	<p>Mexico: Manuel Rafael Villa Issa, Director General, SNICS</p> <p>E-mail: manuel.villaissa@sagarpa.gob.mx</p> <p>Eduardo Padilla Vaca, Director, Plant Varieties, SNICS</p> <p>E-mail: eduardo.padilla@snics.gob.mx</p>	<p>Written application and justification of need for use.</p>	<p>MX</p>	<p>all crops</p>
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4. The TC considered the proposed revision of document UPOV/INF/16/6 to include information on the use of software by members of the Union with information provided by Brazil and Mexico.

5. The TC noted that the comments by the TC, at its fifty-third session¹, concerning the exclusion of software and the use of software by members of the Union, would be reported to the CAJ at its seventy-fourth session² and, if agreed by the CAJ, a draft of document UPOV/INF/16/7 (document UPOV/INF/16/7 Draft 1) would be presented for adoption by the Council at its fifty-first ordinary session³, on that basis.

6. The TC agreed that the information in document UPOV/INF/16 should be made available in a searchable form on the UPOV website and noted that the Office of the Union would investigate a tool for that purpose.⁴

7. A report on the conclusions of the CAJ, at its seventy-fourth session, concerning the proposals to revise document UPOV/INF/16/6, will be made to the Council at its fifty-first ordinary session³ (document C/51/18 “Report by the President on the work of the ninety-fourth session of the Consultative Committee; adoption of recommendations, if any, prepared by that Committee”).

8. The CAJ is invited to:

(a) consider the proposed revision of document UPOV/INF/16/6 concerning the inclusion of information on the use of software by members of the Union as presented in document UPOV/INF/16/7 Draft 1; and

(b) note that, if agreed by the CAJ, a draft of document UPOV/INF/16/7 “Exchangeable Software” will be presented for adoption by the Council at its fifty-first ordinary session, to be held on October 26, 2017.

¹ Held in Geneva, on April 3 to 5, 2017.

² To be held in Geneva, on October 23 and 24, 2017.

³ To be held in Geneva, on October 26, 2017.

⁴ See document [TC/53/31](#) “Report”, paragraph 166 to 169.

UPOV/INF/22: SOFTWARE AND EQUIPMENT USED BY MEMBERS OF THE UNION (REVISION)
(DOCUMENT UPOV/INF/22/4 DRAFT 1)

9. The TC, at its fifty-third session⁵, considered a proposed revision of document UPOV/INF/22/3 and agreed to propose the following changes to document UPOV/INF/22/3:

(c) Variety denomination checking (Row: Germany)	to read: "Checking of variety denominations in national procedures according to phonetic rules as a supplement to testing "
(f) Image analysis	to read: "E-mail: a.roberts@bioss.ac.uk "

10. The TC agreed to propose the addition of a disclaimer to document UPOV/INF/22 explaining that the document was intended to provide information on the use of software and equipment by members of the Union and to clarify that neither UPOV nor the contributing authority were responsible for the performance of the software or equipment.

11. The TC considered whether the information in document UPOV/INF/22 should be presented in an alternative form (e.g. on-line format) rather than an INF document and agreed that only the existing document UPOV/INF/22 format should be maintained.

12. The TC noted that the proposals of the TC, at its fifty-third session⁵, concerning the revision of document UPOV/INF/22 would be reported to the CAJ at its seventy-fourth session⁶ and, if agreed by the CAJ, a draft of document UPOV/INF/22/4 (document UPOV/INF/22/4 Draft 1) would be presented for adoption by the Council at its fifty-first ordinary session^{7, 8}.

13. A report on the conclusions of the CAJ, at its seventy-fourth session, concerning the proposals to revise document UPOV/INF/22/3, will be made to the Council at its fifty-first ordinary session⁷ (see document C/51/18 "Report by the President on the work of the ninety-fourth session of the Consultative Committee; adoption of recommendations, if any, prepared by that Committee").

14. *The CAJ is invited to:*

(a) consider the proposed revision of document UPOV/INF/22/3 concerning software and equipment used by members of the Union as presented in document UPOV/INF/22/4 Draft 1; and

(b) note that, if agreed by the CAJ, a draft of document UPOV/INF/22 concerning software and equipment used by members of the Union will be presented for adoption by the Council at its fifty-first ordinary session, to be held on October 26, 2017.

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⁵ Held in Geneva, on April 3 to 5, 2017.

⁶ To be held in Geneva, on October 23 and 24, 2017.

⁷ To be held in Geneva, on October 26, 2017.

⁸ See document [TC/53/31](#) "Report", paragraph 171 to 174.