

**Administrative and Legal Committee**

CAJ/80/5

**Eightieth Session  
Geneva, October 25, 2023****Original:** English  
**Date:** September 19, 2023**NOVELTY OF PARENT LINES WITH REGARD TO THE EXPLOITATION OF THE HYBRID VARIETY***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 invite the CAJ to consider the results of the survey on commercial practices relating to the impact of commercial exploitation of the hybrid on the novelty of parent lines conducted by the International Seed Federation (ISF), CropLife International, Seed Association of the Americas (SAA), Asia and Pacific Seed Association (APSA), African Seed Trade Association (AFSTA) and Euroseeds, and the next steps on this topic, as appropriate.
2. The CAJ is invited to:
  - (a) consider the joint presentation by ISF, CropLife International, SAA, APSA, AFSTA and Euroseeds concerning the results of the survey on commercial practices relating to the impact of commercial exploitation of the hybrid on the novelty of parent lines (see paragraph 6 of this document); and
  - (b) consider next steps, as appropriate, of the development of possible guidance on the novelty of parent lines with regard to the exploitation of the hybrid variety.

**BACKGROUND**

3. The background to this matter, prior to the eightieth session of the CAJ, is provided in documents CAJ/77/6, CAJ/78/6 and CAJ/79/4 "Novelty of parent lines with regard to the exploitation of the hybrid variety".
4. The CAJ, at its seventy-ninth session, held in Geneva on October 26, 2022, considered document CAJ/79/4 and the joint presentation made by ISF, CropLife International, SAA, APSA, AFSTA and Euroseeds on the novelty of parent lines with regard to the exploitation of the hybrid variety.
5. The CAJ, at its seventy-ninth session, agreed:
  - (a) with the proposal for ISF, CropLife International, SAA, APSA, AFSTA and Euroseeds to conduct a survey on commercial practices relating to the impact of commercial exploitation of the hybrid on the novelty of parent lines and to provide to the Office of the Union the results of the survey two months in advance of the eightieth session of the CAJ; and
  - (b) to include an item on "Novelty of parent lines with regard to the exploitation of the hybrid variety", at its eightieth session, to consider the results of the survey and any next steps for the development of possible guidance on the novelty of parent lines with regard to the exploitation of the hybrid variety.

(see document CAJ/79/11 "Report", paragraphs 44 to 46)

SURVEY ON COMMERCIAL PRACTICES RELATING TO THE IMPACT OF COMMERCIAL EXPLOITATION OF THE HYBRID ON THE NOVELTY OF PARENT LINES

6. The presentation concerning the results of the survey on commercial practices relating to the impact of commercial exploitation of the hybrid on the novelty of parent lines conducted by ISF, CropLife International, SAA, APSA, AFSTA and Euroseeds is available under the following QR code:



[https://www.upov.int/meetings/en/details.jsp?meeting\\_id=77231](https://www.upov.int/meetings/en/details.jsp?meeting_id=77231)

NEXT STEPS

7. The CAJ, at its seventy-ninth session, agreed that, after considering the results of the survey on commercial practices relating to the impact of commercial exploitation of the hybrid on the novelty of parent line at its eightieth session, the CAJ would consider next steps, as appropriate, of the development of possible guidance on the novelty of parent lines with regard to the exploitation of the hybrid variety (document CAJ/79/11 "Report", paragraph 46).

8. *The CAJ is invited to:*

*(a) consider the joint presentation by ISF, CropLife International, SAA, APSA, AFSTA and Euroseeds concerning the results of the survey on commercial practices relating to the impact of commercial exploitation of the hybrid on the novelty of parent lines (see paragraph 6 of this document); and*

*(b) consider next steps, as appropriate, of the development of possible guidance on the novelty of parent lines with regard to the exploitation of the hybrid variety.*

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