

Administrative and Legal Committee

CAJ/82/2

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REPORT ON DEVELOPMENTS IN THE TECHNICAL COMMITTEE

Document prepared by the Office of the Union

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EXECUTIVE SUMMARY

1. The purpose of this document is to report on developments in the Technical Committee (TC) at its sixty-first session, held in Geneva on October 20 and 20, 2025, of relevance for the Administrative and Legal Committee (CAJ).
2. The report of the TC is available in document TC/61/8 "Report".
3. The CAJ is invited to note developments at the sixty-first session of the TC, as reported in this document.
4. The structure of this document is as follows:

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5. The following abbreviations are used in this document:

CAJ:	Administrative and Legal Committee
TC:	Technical Committee
TC-EDC:	Enlarged Editorial Committee
TWA:	Technical Working Party for Agricultural Crops
TWF:	Technical Working Party for Fruit Crops
TWM:	Technical Working Party on Testing Methods and Techniques
TWO:	Technical Working Party for Ornamental Plants and Forest Trees
TWV:	Technical Working Party for Vegetables
TWPs:	Technical Working Parties

Adoption of the agenda

6. The TC adopted the agenda as presented in document TC/61/1.

7. The TC discussed the list of persons registered in advance of the sessions and protection of personal data. The TC agreed that the list of participants at its sixty-first session should be distributed directly to participants via email. The TC agreed that the list of participants should not be included in the report of the session nor published on the UPOV website until a decision on this matter was taken for all UPOV bodies. The TC noted the availability of personal data in lists of participants of UPOV meetings on the UPOV website and agreed this should also be considered in further deliberations on this matter.

Progress report on the work of the Technical Working Parties

8. The TC noted that, since its sixtieth session, the Technical Working Party for Agricultural Crops (TWA), Technical Working Party for Fruit Crops (TWF), Technical Working Party on Testing Methods and Techniques (TWM), Technical Working Party for Ornamental Plants and Forest Trees (TWO) and Technical Working Party for Vegetables (TWV) had each held one session.

9. The TC received reports from the chairs on the work of the TWA, TWF, TWM, TWO and TWV. The TC noted that the reports from the chairs were provided in the Annexes to document TC/61/5.

10. The TC noted that the TWA had not received an invitation for the venue of its session in 2026 and that a procedure was put in place for UPOV members to contact the UPOV Office with offers to host its next session by August 31, 2025. The TC noted that, subsequently, the Republic of Korea had proposed to host the fifty-fifth session of the TWA from June 15 to 18, 2026, in the city of Seoul, Republic of Korea.

11. The TC agreed that the approach used by the TWA could be used by other TWPs in case no offers for hosting a subsequent session were received during the session.

12. The TC approved the programs of work for the TWA, TWF, TWM, TWO and TWV, at their sessions in 2026, as set out in the Annexes to document TC/61/5, with the precision that the TWA would meet in the city of Seoul, Republic of Korea.

Matters arising from the Technical Working Parties

13. The TC considered document TC/61/3.

Matters for information and for a possible decision to be taken by the Technical Committee

14. The TC considered a proposal from the TWV for a survey among UPOV members on whether additional characteristics not included in Test Guidelines could constitute a barrier to taking over test reports, as set out in document TC/61/3, paragraphs 11 and 12.

15. The TC recalled that there was no obligation in the UPOV Convention for UPOV members to take over test reports and agreed that cooperation was important to avoid the need to repeat DUS examination of the same variety in each UPOV member.

16. The TC noted that there were different factors considered by UPOV members that would influence decisions to take over test reports according to the species and characteristics considered. The TC agreed that such variation would render unclear the results and agreed not to pursue the survey proposal.

17. The TC acknowledged the importance of disease resistances for plant breeding and recalled the flexibility for authorities in UPOV guidance when converting UPOV Test Guidelines into national test guidelines.

18. The TC recalled the procedure in document [TGP/5 Section 10](#) "Notification of Additional Characteristics and States of Expression", as follows:

- proposals for additional characteristics and states of expression should be notified to the Office of the Union using the template provided in document TGP/5 Section 10
- the proposals should provide information on the extent of use of the characteristic / state of expression
- the proposals received would be presented to the relevant Technical Working Party(ies) (TWP(s)) at the earliest opportunity

Matters for information

19. The TC noted developments in the TWPs concerning:

- (i) Disease resistance characteristics;
- (ii) Characteristics observed in one growing cycle in DUS testing where the minimum duration of tests should normally be two independent growing cycles;
- (iii) Uniformity assessment of characteristics not listed in test guidelines;
- (iv) Report on court cases dealing with technical matters: *Allium cepa* L. "SK20";
- (v) Information databases: The value and reliability of botanical names in ornamentals;
- (vi) Software and statistical analysis methods for DUS examination;
- (vii) Phenotyping and image analysis; and
- (viii) Variety collections: Variety collection of fruit crops in Ukraine.

Development of guidance and documents proposed for adoption by the Council

20. The TC considered document SESSIONS/2025/2.

Documents proposed for adoption by the Council in 2025

(a) Information document: UPOV/INF/22 "Software and Equipment Used by Members of the Union".

21. The TC agreed to propose a revision of document UPOV/INF/22/11 "Software and equipment used by members of the Union", on the basis of document UPOV/INF/22/12 Draft 1.

(b) TGP documents:

(i) *TGP/5: Experience and Cooperation in DUS Testing: Section 6 "UPOV Report on Technical Examination and UPOV Variety Description" (Revision)*

22. The TC agreed to propose a revision of document TGP/5 "Experience and Cooperation in DUS Testing", Section 6 "UPOV Report on Technical Examination and UPOV Variety Description", on the basis of TGP/5, Section 6/5 Draft 2.

(ii) *TGP/7: Development of Test Guidelines: Guidance Note 28 "Example Varieties" (Revision)*

23. The TC agreed to propose a revision of document TGP/7 "Development of Test Guidelines", on the basis of the proposed amendments presented in document SESSIONS/2025/2, Annex II.

*Matters for consideration by the Technical Committee*TGP/7: Development of Test Guidelines (Revision)*Number of growing cycles and concluding examination of fruit crops*

24. The TC considered the proposal to amend document TGP/7 “Development of Test Guidelines (Revision)” in relation to the number of growing cycles and concluding examination, as set out in document SESSIONS/2025/2, paragraphs 22 to 24, including the following standard wording:

“3. Method of Examination“3.1 Number of Growing Cycles

“The minimum duration of tests should ~~normally~~ generally be:

“{ **ASW 2** (Chapter 3.1(.1)) – number of growing cycles }

“The testing of a variety may be concluded when the competent authority can determine with certainty the outcome of the test.

“{ **GN 8** (Chapter 3.1.2) – explanation of the growing cycle }

“{ **ASW 3** (Chapter 3.1.2) – explanation of the growing cycle }

~~“The testing of a variety may be concluded when the competent authority can determine with certainty the outcome of the test.”~~

25. The TC agreed to invite the TWPs, at their sessions in 2026, to consider the proposed amendments to document TGP/7 “Development of Test Guidelines (Revision)” in relation to the number of growing cycles and concluding examination, as set out in document SESSIONS/2025/2, paragraphs 22 to 24.

26. The TC agreed to include a proposal from New Zealand to consider deleting the word “minimum” in the proposal for consideration by the TWPs.

Measures to enhance cooperation in examination

27. The TC considered document SESSIONS/2025/3.

Increasing opportunities for international cooperation

(a) “Environmental effect in expression of characteristics”

(b) “Completeness and relevance of variety collections”

28. The TC agreed to organize webinars to present practical experiences relating to the environmental effect in expression of characteristics and the constitution and relevance of variety collections.

29. The TC agreed that it was important to share information about the practices and experiences from different UPOV members, including how they organized bilateral cooperation and conditions to exchange test reports. The TC noted the expressions of interest to make presentations from Australia, China, Germany, Japan, Netherlands (Kingdom of the) and the United Kingdom. The TC agreed that other UPOV members willing to make presentations should contact the Office of the Union.

30. The TC agreed that discussions should take into consideration prior discussions on these topics, such as the study on the expression of characteristics at different environments for Petunia varieties and others, as appropriate (see: https://www.upov.int/edocs/mdocs/upov/en/two/37/two_37_08.pdf)

31. The TC agreed that the webinars should be recorded and made available on the UPOV website.

32. The TC agreed that the “open discussion session” to be held at the sixty-second session of the TC (2026) could be used to continue discussions on these topics.

(c) “Revise document TGP/5, Section 6 to provide information on elements required by UPOV members to use test reports from other UPOV members”

33. The TC noted that a proposal for the revision of document TGP/5, Section 6 was presented in document SESSIONS/2025/2 “Development of guidance and documents proposed for adoption by the Council”.

(d) “Phytosanitary issues that prevent or delay submission of plant material”

34. The TC agreed to organize a webinar on practical experiences with delays in DUS testing due to phytosanitary requirements and considerations on using test reports from another UPOV member to reduce delay in granting breeders' rights. The TC noted the expressions of interest to make presentations from Australia, Japan, Netherlands (Kingdom of the), New Zealand and the United Kingdom.

35. The TC agreed that the webinar should clarify situations where the difficulties to provide plant material could lead to a delay in granting the breeder's right and how bilateral cooperation could support overcoming the situation.

36. The TC recalled the 2023 survey on policy or legal barriers to international cooperation, where UPOV members provided information on their procedures in case of phytosanitary restriction to the submission of plant material (see Annex II, page 22, available at: https://www.upov.int/edocs/mdocs/upov/en/caj_80/sessions_2023_4.pdf)

37. The TC agreed that the webinar should focus on approaches used to deal with delays without considering phytosanitary measures outside the scope of UPOV.

38. The TC agreed to invite the UPOV Office to propose suitable dates for the webinars under (a), (b) and (d) before the 2026 sessions of the TWPs.

(e) “Increase information on arrangements for testing at breeders' premises”

39. The TC noted that preparatory webinars on cooperation with breeders in DUS examination had been held in 2025 and were available on the UPOV website at: https://www.upov.int/meetings/en/details.jsp?meeting_id=85855

40. The TC noted developments concerning the preparation of the “Seminar on cooperation with breeders in DUS examination”, to be held as a hybrid meeting in Geneva, on October 22, 2025.

Measures to improve support provided for DUS examination

41. The TC considered document TC/61/6.

Support for drafting national test guidelines

42. The TC agreed to invite the TWPs, at their sessions in 2026, to organize the agenda for discussions on Test Guidelines providing an opportunity for UPOV members to present characteristics, approaches or challenges for DUS examination relevant for drafting national test guidelines, as set out in document TC/61/6, paragraph 9, on the following basis:

- Discussions on matters relevant for national test guidelines would support UPOV members efforts to promote the development of new plant varieties of a wider range of crops
- Discussions on matters relevant for national test guidelines would have a specific space in the TWPs agenda different from discussions on international harmonization through developing of UPOV Test Guidelines.
- UPOV members would provide the expertise to support discussions on matters relevant for the development of national test guidelines in accordance with UPOV guidance.
- Discussions on matters relevant for national test guidelines would be reported to the TC for guidance and adjusting procedures, subject to the resources of the UPOV Office.

- The use of the TG template for the development of national test guidelines would be provided to UPOV members, subject to the availability of additional resources for the development of the required functionalities.

Possible Measures on Test Guidelines and online tool for drafting TGs

43. The TC noted the report from the leading expert of the TC subgroup on Test Guidelines, Ms. Margaret Wallace (United Kingdom), on discussions held in 2025 at the TWO, TWV, TWA and TWF on improving the Test Guidelines structure, the web-based TG template and the creation of national test guidelines.

44. The TC agreed that the proposals for improving the Test Guidelines in document TC/61/6, paragraph 12, should be presented to the TWPs, at their sessions in 2026, to clarify their scope and priorities for better understanding the resources required for their implementation.

45. The TC received a report from the Office of the Union on measures implemented to improve the web-based TG template, including its use to record comments and changes agreed during discussions directly in the TG Template at the TWF, as reported in document TC/61/6, paragraphs 17 to 27.

UPOV information databases

46. The TC considered document SESSIONS/2025/5.

GENIE database: finding cooperation in DUS examination

47. The TC agreed to propose to the Council to discontinue the section on “Cooperation in DUS Examination” in the GENIE database and Council document with the same title, with the understanding that such a decision would not affect the section “Practical experience in DUS examination” of the GENIE database, nor the publication of the TC document “List of genera and species for which authorities have practical experience in the examination of DUS”, as set out in document SESSIONS/2025/5, paragraphs 13 to 28.

48. The TC noted that information in the PLUTO database and the UPOV e-PVP DUS Report Exchange Module provided alternatives to identifying cooperation in DUS examination. The TC noted that a report on the crops and number of reports exchanged using the UPOV e-PVP DUS Report Exchange Module would be provided by the UPOV Office on a periodic basis as a performance indicator. The TC agreed to encourage further UPOV members to utilize the UPOV e-PVP DUS Report Exchange Module.

Proposals for amendments to UPOV codes for Citrus

49. The TC noted developments at the TWF on the revision of the UPOV codes for the *Citrus* complex. The TC considered the proposal from the TWF and agreed to amend the UPOV codes for the genera *Citroncirus*, *Fortunella* and *Poncirus*, as set out in Annex I to document SESSIONS/2025/5.

50. The TC agreed that members of the Union and contributors of data to the PLUTO database would be informed in advance by means of a circular of any deletions and the date in 2026 when these would be implemented. Contributors of data to the PLUTO database would be requested to use the updated UPOV codes when submitting their plant variety data to the Office of the Union.

Revision of scope of the five Test Guidelines for Citrus groups

51. The TC considered the revision of the UPOV codes for *Citrus* and the proposed revision of scope of the five Test Guidelines for *Citrus* groups, as set out in document SESSIONS/2025/5, paragraphs 41 to 44.

52. The TC recalled that Test Guidelines should not be revised for the sole purpose of updating botanical names and agreed that the proposed revision of the five Test Guidelines for *Citrus* groups should be conducted to redefine the scope of documents TG/83, TG/201, TG/202, TG/203 and TG/204 (*Citrus* groups).

PLUTO database

53. The TC noted the current use of the PLUTO database and the challenges faced by data contributors and other users. The TC noted that two surveys were planned to understand factors affecting the

completeness and timeliness of data contributions; and to gain insights into the efficiency and user-friendliness of the search functionality.

Molecular techniques

54. The TC considered document SESSIONS/2025/6.

Guidelines for the validation of a new characteristic-specific molecular marker protocol as an alternative method for observation

55. The TC considered the methodology proposed and agreed on the importance of harmonized validation for new molecular markers proposed for inclusion in Test Guidelines as alternative methods. The TC agreed that guidance should allow for other methods that achieve the same result, provided they are also validated.

56. The TC discussed the situation described in paragraph 31 of the draft guidance on matters to be considered on the use of molecular markers that might be trade secret and agreed that these situations should be considered on a case-by-case basis when developing characteristics for Test Guidelines.

57. The TC agreed to propose to the Council adopting the guidance for the validation of characteristic-specific molecular markers as alternative methods for the assessment of characteristics in Test Guidelines, as set out in the Annex to document SESSIONS/2025/6, subject to linguistic checking by the Enlarged Editorial Committee (TC-EDC).

Confidentiality and ownership of molecular information

58. The TC noted discussions on confidentiality and ownership of molecular information at the TWP sessions in 2025.

59. The TC agreed to invite the TWPs to organize future discussions on confidentiality and ownership of molecular information based on concrete cases and specific situations.

60. The TC agreed to invite the TWPs to discuss cooperation on the use of molecular information, such as at the 2025 sessions of the TWO (joint development of molecular markers) and TWV (managing variety collections and variety identification).

61. The TC noted the “Policy on the status of plant material submitted for DUS testing purposes” reported by the European Union at the TWA, as provided in document SESSIONS/2025/6, paragraph 29 (available at: <https://cpvo.europa.eu/en/cpvo-policy-status-plant-material-used-dus-testing-purposes>). The TC noted that examples of policies and contracts for material submitted by the breeder were provided in document TGP/5, [Section 11](#).

Cooperation between international organizations

Harmonizing terms, definitions and methods between UPOV, OECD and ISTA

62. The TC agreed to invite France, in collaboration with Argentina, China, Germany, Netherlands (Kingdom of the), United Kingdom, CIOPORA and ISF, to advance work towards harmonizing terms and definitions on molecular techniques used in UPOV, for consideration by the TWM and the TC in 2026.

63. The TC noted that the OECD Seed Schemes had endorsed the collaboration with UPOV for possible harmonization of definitions and terms.

Updating the list of molecular markers used per crop

64. The TC considered a proposal from the TWM and agreed to invite the Netherlands (Kingdom of the) to coordinate the updating of the [list of molecular markers](#) per crop developed by UPOV, which was available at the webpage of the fifty-eighth session of the TC.

Common sets of molecular markers for variety identification

65. The TC endorsed the collaboration with OECD and ISTA to establish common sets of molecular markers for variety identification and invited the TWM to advance discussions on this topic.

66. The TC noted that OECD had approved the start of work to establish common sets of molecular markers for variety identification, in collaboration with ISTA and UPOV.

Information on the use of molecular techniques in each organization: possible joint meeting

67. The TC endorsed the organization of a joint meeting with participants from the UPOV, OECD Seed Schemes and ISTA Variety Committee to discuss cooperation on the use of molecular markers for the purposes of each organization. The TC agreed that the arrangements for a possible joint meeting would be consulted with future hosts of TWM sessions.

Matters for information

68. The TC noted the following matters for information in document SESSIONS/2025/6:

- (i) Latest developments in molecular techniques and bioinformatics;
- (ii) Cooperation between international organizations;
- (iii) Report of work on molecular techniques in relation to DUS examination;
- (iv) Methods for analysis of molecular data, management of databases and exchange of data and material;
- (v) The use of molecular techniques in the assessment of essential derivation; and
- (vi) The use of molecular techniques for enforcement.

TWP workshops and webinars

69. The TC considered document TC/61/7.

70. The TC agreed to organize technical webinars at suitable dates prior to the TWP sessions in 2026 on the following topics:

- Environmental effect in expression of characteristics;
- Completeness and relevance of variety collections;
- Phytosanitary issues that prevent or delay submission of plant material

71. The TC noted that webinars would be recorded and made available online. The TC noted that the detailed arrangements concerning the webinars would be finalized by the Office of the Union in coordination with the UPOV members that expressed an interest to make presentations (Australia, China, Germany, Japan, Netherlands (Kingdom of the), New Zealand and the United Kingdom) and others that would wish to participate.

72. The TC agreed that hosts of TWPs should contact the Office of the Union at their earliest convenience for support organizing workshops with physical participation, in conjunction with the TWP sessions. In such cases, the content would be adapted to the particular context.

Discussion on: New technologies in DUS examination

73. The TC received the following presentations on new technologies in DUS examination, which were available on the TC/61 webpage of the UPOV website:

United Kingdom research and development to support DUS examination	United Kingdom
The use of new technologies in the DUS examination in France - the experience of GEVES	France
Molecular markers to machine learning – a United Kingdom policy perspective	United Kingdom

74. The TC noted the efforts to increase the release of new varieties to achieve broader policies. The TC noted the policy considerations on a range of technologies and approaches to increase efficiency in DUS examination, such as:

- machine learning

- genomic prediction
- shared molecular databases
- phenotyping
- image analysis

75. The TC noted that the technologies used aimed at reducing the size of trials and replacing manual work on labor-intensive characteristics. Some were in use for routine work, such as the use of two-dimensional images; while others were being developed such as the use of markers linked to characteristic expression and genomic prediction. The TC noted the increasing efforts towards genotyping variety collections.

76. The TC noted the increasing use of molecular markers for efficiency gains in routine procedures, such as for variety identification and enforcement. The TC discussed the cost implications of using these technologies in routine work and invited UPOV members to contact the members of the Union presenting for cooperation on further developing tools and scaling up initiatives.

77. The TC discussed the implications of smaller differences identified between varieties using automated procedures compared to traditional methods and noted the usefulness of increased precision levels for statistical analysis, such used in forage crops.

78. The TC noted that discussions on these topics would continue at the fourth session of the TWM, to be held in Cambridge, United Kingdom, in 2026.

Program for the sixty-second session

79. The TC agreed the following program for its sixty-second session to be held on October 19 and 20, 2026:

1. Opening of the session
2. Adoption of the agenda
3. Developments in UPOV and overview of relevant matters for the Technical Committee
4. Progress reports on the work of the Technical Working Parties
5. Matters arising from the Technical Working Parties
6. Development of guidance and documents proposed for adoption by the Council
7. Measures to enhance cooperation in examination
8. Measures to improve support provided for DUS examination
9. UPOV information databases
10. Molecular techniques
11. TWP workshops and webinars
12. Open discussion: Environmental effect in expression of characteristics; Completeness and relevance of variety collections; Phytosanitary matters that impact access to plant material
13. Matters for information:
 - (a) Meetings on Electronic Applications (EAM)
 - (b) List of genera and species for which authorities have practical experience in the examination of distinctness, uniformity and stability
14. Test Guidelines
15. Program for the sixty-third session
16. Adoption of the report (if time permits)
17. Closing of the session

80. The CAJ is invited to note developments at the fifty-eighth session of the Technical Committee, as reported in this document.

[End of document]