

Administrative and Legal Committee
CAJ/82/5
**Eighty-Second Session
Geneva, October 22, 2025**
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REPORT
adopted by the Administrative and Legal Committee
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Opening of the session

1. The Administrative and Legal Committee (CAJ) held its eighty-second session in Geneva on October 22, 2025, under the chairmanship of Ms. María Laura Villamayor (Argentina).
2. The session was opened by the Chair, who welcomed the participants. The CAJ agreed to follow the approach taken by the Technical Committee, that the list of participants will be distributed directly to participants via email (see document TC/61/8 “Report”, paragraph 5 for further information) and will not be published on the UPOV website pending a decision of the Council on the matter.
3. The Chair reported that Nigeria had deposited its instrument of accession to the 1991 Act of the UPOV Convention on February 27, 2025, and had become bound by the 1991 Act on March 27, 2025. Nigeria became the 80th member of the Union on March 27, 2025.
4. The Chair reported that Seychelles and Sudan have been granted observer status in the CAJ and that AIPPI was issued an ad hoc invitation to participate in the WG-HRV/8 meeting.

Adoption of the agenda

5. The CAJ adopted the draft agenda, as proposed in document CAJ/82/1.

Report by the Vice Secretary-General on developments in UPOV

6. The CAJ received a presentation from the Vice Secretary-General and noted developments in UPOV and an overview of relevant matters for the CAJ. The CAJ noted that the complete presentation was available in document SESSIONS/2025/1 and as video recording on the UPOV website.

Report on developments in the Technical Committee

7. The CAJ noted the information in document CAJ/82/2 and in the oral report made by Ms. Beate Rücker, Chair of the Technical Committee (TC) on the work of the last session of the TC.
8. The CAJ agreed to follow the approach taken by the Technical Committee, 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 CAJ agreed that the list of participants of the CAJ/82 session will be distributed directly to participants via email.

Development of guidance and documents proposed for adoption by the Council

9. The CAJ considered documents SESSIONS/2025/2 and CAJ/82/2.

*Information Materials*UPOV/INF/22: Software and Equipment Used by Members of the Union (Revision)
(document UPOV/INF/22/12 Draft 1)

10. The CAJ approved the 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.

11. The CAJ agreed that the Council be invited to adopt, at its fifty-ninth ordinary session, the proposed revisions to 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.

*TGP Documents*Document TGP/5: “Experience and Cooperation in DUS Testing”:*Experience and Cooperation in DUS Testing: Section 6 “UPOV Report on Technical Examination and UPOV Variety Description” (Revision)*

12. The CAJ considered Annex I to document SESSION/2025/2.
13. The CAJ noted that the TC had agreed, at its sixty first session, 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.

Document TGP/7: Development of Test Guidelines (Revision)*Guidance Note 28 “Example Varieties” (revision): Situations where illustrations could complement or replace example varieties*

14. The CAJ considered Annex II to document SESSION/2025/2.
15. The CAJ noted that the TC had agreed, at its sixty first session, to propose a revision of document TGP/7 “Development of Test Guidelines”, on the basis of the proposed amendments presented in the Appendix to Annex II in document SESSIONS/2025/2.
16. The CAJ noted that the TC had agreed, at its sixty first-session, 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.
17. The CAJ agreed with the proposal of the TC and approved the proposed revision of document TGP/7 “Development of Test Guidelines”, as set out in paragraph 24.
18. On that basis, the CAJ agreed that the Council be invited to adopt, at its fifty-ninth ordinary session, the proposed revisions to document TGP/7 “Development of Test Guidelines”.

Measures to enhance cooperation in examination (document SESSIONS/2025/3)

19. The CAJ considered document SESSIONS/2025/3.

Increasing opportunities for international cooperation

- (a) “Environmental effect in expression of characteristics”
- (b) “Completeness and relevance of variety collections”

20. The CAJ considered whether to organize webinars to present practical experiences relating to the environmental effect in expression of characteristics.

21. The CAJ considered whether to organize webinars to present practical experiences relating to the constitution and relevance of variety collections.

22. The CAJ noted that 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.

23. The CAJ noted that 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 CAJ noted that the TC received the expressions of interest to make presentations from Australia, China, Germany, Japan, Netherlands (Kingdom of the) and the United Kingdom and that other UPOV members willing to make presentations should contact the Office of the Union (see document TC/61/8 "Report", paragraphs 27 to 31).

24. The CAJ noted that 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"

25. The CAJ noted the proposal for the revision of document TGP/5, Section 6 as 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"

26. The CAJ noted that 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 CAJ noted that the TC received the expressions of interest to make presentations from Australia, Japan, Netherlands (Kingdom of the), New Zealand and the United Kingdom.

27. The CAJ noted the intervention of the Delegation of Japan that it was important to understand practical experiences from UPOV members on these matters as, in accordance with Article 5 of the UPOV Convention, the delays in providing material should not be a reason to reject an application for breeder's right.

28. The CAJ also agreed with the TC initiative to organize webinars on practical experiences where delays in DUS testing due to phytosanitary requirements have occurred and on considerations under which a DUS test report from another UPOV member can be used in these circumstances to avoid or reduce delays in granting a breeder's right.

29. The CAJ noted that the TC agreed to invite the UPOV Office to propose suitable dates for the above webinars before the 2026 sessions of the TWPs.

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

30. The CAJ noted the preparatory webinars on cooperation with breeders in DUS examination held in 2025 and developments concerning the preparation of the "Seminar on cooperation with breeders in DUS examination", to be held by hybrid means in Geneva, on October 22, 2025.

Updates from UPOV members and observers relating to the implementation of the concept of essentially derived varieties (document CAJ/82/3)

31. The CAJ considered document CAJ/82/3.

32. The CAJ noted the role of molecular techniques in EDV assessment for wheat and soybeans which was presented at the [TWM/3](#) in Beijing.

33. The Delegation of Uruguay informed the CAJ that Uruguay was in the process of incorporating provisions on essentially derived varieties in their law following consultations with stakeholders.

34. The CAJ took note of the interventions by the International Seed Federation (ISF) and Euroseeds. The CAJ noted that copies of the presentations are available on the UPOV website

Report on the Working Group on Harvested Material and Unauthorized use of Propagating Material (WG-HRV) (document CAJ/82/4)

35. The CAJ considered documents CAJ/82/4.

36. The CAJ noted the developments concerning the work of the WG-HRV, as reported in document CAJ/82/4.

37. The CAJ noted that the WG-HRV will hold its eighth meeting in Geneva, on October 22, 2025, by hybrid means, and that the authors would present a draft study in person during this meeting. The WG-HRV/8 documents are available at:

https://www.upov.int/meetings/en/details.jsp?meeting_id=88391.

38. The CAJ noted that with Circular E-25/053 of September 11, 2025, the WG-HRV was informed that the authors of the study requested to postpone the delivery date of the final version of the study to December 15, 2025. The study will be made available to the WG-HRV in January 2026, giving the members time to consider the final version of the study before the ninth meeting of the WG-HRV, foreseen to take place in March 19, 2026.

Meetings on Electronic Applications (EAM) (document SESSIONS/2025/4)

39. The CAJ considered document SESSIONS/2025/4.

40. The CAJ noted the developments concerning meetings on Electronic Applications.

41. The CAJ noted that a pilot project would be developed under work of the EAM with UPOV members and representatives of breeders to identify common core information that could potentially be used in the filing of applications (pilot project). The intention of this project is not to replace national or regional systems but to further facilitate the filing of applications. The freedom to use national or regional applications forms in UPOV PRISMA will remain.

42. The CAJ noted that Australia, Canada, European Union, Japan, United Kingdom, United States of America and the International Seed Federation volunteered at the EAM to take part in the pilot project and that other members or observers are welcome to join. The CAJ noted that Argentina and CIOPORA have also expressed the interest at the CAJ to participate in the pilot project. The CAJ noted that progress made on the "PRISMA plus pilot project" will be reported to the CAJ at its session in October 2026.

UPOV information databases (document SESSIONS/2025/5)

43. The CAJ considered document SESSIONS/2025/5.

44. The CAJ noted the developments on information databases.

45. The CAJ agreed to recommend to the Council to consider discontinuing the section on "Cooperation in DUS Examination" in the GENIE database and the 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 document "List of genera and species for which authorities have practical experience in the examination of DUS", as set out in paragraphs 13 to 28 of document SESSIONS/2025/5.

46. The CAJ agreed to conduct two surveys:

- one to UPOV members to understand additional factors affecting the completeness and timeliness of data contributions in the fourth quarter of 2025; and
- one to all users, and future users, to gain insights into the data, efficiency and user-friendliness of the search functionality in the first quarter of 2026.

Molecular techniques (document SESSIONS/2025/6)

47. The CAJ considered document SESSIONS/2025/6.
48. The CAJ noted the developments on molecular techniques.

Program for the eighty-third session

49. The CAJ agreed the following program for its eighty-third session to be held on October 21, 2026:
 1. Opening of the session
 2. Adoption of the agenda
 3. Report by the Vice Secretary-General on developments in UPOV
 4. Report on developments in the Technical Committee
 5. Development of guidance and information materials
 - (a) Information documents
 - (b) Explanatory Notes
 - (c) TGP documents
 6. Measures to enhance cooperation in examination
 7. Updates from UPOV members and observers relating to the implementation of the concept of essentially derived varieties
 8. Report on the Working Group on Harvested Material and Unauthorized use of Propagating Material (WG-HRV)
 9. Report on Meetings on Electronic Applications (EAM)
 10. Report on UPOV information databases
 11. Report on Molecular techniques
 12. Program for the eighty-fourth session
 13. Adoption of the report (if time permits)
 14. Closing of the session

UPOV Medal

50. In recognition of her contribution as Chair of the Administrative and Legal Committee (CAJ), the Vice-Secretary-General awarded a UPOV Silver Medal to Ms. Laura Villamayor (Argentina).

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