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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

GENEVA

TECHNICAL COMMITTEE

Forty-Seventh Session
Geneva, April 4 to 6, 2011

EXCHANGEABLE SOFTWARE

Document prepared by the Office of the Union

1.   The purpose of this document is to report on relevant matters concerning document UPOV/INF/16/1 "Exchangeable Software" and to provide the Technical Committee (TC) with background information in its consideration of document UPOV/INF/16/2 Draft 1.

2.   The structure of the document is as follows:

3.   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

TWC: Technical Working Party on Automation and Computer Programs

TWF: Technical Working Party for Fruit Crops

TWO: Technical Working Party for Ornamental Plants and Forest Trees

TWV: Technical Working Party for Vegetables

TWPs: Technical Working Parties

I.   BACKGROUND

4.   At its forty-sixth session, held in Geneva from March 22 to 24, 2010, the Technical Committee (TC) considered documents TC/46/12 and UPOV/INF/Software Draft 3. The TC agreed that, subject to agreement by the Administrative and Legal Committee (CAJ), document UPOV/INF/Software Draft 3 should be put forward for adoption by the Council at its forty-fourth ordinary session, to be held in Geneva on October 21, 2010. The TC noted that the French, German and Spanish translations of the original English text would be checked by the relevant members of the Editorial Committee prior to submission of the draft of document UPOV/INF/Software to the Council (see document TC/46/15 "Report on the conclusions", paragraphs 76 and 77).

5.   At its sixty-first session in Geneva on March 25, 2010, the CAJ, considered documents CAJ/61/9, CAJ/61/10 and UPOV/INF/Software Draft 3 "Exchangeable Software". The CAJ noted that the TC had agreed to the adoption of document UPOV/INF/Software by the Council, on the basis of document UPOV/INF/Software Draft 3. The CAJ agreed that document UPOV/INF/Software Draft 3 should be put forward for adoption by the Council at its forty-fourth ordinary session, to be held in Geneva on October 21, 2010. The CAJ noted that the French, German and Spanish translations of the original English text would be checked by the relevant members of the Editorial Committee prior to submission of the draft of document UPOV/INF/Software to the Council (see document CAJ/61/12 "Report", paragraphs 74 to 76).

6.   At its forty-fourth ordinary session, held in Geneva on October 21, 2010, the Council of UPOV adopted document UPOV/INF/18/1 "Exchangeable Software" on the basis of document UPOV/INF/18/1 Draft 1 (see document C/44/16 "Report on the Decisions", paragraph 33). On the basis of the decision by the Council not to adopt document UPOV/INF/16/1 Draft 1 (see document C/44/16 "Report on the Decisions", paragraph 30), and in order to maintain a sequential numbering for information materials, the code for document "Exchangeable Software" has been changed from "UPOV/INF/18/1" to "UPOV/INF/16/1".

II.   TRANSLATION OF USER GUIDE FOR THE SIRIUS SYSTEM OF DATA CAPTURE

7.   The TC, at its forty-sixth session, and the CAJ, at its sixty-first session, approved the translation into English of the user guide for the SIRIUS system for data capture by the Office of the Union, on the basis that the experts from France would check, and also be responsible for, the English version.

8.   In April 2010, the Office of the Union requested the translation into English of the users guide for the SIRIUS system for data capture. The Users Guide has been translated and is being checked by experts from France.

> *9.   The TC is invited to note the report on developments concerning the translation of the user guide for the SIRIUS system into English.*

III.   UPDATING OF INFORMATION ON THE USE OF THE SOFTWARE PRESENTED IN DOCUMENT UPOV/INF/16/1 "EXCHANGEABLE SOFTWARE"

10.   Section 4 of document UPOV/INF/16/1 "Exchangeable Software", adopted by the Council of UPOV at its forty-fourth ordinary session, provides the following:

"4.   Information on use by members of the Union

4.1   A circular is issued to members of the Union on an annual basis, inviting them to provide information on their use of the software included in document UPOV/INF/16.

4.2   The information on software use by members of the Union is indicated in the columns "Member(s) of the Union using the software" and "Application by user(s)". With regard to the indication of "Application by user(s)", members of the Union can indicate, for example, crops or types of crop for which the software is used. "

11.   On February 4, 2011, the Office of the Union issued Circular E-1464 to the designated persons of the members of the Union in the Technical Committee, inviting them to provide information regarding the use of the software included in document UPOV/INF/16. The Office of the Union received information regarding the use of the software included in document UPOV/INF/16 from Croatia. Document UPOV/INF/16/2 Draft 1 incorporates the updated information on the use of exchangeable software presented by Croatia.

12.   Any changes proposed to the text of document UPOV/INF/16/2 Draft 1 by the TC, at its forty-seventh session, will be incorporated into document UPOV/INF/16/2 Draft 2, to be considered by the CAJ at its sixty-third session, to be held in Geneva in October 2011. Subject to agreement of a common text by the TC and the CAJ, document UPOV/INF/16/2 will be put forward for adoption by the Council at its forty-fifth ordinary session, to be held in Geneva on October 20, 2011.

13. *The TC is invited to:*

(a) *consider document UPOV/INF/16/2; and*

(b) *note the procedure for the revision of document UPOV/INF/16/1, as set out in paragraph 12.*

IV. NEW SOFTWARE TO BE CONSIDERED FOR INCLUSION IN DOCUMENT UPOV/INF/16 "EXCHANGEABLE SOFTWARE"

Software presented at the twenty-eighth session of the TWC

14. At the twenty-eighth session of the Technical Working Party on Automation and Computer Programs (TWC), held in Angers, France, from June 29 to July 2, 2010, the Community Plant Variety Office of the European Union (CPVO) invited the TWC to consider including the CPVO Centralised Database on Variety Denominations in document UPOV/INF/Software. It was explained that the database would be made available to all members of the Union and would enable them to use the CPVO variety denomination checking tool in conjunction with all data in the CPVO Centralised Database on Variety Denominations. The TWC noted the benefits that could be achieved from harmonization in the checking of variety denominations and agreed that the CPVO Centralised Database on Variety Denominations should be proposed for inclusion in document UPOV/INF/Software (see document TWC/28/36 "Report" paragraphs 65 and 66).

15. Following the twenty-eighth session of the TWC, the CPVO wrote to the Office of the Union explaining that the CPVO Centralised Database on Variety Denominations was accessible to members of the Union through the CPVO website and explained that the software for checking variety denominations, which was the result of cooperation between the CPVO and the *Groupe d'étude et de contrôle des variétés et des semences* (GEVES) (France), would also be made available to members of the Union. In that regard, it clarified that neither CPVO nor GEVES would be in a position to provide assistance for the installation or use of this software.

16. The TWC also received a presentation on the electronic office management systems deployed by CPVO, a copy of which was provided as document TWC/28/35, Annex III. The CPVO offered its assistance to any member of the Union wishing to benefit from the experience of the CPVO in developing their system and suggested that consideration might be given to how that offer might be reflected in document UPOV/INF/Software, or elsewhere (see document TWC/28/36 "Report" paragraph 67).

17. *The TC is invited to:*

(a) *note the accessibility to members of the Union of the CPVO Centralised Database on Variety Denominations as set out in paragraphs 14 and 15; and*

(b)   note that the software for checking variety denominations developed by the CPVO and GEVES would be made available to members of the Union; and

(c)   consider how the offer of the assistance on electronic office management systems made by the CPVO, as set out in paragraph 16, might be reflected in document UPOV/INF/Software, or elsewhere.

Software to be presented at the twenty-ninth session of the TWC

18.   In reply to Circular E-1464, the Netherlands and the Russian Federation provided information on exchangeable software in addition to that included in document UPOV/INF/16/1 "Exchangeable Software". The information provided by the Netherlands is presented in Annex I to this document and the information provided by the Russian Federation is presented in Annex II to this document.

19.   The procedure for considering such proposed inclusions is set out in document UPOV/INF/16/1 "Exchangeable Software", as follows:

"2.   Procedure for inclusion of software

Software proposed for inclusion in document UPOV/INF/16 by members of the Union is, in the first instance, presented for review by the Technical Working Party on Automation and Computer Programs (TWC). On the basis of such presentations and the experience of members of the Union, the TWC makes a recommendation to the Technical Committee on whether to include that software in document UPOV/INF/16. In the case of a positive recommendation by the TC and by the Administrative and Legal Committee (CAJ), the software will be listed in a draft of document UPOV/INF/16, to be considered for adoption by the Council. Document UPOV/INF/16 is adopted by the Council."

20.   On that basis, the TWC will be invited to consider the proposals by the Netherlands and the Russian Federation, as presented in Annexes I and II to this document, at its twenty-ninth session, to be held in Geneva from June 7 to 10, 2011.

21.   The TC is invited to note that the Netherlands and the Russian Federation will be invited to present their proposed exchangeable software, as set out in Annexes I and II to this document, respectively, at the twenty-ninth meeting of the TWC for possible inclusion in a future revision of document UPOV/INF/16.

[Annexes follow]

TC/47/12

ANNEX I

Information on new exchangeable software provided by the Netherlands in reply to Circular E-1464

UPOV EXCHANGEABLE SOFTWARE:

Please submit your country/organization information by completing the columns "Member(s) of the Union using the software" and "Application by user(s)" as appropriate.

INFORMATION SUBMITTED BY (NAME OF THE STATE/ORGANIZATION):

 (a) Administration of applications
 (b) On-line application systems
 (c) Variety denomination checking
 (d) DUS trial design and data analysis
 (e) Data recording and transfer
 (f) Image analysis
 (g) Biochemical and molecular data

Date added	Program name	Programming language	Function (brief summary)	Source & contact details	Condition for supply	Member(s) of the Union using the software	Application by user(s)
	BIONUMERICS		Platform for databasing and analysis of 1D patterns, 2D gels, phenotype arrays and DNA/protein sequences	Netherlands: Email: h.teunissen@naktuinbouw.nl	Commercial software available through Applied Maths	NL	Potato, Strawberry, Carnation, Apple, Campanula, Chinese cabbage, Fresia, Geranium, Gladiolus, Guzmania, Gypsophila, Helleborus, Hydrangea, Bristle oats, Euonymus, King grass, Cucumber, Lily, Mandevilla, Ornithogalum, Pepper, Pear, Phalaenopsis, Platycodon, Rhipsalis, Rose, Savoy cabbage, Lettuce, White cabbage, Bean, Tomato, Onion, Watermelon, Carrot, Zantedeschia

[Annex II follows]

ANNEX II

Information received by correspondence from the Russian Federation in October 2010

<u>UPOV EXCHANGEABLE SOFTWARE:</u>

Please submit your country/organization information by completing the columns "Member(s) of the Union using the software" and "Application by user(s)" as appropriate.

INFORMATION SUBMITTED BY (NAME OF THE STATE/ORGANIZATION):	

(a) <u>Administration of applications</u>
(b) <u>On-line application systems</u>
(c) <u>Variety denomination checking</u>
(d) <u>DUS trial design and data analysis</u>

Date added	Program name	Programming language	Function (brief summary)	Source & contact details	Condition for supply	Member(s) of the Union using the software	Application by user(s)
	ZAJVKA	SQL Windows	Information on applications (name and address of applicants, proposed denomination, date of application etc) and registration (denomination, date of registration)	Russian Federation, State Commission of the Russian Federation for Selection Achievements Test and Protection Valentin Sherbina, Chief of IT Department e-mail: gossort@gossort.com		RU	all crops
	OOS	SQL Windows	General database software for programming and analysis of data of plant varieties of DUS-trials	Russian Federation, State Commission of the Russian Federation for Selection Achievements Test and Protection Valentin Sherbina, Chief of IT Department e-mail: gossort@gossort.com		RU	all crops

Date added	Program name	Programming language	Function (brief summary)	Source & contact details	Condition for supply	Member(s) of the Union using the software	Application by user(s)
	PLOD_PLAN	SQL Windows	Database software for DUS-analysis and programming of data of fruit- and berry- DUS trials	Russian Federation, State Commission of the Russian Federation for Selection Achievements Test and Protection Valentin Sherbina, Chief of IT Department e-mail: gossort@gossort.com		RU	fruit, berry
	ISS (SPRAVKA)	Borland C (DOS) VBA (In formation)	Software to report, calculate and analyze data of plant varieties of DUS trials for the last 10 years	Russian Federation, State Commission of the Russian Federation for Selection Achievements Test and Protection Valentin Sherbina, Chief of IT Department e-mail: gossort@gossort.com		RU	all crops

[End of Annex II and document]