

## Meeting to discuss Electronic Application Forms

Date: December 8, 2011

Venue: UPOV Headquarters, 34, chemin des Colombettes, Geneva

### REPORT

#### Welcome

1. The meeting was opened and chaired by Mr. Peter Button (PB), Vice Secretary-General of the International Union for the Protection of New Varieties of Plants (UPOV), who welcomed the participants.
2. The list of participants is reproduced in Annex I to this report.

#### Approval of the Agenda

3. The meeting adopted the agenda, as circulated to the participants in advance of the meeting.

#### Developments in UPOV

4. The meeting considered the document attached as Annex II to this report.
5. It was agreed that it would be useful to have a discussion on the UPOV project to develop an electronic version of the "Linear Blank form" of the UPOV Model Application Form and Technical Questionnaire (UPOV Project) after the presentation on developments at the Community Plant Variety Office of the European Union (CPVO).

#### Developments concerning the CPVO online application system

6. Mr. Jean Maison (JM) and Mr. Marc Rouillard (MR) made a joint presentation on developments concerning the CPVO online application system, a copy of which is attached as Annex III to this report.

#### UPOV Project

##### *General design*

7. PB explained that, since the previous meeting, CPVO had approached UPOV to discuss how best to cooperate in the development of the UPOV Project and CPVO online application system. One option that had been considered had been to use a single developer for both projects. However, it had been concluded that there would be a number of practical difficulties with such an approach, which were likely to significantly outweigh any potential advantages. It had been concluded that the most beneficial approach would be for UPOV and CPVO colleagues to share information and ideas as extensively as possible in the development process. It was agreed that such an approach would be the most appropriate and would also be aided by the joint UPOV, WIPO, CPVO and ISF meetings to discuss Electronic Application Forms.
8. It was agreed that the design concept of the CPVO forms, e.g. "expanding" questions, should be pursued for the UPOV Project.

### *Core set and additional questions*

9. It was recalled that the concept of having a “core” set of UPOV questions, to which individual members of the Union could add their “additional questions”, had been endorsed. The UPOV Model Application Form and UPOV Technical Questionnaire had been considered as the “core” set of questions, to which, for example, the CPVO and other members of the Union could add their additional questions, if so desired.

10. JM explained that the CPVO work had indicated that there might be possibilities for further convergence of the national and CPVO questions at the CPVO level. It was agreed that it would be very beneficial for UPOV and CPVO to consider the extent to which the UPOV and CPVO core sets of questions could be harmonized as far as possible.

11. It was noted that an aspect that needed further consideration was the numbering of the “additional questions”. It was agreed that it would be desirable for the “core” questions to conserve their numbering, whilst allowing the “additional questions” to be inserted in a logical sequence.

12. PB recalled that, in the UPOV Project, consideration would need to be given to the translation of the additional questions to be added by individual members of the Union. In that regard, it had been agreed that the UPOV Project should consider a small number of crops/species in the first instance in order to assess the feasibility of the project on a wider scale.

13. The following species/crops were mentioned as possibilities for further consideration: lettuce; maize (hybrids); peach; potato; rose; tomato; wheat. However, it was agreed that further information was needed in order to assess the most suitable crops/species. Mr. Marcel Bruins (ISF) (MB) agreed to consult ISF members with regard to suitable species/crops and emphasized that the International Community of Breeders of Asexually Reproduced Ornamental and Fruit Plants (CIOPORA) should be consulted with regard to asexually reproduced ornamental and fruit plants.

14. It was agreed that the PLUTO Plant Variety Database should be used to find the crops/species with the highest number of PBR applications and in the highest number of UPOV members. The discussions on this aspect highlighted the difficulty in identifying applications were made for the same variety in different territories because of the absence of a unique variety identifier. It was noted that the possibility of creating of a unique variety identifier had been discussed within UPOV in the past, but had not been pursued (see document TC/39/14 – CAJ/47/5, paragraphs 14 to 18). It was agreed that the Administrative and Legal Committee should be informed of the discussion in order that it might consider whether the matter was worthy of further discussion.

### *Data format*

15. It was recalled that the UPOV Project should retain the possibility for users to input data manually and the possibility for output forms to be generated in paper and electronic formats. With regard to the development of possibilities for electronic transmission of data in XML format from breeders to the UPOV form, there was a need for further work in order to develop a standardized system of data exchange for PBR applications.

### Developing a standardized system of data exchange for PBR applications

16. Mr. Angel Lopez Solanas (ALS), Head, WIPO Standard Section, provided a report on developments in WIPO concerning the “XML4IP Project” (see Report of August 11, 2011 meeting, Annex 6). He explained that WIPO had not yet adopted the ST.96 standard.

17. ALS recalled that the WIPO standard ST.96 would provide the schemas to be used for data exchange among intellectual property offices (IPOs) and implementation at IPOs. However, he also recalled that there would be a number of items, specific for PBR purposes, which would not be covered by ST.96.

18. PB recalled that, at the meeting on August 11, 2011, it was agreed that the development of any standardized system of data exchange for PBR applications should use the WIPO standard ST.96 as the starting point. As a first step, it had been agreed that it would be necessary to review the ST.96

standard in order to identify fields in the UPOV and CPVO forms that would be covered by ST.96 and those that would not be covered. Furthermore, it had been agreed that CPVO should undertake that analysis and should develop proposals for common design rules for fields that were not covered by ST.96. JM explained that CPVO would follow developments in WIPO with regard to ST.96.

#### Other items

19. MB recalled that there might be particular interest in piloting the UPOV Project in regions where a regional system of plant variety protection was under development.

#### Future actions

- UPOV Project: design concept of the CPVO forms, e.g. “expanding” questions, to be pursued.
- UPOV and CPVO to consider the extent to which the UPOV and CPVO core sets of questions could be harmonized as far as possible.
- UPOV and CPVO to give further consideration to the numbering of “additional questions”.
- ISF to consult ISF members with regard to suitable species/crops to assess the feasibility of the UPOV Project.
- UPOV to consult CIOPORA with regard to suitable species of asexually reproduced ornamental and fruit plants to assess the feasibility of the UPOV Project.
- UPOV to research PLUTO Plant Variety Database to find the crops/species with the highest number of PBR applications and in the highest number of UPOV members.

#### Future meetings

20. It was agreed that a meeting should be scheduled for May 10, 2012, to be held in Geneva. UPOV will investigate the possibility for the meeting to offer participation by WebEx.

[End of document: annexes available on website]