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Geneva

TECHNICAL COMMITTEE

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REVISION OF DOCUMENT TGP/5 SECTION 10: NOTIFICATION OF ADDITIONAL CHARACTERISTICS

Document prepared by the Office of the Union

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1. The purpose of this document is to present a proposal for revision of document TGP/5: Experience and Cooperation in DUS Testing, Section 10: "Notification of Additional Characteristics and States of Expression".

2. The following abbreviations are used in this document:

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
TWPs:	Technical Working Parties
TWV:	Technical Working Party for Vegetables

3. The structure of this document is as follows:

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BACKGROUND

4. At its forty-fifth ordinary session held in Geneva on October 20, 2011, the Council adopted the revision of document TGP/5 Section 10/1 "Experience and Cooperation in DUS Testing, Section 10: Notification of Additional Characteristics" on the basis of document TGP/5 Section 10/2 Draft 3 (see document C/45/17 "Report on the Decisions", paragraph 12).

5. Document TGP/5 Section 10/2 "Experience and Cooperation in DUS Testing, Section 10: Notification of Additional Characteristics and States of Expression" states that:

“4.2 Proposals for additional characteristics and states of expression notified to the Office of the Union by means of document TGP/5 Section 10, will be presented to the relevant Technical Working Party(ies) (TWP(s)) at the earliest opportunity with information on the extent of use of the characteristic. The characteristics will then, as appropriate, be posted on the password-restricted area of the UPOV website (http://www.upov.int/restricted_temporary/twptg/en/drafters_kit.html), on the basis of comments made by the relevant TWP(s), and/or the TWP(s) may initiate a revision or a partial revision of the Test Guidelines concerned.”

6. At its eighty-second session held in Geneva on October 19 and on the morning of October 20, 2011, the Consultative Committee recommended to the Council, at its forty-fifth ordinary session, that documents currently in the first restricted area of the UPOV website be made publicly accessible, by removal of the password requirement. The Consultative Committee agreed that, if possible, the removal of the password be arranged to coincide with the launching of the redesigned UPOV website on November 1, 2011.

7. On the basis of the recommendations of the Consultative Committee, at its forty-fifth ordinary session, the Council agreed that documents currently in the first restricted area of the UPOV website be made publicly accessible, by removal of the password requirement. It also agreed that, if possible, the removal of the password be arranged to coincide with the launching of the redesigned UPOV website on November 1, 2011.

8. Following the developments above, the TC at its forty-eighth session, held in Geneva from March 26 to 28, 2012, agreed that, in the first instance, additional characteristics should be posted in the TG Drafters' Webpage and that further consideration to the publication of additional characteristics on the general website could be considered at a later date (see document TC/48/22 “Report on the Conclusions”, paragraph 152).

9. At its forty-ninth session held in Geneva on March 18 to 20, 2013, the TC agreed that a draft revision of document TGP/5 Section 10 be presented for consideration by the TC at its fiftieth session, subject to the conclusion of discussions on disclaimers on UPOV documents in the Consultative Committee (see document TC/49/41 “Report on the conclusions”, paragraph 150).

10. The Consultative Committee, at its eighty-fifth session, held in Geneva on March 22, 2013, approved the revised disclaimer text on the meeting section of the UPOV website, and the addition of a disclaimer to each UPOV session document. The revised disclaimer text has been posted on the meeting section of the UPOV website (<http://www.upov.int/meetings/en/topic.jsp>) and the disclaimer has been incorporated in UPOV session documents.

PROPOSAL FOR REVISION OF DOCUMENT TGP/5: SECTION 10: “NOTIFICATION OF ADDITIONAL CHARACTERISTICS AND STATES OF EXPRESSION”

11. It is proposed to amend the guidance in document TGP/5: Section 10 to read as follows:

“4.2 Proposals for additional characteristics and states of expression notified to the Office of the Union by means of document TGP/5 Section 10, will be presented to the relevant Technical Working Party(ies) (TWP(s)) at the earliest opportunity with information on the extent of use of the characteristic. The characteristics will then, as appropriate, be posted on the ~~password-restricted area~~ TG Drafters' Webpage of the UPOV website (~~http://www.upov.int/restricted_temporary/twptg/en/drafters_kit.html~~ http://www.upov.int/restricted_temporary/tg/index.html) on the basis of comments made by the relevant TWP(s), and/or the TWP(s) may initiate a revision or a partial revision of the Test Guidelines concerned.”

12. The TC is invited to consider the proposed amendment to the guidance in document TGP/5: Section 10, as set out in paragraph 11 of this document.

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