

**Technical Committee**

**TC/58/11**

**Fifty-Eighth Session  
Geneva, October 24 and 25, 2022**

**Original:** English  
**Date:** October 6, 2022

**EXCHANGE AND USE OF SOFTWARE AND EQUIPMENT**

*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 and to propose a revision of documents UPOV/INF/16/10 “Exchangeable Software” and UPOV/INF/22/8 “Software and equipment used by members of the Union” for adoption by the Council, in 2022, subject to approval by the CAJ.

2. The TC is invited to:

(a) note that the Council, at its fifty-fifth ordinary session, adopted in the procedure by correspondence, on September 21, 2021, document UPOV/INF/16/10 “Exchangeable Software”;

(b) note that the Office of the Union received replies from China, the Czech Republic, France, Poland and Uzbekistan in response to Circular E-22/002 inviting members of the Union to provide or update information regarding exchangeable software included in document UPOV/INF/16;

(c) note that clarification would be required on the software proposed by Uzbekistan, including its availability for exchange;

(d) consider the inclusion of the PATHOSTAT application in document UPOV/INF/16, as set out in paragraph 15 of this document;

(e) note that, subject to agreement of a draft document UPOV/INF/16/11 by the TC and the CAJ, on the basis of document UPOV/INF/16/11 Draft 1, with the inclusion of the PATHOSTAT application, as set out in paragraph 16, an agreed draft of document UPOV/INF/16/11 will be presented for adoption by the Council in 2022;

(f) note that the Council, at its fifty-fifth ordinary session, adopted in the procedure by correspondence, document UPOV/INF/22/8 “Software and equipment used by members of the Union”;

(g) note that the Office of the Union received replies from the Czech Republic, the Netherlands, Poland and Uzbekistan in response to Circular E-22/002 inviting members of the Union to provide or update information regarding the use of the software included in document UPOV/INF/22;

(h) consider proposing for adoption document UPOV/INF/22/9 Draft 1, and/or request further guidance from other relevant bodies (e.g. CAJ and TWPs);

(i) note that, subject to agreement by the TC and the CAJ, an agreed draft of document UPOV/INF/22/9 will be presented for adoption by the Council in 2022, on that basis.

3. The structure of this document is as follows:

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4. The following abbreviations are used in this document:

CAJ:	Administrative and Legal Committee
TC:	Technical Committee
TWM:	Technical Working Party on Testing Methods and Techniques
TWPs:	Technical Working Parties

DOCUMENT UPOV/INF/16 “EXCHANGEABLE SOFTWARE”

Adoption of document UPOV/INF/16/10

5. The Council, at its fifty-fifth ordinary session, adopted in the procedure by correspondence, on September 21, 2021, document [UPOV/INF/16/10](#) “Exchangeable Software”, on the basis of document UPOV/INF/16/10 Draft 1 (see document [C/55/12](#) “Outcome of consideration of documents by correspondence”, paragraph 17).

Revision of document UPOV/INF/16/10

*Information on use by members*

6. Section 4 of document UPOV/INF/16 “Exchangeable Software” 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.”

7. On January 18, 2022, the Office of the Union issued Circular E-22/002 to the designated persons of the members of the Union in the TC, inviting them to provide or update information regarding exchangeable software provided in document UPOV/INF/16.

8. The Office of the Union received replies from China, the Czech Republic, France, Poland and Uzbekistan in response to circular E-22/002. The information from China, the Czech Republic, France and Poland is included in document UPOV/INF/16/11 Draft 1.

9. The Technical Working Party on Testing Methods and Techniques (TWM) agreed that clarification would be required on the software proposed by Uzbekistan, including its availability for exchange (see document [TWM/1/26](#) “Report”, paragraph 50).

Development of Statistical Analysis Software: DUSCEL and DUSBIGDATA

10. The TWM received a presentation from Mr. Kun Yang (China) on “Development of Statistical Analysis Software: DUSCEL and DUSBIGDATA”. A copy of the presentation is provided in document TWM/1/10. The TWM noted the extensive work and expansion of the software to include additional functionalities (see document [TWM/1/26](#) “Report”, paragraphs 51 to 52).

11. The TWM noted that the software was under development and scheduled to be completed by 2023. The TWM agreed to invite China to report developments at the second session of the TWM.

PATHOSTAT application

12. The TWM received a presentation from Mr. Thibaud Quémard (France) on “PATHOSTAT application”, a copy of which is reproduced in document TWM/1/11 (see document [TWM/1/26](#) “Report”, paragraphs 53 to 55).

13. The TWM noted that PATHOSTAT was a web-based application made available for use by members of Union. The TWM noted the condition for supply of PATHOSTAT made available as a web service and not as a software for download.

14. The TWM recommended the TC, at its fifty-eighth session, to propose to include the PATHOSTAT application in document UPOV/INF/16.

15. The TC will be invited to consider the inclusion of the PATHOSTAT application in document UPOV/INF/16.

(d) DUS trial design and data analysis

Date added	Program name	Programming language	Function (brief summary)	Source & contact details	Condition for supply	UPOV member(s) using the software	Application by user(s)
	PATHOSTAT	Excel	Decision support tool to integrate statistics for the analysis of pest resistance test results for vegetable species	France: Ms. Sophie Perrot e-mail: <a href="mailto:sophie.perrot@geves.fr">sophie.perrot@geves.fr</a> and <a href="#">PATHOSTAT   (geves.fr)</a>	Available as a web service / not for download	FR	Vegetable species

16. Subject to agreement of a draft of document UPOV/INF/16/11 by the TC and the CAJ, on the basis of document UPOV/INF/16/11 Draft 1, with the inclusion of the PATHOSTAT application, as set out in paragraph 15, an agreed draft of document UPOV/INF/16/11 will be presented for adoption by the Council in 2022.

17. *The TC is invited to:*

(a) *note that the Council, at its fifty-fifth ordinary session, adopted in the procedure by correspondence, on September 21, 2021, document UPOV/INF/16/10 “Exchangeable Software”;*

(b) *note that the Office of the Union received replies from China, the Czech Republic, France, Poland and Uzbekistan in response to Circular E-22/002 inviting members of the Union to provide or update information regarding exchangeable software included in document UPOV/INF/16;*

(c) *note that clarification would be required on the software proposed by Uzbekistan, including its availability for exchange;*

(d) *consider the inclusion of the PATHOSTAT application in document UPOV/INF/16, as set out in paragraph 15 of this document;*

(e) *note that, subject to agreement of a draft of document UPOV/INF/16/11 by the TC and the CAJ, on the basis of document UPOV/INF/16/11 Draft 1, with the inclusion of the PATHOSTAT application, as set out in paragraph 16, an agreed draft of document UPOV/INF/16/11 will be presented for adoption by the Council in 2022.*

DOCUMENT UPOV/INF/22 “SOFTWARE AND EQUIPMENT USED BY MEMBERS OF THE UNION”

Adoption of document UPOV/INF/22/8

18. The Council, at its fifty-fifth ordinary session, adopted in the procedure by correspondence, on September 21, 2021, document [UPOV/INF/22/8](#) “Software and Equipment Used by Members of the Union”, on the basis of document UPOV/INF/22/8 Draft 1 (see document [C/55/12](#) “Outcome of consideration of documents by correspondence”, paragraph 19).

Revision of document UPOV/INF/22/8

*Software for inclusion*

19. The procedure for considering software and equipment proposed for inclusion in document UPOV/INF/22 is set out in document UPOV/INF/22/8, as follows:

“2.1 Software/equipment proposed for inclusion in this document by members of the Union is, in the first instance, presented to the Technical Committee (TC).

“2.2 The TC will decide whether to:

- (a) propose to include the information in the document;
- (b) request further guidance from other relevant bodies (e.g. the Administrative and Legal Committee (CAJ) and the Technical Working Parties (TWP)); or
- (c) propose not to include the information in the document.

“2.3 In the case of a positive recommendation by the TC and, subsequently by the CAJ, the software/equipment will be listed in a draft of the document, to be considered for adoption by the Council.

[...]

“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/equipment included in this document.”

20. On January 18, 2022, the Office of the Union issued Circular E-22/002 to the designated persons of the members of the Union in the TC, inviting them to provide or update information regarding the use of software and equipment included in document UPOV/INF/22.

21. The Office of the Union received replies from the Czech Republic, the Netherlands, Poland and Uzbekistan in response to circular E-22/002.

22. The TC will be invited to consider document UPOV/INF/22/9 Draft 1, and/or whether to request further guidance from other relevant bodies (e.g. CAJ and TWPs).

23. Subject to agreement of a draft of document UPOV/INF/22/9 by the TC and the CAJ, on the basis of document UPOV/INF/22/9 Draft 1, an agreed draft of document UPOV/INF/22/9 “Software and Equipment Used by Members of the Union” will be presented for adoption by the Council in 2022.

24. *The TC is invited to:*

*(a) note that the Council, at its fifty-fifth ordinary session, adopted in the procedure by correspondence, document UPOV/INF/22/8 “Software and Equipment Used by Members of the Union”, on the basis of document UPOV/INF/22/8 Draft 1;*

*(b) note that the Office of the Union received replies from the Czech Republic, the Netherlands, Poland and Uzbekistan in response to Circular E-22/002 inviting members of the Union to provide or update information regarding the use of the software included in document UPOV/INF/22;*

*(c) consider proposing for adoption document UPOV/INF/22/9 Draft 1, and/or request further guidance from other relevant bodies (e.g. CAJ and TWPs); and*

*(d) note that, subject to agreement by the TC and the CAJ, an agreed draft of document UPOV/INF/22/9 will be presented for adoption by the Council in 2022, on that basis.*

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