



TWA/42/28

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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

TECHNICAL WORKING PARTY FOR AGRICULTURAL CROPS**Forty-Second Session
Kyiv, Ukraine, June 17 to 21, 2013****REPORTS ON DEVELOPMENT IN PLANT VARIETY PROTECTION
FROM MEMBERS AND OBSERVERS***Document prepared by the Office of the Union**Disclaimer: this document does not represent UPOV policies or guidance*

1. The Technical Committee (TC), at its forty-seventh session held in Geneva, from April 4 to 6, 2011, agreed to request the Office of the Union to invite experts to submit written reports to the Office of the Union in advance of the Technical Working Party (TWP) sessions in order that a document containing those reports could be prepared by the Office of the Union. The TC noted that TWP experts would be invited to make a brief oral summary of their written report at the session and would also be encouraged to make reports under the agenda item "Experiences with new types and species", as appropriate. The TC also noted that TWP experts would have an opportunity to raise questions concerning matters of interest (see document TC/47/26 "Report on the Conclusions", paragraphs 9 and 10).

2. Written reports were requested by the Office of the Union in Circular E-13/137. The following reports were received (in alphabetical order):

Members of the Union: Annexes I to XII: Croatia, Czech Republic, European Union, Italy, Japan, Republic of Korea, Netherlands, Romania, Slovakia, South Africa, United Kingdom.

Observer: United Republic of Tanzania

Organizations: Annexes XIII to XIV: European Seed Association (ESA) and International Seed Federation (ISF)

[Annexes follow]

ANNEX I

CROATIA

1. In Croatia DUS examination is performed for oat, soya bean, barley, rye, wheat, durum wheat, triticale and maize.

UPOV Code	Botanical Names	English	French	German	Spanish
<u>AVENA SAT</u>	Avena sativa L.	Oats	Avoine	Hafer	Avena
<u>GLYCI MAX</u>	Glycine max (L.) Merr.	Soya Bean; Soybean	Soja	Sojabohne	Soja
<u>HORDE VUL</u>	Hordeum vulgare L.	Barley	Orge	Gerste	Cebada
<u>SECAL CER</u>	Secale cereale L.	Rye	Seigle	Roggen	Centeno
<u>TRITI AES</u>	Triticum aestivum L.	Wheat	Blé	Weizen	Trigo
<u>TRITI TUR DUR</u>	Triticum durum Desf.	Durum Wheat; Hard Wheat; Macaroni Wheat	Blé dur	Durumweizen; Hartweizen	Trigo duro
<u>TRITL</u>	×Triticosecale Wittm. ex A. Camus	Triticale	Triticale	Triticale	Triticale
<u>ZEAAA MAY</u>	Zea mays L.	Corn; Maize	Maïs	Mais	Maíz

2. Croatia carry out DUS examination for Slovenia (wheat,barley and maize) and Romania (wheat).

UPOV Code	Botanical Names	English	Offering Authority / Examination Office	Receiving Authorities
<u>HORDE VUL</u>	Hordeum vulgare L.; Hordeum distichum jessen; Hordeum vulgare L. convar distichon L.; Hordeum vulgare L. ssp polystichum Hall Schinz et Kell	Barley	Croatia	<u>Slovenia</u>
<u>TRITI AES</u>	Triticum aestivum L.; Triticum aestivum L. emend. Fiori et Paol.	Wheat	Croatia	<u>Romania</u> <u>Slovenia</u>
<u>ZEAAA MAY</u>	Zea mays L.	Corn; Maize	Croatia	<u>Slovenia</u>

3. Hungary, Czech Republic, Poland, Slovakia, Austria and France carry out the DUS examination on behalf of Croatia.

4. Until know Croatia provided existing DUS reports for Slovenia, Serbia, Romania, Russian Federation and Turkey.

5. Croatia generally accepts existing DUS reports from other members of the Union for all species.
6. Croatia is using GAIA software for estimating phenotypic distinctness and for managing reference collection for wheat, barley and maize.
7. Overview: Number of applications for PBR, number of granted PBR, number of rejected applications and number of applications in procedure.

Species	Nr. Applications	Granted PBR	Rejected	In procedure
xTriticosecale Wittm. ex A. Camus	1	1	0	0
Hordeum vulgare L.	14	14	0	0
Salix alba L.	1	0	0	1
Salix matsudana Koidz. x (Salix matsudana Koidz. x Salix alba L.)	2	0	0	2
Salix matsudana Koidz. x unknown	1	0	0	1
Secale cereale L.	1	1	0	0
Triticum aestivum L.	31	16	6	9
Triticum spelta L.	1	1	0	0
Total	52	33	6	13

[Annex II follows]

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ANNEX II

CZECH REPUBLIC

In 2012, 491 applications for national list had been received, which represented a reduction of 7% with respect to the previous year. There had been a significant decrease in the number of applications of vegetable species of 45% whilst the number of applications of agricultural species remained at the same level.

At that time, 698 varieties had been protected at national level and 55 applications for plant breeder's rights had been received in 2012.

[Annex III follows]

EUROPEAN UNION

Report on activities of the Community Plant Variety Office (CPVO) of the European Union (EU)

Applications for the CPVRs

In 2012, CPVO received 2868 applications which represented a decrease of 10% compared with the previous year, which is the same decline in the agricultural sector compared to 2011. The most important species were maize, potato, wheat, oilseed rape and barley.

In the first quarter of 2013, CPVO received 973 overall applications representing an increase of some 32% as compared to the same period of last year. The increase in the number of applications is observed for all crop sectors. As from 1 January 2013, the application fee has been lowered from 900 to EUR 650. The decrease was officially announced in November 2012 and may - at least partly - explain the fluctuation in application numbers.

Rights granted and titles in force

The CPVO granted a yearly record number of 2640 plant variety rights in 2012 out of which 672 rights for agricultural varieties. In the first quarter of 2013, 746 rights were granted out of which 211 in the agricultural sector. At the end of 2012, 20 362 Community plant variety rights were in force, i.e. 1 463 more than at the end of 2011.

Online filing

CPVO launched the online application system in March 2010. The online applications reached 65% of the total number of applications filed in the first trimester of 2013. In the agricultural sector, out of 287 applications received in the first quarter of 2013, 220 were filed via the online system.

Quality Audit Service

Following the implementation of the so-called "one key, several doors" principle, whereby DUS test reports produced by any "CPVO-entrusted" authority in the EU are accepted for listing or protection purposes throughout the Community, an independent technical audit of the CPVO continued audits. The first round of the three-year auditing cycle was finalized by the end of 2012. In total 30 audits were conducted – for some examination offices twice – resulting in 26 entrusted examination offices.

Taking into account that for the large majority of agricultural species more than one examination office is competent to carry out DUS examinations for the same crop, the enhanced harmonization of the DUS testing, continues to be a permanent task of CPVO.

Agricultural experts' meeting of 2012

Two meetings with agricultural experts were held in 2012. The first was held in the Netherlands in order to visit the ring test of potatoes which was conducted by nine entrusted examination offices during 2012.

The second meeting took place in October at Angers and prepared the revisions of the technical protocols for durum wheat, linseed/flax, barley and hemp, the latter two have been adopted by the Administrative Council in November 2012, for durum and flax the discussion will be continued in 2013. Further subjects of a continued discussion were the question on how to consider the segregation of characteristics of three-way hybrids in the technical protocol for barley and the uniformity standard to be used for male sterile parental crosses in three-way-hybrids. The discussion continued also for spring barley varieties where it is difficult to establish distinctness: examination offices shared their experience on new characteristics which could help to overcome this problem, the testing of parental lines in oilseed rape where the subject of the application is a hybrid variety and the result of a ring test conducted for rice in order to improve the example varieties to be used in the CPVO technical protocol.

New EU Member State

On 1 July 2013, Croatia will join the EU: all Community plant variety rights already granted will then also be valid on the territory of Croatia. CPVO has placed a document on its website informing

stakeholders on the consequences Croatia's accession to the EU may have in the area of plant variety rights.

[Annex IV follows]

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ANNEX IV

ITALY

In Italy INRAN ENSE is the body responsible for the coordination of official trials of Registry and plant protection on behalf of the Ministry. It is the Ministry of Economic Development that grants plants variety rights in collaboration with Ministry of Agriculture and Forest. During the year 2012 INRA ENSE was absorbed by the CRA (Council for Research and Experimentation in Agriculture).

The situation with the Italian Property Rights (national protection) is as follow: during the year 2012 14 applications for variety protection were filed: 7 for agricultural crops, 5 for fruit crops and 2 for ornamental plants. None application was approved.

The situation of Community Plant Variety Right – EU protection is as follow:
the total number of applications sent from Italy to CPVO in 2012 was 93: 10 for agricultural crops, 42 for fruit crops, 21 for ornamental plants, 4 for forest trees and 16 for vegetables. The total number of applications required from Italian companies and approved from CPVO during 2012 was 4.

[Annex V follows]

JAPAN

TWA short report (Japan)

1. Number of application and granted in 2012

(1) Number of applications

Year	Number	(2012/2011)	Agricultural Crops	(2012/2011)
2011	1,126		87	
2012	1,110	(99%)	74	(85%)
1978 to 2012	27,975	-	2,018	-

Top 5 agricultural crops in 2012

Rice:39 Soybean:7 Potato:7 Wheat:4 Barley, Italian ryegrass,
Sweet potato:3 TOTAL:74

(2) Number of granted

Year	Number	(2012/2011)	Agricultural crops	(2012/2011)
2011	1,139		106	
2012	881	(77%)	89	(84%)
1978 to 2012	22,167	-	1,748	-

Top 5 agricultural crops in 2012

Rice:25 Sorghum:9 Barley:8 Soybean:6 Potato:5 TOTAL:89

2. Average examination duration (from application to registration)

2011	2012	2014 (target)
2.4 year	2.36 year	2.3 year

3. Japanese Test Guidelines harmonized with UPOV TG (in 2012)

TWP	Genera and Species
TWA	Buckwheat, Tea
Other TWPs	Acerola, Bougainvillea, Canna, Evening primrose, Gaura, Lily, Serruria, Torenia, Vriesea

Web-site: http://www.hinsyu.maff.go.jp/en/en_top.html

[Annex VI follows]

REPUBLIC OF KOREA

■PVP

The total number of varieties for PVP application as of April 30, 2013 has reached to 6,532. 4,461 varieties of them registered and 725 varieties rejected. Application of agricultural crop of the total PVP application has reached to 933(14.3%), of them, 727 varieties registered and 206 varieties rejected. The application number of Rice varieties (370, 39.7%) is the top in agricultural crops.

As for National List of 5 major agricultural crops (rice, barley, soybean, corn and potato), 602 varieties registered.

■Administration

There are two changes of organization of KSVS (Korea Seed and Variety Service). First, headquarters of KSVS will move from Anyang to Kimcheon on March, 2014. Second, new branch office, Jeju Provincial Office, will be established on July, 2013 in Jeju Island. This office will be in charge of DUS test for subtropical plants.

■Revision of Law

New Plant Variety Protection Act was enforced on June 2, 2013. Since 1997, breeder's right had been protected by Seed Industry Act. But for reinforcing penalties for infringement and giving an opportunity to restore PVP right which was terminated for not paying PVP fee on time, and so on, new PVP Act was separated from Seed Industry Act and enacted on June 1, 2012.

The Special Judicial Police System was launched on April 19, 2012 for professional investigation into illegal distribution of seed and infringement against breeder's right. 21 people of the KSVS staff were nominated as police officers, and 13 cases were managed so far.

■Training for DUS

KSVS and KOICA (Korea International Cooperation Agency) will provide PVP training course for the experts from several countries which are interested in PVP system for 3 weeks in July, 2013.

■International Meeting

The 31th TWC (including Preparatory Workshop) was held in Seoul from June 3, 2013 to June 7. Before TWC, the GAIA workshop was also held for DUS experts of KSVS for three days up to June 2, 2013.

[Annex VII follows]

NETHERLANDS

Short report on developments in plant variety protection in the Netherlands 2012/2013.**Number of applications received**

In 2012 1660 applications were received for testing for the first year for national listing and national and European Plant breeders rights. In brackets the difference with 2011:

Ornamentals	874	(-12%)
Agriculture	131	(-5%)
Vegetables	655	(-10%)
Total	1660	(-11%)

This seems to be a drastic decrease compared to 2011, but the number of applications in 2011 was 15% higher in relation to 2010. Furthermore, the number of applications received in 2013 up till now, shows a tendency to increase again compared to 2012.

Training in DUS related activities

Naktuinbouw organised training at different levels.

- Naktuinbouw is involved in **bilateral projects to exchange knowledge** and to train staff of countries that are working in or on Plant Breeders Rights systems. In 2012 the projects with **Indonesia and Vietnam** were finished. The cooperative program on the introduction of PBR in **Ethiopia** (which is not yet a member of UPOV), including institution building, awareness sessions and a training program on DUS, was successfully finalized with the ratification of a new seed law in January 2013 soon to be followed by a law on PBR. At the end of 2012 eight crop specialists of Naktuinbouw had several meetings with DUS experts in **India**, exchanging views on each others DUS-examination system.
- Annually, Naktuinbouw, with the help of UPOV and CPVO, is organising the **PVP course in Wageningen**. In 2012 24 participants from 19 countries participated in this two week training. The coordinator of the PVP-course, Mr. ArndJan van Wijk retired in 2011 and this task is now fully taken over by Mrs. Laura Pinan Gonzales.
- Two colleagues are tutors in the **UPOV distance learning course**.
- The set-up of the new distance learning course **DL-305** "Examination of Applications for Plant Breeders' Rights" (a joint effort of UPOV, Naktuinbouw and experts of other UPOV countries) resulted in the preparation of a first draft, prepared by the UPOV Office in March 2013. This second distance learning course is aimed at the DUS test itself. This more practice related course will combine the knowledge from the TGP-documents with practical examples from actual DUS testing.
- In 2012 Naktuinbouw welcomed **interns** from the Republic of Korea (2) and China. These colleagues worked together with Naktuinbouw staff learning details of the DUS test work as it is performed in the Netherlands. The use of the Naktuinbouw **helpdesk** stabilised. Colleagues from all over the world are consulting Naktuinbouw staff on DUS related questions.

Registration

- The online version of the **Netherlands Register of protected varieties (NRR)** was further optimized with the uploading of data of agricultural crops for National Listing.
- The new **i-portal** for DUS-applications at Naktuinbouw is up and running since November 2012. Now, the applicants can follow the progress of the DUS-examination of their applications for PBR and/or National Listing online.

Quality System

- The accreditation according to ISO 17020 for 20 major species was converted into the **CPVO-entrustment system** for all ca. 950 species. The entrustment agreement with CPVO was recently renewed by external audit.

Research projects (highlights).**DNA-dbases:**

- In Phalaenopsis the first results of the use of **DNA-techniques** in the management and renewal of the reference collection were positive. Naktuinbouw and other partners are

- working on the setup of a joint DNA database in this crop as well. In lettuce however, the results showed that DNA analysis was not suited for the management of the collection.
- Naktuinbouw participated in the enlargement of the **DNA-database** in potato.

Other:

- Progress was made on **electronic registration** of field observations and measurements. In March 2013, a number of new 'handhelds' were acquired.

International Cooperation

With GEVES:

Cooperation was started for **variety documentation** in three vegetable species. Furthermore, cooperation in **resistance testing** was initiated as well as possibilities for **automation of RHS colour measurement** (together with CPVO)

With UPOV:

In June 2012 the annual meeting of the **UPOV-TWV** was successfully organized at the Floriade flower exhibition in Venlo.

Ringtest:

In July 2012 The Netherlands hosted a **ring test meeting** for DUS testing of potato organized by CPVO among the 9 entrusted Examination Offices for potato. It was an eye opener for the participants to see the different results in light sprout observations which were expected to be more harmonized because of the highly controlled conditions.

Infringement cases

In an increasing number of cases, Naktuinbouw is asked to assist in collecting plant material in possible infringement cases under Civil Law. In several cases we are also asked to carry out morphological comparison and DNA analysis of varieties involved in these cases.

Naktuinbouw accepts these questions only under precise prerequisites:

- The request must be organized by the court.
- We can only act in a neutral way, i.e. as expert advisor who accompanies a bailiff.
- Under full payment of real costs.

As far as possible, we prefer a combination of a morphological approach and a DNA analysis. At the moment, we have about 5 of such cases per year. In the meantime, some (court)cases have been finished. Some other cases were withdrawn, as both parties finally reached mutual agreement. In general, we can conclude that these procedures are very effective in enforcement of Breeders' Rights.

Miscellaneous

- Naktuinbouw completed a **short film** about breeders' rights which can be viewed on our website <http://www.naktuinbouw.nl/en/news/film-plant-breeders-rights> .
- Mr. Krieno Fikkert, the secretary of the **Dutch Plant Variety Board** retired in 2012 and we welcomed his successor, Mr. Kees Jan Groenewoud.
- The board of Naktuinbouw accepted the **renewal** of the oldest part of our greenhouses. This activity will start in May 2013.
- During the annual UPOV TC meeting in March this year, it was proposed to the Council that it elect Mr. Alejandro Barrientos-Priego (Mexico) as new Chairperson and Mr. Kees Van Ettehoven (Netherlands) as new Vice-Chairperson of the TC for the forthcoming three-year term.

[Annex VIII follows]

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ANNEX VIII

ROMANIA

Report about the situation in the legislative, administrative and technical fields in Romania 2012

In the legislative field were issued:

- Ministerial Order No. 170/2012 modifying the Ministerial Order No. 1348/2005 for the approval of the Rules regarding the testing and registration of agricultural plants;
- Ministerial Order No. 150/2012 regarding the approval of the Regulation for the implementation of the 255/1998 Law regarding the protection of new plant varieties.

These two orders are in compliance with the new EU directives regarding testing, registration and protection of varieties.

The cooperation with UKZUZ from Czech Republic and with EAVTFISC, Bulgaria in the field of DUS testing and the exchange of seed samples continued.

This year, in the field of testing, 932 varieties were tested : 752 agricultural plant species, 134 vegetable, 29 fruit tree, 11 vine and 6 ornamental varieties and 187 varieties were registered in our national Official Catalogue: 112 varieties of agricultural plant species, 58 vegetables, 13 fruit trees, 1 vine and 3 ornamentals.

In addition, 69 applications for protection, and 53 protection titles were issued.

10 administrative headquarters of the variety testing centers were rehabilitated. The centers were equipped with new agricultural machines and laboratory equipment.

It was approved by the Agricultural Ministry to construct individual irrigation systems for 6 testing centers. This action is in the project stage.

The reference collection and the database are constantly increasing.

[Annex IX follows]

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ANNEX IX

SLOVAKIA

Number of applications for PVP and NLI:

In 2012 the Ministry of Agriculture had received 20 applications for plant breeder's rights, 28 titles were issued and 30 titles having ceased to be in force. 382 titles were in force on December 31, 2012. The majority of new applications concern cereals and maize.

Legislation:

Law No. 202/2009 approved on April 29, 2009 came into force on June 1, 2009. The law is in conformity with the 1991 Act of the UPOV Convention.

Responsible official body is Ministry of Agriculture (applications, decisions, etc.), performance of technical examination by the Central Controlling and Testing Institute in Agriculture.

Cooperation:

Central Controlling and Testing Institute in Agriculture (ÚKSÚP) cooperates actively in DUS testing with Czech Republic, Hungary, Poland, Austria, Slovenia, Croatia, Serbia, Sweden, Denmark, Norway and Russian Federation.

DUS testing:

The ÚKSÚP performs the DUS tests for a number of agricultural species, vegetables and fruits (28 species). Besides of cereals, legumes, oil crops, potatoes and vegetables also for a number of grasses and clovers.

The Administrative Council of the CPVO on its session in March 2012 entrusted ÚKSÚP to perform the DUS tests within the scope of entrustment including vegetable species, agricultural species and fruit species.

[Annex X follows]

SOUTH AFRICA

With regards to applications and valid Plant Breeders' Rights for 2012 the following is reported:

- An additional 16 taxa have been declared in terms of the Plant Breeders' Rights Act during 2012 .
- 306 PBR applications were received of which 37% were for Agricultural crops, 23% for Ornamental crops, 34% for Fruit crops and 6% for Vegetable crops.
- As of December 2012, a total of 2 449 varieties had valid plant breeder's rights in South Africa, of which 35% were for Ornamental crops, 35% for Agricultural crops, 21% for Fruit crops and 9% for Vegetable crops. The top three crops for each category are:

Agricultural Crops	Vegetable Crops	Fruit Crops	Ornamental Crops
1. <i>Zea mays</i> L. (335)	1. <i>Solanum lycopersicum</i> L. (47)	1. <i>Prunus persica</i> (L.) Batsch var. <i>nucipersica</i> Schneid. (94)	1. <i>Rosa</i> L. (345)
2. <i>Solanum tuberosum</i> L. (77)	2. <i>Phaseolus vulgaris</i> L. (Garden bean) (35)	2. <i>Vitis</i> L. (66)	2. <i>Chrysanthemum</i> L. (69)
3. <i>Triticum aestivum</i> L. (77)	3. <i>Allium cepa</i> L. (38)	3. <i>Prunus persica</i> (L.) Batsch (71)	3. <i>Aloe</i> L. (32)

Plant Breeders' rights granted only in 2012 are as follows:

Agricultural crops: 116
 Vegetable crops: 18
 Fruit crops: 73
 Ornamental crops: 52

[Annex XI follows]

UNITED KINGDOM

Report on the work activity of the Fera Plant Varieties and Seeds Office in Cambridge and the regional examination centres.

In 2012/13, PBR applications followed the same pattern as in previous years with the bulk of applications from smaller companies that market varieties largely within the United Kingdom or from those that prefer to obtain United Kingdom Rights before submitting applications to the European Union Community Plant Variety Rights Office (CPVO). Across all species, United Kingdom National List (NLI) applications remained at about 10 times that for PBR. Winter oilseed rape remained the largest species for NLI application followed by cereals, then herbage and fodder, sugar beet and finally potato and various pulses.

During 2012-13

- The National Institute of Agricultural Botany (NIAB TAG), Cambridge, England, has appointed two new technical experts in Agricultural crops, who will both attend the TWA on behalf of the United Kingdom in 2013. Cheryl Turnbull is responsible for the DUS testing of Oilseed Rape, and Margaret Wallace covers DUS testing for Cereals, Beans and Kale.
- A new PBR function at the Agri-Food and Biosciences Institute (AFBI), Crossnacreevy, Northern Ireland, examined amenity white clover varieties on behalf of the CPVO.
- NIAB has begun preliminary work to develop a specification for a rewrite of the administrative system controlling information on varieties and providing reports.

[Annex XII follows]

UNITED REPUBLIC OF TANZANIA

Mainland Tanzania enacted a law on the Protection of New Plant Varieties (Plant Breeders' Rights) Act No. 22 of 2002. The Act provided establishment of an office of plant breeders rights; promotion of plant breeding and facilitation of agricultural advancements through the grant and regulation of plant breeders' rights. The law became operational in 2004 when the Minister responsible for Agriculture declared it officially.

The Plant Breeders' Rights Act of 2002 is a *sui generis* piece of legislation that provides for a voluntary system intended to enhance plant breeding activities in the public and private sectors. The Act adapted to a large extent major provisions of the UPOV Convention of 1991 although some differences were notable. Due to such differences, it necessitated the Government of Mainland Tanzania to review its law to become UPOV 1991 compliant.

The Government has consulted the UPOV Office for advice with regard to the amendment/enactment of new law. We thank UPOV Office for guidance on this matter. Now we are happy that Mainland Tanzania has a new Plant Breeders' Rights Law of 2012 which is UPOV compliant. Mainland Tanzania being a part of a United Republic requires the other party of the union to have a law which is also UPOV 1991 compliant. Efforts have been made to facilitate Zanzibar to have UPOV compliant law in place to enable the United Republic of Tanzania to become a UPOV member. Zanzibar law is reached a final stage of its preparation, may be passed by Zanzibar parliaments by end of this year. It is the expectation of the United Republic of Tanzania to become full member of UPOV by next year.

[Annex XIII follows]

EUROPEAN SEED ASSOCIATION

Developments in the European Seed Association (ESA)

The Annual Congress of ESA took place from October 14 – 17 in Brussels (BE). A record of more than 750 participants attended the meetings clearly showing the increased interest in the event. Mr Christoph Amberger (KWS – DE) stepped down as ESA President and was succeeded by Mr Gerard Backx (HZPC – NL). ESA is focussing on the implementation of the European Seed Treatment Assurance Scheme to assure safe handling of seed treatment and treated seed. As follow up of the adoption of the ESA Position paper on Intellectual Property Rights ESA is in the process of developing a patent data base to provide information on patents linked to specific varieties. This data base will be freely available as from July 1st. On both issues more information can be found on the ESA website: www.euroseeds.org.

ESA and its members are stepping up activities to monitoring and fight black market activities in particular in grasses, potatoes and vegetables. In vegetables increased activities are noted regarding illegal vegetative reproduction of F1 hybrids in for example tomato and eggplant. The Anti-Infringement Bureau (AIB) is taking specific actions to fight against these activities. Breeders Trust is actively fighting black market activities in potatoes and grass seeds.

On May 6th the European Commission and adopted its proposal on the so-called package on Plant Reproductive Material (PRM). This package revises the EU legislation on Plant and Animal Health, Plant Reproductive Material and Food and Feed Control. The proposal contains the main pillars regarding variety identity and seed certification as well as provisions for the marketing of conservation varieties. The PRM package will now enter into discussions with the European Council and the European Parliament and after adoption will rule the European seed market for the next generation.

Registration for the 2013 ESA Annual Meeting has been opened. This year the ESA AM will take place from October 13-16 in Warsaw (PL).

[Annex XIV follows]

INTERNATIONAL SEED FEDERATION

2012 saw the culmination of many years of hard work at the 2012 ISF World Seed Congress in Rio de Janeiro, Brazil: revised ISF Trade Rules, a revised ISF View on Intellectual Property and a position paper on a single access and benefit sharing system were adopted.

Intellectual Property

The revised ISF View on Intellectual Property has a largely increased chapter on Plant Breeders Rights (PBR) and devotes also much more text on Patents as compared to the previous version. In addition, the ISF View on IP addresses other forms of intellectual property protection and its relation with plant genetic resources for food and agriculture.

In the months after Rio the ISF Intellectual Property Committee (IPC) worked on several IP topics that had been postponed until after adoption of the position paper. The outcome of a questionnaire on the practical aspects of Plant Breeders Rights applications, examination and granting were discussed. This resulted in a letter to UPOV asking for their consideration of the views of the seed industry.

Disclosure of origin in patent applications continues to receive thorough discussion. ISF is currently working on a position paper on the topic.

ISF also invited a speaker from CGIAR (Consortium of 15 International Agricultural Research Centres) who spoke on their recently adopted Intellectual Asset Principles.

To continue its series of outreach efforts to national and regional IP authorities (EU, US, India), the IPC has scheduled a meeting with Chinese IP officials, to share the ISF view on IP to them and get updated on the IP situation in China.

World Seed Project

Since 2009 ISF has been engaged with the World Seed Project which seeks to strengthen the seed sector in developing countries. ISF's role in the project is to enhance the growth of the local seed industry to ensure farmer's access to improved varieties and seeds.

ISF World Seed Congress

In Dec. 2012 the prize ceremony of the annual Brazilian Premio Caio was held in Sao Paulo, which rates events and services in Brazil. The ISF World Seed Congress 2012 in Rio, Brazil conquered the second place in the category "International Congress". The UN Rio +20 conference won the first prize. The registration for the upcoming ISF World Seed Congress in Athens (May 2013) broke a new record: close to 1600 participants are planning to come to the Congress.

UPOV

As each year ISF has participated in the UPOV meetings of the TC, CAJ, CAJ-AG, Council and in the TWA and TWV. A strong, transparent and cost-effective system of Plant Breeders Rights has been the core message in all its ISF interventions combined with a request for more harmonization across the UPOV member countries.

ISF continues to attend the discussions on the Electronic Application Form, which saw great progress in the recent adoption by WIPO of the ST.96 standard for XML. This clears the way for UPOV and CPVO to look for a harmonized approach towards e-filing. ISF continues to be a partner in this project.

Continued growth

Currently ISF has 233 members. In addition to that, 16 applications for membership are up for approval at the Athens Congress.