

**Technical Working Party for Agricultural Crops**

Forty-Sixth Session

Hanover, Germany, June 19 to 23, 2017

**TWP/1/3**

**Original:** English

**Date:** June 14, 2017

**Technical Working Party for Vegetables**

Fifty-First Session

Roelofarendsveen, Netherlands, July 3 to 7, 2017

**Technical Working Party for Ornamental Plants and Forest Trees**

Fiftieth Session

Victoria, Canada, September 11 to 15, 2017

**Technical Working Party for Fruit Crops**

Forty-Eighth Session

Kelowna, Canada, September 18 to 22, 2017

**Technical Working Party on Automation and Computer Programs**

Thirty-Fifth Session

Buenos Aires, Argentina, November 14 to 17, 2017

**ELECTRONIC APPLICATION SYSTEMS**

*Document prepared by the Office of the Union*

*Disclaimer: this document does not represent UPOV policies or guidance*

**EXECUTIVE SUMMARY**

1. The purpose of this document is to report on developments concerning the development of an electronic application form.
2. The TWPs are invited to note the developments concerning the development of an electronic application form as set out in this document.
3. The structure of this document is as follows:

EXECUTIVE SUMMARY.....	1
BACKGROUND .....	2
DEVELOPMENTS IN 2016 .....	2
Technical Committee (TC).....	2
Meetings on the development of a prototype electronic form .....	2
Developments in the Administrative and Legal Committee (CAJ) in October 2016.....	4
Developments in the Consultative Committee and the Council in October 2016.....	4
DEVELOPMENTS IN 2017 .....	5
Launch of EAF Version 1.0.....	5
Technical Committee (TC).....	7
Meetings on the development of the electronic application form .....	7
<i>New versions of the EAF.....</i>	7
Version 1.1.....	7
Version 2.0.....	7
Crops/species .....	8
Functionalities.....	9
Communication .....	9
Support .....	10
Name .....	10
Latest developments .....	10

## BACKGROUND

4. The aim of the electronic application form (EAF) project is to develop a multilingual electronic form containing questions relevant for plant breeders' rights (PBRs) applications (see document CAJ/66/5 "Electronic Application Systems", paragraph 2).

5. The background to the development of the EAF and developments prior to the fifty-second session of the Technical Committee (TC) are provided in document TC/52/7 "Electronic Application Form".

## DEVELOPMENTS IN 2016

### Technical Committee (TC)

6. The TC, at its fifty-second session held in Geneva on March 14 to 16, 2016, considered document TC/52/7 "Electronic Application Form" and a presentation by the Office of the Union (see document TC/52/29 Rev. "Revised Report", paragraphs 170 to 172).

7. The TC noted developments concerning the development of a prototype electronic form and the plans for the development of a fully functioning system (PV2) by August 2016 for a final test campaign in September 2016, before presentation at the sessions of the CAJ, the Consultative Committee and the Council in October 2016. The TC noted that the following crops would be added, in the following order of priority according to the interest of participating PVP Offices and breeders and the ability of the participating PVP Offices to provide relevant Technical Questionnaire information:

- 1) Rose
- 2) Soya Bean
- 3) Lettuce
- 4) Apple – fruit varieties
- 5) Potato

8. The Delegation of Japan requested clarification of the language requirements for the EAF. The Office of the Union clarified that the EAF would allow users to view all questions in any of the languages of the participating UPOV members. However, users would be required to provide the requested information in a language accepted by the authority concerned. The acceptable language(s) would be indicated in the form.

### Meetings on the development of a prototype electronic form

9. Developments at meetings on the development of a prototype electronic form prior to the fifty-second session of the TC are provided in document TC/52/7 "Electronic Application Form".

10. At the Eighth Meeting on the Development of a Prototype Electronic Form ("EAF/8 meeting"), held in Geneva on October 24, 2016, the participating members considered document EAF/8/2 "Developments concerning the prototype electronic form project" and received a presentation from the Office of the Union. The EAF/8 meeting agreed as follows (see document UPOV/EAF/8/3 "Report", paragraphs 6 to 10):

### *Validation of the prototype*

- (a) Prototype Version 2 (PV2) had demonstrated the feasibility of the project;
- (b) PV2 met the expectations of a functioning system for users to send and receive application data, and reuse submitted data;
- (c) PV2 should be used as the basis for the launch of an operational system;

### *Languages*

#### Questions

- (d) The EAF would present all items (questions) in English, French, German and Spanish. Translations for all items (questions) in other languages would be made available if provided by the participating members of the Union, with a suitable disclaimer;

#### Answers

- (e) Users would be required to provide information (answers) in a language accepted by the PVP Office concerned, which would be indicated in the form;

### *Payment*

- (f) The EAF would not affect the fees that PVP Offices receive per application;
- (g) Payment of the application fee would be made directly by the applicant to the relevant PVP Office unless otherwise agreed with the Office of the Union. However, the EAF system would allow, if requested, for application fees to be collected via the EAF and distributed to the PVP Offices in a form and currency agreed by the PVP Office concerned;
- (h) The EAF charge per application would be as follows:
  - CHF 150 / submitted application in 2017/2018
  - CHF 250 / submitted application from 2019;

### *Addition of new crops*

- (i) To launch the EAF on January 9, 2017 with rose, soya bean, lettuce, apple fruit varieties and potato;
- (j) To present to the next EAF meeting more details about the different approaches to add more crop/species to the system:
  - Customized technical questionnaire
  - Technical questionnaire based on the UPOV Test Guidelines
  - Generic technical questionnaire;
- (k) At the EAF/9 meeting in April 2017, to establish a list of priority for addition of new crops/species;

### *Official variety list*

- (l) To consider whether to include information for official variety list purposes in the EAF, at the next EAF meeting (EAF/9 in April 2017);

### *Terms of use*

- (m) To finalize a detailed document explaining the “Terms of Use” with participating members and the World Intellectual Property Organization (WIPO), on the following basis:
  - (i) Application data to be transferred to the selected authority after submission and without waiting for the payment confirmation of the EAF charge and the application fee (if appropriate),
  - (ii) If the payment using bank transfer is not received within 45 days after the submission of the application, a reminder to be sent by the UPOV/WIPO Finance Department,
  - (iii) Charges for payment of application fees by credit card to be considered with PVP Offices on a bilateral basis (if payment of PVP Office fee via UPOV),
  - (iv) Individual Authority Fees to be redistributed to PVP offices, based on the requested payments (if payment of PVP Office fee via UPOV),
  - (v) Payment transfers might have a delay according to the payment method chosen (credit card or bank transfer).

*Participation in the launch of EAF*

11. The participants noted that each authority participating in PV2 (Argentina, Australia, Bolivia (Plurinational State of), Brazil, Chile, Canada, Colombia, Czech Republic, European Union, France, Georgia, Japan, Kenya, Mexico, Netherlands, New Zealand, Norway, Organisation Africaine de la Propriété Intellectuelle (OAPI), Republic of Korea, South Africa, Switzerland, Tunisia, United States of America, Uruguay and Viet Nam), would inform the Office of the Union if it wished to participate in the launch of the EAF, by November 11, 2016, and should provide the necessary information, including:

- Crops to be supported in EAF (from the 5 crops deployed in PV2)
- Accepted currencies
- Payment method (direct or via UPOV)
- To provide bank account information (if appropriate)
- Any other missing information requested (see Wiki)
- To test the system during the Pre-Launch Test (November-December 2016).

12. The participants also noted that user guides for breeders and PVP Offices would be made available online in English, French, Spanish, German and other relevant languages. The Office of the Union would develop, for PVP Offices and users, in consultation with participating members:

- a program of training (including Online sessions & Webinars)
- a program of users' support and routine maintenance provisions
- a program of publicity of the availability of the system.

13. The participants noted that there were some concerns about the proposed name OLAF (On Line Application Form) and agreed that a suitable name should be considered further at the EAF/9 meeting.

14. The participants agreed to propose, subject to approval by the Consultative Committee, for the Council at its fiftieth ordinary session, to be held in Geneva on October 28, 2016, to approve the launch of the EAF on January 9, 2017.

Developments in the Administrative and Legal Committee (CAJ) in October 2016

15. The CAJ at its seventy-third session on October 25, 2016, noted that the EAF/8 Meeting had agreed that the prototype electronic application form Version 2 (PV2) had demonstrated the feasibility of the project. The CAJ at its seventy-third session endorsed the proposals made by the EAF/8 meeting with regard to the development of prototype application form and in relation to the participation in the launch of the EAF, as set out in paragraphs 5 to 9 of this document (see document CAJ/73/10 "Report on the Conclusions", paragraphs 31 to 34).

16. The CAJ at its seventy-third session agreed to propose, subject to approval by the Consultative Committee, for the Council at its fiftieth ordinary session, to be held in Geneva on October 28, 2016, to approve the launch of the EAF on January 9, 2017 (see document CAJ/73/10 "Report on the Conclusions", paragraph 35).

Developments in the Consultative Committee and the Council in October 2016

17. The Council at its fiftieth ordinary session in Geneva on October 28, 2016, noted the work of the Consultative Committee at its ninety-second session, as reported in document C/50/17 "Report by the Vice-President on the work of the ninety-second session of the Consultative Committee", which included the following information concerning the EAF (see document C/50/19 "Report on the decisions", paragraph 11):

18. The Consultative Committee considered a presentation by the Office of the Union, including an oral report by the Vice Secretary-General on the Eighth Meeting on the Development of a Prototype Electronic Form (EAF/8 Meeting), held in Geneva on October 24, 2016, and the conclusions of the CAJ, at its the seventy-third session, held on October 25, 2016 (see document CAJ/73/10 "Report on the Conclusions").

19. The Consultative Committee noted that the EAF/8 Meeting had agreed that the prototype electronic application form Version 2 (PV2) had demonstrated the feasibility of the project. The Consultative Committee agreed with the proposals made by the EAF/8 Meeting, as set out in paragraphs 5 to 9 of this document (see document C/50/17 "Report by the Vice-President on the work of the ninety-second session of the Consultative Committee", paragraphs 41 to 44).

20. The Consultative Committee noted that the EAF/8 Meeting and the CAJ, at its seventy-third session, held on October 25, 2016, had agreed, subject to the approval by the Consultative Committee, to seek approval of the Council at its fiftieth ordinary session, to be held in Geneva on October 28, 2016, for the launch of the EAF in January 2017 (see document C/50/17 "Report by the Vice-President on the work of the ninety-second session of the Consultative Committee", paragraph 45).

21. The Consultative Committee agreed to seek the approval of the Council at its fiftieth ordinary session, to be held in Geneva on October 28, 2016, for the launch of the EAF in January 2017 for rose, soya bean, lettuce, apple fruit varieties and potato (see document C/50/17 "Report by the Vice-President on the work of the ninety-second session of the Consultative Committee", paragraph 47).

22. The Council at its fiftieth ordinary session, approved the launch of the Electronic Application Form (EAF) in January 2017 for rose, soya bean, lettuce, apple fruit varieties and potato, as set out in document C/50/17, paragraphs 40 to 47 (see document C/50/19 "Report on the decisions", paragraph 11 (d)).

## DEVELOPMENTS IN 2017

### Launch of EAF Version 1.0

23. Circular E-16/266 was issued on October 31, 2016, inviting all participating members in the development of an Electronic Application Form (Argentina, Australia, Bolivia (Plurinational State of), Brazil, Chile, Canada, Colombia, Czech Republic, European Union, France, Georgia, Japan, Kenya, Mexico, Netherlands, New Zealand, Norway, OAPI, Republic of Korea, South Africa, Switzerland, Tunisia, United States of America, Uruguay and Viet Nam) to inform the Office of the Union of their wish to participate in the launch of the EAF.

#### *UPOV members participating in the EAF and crops covered in the EAF*

24. The following UPOV members participated in the launch of the EAF on January 9, 2017, for the indicated crops:

Authority		GLYCI_MAX Soya Bean	LACTU_SAT Lettuce	MALUS_DOM Apple fruit varieties	ROSAA Rose	SOLAN_TUB Potato	Total
Argentina	AR	✓	-	✓	✓	✓	4
Australia	AU	✓	✓	✓	✓	✓	5
Chile	CL	✓	✓	✓	✓	✓	5
France	FR	✓	✓	✓	✓	✓	5
Kenya	KE	✓	✓	✓	✓	✓	5
Netherlands	NL	✓	✓	✓	✓	✓	5
New Zealand	NZ	-	✓	✓	✓	✓	4
Norway	NO	✓	✓	✓	✓	✓	5
Switzerland	CH	✓	✓	✓	✓	✓	5
Tunisia	TN	✓	✓	✓	✓	✓	5
United States of America	US	✓	✓	-	-	-	2
Uruguay	UY	✓	-	✓	-	✓	3
Total	12	11	10	11	10	11	

25. On January 9, 2017, EAF Version 1.0 was launched on the UPOV website, with the possibility to transmit application data introduced on January 16, 2017.

26. EAF Version 1.0 is available in English, Spanish, German and French.

*UPOV EAF website*

27. At the launch of the EAF, on January 9, 2017, a specific webpage was created for the EAF, available at: <http://www.upov.int/upoveaf>, containing all necessary information to access and use the EAF.

*Payment methods*

28. Payment is possible currently via bank transfer and in the future by credit card as well.

*Data transfer options*

29. The participating members in Version 1.0 have chosen the following options for the transfer of the application data:

Authority		notification by email	hard copy by mail
Argentina	AR	✓	
Australia	AU	✓	
Chile	CL	✓	
France	FR	✓	
Kenya	KE	✓	
Netherlands	NL	✓	
New Zealand	NZ	✓	
Norway	NO	✓	
Switzerland	CH	✓	
Tunisia	TN	-	✓*
United States of America	US	✓	
Uruguay	UY	✓	

\* only hard copy of the application is accepted by the PVP Office

30. Where requested by PVP Offices, submitted application data could be transferred automatically via Web services. This functionality has not yet been used and will be tested with interested PVP Offices and included in a future Version of the EAF.

*Payment of fees*

31. The UPOV EAF fee is paid directly to UPOV through the UPOV online payment gateway. However in relation to the payment of the PVP Office fee, the participating members have chosen the following options for the payment:

Authority		paid directly to PVP office	paid through UPOV online payment gateway
Argentina	AR	✓	
Australia	AU	✓	
Chile	CL	✓	
France	FR	✓	
Kenya	KE	✓	
Netherlands	NL	✓	
New Zealand	NZ	-	✓
Norway	NO	✓	
Switzerland	CH	✓	
Tunisia	TN	✓	
United States of America	US	✓	
Uruguay	UY	✓	

32. Naktuinbouw has decided to pay, for the time-being, the UPOV EAF fee for submission of application data to the Netherlands.

Technical Committee (TC)

33. The TC, at its fifty-third session in Geneva from April 3 to 5, 2017, noted the developments concerning the UPOV electronic application form as set out in document TC/53/7. The TC noted that Electronic Application Form (EAF) Version 1.0 had been launched in January 2017 (available at: <http://www.upov.int/upoveaf>) (see document TC/53/31 “Report”, paragraphs 162 and 163).

34. The TC noted that the plans for new functionalities and future releases would be discussed at the Ninth Meeting on the Development of an Electronic Application Form (“EAF/9 meeting”), to be held on April 7, 2017, and in particular: the strategy for addition of new crops and species; communication and support plan; proposal for a new name for the EAF; participation in the EAF for Members of the Union; and the tentative timetable for the EAF.

Meetings on the development of the electronic application form

35. At the Ninth Meeting on the Development of a Prototype Electronic Form (“EAF/9 meeting”), held in Geneva on April 7, 2017, the participating members considered document EAF/9/2 “Developments concerning the electronic application form” and received a presentation from the Office of the Union. The EAF/9 meeting agreed with the following proposed developments:

*New versions of the EAF*

36. The current Version of the EAF was Version 1.0. It was foreseen that the next version (Version 1.1) of the EAF would be released in July 2017. The subsequent Version (Version 2.0) was anticipated to be released in 2018.

*Version 1.1*

*Participating UPOV members*

37. The participants noted that the following additional UPOV members had provided the necessary information and expressed their intention to participate in Version 1.1, for the indicated crops:

Authority		GLYCI_MAX Soya Bean	LACTU_SAT Lettuce	MALUS_DOM Apple fruit varieties	ROSAA Rose	SOLAN_TUB Potato	Languages accepted for submission
China	CN		✓		✓		Chinese
Colombia	CO				✓		Spanish
Paraguay	PY	✓					Spanish
Republic of Moldova	MD	✓	✓	✓	✓	✓	Romanian
United States of America	US	✓*	✓*			✓	English
Turkey	TR	✓	✓	✓	✓	✓	Turkish

\* already in EAF Version 1.0

*Languages*

38. The participants noted that preparations were currently being made for the introduction of Chinese (China), Romanian (Republic of Moldova) and Turkish (Turkey), in Version 1.1, subject to the necessary information being provided by the members of the Union concerned.

*Style sheet for the application form*

39. The participants noted that, where requested by PVP Offices, it would be possible to have a customized format for the application form to be received by the PVP Office (e.g. addition of national coding reference to the form, PVP Office logo) if the relevant information was provided according to a specified format.

*Version 2.0*

*Participating UPOV members*

40. The participants noted that only authorities participating in PV2 and in Version 1.1 (Argentina, Australia, Bolivia (Plurinational State of), Brazil, Chile, China, Canada, Colombia, Czech Republic, European

Union, France, Georgia, Japan, Kenya, Mexico, Netherlands, New Zealand, Norway, Organisation Africaine de la Propriété Intellectuelle (OAPI), Paraguay, Republic of Korea, Republic of Moldova, South Africa, Switzerland, Tunisia, Turkey, United States of America, Uruguay and Viet Nam) would be able to participate in Version 2.0. New participating members of the Union would be included after the release of Version 2.0.

#### *Crops/species*

41. The participants noted that it had previously been agreed that it would be beneficial for the system to cover as many crops/ species as soon as possible. Therefore, at the EAF/8 meeting, the Office of the Union was requested to develop an approach to add new crops more rapidly and to increase the number of crops included in the EAF (see document EAF/8/3 "Report", paragraph 6 (j)).

42. It was noted that the main part of the application form was the same for all crops for a particular authority. However, the crop-specific technical information, typically provided in the technical questionnaire (TQ), differed between crops. Therefore, the challenge in adding new crops was to address the crop-specific part of the application.

43. In order to be able to cover as many crops/ species as rapidly as possible, it was proposed to develop three approaches. It would be a matter for each participating member of the Union to decide which of the approaches to apply on a crop-by-crop basis.

#### *UPOV Technical Questionnaire (Approach 1)*

44. The TQ in the EAF would need to be identical to the TQ in the adopted UPOV TG. The web-based TG Template would be the source of the TG TQ information; therefore, the introduction of crops/species under this approach would require the relevant TGs to be included in the web-based TG Template.

45. For crops/species for which there is no adopted UPOV TG, the TQ in the EAF would be based on the structure of the TQ in document TGP/7 "Development of Test Guidelines ". This would allow users to provide information, in a standardized way, for the following:

- Breeding history: breeding scheme; method of propagating the variety;
- TQ characteristics : free text characteristics and states of expression;
- Similar varieties and differences from those varieties;
- Additional information.

#### *UPOV TG characteristics (Approach 2)*

46. If a PVP Office TQ uses only characteristics included in UPOV TG characteristics, it would be possible to generate the list of characteristics and corresponding states of expression from the UPOV Test Guidelines. The web-based TG Template would be the source of the TG characteristics; therefore, the introduction of crops/species under this approach would require the relevant TGs to be included in the web-based TG Template.

47. For crops/species for which there is no adopted UPOV TG, the relevant chapter would allow applicants to enter free text information for characteristics and corresponding states of expression.

#### *Customized TQ (Approach 3)*

48. If a PVP Office uses a TQ that contains some information that is different from that used in the adopted UPOV TG, it would be necessary to develop a customized TQ for that PVP Office.

49. The table below summarizes the approaches that would currently cover the participating members in the EAF:



Authority (for existing crops/species)		Approach 1	Approach 2	Approach 3
Argentina	AR			✓
Australia	AU		✓	
Chile	CL	✓		
France	FR			✓
Kenya	KE	✓		
Netherlands	NL			✓
New Zealand	NZ			✓
Norway	NO			✓
Switzerland	CH			✓
Tunisia	TN	✓		
United States of America	US			✓
Uruguay	UY			✓
Total	12	3	1	8

50. The participants noted that on the basis that resources would be allocated equally to the three approaches, it would be possible to cover all crops/species for Approaches 1 and 2 by the end of 2018. In the case of Approach 3, the process would continue indefinitely according to an agreed prioritization.

2018	2019	2020	...
Approach 1* complete			
Approach 2* complete			
Approach 3			...

\* depending on the number of Test Guidelines adopted and included in the Test Guidelines Template Database

51. For all approaches, the order of priority for addition of crops/species would be decided in consultation with the EAF participating members and partners.

### *Functionalities*

#### *Information for official variety list purposes*

52. The participants agreed that, with regard to information for official variety list purposes, the requirements would be discussed individually with each of the participating members of the Union that have expressed a wish to include such information. In that regard, the participating member of the Union may also be invited to consider providing resources, in order to implement such requirements.

#### *Payment*

53. The participants noted that additional payment methods may be introduced in Version 2.0, e.g. current account or e-wallet. It was proposed to investigate those different possibilities and to report on their possible development at a subsequent EAF meeting.

#### *Link to information available in the GENIE Database*

54. The participants noted the proposal to make a link in the EAF website to the information available in GENIE, in particular with regard to experience and cooperation in DUS examination.

### *Communication*

55. The participants noted that:

- at the launch of the EAF, the Office of the Union had informed breeders' organizations and PVP Offices on the availability of the system (see Circular E17/007, E17/008 and E17/009), also inviting those parties to inform all their relevant stakeholders;
- a series of communication materials (e.g. posters and flyers) would be developed for UPOV members and breeders' organizations;

- meetings (including online sessions & Webinars) would be organized for individual applicants or groups of applicants upon request, and training material (e.g. PowerPoint presentation, tutorials, e-learning...) would be developed.

56. The participants noted the proposal made by some participating PVP Offices in the EAF to add a link to the EAF on their own national website. It further agreed on the importance of PVP Offices to diffuse the information on the availability of the EAF tool to potential users (e.g. breeders, representatives, agents, etc.).

#### *Support*

57. The participants noted that a program of user-support and routine maintenance provisions for PVP Offices and users would be developed in consultation with the participating members at the EAF meetings, according to the needs expressed and resources available within the Office of the Union.

#### *Name*

58. The EAF/9 meeting considered the name "PRISMA" (Plant variety data Routing Information System using Multilingual Application forms) as a new name for the EAF and considered the proposed logo presented at the meeting.

59. The EAF/9 meeting agreed to the proposal for the new name for the EAF together with the new logo, to be proposed at the fifty-first ordinary session of the Council, to be held in Geneva on October 26, 2017.

#### Latest developments

60. Ecuador has indicated to the Office of the Union its interest to participate in the EAF.

61. Members of the Union that have not participated in PV2 or Version 1.1 would be able to be included after the release of Version 2.0. Such members of the Union would need to provide their forms for the selected crops (application form and technical questionnaire) in a UPOV language and, if appropriate, to provide translations of the questions of the applications forms and technical questionnaires of the other participating members of the Union. The timetable for addition of new members of the Union would be subject to available resources and would vary according to the content of the applications forms and technical questionnaires.

62. The TWPs, at their sessions in 2017, will receive an oral report on recent developments in relation to the project, the communication tools and the test campaign for the development of the EAF.

*63. The TWPs are invited to note the developments concerning the development of an electronic application form as set out in this document.*

[End of document]