



TWC/29/5

ORIGINAL: English

DATE: May 24, 2011

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS
GENEVA

**TECHNICAL WORKING PARTY ON AUTOMATION AND
COMPUTER PROGRAMS**

**Twenty-Ninth Session
Geneva, June 7 to 10, 2011**

UPOV INFORMATION DATABASES

Document prepared by the Office of the Union

1. The purpose of this document is to provide an update on developments concerning the GENIE database, the UPOV Code System and the Plant Variety Database (UPOV-ROM) and to provide information on UPOV code additions and amendments for checking by the relevant members of the Union.

2. The following abbreviations are used in this document:

CAJ:	Administrative and Legal Committee
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
TWV:	Technical Working Party for Vegetables
TWPs:	Technical Working Parties

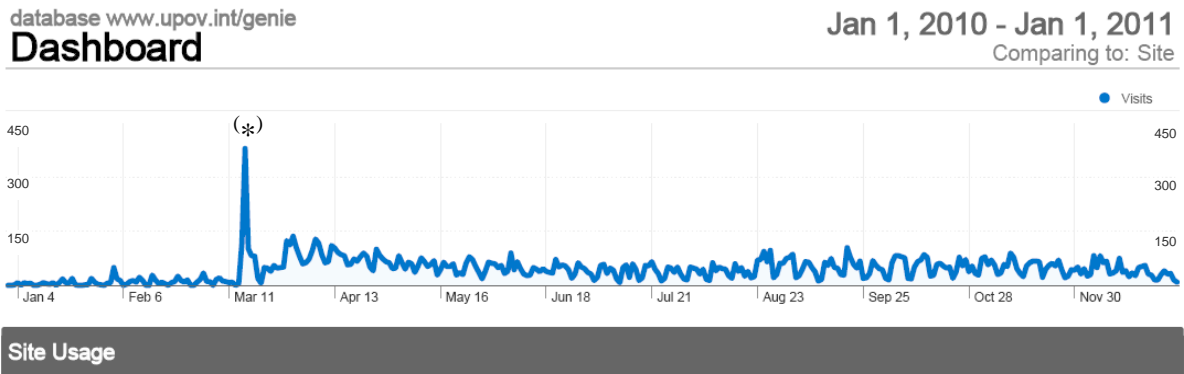
GENIE DATABASE	3
UPOV CODE SYSTEM	5
PLANT VARIETY DATABASE	6
BACKGROUND.....	6
PROVISION OF ASSISTANCE TO CONTRIBUTORS.....	7
WEB-BASED VERSION OF THE PLANT VARIETY DATABASE	8
COMMON SEARCH PLATFORM (PORTAL)	10
ANNEX I PROGRAM FOR IMPROVEMENTS TO THE PLANT VARIETY DATABASE	
ANNEX II REPORT ON THE USE OF UPOV CODES BY MEMBERS OF THE UNION AND OTHER CONTRIBUTORS	
ANNEX III UPOV CODES TO BE CHECKED BY AUTHORITIES (WEBSITE ONLY)	

GENIE DATABASE

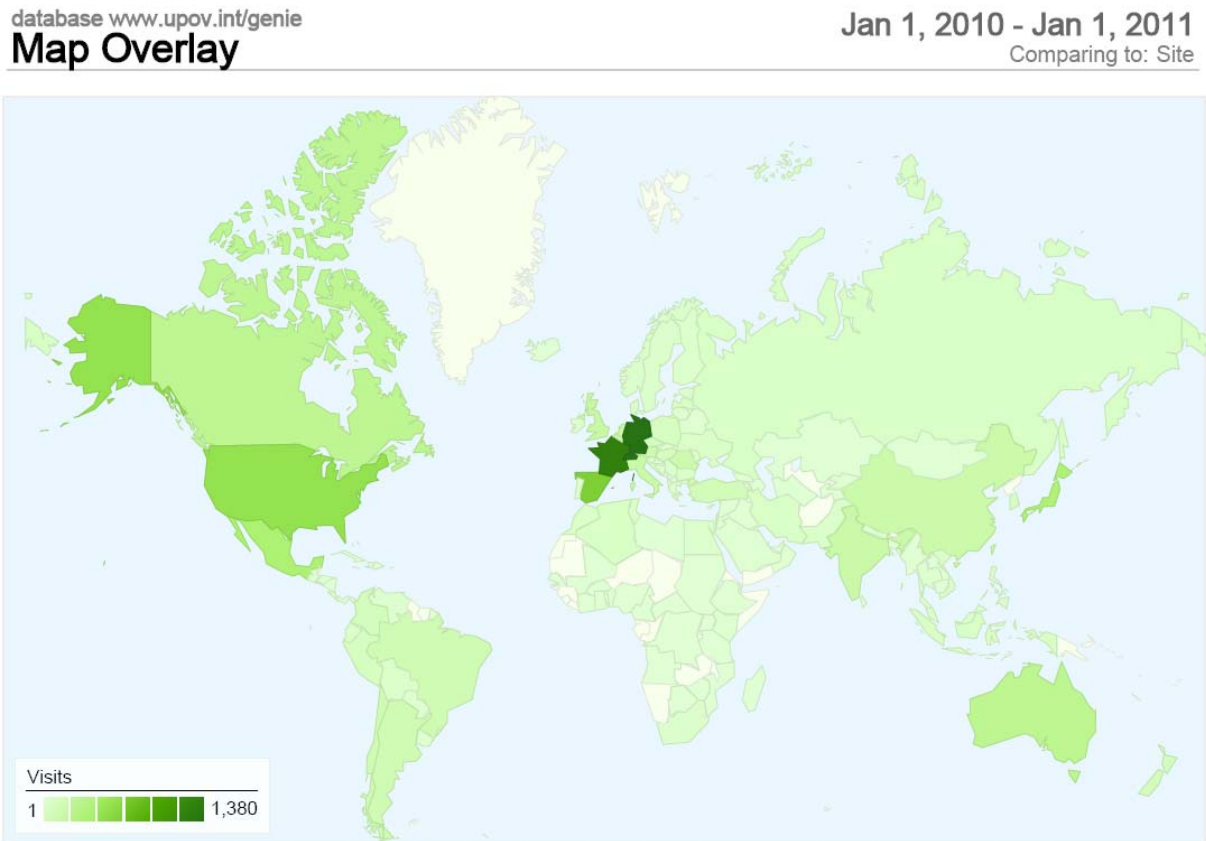
3. It is recalled that the GENIE database has been developed to provide, for example, online information on the status of protection (see document C/44/6), cooperation in examination (see document C/44/5), experience in DUS testing (see document TC/47/4), and existence of UPOV Test Guidelines (see document TC/47/2) for different GENera and specIEs (hence GENIE), and is used to generate the relevant Council and Technical Committee (TC) documents concerning that information. In addition, the GENIE database is the repository of the UPOV codes and also provides information concerning alternative botanical and common names.

4. In March 2010, the GENIE database was made available on the freely-accessible area of the UPOV website (see <http://www.upov.int/genie/en>).

5. A summary of the use of the GENIE database is provided in the following Figure:



(*) Date of launch of GENIE database on freely accessible area of UPOV website.



10,738 visits came from 151 countries/territories

UPOV CODE SYSTEM

6. In 2010, 114 new UPOV codes were created and amendments were made to six UPOV codes. The total number of UPOV codes in the GENIE database at the end of 2010 was 6,683.

	Year					
	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>
New UPOV codes	n/a	n/a	n/a	300 (approx)	148	114
Amendments	n/a	n/a	n/a	30 (approx)	17	6*
Total UPOV Codes (at end of year)	5,759	5,977	6,169	6,346	6,582	6,683

* does not include changes to UPOV codes resulting from reclassification of *Lycopersicon*, *Solanum* and *Cyphomandra* (see document TC/47/8).

7. In September 2010, a system for providing continuously updated information on the list of UPOV codes and addition of new UPOV codes was introduced to the UPOV website. On the website, the section within the GENIE database page formerly referred to as “Spreadsheets” has been replaced by a new section “UPOV Code Reports and Changes” (<http://www.upov.int/genie/en/updates/>). That new section generates continuously updated reports on:

- (a) UPOV Code List and Denomination Classes;
- (b) List of All Names for UPOV Codes;
- (c) Hybrid and Linked UPOV Codes.

In addition, it is possible to view all new UPOV codes that have been added since a specified date and to view a summary of changes to UPOV codes.

The screenshot shows the UPOV website interface. At the top, there is a green header with the UPOV logo and the text 'INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS'. Below the header is a navigation bar with links: HOME, ABOUT UPOV, UPOV DOCUMENTS, PUBLICATIONS, NEWS & EVENTS. On the left side, there is a sidebar with a green background and a sunflower image, containing links to: GENIE Database, List of Crop / Species, List of Authorities, Standard Reports, UPOV Code Reports and Changes, UPOV Code System, and UPOV-RDM Plant Variety Database. The main content area is titled 'UPOV Code Reports and Changes' and contains the following sections:

- Current UPOV Code information**
 - [UPOV Code List and Denomination Classes](#)
 - [List of All Names for UPOV Codes](#)
 - [Hybrid and Linked UPOV Codes](#)
- Changes to UPOV codes**
 - New UPOV codes since
 - [Changes to UPOV codes](#) (since July 2008)

8. In accordance with the procedure set out in Section 3.3 of the Guide to the UPOV Code System (see http://www.upov.int/genie/en/upov_code.html), the TC, at its forty-seventh

session, agreed that the Office of the Union should prepare tables of UPOV code additions and amendments, for checking by the relevant authorities, for each of the TWP sessions in 2010 (see document TC/47/26 “Report on the Conclusions”, paragraph 26).

9. The Excel file provided as Annex III to this document provides information on new UPOV codes added to the GENIE database and UPOV code amendments that have not yet been checked by the relevant authorities according to the procedure set out in Section 3.3 of the Guide to the UPOV Code System (see http://www.upov.int/genie/en/upov_code.html).

10. The Excel file contains two spreadsheets. The file will open on the spreadsheet with UPOV code amendments (“Amendments”): for each change, the old entry is highlighted in the row in red and the changes to the entry are found in the line immediately below that highlighted row (they have the same number in the first column). All Technical Working Parties and Authority(ies) are requested to check the amendments.

11. The second spreadsheet “New_UPOV_codes or information”, contains the new UPOV codes or new information added for existing UPOV codes. Highlighting in grey indicates that the UPOV code or name has not been changed. In this spreadsheet, the column headers highlighted in yellow indicate the relevant Technical Working Party (TWP) and Authority(ies) which are requested to check the information.

PLANT VARIETY DATABASE

Background

12. At its fifty-ninth session, held in Geneva on April 2, 2009, the Administrative and Legal Committee (CAJ) considered developments concerning the Plant Variety Database on the basis of documents CAJ/59/6, CAJ/59/6 Add. and the oral report of the comments made by the TC at its forty-fifth session, held in Geneva from March 30 to April 1, 2009.

13. The CAJ agreed the proposals concerning the program for improvements to the Plant Variety Database, as set out in paragraph 21 of document CAJ/59/6, subject to the amendments specified in document CAJ/59/7 “Report on the Conclusions”, paragraph 43. The program for improvements to the Plant Variety Database (“Program”), agreed on that basis, is provided in Annex I to this document.

14. It is recalled that, at its seventy-sixth session, held in Geneva on October 29, 2008, the Consultative Committee, approved an arrangement between UPOV and the World Intellectual Property Organization (WIPO) (UPOV-WIPO arrangement), concerning the UPOV Plant Variety Database, as follows:

“(a) WIPO to undertake the collation of data for the UPOV-ROM and to provide the necessary assistance to deliver the program of improvements concerning, in particular, options for receiving data for the UPOV-ROM in various formats and assistance in allocating UPOV codes to all entries (see documents CAJ/57/6, paragraphs 3 and 8 and TC/44/6, paragraphs 12 and 17). In addition, WIPO to undertake the development of a web-based version of the UPOV Plant Variety Database, and the facility to create CD-ROM versions of that database, and to provide the necessary technical support concerning the development of a common search platform (see documents CAJ/57/6, paragraphs 18 to 21 and TC/44/6, paragraphs 27 to 30)).

“(b) UPOV to agree that data in the UPOV-ROM Plant Variety Database may be included in the WIPO Patentscope® search service. In the case of data provided by parties other than members of the Union (e.g. the Organisation for Economic Co-operation and Development (OECD)), permission for the data to be used in the WIPO Patentscope® search service would be a matter for the parties concerned.”

15. In accordance with the UPOV-WIPO arrangement, Mr. José Appave, Senior Data Administration Clerk, WIPO, has taken up responsibility for collating all data for the UPOV-ROM Plant Variety Database (UPOV-ROM) (see circular E-1190). The arrangements for providing data for the UPOV-ROM according to the Memorandum of Understanding between UPOV and the Community Plant Variety Office of the European Union (CPVO) (“UPOV-CPVO Memorandum”) (see document CAJ/57/6, paragraph 6), are not affected by that development.

16. Also in accordance with the UPOV-WIPO arrangement, Mrs. Lili Chen, Software Developer, who has been recruited by WIPO to work 100% of her time on the program for improvements to the Plant Variety Database, took up her duties on May 1, 2010.

17. The following paragraphs provide an update on developments concerning the Program and contain certain proposals.

Provision of assistance to contributors

18. Section 2 of the Program states as follows:

“2.1 The Office will continue to contact all members of the Union and contributors to the Plant Variety Database that do not provide data for the Plant Variety Database, do not provide data on a regular basis, or do not provide data with UPOV codes. In each case, they will be invited to explain the type of assistance that would enable them to provide regular and complete data for the Plant Variety Database.

“2.2 In response to the needs identified by members of the Union and contributors to the Plant Variety Database in 2.1, the designated World Intellectual Property Organization (WIPO) staff, in conjunction with the Office, will seek to develop solutions for each of the Plant Variety Database contributors.”

“2.3 An annual report on the situation will be made to the Administrative and Legal Committee (CAJ) and Technical Committee (TC).

“2.4 With regard to the assistance to be provided to contributors, the UPOV-ROM ‘General Notice and Disclaimer’ states that ‘[...] All contributors to the UPOV-ROM are responsible for the correctness and completeness of the data they supply. [...]’. Thus, in cases where assistance is provided to contributors, the contributor will continue to be responsible for the correctness and completeness of the data.”

19. Annex II to this document provides a summary of the contributions to the Plant Variety Database in 2010.

20. Within the framework of cooperation based on the UPOV-CPVO Memorandum, a method for providing missing UPOV codes for data submitted for the Plant Variety Database has been developed. In particular, an algorithm to generate appropriate UPOV codes for particular botanical names has been developed on the basis of the CPVO method.

21. With regard to the assistance provided to contributors, it is recalled that all contributors to the Plant Variety Database are responsible for the correctness and completeness of the data they supply (see Program, Section 2.4). In cases where assistance is provided to contributors, the contributor will continue to be responsible for the correctness and completeness of the data. Thus, contributors will always be requested to approve any suggested modifications of data they supply, including the addition or amendment of UPOV codes, before the data is entered in the Plant Variety Database.

22. Mr. José Appave, Senior Data Administration Clerk, WIPO, has started to approach those members of the Union that have already indicated the type of assistance that is required in order to start to provide data to the Plant Variety Database, to provide data on a more regular basis, or to provide data with UPOV codes. Members of the Union that have not yet indicated their requirements will also be contacted by Mr. Appave during 2011.

Web-based version of the Plant Variety Database

Background

23. Section 6 of the Program states as follows:

“6.1 A web-based version of the Plant Variety Database will be developed. The possibility to create CD-ROM versions of the Plant Variety Database, without the need for the services of Jouve, will be developed in parallel to the web-based version of the database.

“6.2 An update on the planned timetable for development of a web-based version of the Plant Variety Database will be provided to the TC and CAJ.”

24. In response to frequent requests for internet access to the Plant Variety Database and in order to facilitate progress in the provision of assistance to contributors, it was concluded after consultation with Mrs. Chen that a web-based version of the Plant Variety Database should be introduced at the earliest opportunity. Further development of the features of the web-based version of the Plant Variety Database would follow at a later time. On that basis, it was proposed that a web-based version of the Plant Variety Database, based on the existing content of the UPOV-ROM Plant Variety Database, be launched on the UPOV website during the course of 2011. That database would contain the same data as provided for the UPOV-ROM, according to existing data submission procedures, and would include similar search functions. In addition, provisions would be made for the results of the searches to be downloaded in the form of an Excel spreadsheet or an html report, thereby enabling full access to the data in the Plant Variety Database.

25. A prototype of a web-based version of the Plant Variety Database was presented at the forty-seventh session of the TC, held in Geneva from April 4 to 6, 2011, the sixty-third session of the CAJ, held on April 7, 2011, and the eighty-first session of the Consultative Committee, held in Geneva on April 8, 2011.

Further development of the web-based version of Plant Variety Database

26. With regard to future development of the features of the web-based version of the Plant Variety Database, the main aspects that are planned for development are as follows:

(a) *introduction of fields for “dates of commercialization”*

27. With regard to “dates of commercialization” (see Program, Section “3.4 Dates of commercialization”), the first version of the web-based version of the database will provide the necessary structure for inclusion of that data. However, the existing data submission procedures do not provide the necessary fields (TAGS) for the submission of such data. Arrangements to enable contributors to provide data for those fields will be developed and introduced at a later stage.

(b) *search functions*

28. As explained in the Introduction to the UPOV-ROM Plant Variety Database (see <http://www.upov.int/export/sites/upov/en/publications/upov-rom/introduction.pdf>), the main reason for starting the database was the checking of variety denominations. In that regard, it is proposed to provide additional services concerning the searching of variety denominations and, in particular, the possibility to search for “similar” denominations. Within the framework of cooperation based on the UPOV-CPVO Memorandum, the CPVO has agreed to provide UPOV with the algorithm used in its variety denomination checking tool, as a basis for searching for similar denominations. As a condition of that offer, the CPVO specified that there should be no commercial use of the software.

Launch of the web-based version of Plant Variety Database

29. The TC, at its forty-seventh session held in Geneva from April 4 to 7, 2011, considered document TC/47/6 and the presentation of the prototype of the web-based version of the Plant Variety Database, made by Mrs. Lili Chen, Software Developer, World Intellectual Property Organization (WIPO). It agreed with the proposal that a web-based version of the Plant Variety Database, based on the existing content of the UPOV-ROM Plant Variety Database, be launched on the UPOV website during the course of 2011. The TC noted that the database would contain the same data as provided for the UPOV-ROM, according to existing data submission procedures, and would include similar search functions. It noted that, in addition, provisions would be made for the results of the searches to be downloaded in the form of an Excel spreadsheet or an html report, thereby enabling full access to the data in the Plant Variety Database.

30. The TC noted that the prototype of a web-based version of the Plant Variety Database would also be presented at the sixty-third session of the CAJ, to be held on April 7, 2011, and the eighty-first session of the Consultative Committee, to be held in Geneva on April 8, 2011. It noted that the comments of the TC and the CAJ would be reported to the Consultative Committee, at its eighty-first session, in conjunction with the invitation for the Consultative Committee to approve the proposals concerning the launching of the web-based version of the Plant Variety Database, as set out in this document (see document TC/47/26 “Report on the Conclusions”, paragraph 28, and CAJ/63/9 “Report on the Conclusions”, paragraph 18).

31. The CAJ, at its sixty-third session held in Geneva on April 7, 2011, noted that the TC, at its forty-seventh session, had noted the support by some delegations for the policy option “free access to all users.” (See document CAJ/63/9 “Report on the Conclusions”, paragraph 20.)

32. The CAJ, at its sixty-third session held in Geneva on April 7, 2011, expressed its preference for a policy of “free access to all users”, for the web-based version of the Plant

Variety Database, and noted that the comments of the CAJ and TC would be reported to the Consultative Committee, at its eighty-first session (see document CAJ/63/9 “Report on the Conclusions”, paragraphs 20 and 21).

33. At the twenty-eighth Extraordinary Session of the Council, held on April 8, 2011, the President reported that, in relation to the UPOV Plant Variety Database, the Consultative Committee had recommended to the Council to approve the launch of a web-based version of the Plant Variety Database and that the Consultative Committee had recommended to the Council that the web-based version of the Plant Variety Database should be made freely accessible to all users (see document C(Extr.)/28/3 “Report on the Decisions”, paragraph 12).

34. The Council approved the launch of a web-based version of the Plant Variety Database and agreed that the web-based version of the Plant Variety Database should be made freely accessible to all users (see document C(Extr.)/28/3 “Report on the Decisions”, paragraph 13).

Common search platform

35. Although exploratory discussions continued with potential partners in 2010, including WIPO, CPVO, the Royal General Bulb Growers’ Association (KAVB) (Netherlands) and the Commission for Nomenclature and Cultivar Registration of the International Society for Horticultural Science (ISHS), there were no substantial developments concerning the development of a common search platform in 2010.

[Annexes follow]

ANNEX I

PROGRAM FOR IMPROVEMENTS TO THE PLANT VARIETY DATABASE

*as approved by the Administrative and Legal Committee (CAJ),
at its fifty-ninth session, held in Geneva on April 2, 2009*

1. *Title of the Plant Variety Database*

In recognition of the intention to develop a web-based version of the Plant Variety Database, no reference will be made to the “UPOV-ROM”. The full name of the Plant Variety Database will be the “VARDAT Plant Variety Database”, abbreviated to VARDAT as appropriate.

2. *Provision of assistance to contributors*

2.1 The Office will continue to contact all members of the Union and contributors to the Plant Variety Database that do not provide data for the Plant Variety Database, do not provide data on a regular basis, or do not provide data with UPOV codes. In each case, they will be invited to explain the type of assistance that would enable them to provide regular and complete data for the Plant Variety Database.

2.2 In response to the needs identified by members of the Union and contributors to the Plant Variety Database in 2.1, the designated World Intellectual Property Organization (WIPO) staff, in conjunction with the Office, will seek to develop solutions for each of the Plant Variety Database contributors.

2.3 An annual report on the situation will be made to the Administrative and Legal Committee (CAJ) and Technical Committee (TC).

2.4 With regard to the assistance to be provided to contributors, the UPOV-ROM “General Notice and Disclaimer” states that “[...] All contributors to the UPOV-ROM are responsible for the correctness and completeness of the data they supply. [...]”. Thus, in cases where assistance is provided to contributors, the contributor will continue to be responsible for the correctness and completeness of the data.

3. *Data to be included in the Plant Variety Database*

3.1 *Data format*

3.1.1 In particular, the following data format options to be developed for contributing data to the Plant Variety Database:

- (a) data in XML format;
- (b) data in Excel spreadsheets or Word tables;
- (c) data contribution by on-line web form;
- (d) an option for contributors to provide only new or amended data

3.1.2 To consider, as appropriate, restructuring TAG items; for example, where parts of the field are mandatory and other parts not.

3.2 Data quality and completeness

The following data requirements to be introduced in the Plant Variety Database

<u>TAG</u>	<u>Description of Item</u>	<u>Current Status</u>	<u>Proposed status</u>	<u>Database developments required</u>
<000>	Start of record and record status	mandatory	start of record to be mandatory	mandatory, subject to development of facility to calculate record status (by comparison with previous data submission), if required
<190>	Country or organization providing information	mandatory	mandatory	data quality check: to verify against list of codes
<010>	Type of record and (variety) identifier	mandatory	both mandatory	(i) meaning of “(variety) identifier” to be clarified in relation to item <210>; (ii) to review whether to continue type of record “BIL”; (iii) data quality check: to check against list of types of record
<500>	Species--Latin name	mandatory until UPOV code provided	mandatory (even if UPOV code provided)	
<509>	Species--common name in English	mandatory if no common name in national language (<510>) is given.	not mandatory	
<510>	Species--common name in national language other than English	mandatory if no English common name (<509>) is given	not mandatory	
<511>	Species--UPOV Taxon Code	mandatory	mandatory	(i) if requested, the Office to provide assistance to the contributor for allocating UPOV codes; (ii) data quality check: to check UPOV codes against the list of UPOV codes; (iii) data quality check: to check for seemingly erroneous allocation of UPOV codes (e.g. wrong code for species)
	DENOMINATIONS			
<540>	Date + denomination, proposed, first appearance or first entry in data base	mandatory if no breeder's reference (<600>) is given	(i) mandatory to have <540>, <541>, <542>, or <543 if <600> is not provided (ii) date not mandatory	(i) to clarify meaning and rename; (ii) data quality check: mandatory condition in relation to other items

TWC/29/5
Annex I, page 3

<u>TAG</u>	<u>Description of Item</u>	<u>Current Status</u>	<u>Proposed status</u>	<u>Database developments required</u>
<541>	Date + proposed denomination, published		see <540>	(i) to clarify meaning and rename (ii) data quality check: mandatory condition in relation to other items
<542>	Date + denomination, approved	mandatory if protected or listed	see <540>	(i) to clarify meaning and rename; (ii) to allow for more than one approved denomination for a variety (i.e. where a denomination is approved but then replaced) (iii) data quality check: mandatory condition in relation to other items
<543>	Date + denomination, rejected or withdrawn		see <540>	(i) to clarify meaning and rename (ii) data quality check: mandatory condition in relation to other items
<600>	Breeder's reference	mandatory if existing	not mandatory	
<601>	Synonym of variety denomination		not mandatory	
<602>	Trade name		not mandatory	(i) to clarify meaning (ii) to allow multiple entries
<210>	Application number	mandatory if application exists	mandatory if application exists	to be considered in conjunction with <010>
<220>	Application/filing date	mandatory if application exists	mandatory	explanation to be provided if TAG<220> not completed
<400>	Publication date of data regarding the application (protection)/filing (listing)		not mandatory	
<111>	Grant number (protection)/registration number (listing)	mandatory if existing	(i) mandatory to have <111> / <151> / <610> or <620> if granted or registered (ii) date not mandatory	(i) data quality check: mandatory condition in relation to other items; (ii) to resolve any inconsistencies concerning the status of TAG<220>
<151>	Publication date of data regarding the grant (protection) / registration (listing)		see <111>	data quality check: mandatory condition in relation to other items
<610>	Start date--grant (protection)/registration (listing)	mandatory if existing	see <111>	(i) data quality check: mandatory condition in relation to other items; (ii) data quality check: date cannot be earlier than <220>
<620>	Start date--renewal of registration (listing)		see <111>	(i) data quality check: mandatory condition in relation to other items; (ii) data quality check: date cannot be earlier than <610> (iii) to clarify meaning

TWC/29/5
Annex I, page 4

<u>TAG</u>	<u>Description of Item</u>	<u>Current Status</u>	<u>Proposed status</u>	<u>Database developments required</u>
<665>	Calculated future expiration date	mandatory if grant/listing	not mandatory	
<666>	Type of date followed by "End date"	mandatory if existing	not mandatory	
	PARTIES CONCERNED			
<730>	Applicant's name	mandatory if application exists	mandatory if application exists	
<731>	Breeder's name	mandatory	mandatory	to clarify meaning of "breeder" according to document TGP/5 (see <733>)
<732>	Maintainer's name	mandatory if listed	not mandatory	to be accompanied by start and end date (maintainer can change)
<733>	Title holder's name	mandatory if protected	mandatory if protected	(i) to clarify meaning of "title holder" according to document TGP/5 (see <731>) (ii) to be accompanied by start and end date (title holder can change)
<740>	Type of other party followed by party's name		not mandatory	
	INFORMATION REGARDING EQUIVALENT APPLICATIONS IN OTHER TERRITORIES			
<300>	Priority application: country, type of record, date of application, application number		not mandatory	
<310>	Other applications: country, type of record, date of application, application number		not mandatory	
<320>	Other countries: Country, denomination if different from denomination in application		not mandatory	
<330>	Other countries: Country, breeder's reference if different from breeder's reference in application		not mandatory	
<900>	Other relevant information (phrase indexed)		not mandatory	
<910>	Remarks (word indexed)		not mandatory	
<920>	Tags of items of information which have changed since last transmission (optional)		not mandatory	to develop option to generate automatically (see 2.1.1.(a))
<998>	FIG		not mandatory	
<999>	Image identifier (for future use)		not mandatory	to create possibility to provide hyperlink to image (e.g. an authority's webpage)

3.3 Mandatory “items”

3.3.1 With respect to items that are indicated as “mandatory” in Section 3.2, data will not be excluded from the Plant Variety Database if that item is absent. However, a report of the non-compliances will be provided to the contributor.

3.3.2 A summary of non-compliances will be reported to the TC and CAJ on an annual basis.

3.4 Dates of commercialization

3.4.1 An item will be created in the Plant Variety Database to allow for information to be provided on dates on which a variety was commercialized for the first time in the territory of application and other territories, on the following basis:

Item <XXX>: dates on which a variety was commercialized for the first time in the territory of application and other territories (not mandatory)

	<u>Comment</u>
(i) Authority providing the [following] information	ISO two letter code
(ii) Territory of commercialization	ISO two letter code
(iii) Date on which the variety was commercialized* for the first time in the territory (* The term “commercialization” is used to cover “sold or otherwise disposed of to others, by or with the consent of the breeder, for purposes of exploitation of the variety” (Article 6(1) of the 1991 Act of the UPOV Convention) or “offered for sale or marketed, with the agreement of the breeder” (Article 6(1)(b) of the 1978 Act of the UPOV Convention), as appropriate.	according to the format YYYY[MMDD] (Year[MonthDay]): month and day will not be mandatory if not available
(iv) Source of information	mandatory for each entry in item <XXX>
(v) Status of information	mandatory for each entry in item <XXX> (to provide an explanation or a reference to where an explanation is provided (e.g. the website of the authority providing the data for this item))
<i>Note: for the same application, the authority in (i) could provide more than one entry for items (ii) to (v). In particular, it could provide information on commercialization in the “territory of application”, but also “other territories”</i>	

3.4.2 The following disclaimer will appear alongside the title of the item in the database:

“The absence of information in [item XXX] does not indicate that a variety has not been commercialized. With regard to any information provided, attention is drawn to the source and status of the information as set out in the fields ‘Source of information’ and ‘Status of information’. However, it should also be noted that the information provided might not be complete and accurate.”

4. *Frequency of data submission*

The Plant Variety Database will be developed in such a way as to allow updating at any frequency determined by the members of the Union. Prior to completion and publication of the web-based version of the Plant Variety Database, no change is proposed to the frequency of updating, i.e. contributors will be requested to update their data on a bimonthly basis. Once that stage is complete, the TC and CAJ will be invited to consider whether to create possibilities for data to be updated on a more frequent basis.

5. *Discontinuation of inclusion of general information documents in UPOV-ROM*

On the basis that such information is readily available on the UPOV website, the following general information documents will no longer be included in the UPOV-ROM:

- Addresses of Plant Variety Protection Offices
- List of members of the Union
- Cover with some useful information
- UPOV: What it is, what it does (“UPOV flyer”)
- List of UPOV publications

6. *Web-based version of the Plant Variety Database*

6.1 A web-based version of the Plant Variety Database will be developed. The possibility to create CD-ROM versions of the Plant Variety Database, without the need for the services of Jouve, will be developed in parallel to the web-based version of the database.

6.2 An update on the planned timetable for development of a web-based version of the Plant Variety Database will be provided to the TC and CAJ.

7. *Common search platform*

A report on developments concerning the development of a common search platform will be made to the TC and CAJ. Any proposals concerning a common search platform will be put forward for consideration by the TC and CAJ.

[Annex II follows]

ANNEX II

REPORT ON THE USE OF UPOV CODES BY MEMBERS OF THE UNION
AND OTHER CONTRIBUTORS

	Contributor	Number of new contributions to the UPOV-ROM in 2010 ¹	UPOV Coding of data
1.	Albania	–	-
2.	Argentina	0	-
3.	Australia	6	Yes
4.	*Austria	3	Yes
5.	Azerbaijan	-	-
6.	Belarus	-	-
7.	*Belgium	6	Yes
8.	Bolivia	-	-
9.	Brazil	4	Yes
10.	*Bulgaria	6	Yes
11.	Canada	4	Yes
12.	Chile	2	Yes
13.	China	-	-
14.	Colombia	0	No
15.	Costa Rica	-	-
16.	Croatia	-	-
17.	*Czech Republic	5	Yes
18.	*Denmark	5	Yes
19.	Dominican Republic	-	-
20.	Ecuador	1	No
21.	*Estonia	4	Yes
22.	*European Union	6	Yes
23.	*Finland	3	Yes
24.	*France	5	Yes
25.	Georgia	-	-
26.	*Germany	6	Yes
27.	*Hungary	6	Yes
28.	*Iceland	-	
29.	*Ireland	3	Yes
30.	Israel	0	-
31.	*Italy	4	No

¹ 6 Indicates that new data was submitted for all six (6) new versions of the UPOV-ROM issued in 2010.

– Do not currently provide data for the UPOV-ROM.

* Data provided via the CPVO.

TWC/29/5
Annex II, page 2

	Contributor	Number of new contributions to the UPOV-ROM in 2010 ¹	UPOV Coding of data
32.	Japan	1	No
33.	Jordan	-	-
34.	Kenya	-	-
35.	Kyrgyzstan	0	-
36.	*Latvia	1	Yes
37.	*Lithuania	2	Yes
38.	Mexico	-	-
39.	Moldova	2	Yes
40.	Morocco	-	-
41.	*Netherlands	5	Yes
42.	New Zealand	6	Yes
43.	Nicaragua	-	-
44.	*Norway	3	Yes
45.	Oman	-	-
46.	Panama	-	-
47.	Paraguay	-	-
48.	*Poland	5	Yes
49.	*Portugal	1	Yes
50.	Republic of Korea	5	No
51.	*Romania	6	Yes
52.	Russian Federation	4	Yes
53.	Singapore	-	-
54.	*Slovakia	4	Yes
55.	*Slovenia	6	Yes
56.	South Africa	-	-
57.	*Spain	5	Yes
58.	*Sweden	4	Yes
59.	*Switzerland	4	Yes
60.	Trinidad and Tobago	-	-
61.	Tunisia	-	-
62.	Turkey	4	Yes
63.	Ukraine	-	-
64.	*United Kingdom	6	No
65.	United States of America	6	No
66.	Uruguay	-	-
67.	Uzbekistan	-	-
68.	Viet Nam	-	-
69.	OECD	2	Yes

[End of Annex II and of document]

[Annex III (Excel spreadsheet) posted on website only]