

**TWO/44/20****ORIGINAL:** English**DATE:** November 4, 2011

**INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS**  
GENEVA

**TECHNICAL WORKING PARTY FOR ORNAMENTAL PLANTS  
AND FOREST TREES**

**Forty-Fourth Session**  
**Fukuyama City, Hiroshima Prefecture, Japan**  
**November 7 to 11, 2011**

**REPORT ON DEVELOPMENTS IN UPOV**

*prepared by the Office of the Union*

This document contains a copy of the presentation that will be made at the forty-fourth session of the Technical Working Party for Ornamental Plants and Forest Trees, to be held in Fukuyama City, Hiroshima Prefecture, Japan, from November 7 to 11, 2011.

## Technical Working Party for Ornamental Plants and Forest Trees

Forty-Fourth Session

### REPORT ON DEVELOPMENTS IN UPOV

Fukuyama, Japan  
November 7 to 11, 2011

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## OVERVIEW

- Membership / Examination of Laws
- New website
- Council
- Consultative Committee
- CAJ & CAJ-AG
- TC
- Other developments

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## UPOV: INDEPENDENT INTERGOVERNMENTAL ORGANIZATION

The International Convention for the  
Protection of New Varieties of Plants  
established in 1961

The International Union for the  
Protection of New Varieties of Plants

Union internationale pour la  
protection des obtentions végétales

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## MEMBERSHIP OF UPOV

70 Members

### New Members

**Peru** as of Aug. 8, 2011

**Former Yugoslav Republic of  
Macedonia** as of May 4, 2011

### Laws examined

**Republic of Tajikistan**  
**Republic of Serbia**

### Council session

October 21, 2010  
April 8, 2011

### Advice

Positive  
Positive

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## Members of UPOV (green) & initiating States & organizations (brown)



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### UPOV Collection: physical collection

- SET OF BINDERS with PRINTED DOCUMENTS
  - two sets per member of the Union
  - one set per observer State
  - one set per observer organization
- In the first instance only (and for new members and observers), printed versions of all documents in the "UPOV Collection", except for Test Guidelines, would be provided with the binders
- Members of the Union, observer States and observer organizations will be notified, electronically, of updates and will need to print the documents



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UPOV INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

HOME • UPOV DATA & STATISTICS • UPOV LEX •

PLUTO: Plant Variety Database

The data currently in PLUTO is the data in version 2011.04 of the UPOV PLUTO Plant Variety Database, for which UPOV users are also provided by some other means. Please note that PLUTO will shortly be updated with version 2011.05, which will include UPOV data for most data contribution. A subscription service will be introduced for PLUTO, which will allow us to inform users of future updates of the data.

Search By:

Filter By:

Current Search:  Current Filter:

Year	Country	Accession	Accession Name	Accession No.	Accession Date	Accession Status	Accession Type
2011	ARG	PLU	Manzanilla blanca L.	000001	1999-02-10	1999-03-10	MANZANILLA
2011	ARG	PLU	Manzanilla blanca L.	000004	1999-01-01	1999-05-05	MANZANILLA
2011	ARG	PLU	Zona Rosa L.	000075	1999-01-01	1999-05-05	MANZANILLA
2011	ARG	PLU	Zona Rosa L.	000076	1999-01-01	1999-05-05	MANZANILLA

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UPOV LEX

UPOV Lex contains the legislation of members of the Union that has been notified in accordance with the UPOV Convention, the UPOV Convention notifications concerning individual members of the Union (e.g. accessions, notifications) and the text of the UPOV Convention and its Acts.

Legislation:  Convention notifications:  UPOV Convention:  Full Text Search:

UPOV Notified Laws

A-Z: [A](#) [B](#) [C](#) [D](#) [E](#) [F](#) [G](#) [H](#) [I](#) [J](#) [K](#) [L](#) [M](#) [N](#) [O](#) [P](#) [Q](#) [R](#) [S](#) [T](#) [U](#) [V](#)

68 entries found:

A

- Albania (1)
- Argentina (1)
- Australia (1)
- Austria (1)
- Azerbaijan (1)

B

- Belarus (1)
- Belarus of International State (1)
- Brazil (1)
- Bulgaria (1)

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## COUNCIL

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### COUNCIL ELECTED

for a term of three years ending in 2013

Chair of the Administrative and Legal Committee  
**Mr. Lü Bo (China)**

Vice-Chair of the Administrative and Legal Committee  
**Mr. Martin Ekvad (European Union)**

Chair of the Technical Committee  
**Mr. Joël Guiard (France)**

Vice-Chair of the Technical Committee  
**Mr. Alejandro Barrientos-Priego (Mexico)**

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### COUNCIL ELECTED

for a term of three years ending in 2014

Chair of:

**TWA: Mrs. Robyn Hierse (South Africa)**

**TWC: Mr. Sami Markkanen (Finland)**

**TWF: Mrs. Carensa Petzer (South Africa)**

**TWO: Mr. Nik Hulse (Australia)**

**TWV: Mr. François Boulineau (France)**

**BMT: Mr. Alejandro Barrientos Priego (Mexico)**

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## Mr. Jördens Gold Medal



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## COUNCIL

### INFORMATION MATERIALS ADOPTED OCTOBER 2010

Latest reference	Explanatory Notes on:
UPOV/EXN/VAR/1	Definition of Variety under the 1991 Act of the UPOV Convention
UPOV/EXN/CAL/1	Conditions and Limitations Concerning the Breeder's Authorization in Respect of Propagating Material under the UPOV Convention
	INF documents
UPOV/INF/4/1	Financial Regulations and Rules of UPOV
UPOV/INF/10/1	Internal Audit
UPOV/INF/12/3	Explanatory Notes on Variety Denominations under the UPOV Convention
UPOV/INF/15/1	Guidance for Members of UPOV on Ongoing Obligations and Related Notifications
UPOV/INF/16/1	Exchangeable Software
UPOV/INF/17/1	Guidelines for DNA-Profiling: Molecular Marker Selection and Database Construction ("BMT Guidelines")

## COUNCIL

### INFORMATION MATERIALS ADOPTED OCTOBER 2011

Latest reference	INF documents
UPOV/INF/6/2	Guidance for the preparation of laws based on the 1991 Act of the UPOV Convention (Revision)
UPOV/INF/16/2	Exchangeable Software (Revision)
UPOV/INF/18/1	Possible use of Biochemical and Molecular Markers in the Examination of Distinctness, Uniformity and Stability (DUS)
UPOV/INF-EXN/1	List of INF-EXN Documents and Latest Issue Dates

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## COUNCIL

### INFORMATION MATERIALS ADOPTED (reminder)

#### **Guidance for the preparation of laws based on the 1991 Act of the UPOV Convention (document UPOV/INF/6)**

PART I: EXAMPLE TEXT FOR ARTICLES  
PART II: NOTES BASED ON INFORMATION MATERIALS

(available in English, French, German, Spanish, Arabic, Chinese, Russian, Bahasa Indonesian)

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## COUNCIL

### TGP DOCUMENTS ADOPTED OCTOBER 2010

Document reference	Title
TGP/0/3	List of TGP Documents and Latest Issue Dates
TGP/5	Experience and Cooperation in DUS Testing:
Section 2/3	UPOV Model Form for the Application for Plant Breeders' Rights (Revision)
TGP/7/2	Development of Test Guidelines (Revision)
TGP/8/1	Trial Design and Techniques Used in the Examination of Distinctness, Uniformity and Stability
TGP/14/1	Glossary of Terms Used in UPOV Documents

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## COUNCIL

### TGP DOCUMENTS ADOPTED OCTOBER 2011

Document reference	Title
TGP/0/4	List of TGP Documents and Latest Issue Dates
TGP/5	Experience and Cooperation in DUS Testing:
Section 10/2	Notification of Additional Characteristics (Revision)
TGP/7/3	Development of Test Guidelines (Revision)
TGP/11/1	Examination of Stability

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## COUNCIL



### *Experience of members of the Union in the Examination of New Plant Varieties*

The Council welcomed the report made at the forty-seventh session of the Technical Committee, held in Geneva from April 4 to 6, 2011, that the number of genera and species for which members of the Union had practical experience in the examination of distinctness, uniformity and stability (DUS) had exceeded 2,500 in 2011. That number had increased by 19% from 2,254 in 2010, to 2,679 in 2011. The Council noted that information on members of the Union with practical experience in DUS examination was freely accessible via the GENIE database.

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## CONSULTATIVE COMMITTEE

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## CONSULTATIVE COMMITTEE

### Observers

- Established a working group to review the rules concerning observers and recommend appropriate changes
- Granted observer status to:
  - Association for Plant Breeding for the Benefit of Society (APBREBES): Council, CAJ, TC, TWPs
  - European Coordination Via Campesina (ECVC): Council, CAJ, TC, TWPs
- Extended observer status to:
  - CropLife International: CAJ, TC, TWPs
  - Asia Pacific Seed Association (APSA): CAJ, TC, TWPs

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## CONSULTATIVE COMMITTEE

- The Consultative Committee approved the assistance of the Office of the Union to the **International Treaty on Genetic Resources for Food and Agriculture (ITPGRFA)** in explaining the content and search options in the Plant Variety Database in the context of the ITPGRFA research project.

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## ADMINISTRATIVE AND LEGAL COMMITTEE (CAJ)

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## CAJ/ CAJ-AG

### OVERVIEW OF THE DEVELOPMENT OF INFORMATION MATERIALS

Latest reference	Explanatory Notes on:	Status
UPOV/EXN/BRD Draft 4	Definition of Breeder under the 1991 Act of the UPOV Convention	CAJ-AG October 2011
UPOV/EXN/HRV Draft 6	Acts in Respect of Harvested Material under the 1991 Act of the UPOV Convention	CAJ-AG October 2011
CAJ-AG/11/6/3 & UPOV/EXN/EDV/2 Draft 1	Essentially Derived Varieties under the 1991 Act of the UPOV Convention (revision)	CAJ-AG October 2011
	Matters arising after the grant of a breeder's right	CAJ-AG October 2011
	Propagation and Propagating Material	CAJ-AG October 2011
UPOV/INF/5	UPOV model plant breeders' rights gazette	To start 2012

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## TECHNICAL COMMITTEE (TC)

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## TECHNICAL COMMITTEE (TC) TGs APPROVED

NEW TEST GUIDELINES (11)	
TG/ACERO	Acerola, Barbados-cherry, West Indian-cherry
TG/AGAPA	African Lily, Agapanthus, Blue Lily, Lily of the Nile
TG/BOUGA	Bougainvillea
TG/CACAO	Cacao
TG/CAMEL	Camellia
TG/Dragon	Dragon Fruit, Strawberry pear
TG/HIBIS	Rose-of-Sharon, shrub-althea
TG/RUMEX	Dock, Garden sorrel, sorrel, sorrel dock, sour dock
TG/SETARIA	Foxtail Millet, Italian Millet, Hungary Millet
TG/TOREN	Bluewings, Torenia, Wishbone-flower
TG/VRIS	Vriesea

## TECHNICAL COMMITTEE (TC) TGs APPROVED

REVISIONS OF TEST GUIDELINES (8)	
TG/44/11	Tomato
TG/51/7	Gooseberry
TG/52/6	Red and White Currant
TG/56/4	Almond
TG/57/7	Flax, Linseed
TG/84/4	Japanese Plum
TG/99/4	Olive
TG/184/4	Cardoon, Globe Artichoke, Cardoon
PARTIAL REVISIONS OF TEST GUIDELINES (2)	
TG/13/10 Rev. (TC/47/2, TC/47/24)	Lettuce
TG/55/7 Rev. (TC/47/2, TC/47/24)	Spinach

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## TECHNICAL COMMITTEE (TC) TGs APPROVED

98. The TC agreed that the wording of document TGP/7.2, as adopted by the Council at its forty-fourth ordinary session, held in Geneva on October 21, 2010, with regard to Chapter 4.1.4 should not be followed in the Test Guidelines to be adopted at its forty-seventh session. It agreed that the Test Guidelines to be adopted by the TC should incorporate the amended wording for Chapter 4.1.4, as follows:

Alternative 1: "Unless otherwise indicated, for the purposes of distinctness, all observations on single plants should be made on { x } plants or parts taken from each of { x } plants and any other observations made on all plants in the test, disregarding any off-type plants."

Alternative 2: "Unless otherwise indicated, for the purposes of distinctness, all observations on single plants should be made on { x } plants or parts taken from each of { x } plants and any other observations made on all plants in the test, disregarding any off-type plants. In the case of observations of parts taken from single plants, the number of parts to be taken from each of the plants should be { y }."

99. The TC noted that the Council, at its forty-fifth ordinary session to be held on October 20, 2011, would need to adopt the revised text for document TGP/7 before the Test Guidelines could be adopted. Therefore, it agreed to adopt the Test Guidelines subject to the Council adopting the necessary revision to document TGP/7.

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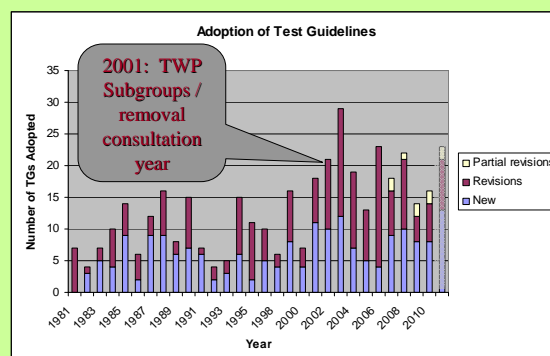
## TECHNICAL COMMITTEE (TC) TGs adopted

Test Guidelines for Mandarins (Citrus; Group 1) (document TG/201/1) to be referred back to the TWF for further consideration

Test Guidelines for Canna (document TG/CANNA(proj.7)) and Eucalyptus (document TG/EUCAL(proj.6)) be referred back to the TWO for further consideration.

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## Adoption of Test Guidelines



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### TECHNICAL COMMITTEE

April sessions: 2002-2011

Monday	Tuesday	Wednesday	Thursday	Friday
TC-EDC	TC	TC	CAJ	CC
TC	TC	TC	CAJ	Council

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### TECHNICAL COMMITTEE

April sessions: 2012

Monday	Tuesday	Wednesday	Thursday	Friday
TC discussion	TC	TC	CAJ	CC
TC	TC	TC	CAJ	Council

Experiences of members of the Union in measures to improve the efficiency and effectiveness of DUS testing

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### TECHNICAL COMMITTEE (TC)

In considering how to improve the effectiveness of the TC work, the following measures were agreed:

- to display documents under consideration at the session on the screen in the language of the original document.
- to add an indication in document reference of the language.
- to consider ways of improving the quality of draft Test Guidelines submitted by the TWPs for adoption to the TC. In that regard, the TC noted the importance of all necessary information being provided by the Leading Expert by the specified date, the importance of the role of the TWP chairpersons and the importance of posting the draft Test Guidelines on the UPOV website sufficiently in advance of the TC-EDC meeting in order that comments could be made before the TC-EDC meeting.
- The TC-EDC to hold a two-day meeting in January.

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### GENIE Database



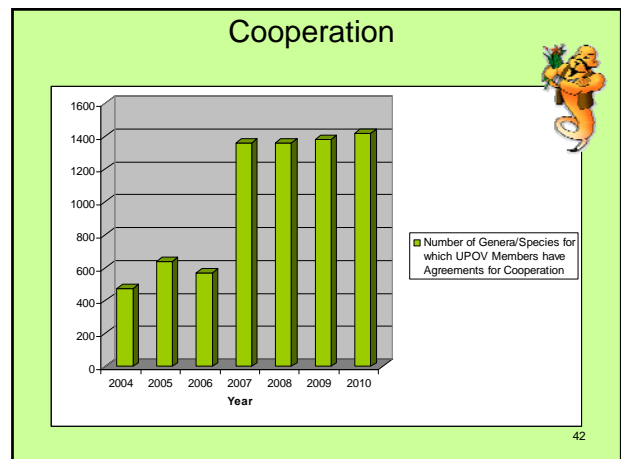
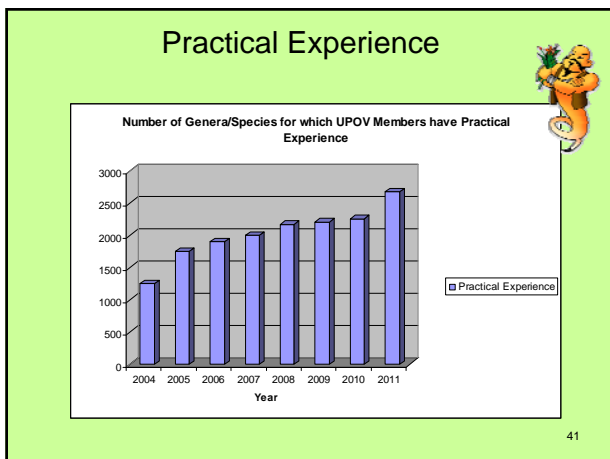
**Protection offered by UPOV members**

**DUS information**

- UPOV Test Guidelines
- practical experience (UPOV members)
- cooperation in DUS examination

**Variety denomination related information**

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## TWC Webcast

GoToMeeting®		
<a href="#">Join a Meeting</a> <a href="#">Host a Meeting</a> <a href="#">24/7</a>		
Date	Time	Title
Tuesday, June 7	11.00-12.45	Image Analysis
	14.00-15.30	UPOV Information Databases
	16.00-17.30	Molecular Techniques
Wednesday, June 8	09.00-10.30	Variety Descriptions and Distinctness
	11.00-12.45	Variety Descriptions and Distinctness/ Visually Observed Characteristics
	14.00-15.30	TGP/8
Thursday, June 9	16.00-17.30	TGP/8
	09.00-10.30	TGP/5, 7, 11, 12, 14
	11.00-12.45	Developments on COY
	14.00-15.30	Statistical Methodologies

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## Broader items

TC/47/26  
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### Preparatory workshops

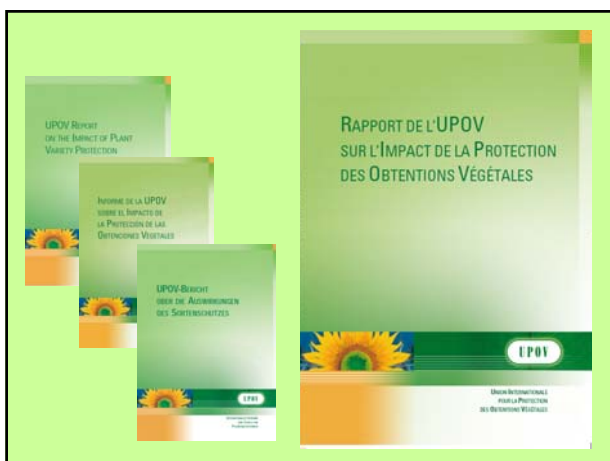
92. The TC considered document TC/47/10.

93. The TC noted the report of the preparatory workshops held in 2010 and agreed the proposed program for 2011. It agreed that consideration should be given to the inclusion of items for molecular techniques, essentially derived varieties, variety identification and the relationship between the UPOV Convention and other international treaties.

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## OTHER DEVELOPMENTS

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## DECLARATION FROM THE SECOND WORLD SEED CONFERENCE



Spanish,  
Chinese,  
Russian and  
Arabic to  
follow

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## Second World Seed Conference



### "Follow-up"

... proposal for the five organizations to work together in selected countries to provide an example of how to put in place a framework to encourage the development of new varieties and deliver high quality seed for farmers

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## World Seed Project



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UPOV



## Seminar on PVP & Technology Transfer: the Benefits of Public-Private Partnership April 11-12, 2011

### Closing remarks by the Chairs

[http://www.upov.int/en/documents/pp\\_seminar\\_april\\_2011/upov\\_sem\\_11\\_1\\_rev.html](http://www.upov.int/en/documents/pp_seminar_april_2011/upov_sem_11_1_rev.html)

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## Use of Plant Variety Protection by National Research Centers

### Chair: Enriqueta Molina Conclusions – Session 1

#### Plant Variety Protection:

- Promotes private sector involvement in research and development
- A tool for technology transfer
- Provides a legal framework for financial investment
- Encourages innovation in breeding aims, particularly for the development of new or niche markets
- Focuses investment on meeting the needs of farmers and consumers

1. Ryudai Oshima, NARO
2. Jenn James, Grasslanz
3. Shadrack R. Moephuli, ARC
4. Filipe de Moraes Teixeira, EMBRAPA
5. Yves Lespinasse, INRA

Chair: Enriqueta Molina

## Technology Transfer by the Private Sector

### Chair: Kitisi Sukhapinda Conclusions – Session 2

#### Private sector:

- An effective means of delivering varieties to farmers
- Assessment of the market potential of varieties
- Link between public research and the needs of farmers
- Provides a channel for income for public sector research
- Facilitates strategic associations and coordinated technology transfer

1. Willi Wicki, DSP
2. Barry Barker, Masstock Arable
3. Diego Riso, URUPOV
4. Evans Sikinyi, KY

Chair: Kitisi Sukhapinda



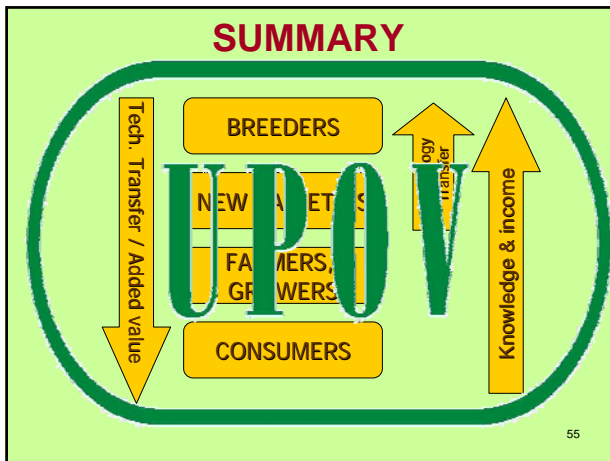
## International Research Centers

### Chair: David Boreham Conclusions – Session 3

- PVP provides a mechanism to facilitate dissemination of varieties to farmers: open access does not ensure widespread dissemination or use
- PVP provides a system to increase availability of varieties suited to farmers' needs
- PVP provides incentives for SME's, particularly local breeders and seed distributors
- The breeders' exemption provides a mechanism to facilitate access to germplasm
- The use of PVP is consistent with the ITPGRFA and SMTA

1. Lloyd Le Page, CGIAR
2. Ruairaidh Sackville Hamilton, IRRI
3. Ian Barker, Syngenta

Chair: David Boreham



**THANK YOU**

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