



TWO/49/16

ORIGINAL: English

DATE: June 29, 2016

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

TECHNICAL WORKING PARTY FOR ORNAMENTAL PLANTS AND FOREST TREES

Forty-Ninth Session

Gimcheon City, Republic of Korea, June 13 to 17, 2016

REPORT ON DEVELOPMENTS WITHIN UPOV

Document prepared by the Office of the Union

Disclaimer: this document does not represent UPOV policies or guidance

The Annex to this document contains a copy of a presentation "Reports on Developments within UPOV" made by the Office of the Union at the forty-ninth session of the Technical Working Party for Ornamental Plants and Forest Trees (TWO).

[Annex follows]

TECHNICAL WORKING PARTY FOR
ORNAMENTAL PLANTS AND FOREST TREES
Forty-Ninth Session

REPORT ON DEVELOPMENTS IN UPOV

Gimcheon, Republic of Korea, June 13-17, 2016

OVERVIEW

- UPOV status & statistics
- UPOV Collection
- Publications, Activities, Training, etc.
- Developments for the 53rd TC
- Developments in other International Fora

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UPOV status in May 2016

Members of UPOV (74)
Initiating States (15) and Organization (1)
States (23) and Organization (1) in contact with the UPOV Office

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The boundaries shown on this map do not imply the expression of any opinion whatsoever on the part of UPOV concerning the legal status of any country or territory

Membership of UPOV
74 members

New members:

- Montenegro (September 24, 2015)
- The United Republic of Tanzania (November 22, 2015)

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Development of UPOV

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Ratification / Accession to the 1991 Act of the UPOV Convention

- Canada (July 19, 2015)
- Kenya (April 11, 2016)

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UPOV Membership Territories covered

1991 Act: 56 members – Other Acts: 18 members



The boundaries shown on this map do not imply the expression of any opinion whatsoever on the part of UPOV concerning the legal status of any country or territory

SITUATION in UPOV

Examination of Laws

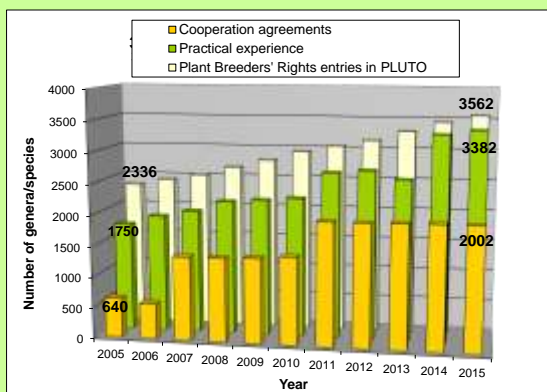
Council session Advice

Islamic Republic of Iran (Law)

October 29, 2015 Amendments recommended

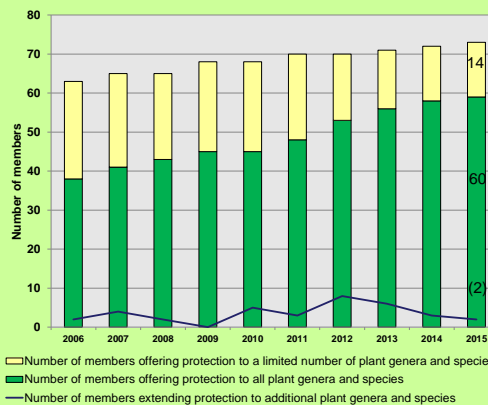
8

Cooperation in examination (C/49/5)



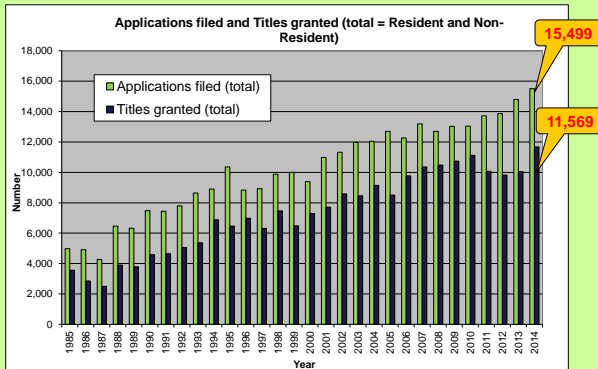
9

Taxa protected by the members of the Union (C/49/6)



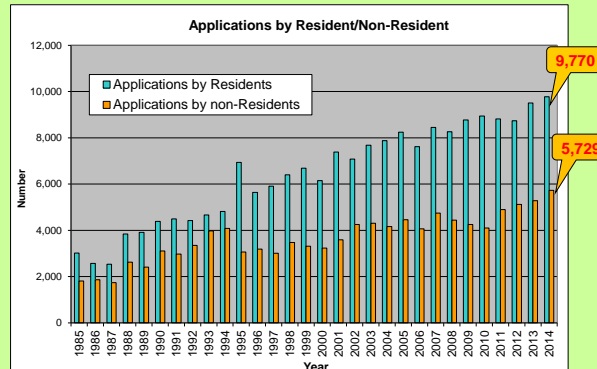
10

Applications filed / Titles granted (document C/49/7)



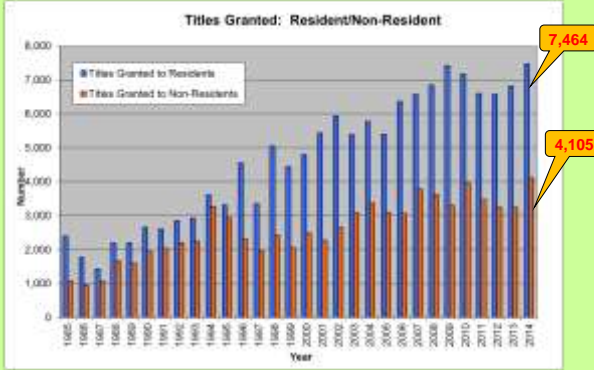
11

Applications by Resident / Non-Resident (document C/49/7)



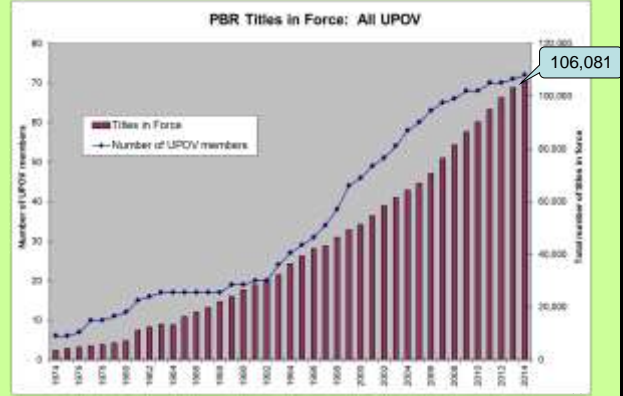
12

Titles granted by Resident / Non-Resident (document C/49/7)



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Titles in Force (document C/49/7)



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REVISED GUIDANCE ADOPTED IN 2015

- TGP/5 Experience and Cooperation in DUS Testing
 - Section 3/2: Technical Questionnaire to be Completed in Connection with an Application for Plant Breeders' Rights
 - Section 8/2: Cooperation in Examination
 - Section 9/2: List of Species in Which Practical Knowledge has Been Acquired or for Which National Test Guidelines Have Been Established
- TGP/9/2 Examining Distinctness
- TGP/14/3 Glossary of Terms Used in UPOV Documents
- UPOV/EXN/CAN/2 Explanatory Notes on Cancellation of the Breeder's Right
- UPOV/EXN/NUL/2 Explanatory Notes on the Nullity of the Breeder's Right
- UPOV/EXN/PRP/2 Explanatory Notes on Provisional Protection
- UPOV/INF/4/4 Financial Regulations and Rules of UPOV
- UPOV/INF/6/4 Guidance for the preparation of laws based on the 1991 Act of the UPOV Convention
- UPOV/INF/12/5 Explanatory Notes on Variety Denominations
- UPOV/INF/15/3 Guidance for Members of UPOV
- UPOV/INF/16/5 Exchangeable Software
- UPOV/INF/22/2 Software and Equipment Used by Members of the Union

Program for EXN/INF

Reference	Explanatory Notes on:	CAJ/71 Proposals:
UPOV/EXN/EDV/2 (revision)	Essentially Derived Varieties	Draft 7: CAJ in October 2016
UPOV/EXN/CAL (revision)	Conditions and Limitations	possible revision to be considered by CAJ in October 2016
UPOV/INF/12 (revision)	Variety Denominations	WG-DEN
UPOV/INF/16 (revision)	Exchangeable Software	Council in October 2016
UPOV/INF/22 (revision)	Software and Equipment Used by Members of the Union	Council in October 2016

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TEST GUIDELINES ADOPTED IN 2016

5 NEW TEST GUIDELINES

Drafter	TWP	English
BR	TWF	Coconut
NZ	TWO	Cordyline, Cabbage Tree, Torquay Palm
MX	TWF	Avocado; Coyo avocado (rootstock)
ZA	TWO	Plectranthus, Spur Flower
JP	TWO	Salvia, Sage

2 REVISIONS OF TEST GUIDELINES

Drafter	TWP	English
DE	TWV	Basil
DE	TWO	Calibrachoa

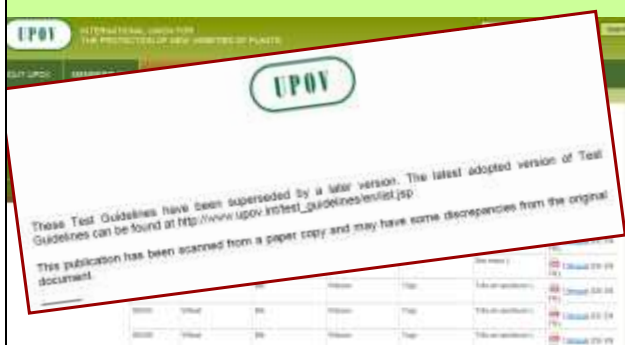
TEST GUIDELINES ADOPTED IN 2015

9 PARTIAL REVISIONS OF TEST GUIDELINES		
Drafter	TWP	English
NL	TWV	Cauliflower
NL	TWV	Cabbage
NL	TWV	Brussels Sprouts
NL	TWV	Spinach
DE	TWV	Black Radish
NL	TWV	Kohlrabi
NL	TWV	Curly Kale
NL	TWV	Calabrese, Sprouting Broccoli
QZ	TWV	Tomato Rootstocks

TEST GUIDELINES ON THE UPOV WEBSITE



SUPERSEDED TEST GUIDELINES



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PREVIEW

Publications, Activities, Training, etc.

- UPOV sessions
- Frequently Asked Questions
- Distance Learning Courses
- New videos on UPOV website

UPOV Sessions: October 2016

Monday (26)	Tuesday	Wednesday (28)	Thursday	Friday
Seminar on Propagating & Harvested Material	CAJ	Symposium on possible interrelations between the ITPGRFA and the UPOV Convention	CC	Council

UPOV Sessions: 2017 Under discussion

TC	TC	TC	CAJ	CAJ	CC	Council
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The screenshot shows the UPOV website interface. The main header includes the UPOV logo and navigation tabs: ABOUT UPOV, MEMBERSHIP, UPOV SYSTEM, INFORMATION & STATISTICS, CONTACT, and NEWS. A large banner image of sunflowers is titled 'Benefits of UPOV'. On the right side, there is a 'Quick Links' menu with items like 'Introduction to UPOV', 'About UPOV', 'Benefits of UPOV', 'UPOV Collection', 'UPOV Countries', 'UPOV Conventions', 'UPOV Training Courses', 'UPOV & Intellectual Property Rights (IPR)', and 'UPOV & Biodiversity'. A red arrow points to the 'Frequently Asked Questions' link in the right-hand sidebar.

The 52nd TC agreed a draft question and answer on:

“Is it possible to obtain protection of a variety on the basis of its DNA-profile?”

To be reported on agenda item 4 “Molecular Techniques” (TWC/34/2)

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Distance Learning Courses (DL-205 and DL-305)

Two sessions of each of the following UPOV Distance Learning Courses will be run **concurrently** in 2016:

- DL-205 “Introduction to the UPOV System of Plant Variety Protection under the UPOV Convention”
- DL-305 “Examination of applications for plant breeders’ rights”
 - DL-305A “Administration of Plant Breeders’ Rights” (Part A of DL-305)
 - DL-305B “DUS Examination” (Part B of DL-305)

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The timetable

Session I – 2016

Registration: January 1 to February 7
Study period: February 15 to March 20
Final exam: March 14 to 20

Session II – 2016

Registration: August 15 to September 18
Study period: September 25 to October 30
Final exam: October 24 to 30

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New videos on UPOV website

The screenshot shows two video thumbnails on the UPOV website. The first is titled 'PPV in Ecuador' and the second is 'PPV in Uruguay'. Below the thumbnails, there is text: 'Use of Plant Variety Protection by the Faculty of Agronomy of the Universidad de la Republica of Uruguay. Traducción: ES, DE'.

Available at:
http://www.upov.int/about/en/benefits_upov_system.html

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For the discussion at the 53rd TC,
the 52nd TC agreed:

- To invite to **simulate the impact of using different numbers of growing cycles on DUS decisions** using actual data
- To invite to **make presentations at the BMT on how databases containing molecular data might be developed in UPOV**

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For the discussion at the 53rd TC,
the 52nd TC agreed:

- Conduct **survey** on current situation to discuss **obstacles to cooperation** in examination, including exchange of DUS reports

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DISCUSSION SESSION DURING TC/53

- (a) Use of disease and insect resistance characteristics in DUS examination
- (b) Management of variety collections
- (c) Minimum distance between varieties
- (d) Increasing participation of new members of the Union in the work of the TC and TWPs

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International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)

Background:

- The 6th Governing Body of the ITPGRFA (Oct 5 to 9, 2015), adopted a resolution concerning the possible interrelations between the respective instruments of UPOV, WIPO and the ITPGRFA.
- The 90th Consultative Committee agreed to invite the Secretary of the ITPGRFA to make a presentation at the 91st session on possible areas of interrelations between the ITPGRFA and the UPOV Convention.

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DEVELOPMENTS IN 2016:

- The Secretary of the ITPGRFA made a presentation at 91st session of the Consultative Committee (Mar 17, 2016)
- The Council agreed to propose a joint UPOV-ITPGRFA Symposium on areas of interrelations between the ITPGRFA and the UPOV Convention, to be held in Geneva on October 26, 2016

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UPOV Sessions: October 2016

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[End of Annex and of document]