

**Technical Working Party for Ornamental Plants and Forest Trees**
**TWP/3/5**

Fifty-First Session

Christchurch, New Zealand, February 18 to 22, 2019

**Original:** English

**Date:** January 23, 2019

**Technical Working Party for Vegetables**

Fifty-Third Session

Seoul, Republic of Korea, May 20 to 24, 2019

**Technical Working Party for Fruit Crops**

Fiftieth Session

Budapest, Hungary, June 24 to 28, 2019

**Technical Working Party for Agricultural Crops**

Forty-Eighth Session

Montevideo, Uruguay, September 16 to 20, 2019

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

Thirty-Seventh Session

Hangzhou, China, October 14 to 16 (morning), 2019

**EXCHANGE AND USE OF SOFTWARE AND EQUIPMENT**
*Document prepared by the Office of the Union*
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**EXECUTIVE SUMMARY**

1. The purpose of this document is to report on developments and consider proposals for the revision of documents UPOV/INF/16 “Exchangeable Software” and UPOV/INF/22 “Software and equipment used by members of the Union”.
2. The TWPs are invited to note that:
  - (a) the Council, at its fifty-second ordinary session, held in Geneva, on November 2, 2018, adopted document UPOV/INF/16/8 “Exchangeable Software”;
  - (b) the Office of the Union will issue a circular, inviting the designated persons of the members of the Union in the TC to provide or update information regarding the use of the software included in document UPOV/INF/16;
  - (c) the Office of the Union will make the information in documents UPOV/INF/16 and UPOV/INF/22 available in a searchable format on the UPOV website on the basis of the approach demonstrated at the fifty-fourth session of the TC in 2019;
  - (d) the Council, at its fifty-second ordinary session, held in Geneva, on November 2, 2018, adopted document UPOV/INF/22/5 “Software and equipment used by members of the Union”; and
  - (e) the Office of the Union will issue a circular, inviting the designated persons of the members of the Union in the TC to provide or update information for document UPOV/INF/22.

3. The following abbreviations are used in this document:

CAJ: Administrative and Legal Committee  
TC: Technical Committee  
TWC: Technical Working Party on Automation and Computer Programs  
TWPs: Technical Working Parties

4. The structure of this document is as follows:

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## DOCUMENT UPOV/INF/16 “EXCHANGEABLE SOFTWARE”

### Adoption of document UPOV/INF/16/8

5. The Council, at its fifty-second ordinary session, held in Geneva, on November 2, 2018, adopted a revision of document UPOV/INF/16 “Exchangeable Software” (document UPOV/INF/16/8), on the basis of document UPOV/INF/16/8 Draft 1 (see document C/52/20 “Report”, paragraph 20).

### Revision of document UPOV/INF/16/8

#### *Information on use by members*

6. Section 4 of document UPOV/INF/16 “Exchangeable Software” provides the following:

“4. Information on use by members of the Union

“4.1 A circular is issued to members of the Union on an annual basis, inviting them to provide information on their use of the software included in document UPOV/INF/16.

“4.2 The information on software use by members of the Union is indicated in the columns ‘Member(s) of the Union using the software’ and ‘Application by user(s)’. With regard to the indication of ‘Application by user(s)’, members of the Union can indicate, for example, crops or types of crop for which the software is used.”

7. The Office of the Union will issue a circular to the designated persons of the members of the Union in the TC, inviting them to provide or update information regarding the use of the software included in document UPOV/INF/16.

### Availability in a searchable form

8. The TC, at its fifty-third session, agreed that the information in document UPOV/INF/16 should be made available in a searchable form on the UPOV website and noted that the Office of the Union would investigate a tool for that purpose (see document TC/53/31 “Report”, paragraph 169).

9. The TC, at the fifty-fourth session, held in Geneva on October 29 and 30, 2018, received a demonstration by the Office of the Union on how the information in documents UPOV/INF/16 and UPOV/INF/22 could be made available in a searchable format on the UPOV website and agreed that the approach demonstrated was a suitable basis (see document TC/54/31 “Report”, paragraph 316).

10. The Office of the Union will make the information in documents UPOV/INF/16 and UPOV/INF/22 available in a searchable format on the UPOV website on the basis of the approach demonstrated at the fifty-fourth session of the TC in 2019.

11. *The TWPs are invited to note that:*

(a) *the Council, at its fifty-second ordinary session, held in Geneva, on November 2, 2018, adopted document UPOV/INF/16/8 "Exchangeable Software";*

(b) *the Office of the Union will issue a circular, inviting the designated persons of the members of the Union in the TC to provide or update information regarding the use of the software included in document UPOV/INF/16; and*

(c) *the Office of the Union will make the information in documents UPOV/INF/16 and UPOV/INF/22 available in a searchable format on the UPOV website on the basis of the approach demonstrated at the fifty-fourth session of the TC in 2019.*

## DOCUMENT UPOV/INF/22 "SOFTWARE AND EQUIPMENT USED BY MEMBERS OF THE UNION"

### Adoption of document UPOV/INF/22/5

12. The Council, at its fifty-second ordinary session, held in Geneva, on November 2, 2018, adopted a revision of document UPOV/INF/22 "Software and Equipment Used by Members of the Union" (document UPOV/INF/22/5), on the basis of document UPOV/INF/22/5 Draft 1 (see document C/52/20 "Report", paragraph 21).

### Revision of document UPOV/INF/22/5

13. The procedure for considering software and equipment proposed for inclusion in document UPOV/INF/22 is set out in document UPOV/INF/22, as follows:

"2.1 Software/equipment proposed for inclusion in this document by members of the Union is, in the first instance, presented to the TC.

"2.2 The TC will decide whether to:

- a) propose to include the information in the document;
- b) request further guidance from other relevant bodies (e.g. CAJ and TWPs); or
- c) propose not to include the information in the document.

"2.3 In the case of a positive recommendation by the TC and, subsequently by the CAJ, the software/equipment will be listed in a draft of the document, to be considered for adoption by the Council.

"4.1 A circular is issued to members of the Union on an annual basis, inviting them to provide information on their use of the software/equipment included in this document."

14. The Office of the Union will issue a circular to the designated persons of the members of the Union in the TC, inviting them to provide information for document UPOV/INF/22.

15. *The TWPs are invited to note that.*

(a) *the Council, at its fifty-second ordinary session, held in Geneva, on November 2, 2018, adopted document UPOV/INF/22/5 "Software and equipment used by members of the Union"; and*

*(b) the Office of the Union will issue a circular, inviting the designated persons of the members of the Union in the TC to provide or update information for document UPOV/INF/22.*

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