

TECHNICAL WORKING PARTY FOR
VEGETABLES CROPS
Fifty-Second Session

REPORT ON DEVELOPMENTS IN UPOV

including relevant matters discussed in the last sessions of the
Administrative and Legal Committee,
the Consultative Committee and the Council

Office of the Union

Beijing, China, September 17, 2018

UPOV

International Union for the Protection of New Varieties of Plants

Preview

- Membership & statistics
- Topics for discussion in CAJ (October 2018)
 - EDV
 - Propagating material
 - Provisional protection
 - Minimum distance
- Communicating the benefits of UPOV

UPOV

MEMBERSHIP OF UPOV

75 members

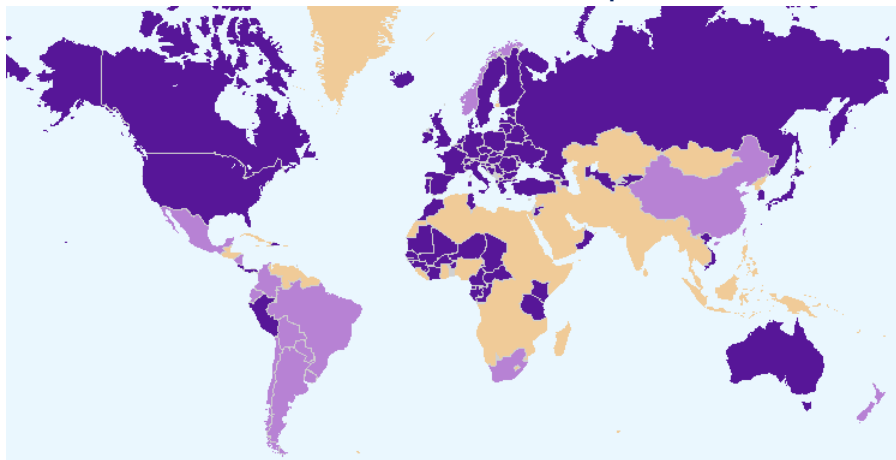
New member

Bosnia and Herzegovina **October 10, 2017***

* Bosnia and Herzegovina will become bound to the 1991 Act on November 10, 2017.

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UPOV Membership



1991 Act: 57 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

UPOV

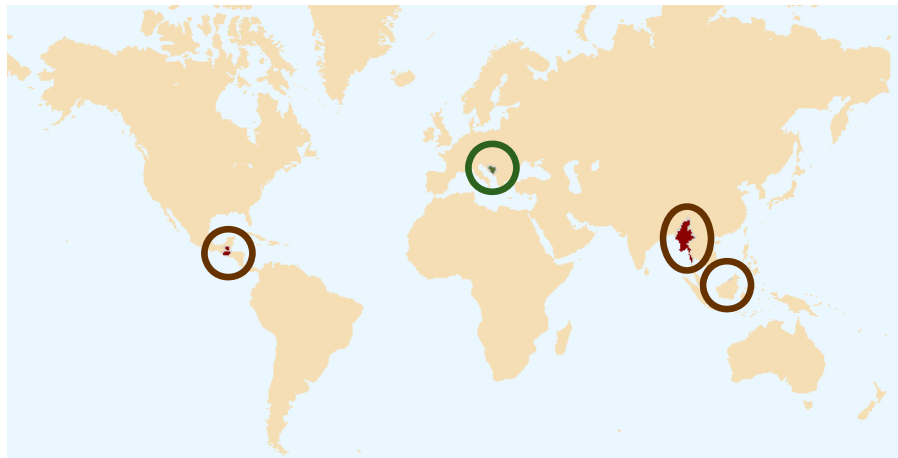
SITUATION in UPOV

Examination of Laws

	<u>Council session</u>	<u>Advice</u>
Brunei Darussalam	October 26, 2017	Positive
Guatemala	October 26, 2017	Positive
Myanmar	October 26, 2017	Positive

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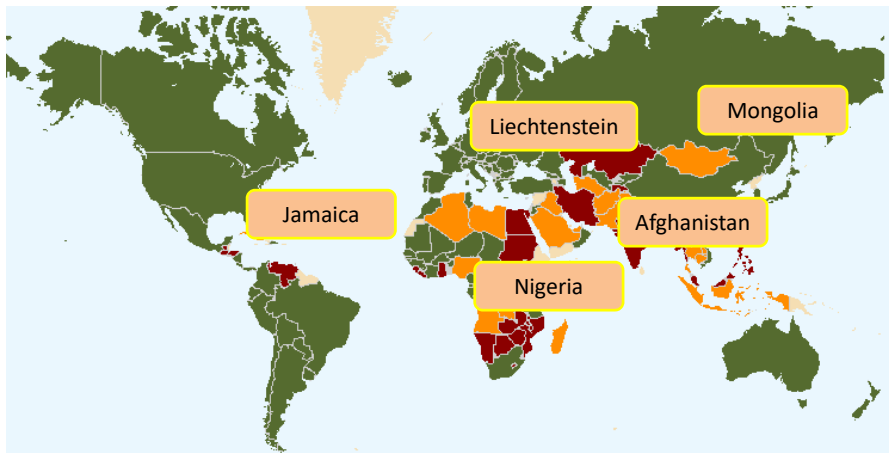
Previous Council decisions

State/Organization	Date of latest Council decision	Decision matter	Decision
Islamic Republic of Iran	October 2015	Law	
Egypt	March 2015	Draft Law	Positive
ARIPO	April 2014	Draft Protocol*	Positive
Ghana	October 2013	Draft Law	Positive
Tajikistan	October 2010	Draft Law	Positive
Guatemala	October 2009	Draft Law*	Positive
India	April 2008	Procedure	
Zimbabwe	April 2008	Law*	Positive
Philippines	March 2007	Law	
Malaysia	April 2005	Law	
Mauritius	October 2004	Draft Law*	Positive
Armenia	April 2004	Law*	Positive
Honduras	April 2000	Draft Law	Positive
Kazakhstan	April 2000	Law*	Positive
Venezuela (Bolivarian Republic of)	April 1998	Draft Regulations	Positive

New contacts

UPOV status

April 13, 2018



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

Members of UPOV (75) covering 94 States

Initiating States (16) and Organization (1)

States (26) and Organization (1) in contact with the UPOV Office

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Top 10: UPOV members by number of applications

Rank	2007		2015		2016	
	Member	Number of applications	Member	Number of applications	Member	Number of applications
1	European Union	2'968	European Union	3'111	European Union	3'299
2	United States of America	1'485	China ↑3	2'342	China	2'923
3	Japan	1'406	United States of America ↓1	1'634	United States of America	1'604
4	Russian Federation	885	Ukraine ↑3	1'075	Ukraine	1'274
5	China	877	Japan ↓2	914	Japan	977
6	Netherlands	846	Netherlands	799	Republic of Korea ↑1	966
7	Ukraine	560	Republic of Korea ↑1	757	Netherlands ↓1	804
8	Republic of Korea	527	Russian Federation ↓4	743	Russian Federation	772
9	Canada	430	Australia ↑1	359	Australia	387
10	Australia	336	Brazil ↑3	355	Brazil	326

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Top 20: Country of residence of applicants (2016)

Rank	Country of residence of breeder	Applications filed as:				
		Resident			Non-resident	Total
		Resident	CPVO (EU member States)	Total		
1	Netherlands	674	1'281	1'955	1'174	3'129
2	China	2'686	0	2'686	34	2'720
3	United States of America	812	0	812	1'223	2'035
4	France	67	467	534	516	1'050
5	Germany	50	395	445	489	934
6	Republic of Korea	860	0	860	26	886
7	Japan	609	0	609	152	761
8	Russian Federation	613	0	613	1	614
9	Ukraine	364	0	364	0	364
10	Australia	140	0	140	176	316
11	Switzerland	5	0	5	307	312
12	Brazil	200	0	200	71	271
13	Denmark	2	101	103	151	254
14	Argentina	171	0	171	62	233
15	United Kingdom	17	95	112	108	220
16	Spain	29	70	99	100	199
17	Italy	11	79	90	109	199
18	Israel	45	0	45	141	186
19	Czech Republic	60	15	75	89	164
20	Viet Nam	162	0	162	0	162
	Sum of top 20	7'577	2'503	10'080	4'929	15'009
	Others	749	118	867	579	1'446
	Total	8'326	2'621	10'947	5'508	16'455

Top 20: Country of residence of applicants

Rank	2007		2015		2016	
	Residence	App. #	Residence	App. #	Residence	App. #
1	Netherlands	2'600	Netherlands	2'720	Netherlands	3'129
2	United States of America	1'764	China	↑3 2'100	China	2'720
3	Germany	1'336	United States of America	↓1 2'027	United States of America	2'035
4	Japan	1'283	France	↑3 1'038	France	1'050
5	China	818	Germany	↓2 942	Germany	934
6	Russian Federation	777	Japan	↓2 766	Republic of Korea	↑1 886
7	France	621	Republic of Korea	↑1 647	Japan	↓1 761
8	Republic of Korea	388	Russian Federation	↓2 640	Russian Federation	614
9	Ukraine	318	Ukraine	412	Ukraine	364
10	Australia	314	Australia	368	Australia	316
11	United Kingdom	253	Switzerland	↑5 358	Switzerland	312
12	Argentina	243	Spain	↑3 306	Brazil	↑2 271
13	Denmark	225	Argentina	↓1 248	Denmark	↑3 254
14	Italy	193	Brazil	↑6 223	Argentina	↓1 233
15	Spain	181	United Kingdom	↓4 219	United Kingdom	220
16	Switzerland	178	Denmark	↓3 191	Spain	↓4 199
17	New Zealand	176	Israel	↑1 180	Italy	↑1 199
18	Israel	174	Italy	↓4 148	Israel	↓1 186
19	South Africa	144	New Zealand	↓2 135	Czech Republic	↑5 164
20	Brazil	121	Canada	↑4 119	Viet Nam	↑2 162

Preview

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<i>Reference</i>	<i>Explanatory Notes on:</i>	<i>Timetable</i>
UPOV/EXN/EDV/2 (revision)	Essentially Derived Varieties	Adopted by Council in April 2017

Administrative and Legal Committee (CAJ): October 31, 2018

members and observers to share their perspectives on :

Essentially Derived Varieties

- (i) **essential characteristics**
- (ii) **predominantly derived**
- (iii) indirect derivation, including in relation to parent lines and hybrids
- (iv) **assessment of essentially derived varieties**

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<i>Reference</i>	<i>Explanatory Notes on:</i>	<i>Timetable</i>
UPOV/EXN/PPM/1	Propagating Material	Adopted by Council in April 2017

Administrative and Legal Committee (CAJ): October 31, 2018

members and observers to share their perspectives on :

(b) Conditions and Limitations Concerning the Breeder's Authorization in Respect of **Propagating Material**
- **suitable examples of conditions and limitations**

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<i>Reference</i>	<i>Explanatory Notes on:</i>	<i>Timetable</i>
UPOV/EXN/PRP/2 (revision)	Provisional Protection	Adopted by Council in October 2015

Administrative and Legal Committee (CAJ): October 31, 2018

members and observers to share their perspectives on :

(c) **Scope of Provisional Protection**

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<p style="text-align: center;">TECHNICAL COMMITTEE October 29 and 30, 2018, Geneva Discussion on: minimum distance between varieties</p>
<p style="text-align: center;">Administrative and Legal Committee (CAJ): October 31, 2018 Program</p> <p>In response to a suggestion by CIOPORA and AIPH for the CAJ to consider the matter of minimum distance, the CAJ agreed to invite CIOPORA and AIPH to make a joint presentation on minimum distance at its seventy-fifth session. The CAJ noted that the matter was under consideration by the TC and that a report on the conclusions of the TC would be provided under agenda item 3 “Report on developments in the Technical Committee” at the seventy-fifth session of the CAJ.</p>
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<p style="text-align: center;">Technical Working Party for Agricultural Crops (TWA) May 21 to 25, 2018, Naivasha, Kenya Minimum distance between varieties (document by the European Union)</p>
<p style="text-align: center;">Technical Working Party for Vegetables (TWV) September 17 to 21, 2018, Beijing, China No discussion on minimum distance</p>
<p style="text-align: center;">Technical Working Party for Fruit Crops (TWF) November 19 to 23, 2018, Santiago de Chile, Chile No discussion on minimum distance</p>
<p style="text-align: center;">Technical Working Party for Ornamental Plants and Forest Trees (TWO) February 18 to 22, 2019, Christchurch, New Zealand Minimum distances between vegetatively reproduced ornamental and fruit varieties (documents invited)</p>

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ABOUT UPOV

- MISSION STATEMENT
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Benefit

VIDEOS

- Using the UPOV System to protect plant breeders' rights in Argentina
- variety prot...
- PVP in Japan (As...

Currently being translated in different languages!

HFFA Research GmbH

The socio-economic benefits of UPOV membership in Viet Nam:

An ex-post assessment on plant breeding and agricultural productivity after ten years

Corresponding author: Steffen Noleppa

HFFA RESEARCH PAPER 03/2017

enabled a public to ensure a supply of high quality seed to farmers
FR DE

[Ashiro Rindo Story](#)

Socio-economic benefits of UPOV membership in Viet Nam. An ex-post assessment on plant breeding and

UPOV Report on the Impact of Plant Variety Protection

UPOV Trilogy Publication Executive Summary

UPOV

STUDY in VIET NAM*

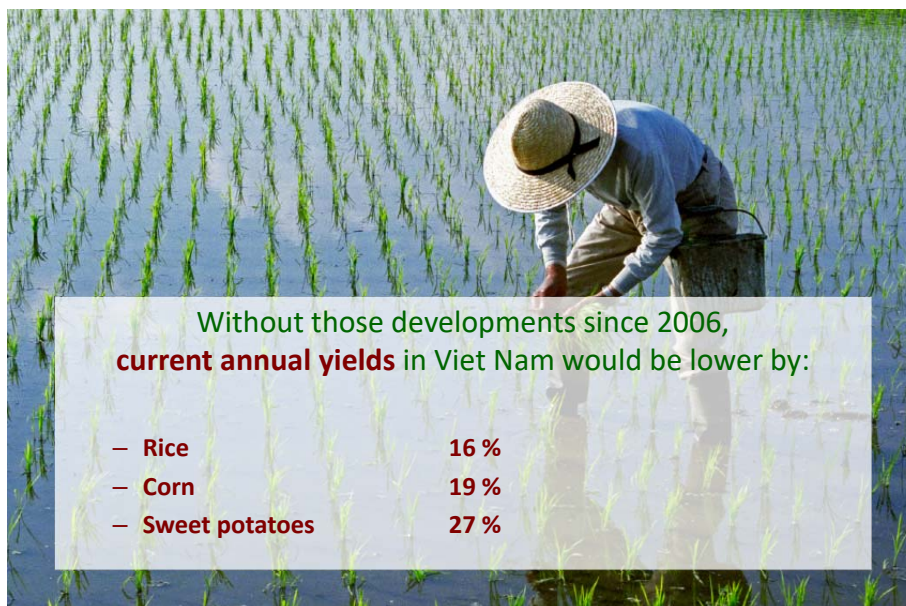
Annual land productivity developments since Viet Nam joined
UPOV in 2006 in
Rice, Corn (maize) and Sweet Potatoes

- **1995-2005:** increase in yield mainly through increased level of inputs – no detectable increase due to plant breeding
- **2006-2016:** annual land productivity increase due to plant breeding
 - Rice 1.7 %
 - Corn 2.1 %
 - Sweet potatoes 3.1 %

* "The socio-economic benefits of UPOV membership in Viet Nam; An ex post assessment on plant breeding and agricultural productivity after 10 years" (Corresponding author: Steffen Noleppa) by HFFA Research GmbH

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STUDY in VIET NAM



Without those developments since 2006,
current annual yields in Viet Nam would be lower by:

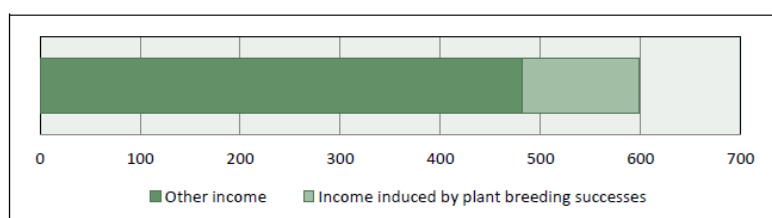
- Rice 16 %
- Corn 19 %
- Sweet potatoes 27 %

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STUDY in VIET NAM

INCOME of Vietnamese farmers has increased by 24% since 2006

Figure 4.6: Income of a Vietnamese farmer induced by plant breeding successes for major arable crops since UPOV membership vs. other income in arable farming (in USD)



Source: Own figure and calculations.

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STUDY in VIET NAM

Annual value added:

- Arable farming \$2.3 billion
- Horticulture \$1.0 billion
- Floriculture \$ 0.2 billion

- GDP added upstream/downstream (value chains)
 \$1.5 billion

TOTAL ADDED: \$5 billion

(> 2.5% GDP)

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ABOUT UPOV

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Benefits of the UPOV System

VIDEOS



Using the UPOV system to benefit custodians of native wild germplasm in Argentina



PVP in Ecuador
MUYU

The role of PVP in the development of a new blackberry variety that improves farmers' working conditions.

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Mecardonia
Variedades INTA

the plant variety protection system, using property titles, under the seed law, which conforms to the UPOV Convention,



Nierembergia
Variedades INTA

and systems for access to plant genetic resources

JICA
Presidencia de la Nación

UPOV

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Using the UPOV System to benefit custodians of native wild germplasm in Argentina



*"The royalties derived from commercialization of the variety are shared between the breeder and **the provinces that contributed the native plant genetic resource.**"*

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Using the UPOV System to benefit custodians of native wild germplasm in Argentina



*"A large part of the profits, basically, **50 per cent**, that are generated from the commercialization **return to those provinces.**"*

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Using the UPOV System to benefit custodians of native wild germplasm in Argentina



“the erosion/loss from their natural habitat is reduced and this is therefore our own contribution, working together with INTA, for the conservation of our native natural resources.”

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Deutsch Español Français Other

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ABOUT UPOV MEMBERSHIP UPOV SYSTEM DATA & STATISTICS MEETINGS NEWS

New videos on benefits of the UPOV system in Canada and Kenya

Stakeholder features

- Breeders
- Farmers and Growers
- Policy makers
- General Public

UPOV PRISMA
PBR Application Tool

GENIE Database

UPOV Lex

Plant Variety Database (PLUTO)

Quick Links

Welcome

The International Union for the Protection of New Varieties of Plants (UPOV) is an intergovernmental organization with headquarters in Geneva (Switzerland).

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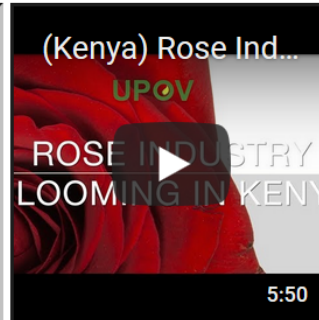
Benefits of the UPOV System

VIDEOS



Canadian cherry growers benefit from government policy

See how the Government of Canada uses PVP to improve the livelihood of Canadian cherry growers



Rose industry blooming in Kenya

Discover how the UPOV system enabled Kenya to develop a \$500 million cut-flower industry that employs 500,000 Kenyans

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[\(Long version\)](#)

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[End of Annex and of document]