

Meeting on the development of an electronic application form

UPOV/EAF/13/2 Corr.

**Thirteenth Meeting
Geneva, March 28, 2019**

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DEVELOPMENTS CONCERNING UPOV PRISMA

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 since the twelfth meeting (“EAF/12 meeting”) on the development of the electronic application form, held in Geneva on October 29, 2018, and to present proposals for future developments.
2. Participating members in the development of the electronic application form are invited to note the developments concerning UPOV PRISMA, as set out in this document; and to consider the plans for the next steps of UPOV PRISMA, to be presented at the EAF/13 meeting.
3. The structure of this document is as follows:

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BACKGROUND

4. The background to the development of the EAF is provided in document UPOV/EAF/12/2 “Developments concerning UPOV PRISMA”.

DEVELOPMENTS AT THE EAF/12 MEETING

5. At the twelfth Meeting on the Development of an Electronic Application Form (“EAF/12 meeting”), held in Geneva on October 29, 2018, the participants considered document UPOV/EAF/12/2 “Developments concerning UPOV PRISMA” and received a presentation from the Office of the Union and noted the following in relation to proposed developments for UPOV PRISMA Version 2.2 (see document UPOV/EAF/12/3 “Report”, paragraphs 4 to 16).

Coverage of Test Guidelines

6. The participants noted that on June 28, 2018, the Office of the Union had issued Circular E-18/081, to inform participating members in UPOV PRISMA that CPVO would extend the coverage of some TGs to additional UPOV codes compared to those specified in the relevant UPOV TGs and had invited participating members in UPOV PRISMA Version 2.1 to indicate if they agreed to extend the scope of the specified TG to the indicated UPOV codes as proposed by CPVO.

7. The participants received a presentation from the Office of the Union, as reproduced in Annex II of document UPOV/EAF/12/3 “Report”, and noted that, for UPOV members following the UPOV Test Guidelines, where there were no UPOV Test Guidelines for a particular crop/species, a generic TQ was available. Alternatively, UPOV members could link these crop/species to a suitable UPOV TG. It was explained that it would not be appropriate to use national TGs for such crops/species because of the high level of maintenance that would result, the translation burden and lack of harmonization. However, it would be possible for UPOV members participating in UPOV PRISMA to agree a common TQ and thereby to retain harmonization and minimize translation work. The participants agreed that this was a matter that should be reported to the TC.

Participating UPOV members and crop/species

8. The participants noted that the following UPOV members had expressed their intention to participate in Version 2.2 of UPOV PRISMA:

Authority		currently participating in Version 2.1	intention to participate in Version 2.2	Anticipated crop coverage in Version 2.2 (highlighted in grey are changes from Version 2.1)
African Intellectual Property Organization (OAPI)	OA	✓		All genera and species
Argentina	AR	✓		AppleFruitVarieties, Barley, Black Radish, Oriental Radish, Brussels Sprouts, Cauliflower, Chinese Cabbage, Grapevine, Maize, Melon, Potato, Rose, Shallot, Grey Shallot, SoyaBean, Spinach, Sweet Pepper, Hot Pepper, Paprika, Chili, Tomato Rootstocks, Watermelon, Welsh Onion, Japanese Bunching Onion, Wheat, Egg Plant, Witloof Chicory, Broad Bean, Fig, Papaya, Salvia, Green onion, Indian mustard, Sugarcane, Cotton
Australia	AU	✓		All genera and species
Bolivia (Plurinational State of)	BO	✓		All genera and species
Canada	CA	✓		All genera & species excluding algae, bacteria and fungi
Chile	CL	✓		All genera and species
China	CN	✓		Lettuce
Colombia	CO	✓		All genera and species
Costa Rica	CR	✓		All genera and species
Dominican Republic	DO		✓	All genera and species
Ecuador	EC		✓	All genera and species
European Union	QZ	✓		All genera & species excluding agricultural crops, apart from Bent, cocksfoot, meadow fescue, fescue, ryegrass, timothy
France	FR	✓		All genera & species
Georgia	GE	✓		Maize, Wheat, Field Bean, French Bean, Apple (fruit varieties), Pear, Barley, Oats, Potato, Cherry (Sweet Cherry), Raspberry, Tomato, Peach, Hazelnut, Blackberry, Soya Bean, Sunflower, Walnut, Blueberry, Chick-Pea, Lentil
Kenya	KE	✓		All genera and species
Mexico	MX	✓		All genera and species
Morocco	MA		✓	Tomato, Melon, Potato, lettuce, Onion

Authority		currently participating in Version 2.1	intention to participate in Version 2.2	Anticipated crop coverage in Version 2.2 (highlighted in grey are changes from Version 2.1)
Netherlands	NL	✓		All genera and species
New Zealand	NZ	✓		All genera and species
Nicaragua	NI		✓	To be confirmed
Norway	NO	✓		All genera and species
Paraguay	PY	✓		Soyabean
Peru	PE		✓	All genera and species
Republic of Moldova	MD	✓		Maize, Wheat, Pea, Barley, European Plum, Tomato, Grapevine, Sweet Pepper, Hot Pepper, Paprika, Chili, Sunflower, Walnut, Apple Fruit Varieties, Lettuce, Potato, Rose, Soyabean, Oats, Rye, Strawberry, Blackberry
Republic of Korea	KR	✓		Apple Fruit Varieties, Lettuce, Potato, Soyabean, Rose
Serbia	RS	✓		Apple Fruit Varieties and Rose, raspberry and blueberry
South Africa	ZA	✓		All genera and species
Sweden	SE	✓		All genera and species
Switzerland	CH	✓		All genera and species
Trinidad and Tobago	TT		✓	Anthuriums, Bromeliaceae, Heliconiaceae, Orchidaceae, Sterculiaceae, Cajanus cajans, Vigna sp., Theobroma cacao L.
Tunisia	TN	✓		All genera and species
Turkey	TR	✓		All genera and species
United Kingdom	GB	✓		All genera and species
United States of America	US	✓		192 crops including Lettuce, Potato, Soyabean and Wheat
Uruguay	UY	✓		All genera & species
Uzbekistan	UZ		✓	to be confirmed
Viet Nam	VN	✓		15 selected crops
Total		30	37	

Languages

9. The participants noted that additional navigation and output form languages could be introduced according to available resources and subject to the necessary information being provided.

Timetable for release

10. The participants noted that participating members in the development of the Version 2.2 of UPOV PRISMA would be invited to test the tool through different releases during a test campaign in May 2019. Subject to their validation, Version 2.2 would be released around June 2019.

Communication

11. The participants noted that the following elements were planned in 2019:

- targeted communication to potential users of UPOV PRISMA through e-mail campaign or social media;
- regular updating of the UPOV PRISMA LinkedIn page (<https://www.linkedin.com/showcase/24973258/>), and of the UPOV PRISMA Twitter account (<https://twitter.com/upovprisma>);
- training sessions (*in situ* and online);
- press articles;
- update of the UPOV PRISMA webpage.

Financing of UPOV PRISMA

16. The participants in the EAF/12 meeting noted that proposals concerning the financing of the UPOV PRISMA would be considered by the Consultative Committee at its ninety-fifth session, to be held in Geneva, on November 1, 2018 and, if appropriate, by the Council at its fifty-second ordinary session, to be held in Geneva on November 2, 2018. It further noted that any decision taken would be reported to the subsequent EAF meeting.

DEVELOPMENTS SINCE THE EAF/12 MEETING

Developments in the Technical Committee in October 2018

12. The Technical Committee (TC) at its fifty-fourth session in Geneva on October 29 and 30, 2018, considered document TC/54/7 and received a presentation by the UPOV Office on recent developments in UPOV PRISMA, provided as document TC/54/7 Add..

13. The TC noted that for UPOV members following the UPOV Test Guidelines, where there were no UPOV Test Guidelines for a particular crop/species, a generic TQ was available. Alternatively, UPOV members could link these crop/species to a suitable UPOV TG. It was explained that it would not be appropriate to use national TGs for such crops/species because of the high level of maintenance that would result, the translation burden and lack of harmonization. However, it would be possible for UPOV members participating in UPOV PRISMA to agree a common TQ and thereby to retain harmonization and minimize translation work.

14. The TC agreed that it would be helpful for the UPOV Office, upon request, to generate a report for participating authorities on the extent to which their forms were harmonized with other UPOV members and the UPOV model application form. The TC noted that this was a matter that should be reported to the CAJ (see document TC/54/31 "Report", paragraphs 305 to 307).

Developments in the Administrative and Legal Committee (CAJ) in October 2018

15. The CAJ at its seventy-fifth session on October 31, 2018, considered documents CAJ/75/8 and CAJ/75/13 and the presentation made by the Office of the Union on recent developments in UPOV PRISMA, provided as document CAJ/75/8 Add.

16. The CAJ noted that the TC, at its fifty-fourth session, had agreed that it would be helpful for the Office of the Union, upon request, to generate a report for participating authorities to UPOV PRISMA on the extent to which their application forms were harmonized with the application forms of other members of the Union and the UPOV model application form. The CAJ noted that TC had noted that that was a matter that should be reported to the CAJ (see document CAJ/75/13, paragraph 17).

17. The CAJ noted that proposals concerning financial aspects of UPOV PRISMA would be considered by the Consultative Committee at its ninety-fifth session and, if appropriate, by the Council at its fifty-second ordinary session (see document CAJ/75/14 "Report", paragraphs 46 to 49).

Developments in the Consultative Committee and the Council in October 2018

18. The Council at its fifty-second ordinary session in Geneva on November 2, 2018, noted the work of the Consultative Committee at its ninety-fifth session, as reported in document C/52/17 "Report by the President on the work of the ninety-fifth session of the Consultative Committee", which included the following information concerning UPOV PRISMA (see document C/52/20 "Report", paragraph 12):

19. The Consultative Committee noted the developments concerning UPOV PRISMA and the financial contributions made to UPOV PRISMA from ISF, CIOPORA, CropLife International and the Ministry of Agriculture, Nature and Food Quality of the Netherlands.

20. The Consultative Committee noted that more time was needed to increase the number of UPOV PRISMA users in order to achieve a reliable survey of the suitability of financing options and also to ensure reliability for users. With regard to a survey of financing options, the Vice Secretary-General confirmed the intention to survey users that had submitted applications via UPOV PRISMA, registered entities, newsfeed subscribers and possibly other potential users. The survey would be structured to enable the results of the different categories to be analyzed separately.

21. The Consultative Committee recommended to the Council to approve the use UPOV PRISMA free of charge in 2019.

22. On the above basis, the Consultative Committee requested the Office of the Union to present options to the Consultative Committee, at its ninety sixth session, for the financing of UPOV PRISMA, including: fee

per submission; fee per variety; subscription model(s) for applicants; subscription model(s) for members of the Union and package(s) of UPOV services (see document C/52/17 “Report by the President on the work of the ninety-fifth session of the Consultative Committee”, paragraphs 44 to 47).

23. The Council at its fifty-first ordinary session agreed to extend the introductory phase for UPOV PRISMA until December 2019, during which UPOV PRISMA will be free of charge (see document C/52/20 “Report”, paragraph 12 (a)).

Use of UPOV PRISMA

24. The following table summarizes the development of UPOV PRISMA since its launch in 2017 (as of March 05, 2018):

Time	Number of participating UPOV members	Number of countries covered	Crops covered by participating UPOV members		Number of registered entities (roles)	Number of applications
			Limited list	All crops/ species		
Jan-June 2017	12	12	12 (1-5 crops)	-		4
July-Dec 2017	16	16	16 (1-5 crops)	-	7 (25)	10
Jan-August 2018	22	46	11 (1-100 crops)	12	44 (39 Breeder admins + 5 agents) (69)	26
September 2018 – February 2019	30	69	8 (1-100 crops)	20	93 (65 Breeder admins + 28 agents) (136)	68
TOTAL						108

25. *Participating members in the development of the electronic application form are invited to:*

(a) *note that a proposal concerning the coverage of crops for UPOV members following the UPOV Test Guidelines, where there are no UPOV Test Guidelines for a particular crop/species will be presented at the EAF/13 meeting;*

(b) *consider whether it would be helpful for the UPOV Office, upon request, to generate a report for participating authorities on the extent to which their forms were harmonized with other UPOV members and the UPOV model application form;*

(c) *note the plans for a survey of financing options for UPOV PRISMA, more details of which will be provided at the EAF/13 meeting; and*

(d) *note that the Office of the Union will present options to the Consultative Committee, at its ninety sixth session, for the financing of UPOV PRISMA.*

PLANNED FUTURE DEVELOPMENTS

Version 2.2

Coverage

UPOV members

26. Since EAF/12 the following authorities have confirmed their intention to be part of Version 2.2:

Authority		intention to participate in Version 2.2	Anticipated crop coverage in Version 2.2
Dominican Republic	DO	✓	All genera and species
Ecuador	EC	✓	All genera and species
Morocco	MA	✓	Tomato, Melon, Potato, lettuce, Onion
Peru	PE	✓	All genera and species
Trinidad and Tobago	TT	✓	Anthuriums , Bromeliaceae, Heliconiaceae, Orchidaceae, Sterculiaceae, Cajanus cajans, Vigna sp., Theobroma cacao L.
Total		5	

Crops/ species

27. In relation to coverage of crop and species in UPOV PRISMA Version 2.2, the table below illustrates the changes compared to Version 2.1 for authorities participating in Version 2.1 (highlighted):

Authority		Anticipated Crop coverage in Version 2.2 (highlighted in grey are changes from Version 2.1)
Argentina	AR	AppleFruitVarieties, Barley, Black Radish, Oriental Radish, Brussels Sprouts, Cauliflower, Chinese Cabbage, Grapevine, Maize, Melon, Potato, Rose, Shallot, Grey Shallot, SoyaBean, Spinach, Sweet Pepper, Hot Pepper, Paprika, Chili, Tomato Rootstocks, Watermelon, Welsh Onion, Japanese Bunching Onion, Wheat, Egg Plant, Witloof Chicory, Broad Bean, Fig, Papaya, Salvia, Green onion, Indian mustard, Sugarcane, Cotton
European Union	QZ	All genera & species excluding agricultural crops, apart from Bent, cocksfoot, meadow fescue, fescue, ryegrass, timothy
Republic of Moldova	MD	Maize, Wheat, Pea, Barley, European Plum, Tomato, Grapevine, Sweet Pepper, Hot Pepper, Paprika, Chili, Sunflower, Walnut, Apple Fruit Varieties, Lettuce, Potato, Rose, Soyabean, Oats, Rye, Strawberry, Blackberry
Serbia	RS	Apple Fruit Varieties and Rose, raspberry and blueberry

Languages

28. Russian will be added as a new navigation language in UPOV PRISMA Version 2.2.

New Functionalities

29. In Version 2.2 the following new functionalities are planned to be introduced and will be presented at the EAF/13 meeting:

- National listing for Netherlands ;
- Procedure for introducing new and revised Test Guidelines in UPOV PRISMA;
- Enhancement of agent role (“handshake” functionality) ;
- Improved copy functionality;
- Intermediate states of expression / notes in variety characteristics and variety comparisons.

29. In a future version of UPOV PRISMA, a DUS examination information tool is planned to be introduced and will be presented at the EAF/13 meeting

Timetable for release

30. Participating members in the development of the Version 2.2 of UPOV PRISMA will be invited to test the Tool during a test campaign in May 2019. Subject to their validation, Version 2.2 would be released in June 2019.

31. Participating members in the development of the electronic application form are invited to consider the planned developments for UPOV PRISMA Version 2.2.

Novelty (trees and vines)

32. The Technical Working Party for Ornamental Plants and Forest Trees (TWO), at its fifty-first session, held in Christchurch, New Zealand, February 18 to 22, 2019, received a presentation on the “Classification: Tree/Vine versus Shrub” by an expert from the European Union. A copy of the presentation is provided in document TWO/51/9. The TWO also received a presentation on “Classification of Trees and Vines in Australia” by an expert from Australia. A copy of the presentation is provided as an Addendum to document TWO/51/9.

33. The TWO noted there were different interpretations among UPOV members of the notion of trees and vines for the purposes of the provisions of novelty and the duration of protection. The TWO agreed to propose to invite authorities to make available the list of genera and species considered as trees and vines through UPOV PRISMA. The TWO agreed to invite authorities to report to the TWO at its following session on information provided to UPOV PRISMA.

34. The TWO agreed there were certain genera and species for which a decision on whether a variety should be considered as tree or vine could not be generalized. The TWO agreed to request authorities to provide information on the genera and species they considered should be treated on a case-by-case basis.

35. The latest discussions in UPOV concerning the notion of trees and vines for the purposes of the provisions on novelty and the duration of protection are presented in documents CAJ/41/4 “The Notion of Trees and Vines for the Purposes of the Provisions on Novelty and the Duration of Protection”, CAJ/42/5 “The List of Genera and Species of Trees and Vines for the Purposes of the Provisions on Novelty and the Duration of Protection” and document CAJ/42/7 “Report”.

36. Participating members in the development of the electronic application form are invited to consider how UPOV PRISMA might facilitate the availability of information on the notion of trees and vines for the purposes of the provisions of novelty.

COMMUNICATION

Raising awareness of UPOV PRISMA in participating UPOV members

37. Participating authorities in UPOV PRISMA have been invited to report on initiatives taken to raise awareness on UPOV PRISMA (Circular E019/026, sent on March 1, 2019). The Results from this survey will be presented at EAF13 meeting.

38. Participating members in the development of the electronic application form are invited to note the planned communications concerning UPOV PRISMA, to be presented at the EAF/13 meeting.

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