

Meeting on the Development of a Prototype Electronic Form

UPOV/EAF/9/2 Corr.2

**Ninth Meeting
Geneva, April 7, 2017**

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DEVELOPMENTS CONCERNING THE ELECTRONIC APPLICATION FORM

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 eighth meeting on the development of the electronic application form (EAF), held in Geneva on October 24, 2016, and to present proposals for future developments.

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

- (a) note the developments concerning the EAF as set out in this document;
- (b) consider the plans for the release of Version 1.1, as set out in paragraphs 30 to 33;
- (c) consider the plans for the release of Version 2.0, as set out in paragraphs 34 to 48;
- (d) consider the proposals for publicizing the EAF, as set out in paragraphs 49 to 51;
- (e) consider the proposals for support of the EAF, as set out in paragraph 52;
- (f) consider the name “PRISMA” for the EAF;
- (g) note the requirements for members of the Union to join the EAF, as set out in paragraph 55; and
- (h) consider the proposed timetable for the next versions of the EAF, as set out in paragraphs 56 and 57.

3. The structure of this document is as follows:

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BACKGROUND

4. The aim of the electronic application form (EAF) project is to develop a multilingual electronic form containing questions relevant for plant breeders' rights (PBRs) applications (see document CAJ/66/5 "Electronic Application Systems", paragraph 2).

5. The background to the development of the EAF is provided in document EAF/8/2 "Developments concerning the prototype electronic form project".

DEVELOPMENTS AT THE EIGHTH MEETING ON THE DEVELOPMENT OF A PROTOTYPE ELECTRONIC FORM

6. At the Eighth Meeting on the Development of a Prototype Electronic Form ("EAF/8 meeting"), held in Geneva on October 24, 2016, the participating members considered document EAF/8/2 "Developments concerning the prototype electronic form project" and received a presentation from the Office of the Union. The EAF/8 meeting agreed as follows (see document UPOV/EAF/8/3 "Report", paragraphs 6 to 10):

Validation of the prototype

- (a) Prototype Version 2 (PV2) had demonstrated the feasibility of the project;
- (b) PV2 met the expectations of a functioning system for users to send and receive application data, and reuse submitted data;
- (c) PV2 should be used as the basis for the launch of an operational system;

Languages

Questions

- (d) The EAF would present all items (questions) in English, French, German and Spanish. Translations for all items (questions) in other languages would be made available if provided by the participating members of the Union, with a suitable disclaimer;

Answers

- (e) Users would be required to provide information (answers) in a language accepted by the PVP Office concerned, which would be indicated in the form;

Payment

- (f) The EAF would not affect the fees that PVP Offices receive per application;
- (g) Payment of the application fee would be made directly by the applicant to the relevant PVP Office unless otherwise agreed with the Office of the Union. However, the EAF system would allow, if requested, for application fees to be collected via the EAF and distributed to the PVP Offices in a form and currency agreed by the PVP Office concerned;
- (h) The EAF charge per application would be as follows:
 - CHF 150 / submitted application in 2017/2018
 - CHF 250 / submitted application from 2019;

Addition of new crops

- (i) To launch the EAF on January 9, 2017 with rose, soya bean, lettuce, apple fruit varieties and potato;
- (j) To present to the next EAF meeting more details about the different approaches to add more crop/species to the system:
 - Customized technical questionnaire
 - Technical questionnaire based on the UPOV Test Guidelines
 - Generic technical questionnaire;
- (k) At the EAF/9 meeting in April 2017, to establish a list of priority for addition of new crops/species;

Official variety list

- (l) To consider whether to include information for official variety list purposes in the EAF, at the next EAF meeting (EAF/9 in April 2017);

Terms of use

- (m) To finalize a detailed document explaining the “Terms of Use” with participating members and the World Intellectual Property Organization (WIPO), on the following basis:
 - (i) Application data to be transferred to the selected authority after submission and without waiting for the payment confirmation of the EAF charge and the application fee (if appropriate),
 - (ii) If the payment using bank transfer is not received within 45 days after the submission of the application, a reminder to be sent by the UPOV/WIPO Finance Department,
 - (iii) Charges for payment of application fees by credit card to be considered with PVP Offices on a bilateral basis (if payment of PVP Office fee via UPOV),
 - (iv) Individual Authority Fees to be redistributed to PVP offices, based on the requested payments (if payment of PVP Office fee via UPOV),
 - (v) Payment transfers might have a delay according to the payment method chosen (credit card or bank transfer).

Participation in the launch of EAF

7. The participants noted that each authority participating in PV2 (Argentina, Australia, Bolivia (Plurinational State of), Brazil, Chile, Canada, Colombia, Czech Republic, European Union, France, Georgia, Japan, Kenya, Mexico, Netherlands, New Zealand, Norway, Organisation Africaine de la Propriété Intellectuelle (OAPI), Republic of Korea, South Africa, Switzerland, Tunisia, United States of America, Uruguay and Viet Nam), would inform the Office of the Union if it wished to participate in the launch of the EAF, by November 11, 2016, and should provide the necessary information, including:

- Crops to be supported in EAF (from the 5 crops deployed in PV2)
- Accepted currencies
- Payment method (direct or via UPOV)

- To provide bank account information (if appropriate)
- Any other missing information requested (see Wiki)
- To test the system during the Pre-Launch Test (November-December 2016).

8. The participants also noted that user guides for breeders and PVP Offices would be made available online in English, French, Spanish, German and other relevant languages. The Office of the Union would develop, for PVP Offices and users, in consultation with participating members:

- a program of training (including Online sessions & Webinars)
- a program of users' support and routine maintenance provisions
- a program of publicity of the availability of the system.

9. The participants noted that there were some concerns about the proposed name OLAF (On Line Application Form) and agreed that a suitable name should be considered further at the EAF/9 meeting.

10. The participants agreed to propose, subject to approval by the Consultative Committee, for the Council at its fiftieth ordinary session, to be held in Geneva on October 28, 2016, to approve the launch of the EAF on January 9, 2017.

DEVELOPMENTS SINCE EAF/8

Developments in the Administrative and Legal Committee (CAJ) in October 2016

11. The CAJ at its seventy-third session on October 25, 2016, noted that the EAF/8 Meeting had agreed that the prototype electronic application form Version 2 (PV2) had demonstrated the feasibility of the project. The CAJ at its seventy-third session endorsed the proposals made by the EAF/8 meeting with regard to the development of prototype application form and in relation to the participation in the launch of the EAF, as set out in paragraphs 5 to 9 of this document (see document CAJ/73/10 "Report on the Conclusions", paragraphs 31 to 34).

12. The CAJ at its seventy-third session agreed to propose, subject to approval by the Consultative Committee, for the Council at its fiftieth ordinary session, to be held in Geneva on October 28, 2016, to approve the launch of the EAF on January 9, 2017 (see document CAJ/73/10 "Report on the Conclusions", paragraph 35).

Developments in the Consultative Committee and the Council in October 2016

13. The Council at its fiftieth ordinary session in Geneva on October 28, 2016, noted the work of the Consultative Committee at its ninety-second session, as reported in document C/50/17 "Report by the Vice-President on the work of the ninety-second session of the Consultative Committee", which included the following information concerning the EAF (see document C/50/19 "Report on the decisions", paragraph 11):

14. The Consultative Committee considered a presentation by the Office of the Union, including an oral report by the Vice Secretary-General on the Eighth Meeting on the Development of a Prototype Electronic Form (EAF/8 Meeting), held in Geneva on October 24, 2016, and the conclusions of the CAJ, at its the seventy-third session, held on October 25, 2016 (see document CAJ/73/10 "Report on the Conclusions").

15. The Consultative Committee noted that the EAF/8 Meeting had agreed that the prototype electronic application form Version 2 (PV2) had demonstrated the feasibility of the project. The Consultative Committee agreed with the proposals made by the EAF/8 Meeting, as set out in paragraphs 5 to 9 of this document (see document C/50/17 "Report by the Vice-President on the work of the ninety-second session of the Consultative Committee", paragraphs 41 to 44).

16. The Consultative Committee noted that the EAF/8 Meeting and the CAJ, at its seventy-third session, held on October 25, 2016, had agreed, subject to the approval by the Consultative Committee, to seek approval of the Council at its fiftieth ordinary session, to be held in Geneva on October 28, 2016, for the launch of the EAF in January 2017 (see document C/50/17 "Report by the Vice-President on the work of the ninety-second session of the Consultative Committee", paragraph 45).

17. The Consultative Committee agreed to seek the approval of the Council at its fiftieth ordinary session, to be held in Geneva on October 28, 2016, for the launch of the EAF in January 2017 for rose, soya bean,

lettuce, apple fruit varieties and potato (see document C/50/17 "Report by the Vice-President on the work of the ninety-second session of the Consultative Committee", paragraph 47).

18. The Council, at its fiftieth ordinary session, approved the launch of the Electronic Application Form (EAF) in January 2017 for rose, soya bean, lettuce, apple fruit varieties and potato, as set out in document C/50/17, paragraphs 40 to 47 (see document C/50/19 "Report on the decisions", paragraph 11 (d)).

Launch of EAF Version 1.0

19. Circular E-16/266 was issued on October 31, 2016, inviting all participating members in the development of an Electronic Application Form (Argentina, Australia, Bolivia (Plurinational State of), Brazil, Chile, Canada, Colombia, Czech Republic, European Union, France, Georgia, Japan, Kenya, Mexico, Netherlands, New Zealand, Norway, OAPI, Republic of Korea, South Africa, Switzerland, Tunisia, United States of America, Uruguay and Viet Nam) to inform the Office of the Union of their wish to participate in the launch of the EAF.

UPOV members participating in the EAF and crops covered in the EAF

20. The following UPOV members expressed their intention to participate in the launch of the EAF on January 9, 2017, for the indicated crops:

Authority		GLYCI_MAX Soya Bean	LACTU_SAT Lettuce	MALUS_DOM Apple fruit varieties	ROSAA Rose	SOLAN_TUB Potato	Total
Argentina	AR	✓	-	✓	✓	✓	4
Australia	AU	✓	✓	✓	✓	✓	5
Chile	CL	✓	✓	✓	✓	✓	5
France	FR	✓	✓	✓	✓	✓	5
Kenya	KE	✓	✓	✓	✓	✓	5
Netherlands	NL	✓	✓	✓	✓	✓	5
New Zealand	NZ	-	✓	✓	✓	✓	4
Norway	NO	✓	✓	✓	✓	✓	5
Switzerland	CH	✓	✓	✓	✓	✓	5
Tunisia	TN	✓	✓	✓	✓	✓	5
United States of America	US	✓	✓	-	-	-	2
Uruguay	UY	✓	-	✓	-	✓	3
Total	12	11	10	11	10	11	

21. On January 9, 2017, EAF Version 1.0 was launched on the UPOV website, with the possibility to transmit application data introduced on January 16, 2017.

22. EAF Version 1.0 is available in English, Spanish, German and French.

UPOV EAF website

23. At the launch of the EAF, on January 9, 2017, a specific webpage was created for the EAF, available at: <http://www.upov.int/upoveaf>, containing all necessary information to access and use the EAF.

Payment methods

24. Payment is possible via bank transfer or credit card.

Data transfer options

25. The participating members in Version 1.0 have chosen the following options for the transfer of the application data:

Authority		notification by email	hard copy by mail
Argentina	AR	✓	
Australia	AU	✓	
Chile	CL	✓	
France	FR	✓	
Kenya	KE	✓	
Netherlands	NL	✓	
New Zealand	NZ	✓	
Norway	NO	✓	
Switzerland	CH	✓	
Tunisia	TN	-	✓*
United States of America	US	✓	
Uruguay	UY	✓	

* only hard copy of the application is accepted by the PVP Office

26. Where requested by PVP Offices, submitted application data could be transferred automatically via Web services. This functionality has not yet been used and will be tested with interested PVP Offices and included in a future Version of the EAF.

Payment of fees

27. The UPOV EAF fee is paid directly to UPOV through the UPOV online payment gateway. However in relation to the payment of the PVP Office fee, the participating members have chosen the following options for the payment:

Authority		paid directly to PVP office	paid through UPOV online payment gateway
Argentina	AR	✓	
Australia	AU	✓	
Chile	CL	✓	
France	FR	✓	
Kenya	KE	✓	
Netherlands	NL	✓	
New Zealand	NZ	-	✓
Norway	NO	✓	
Switzerland	CH	✓	
Tunisia	TN	✓	
United States of America	US	✓	
Uruguay	UY	✓	

28. Naktuinbouw has decided to pay, for the time-being, the UPOV EAF fee for submission of application data to the Netherlands.

PROPOSED FUTURE DEVELOPMENTS

29. The current Version of the EAF is Version 1.0. It is foreseen that the next version (Version 1.1) of the EAF will be released in July 2017. The subsequent Version (Version 2.0) is anticipated to be released in 2018.

Version 1.1

Participating UPOV members

30. On January 26, 2017, the Office of the Union invited all participants in the development of a prototype electronic form (see Circular E-17/017) to express their intention to participate in Version 1.1 of the EAF. As of February 10, 2017, the following additional UPOV members had provided the necessary information and expressed their intention to participate in Version 1.1, for the indicated crops:

Authority		GLYCI_MAX Soya Bean	LACTU_SAT Lettuce	MALUS_DOM Apple fruit varieties	ROSAA Rose	SOLAN_TUB Potato	Languages accepted for submission
China	CN		✓		✓		Chinese
Paraguay	PY	✓					Spanish
Republic of Moldova	MD	✓	✓	✓	✓	✓	Romanian
Turkey	TR	✓	✓	✓	✓	✓	Turkish

31. The United States of America also expressed its intention to include potato in Version 1.1.

Languages

32. Preparations are currently being made for the introduction of Chinese (China), Romanian (Republic of Moldova) and Turkish (Turkey), in Version 1.1, subject to the necessary information being provided by the members of the Union concerned.

Functionalities

Style sheet for the application form

33. Where requested by PVP Offices, it would be possible to have a customized format for the application form to be received by the PVP Office (e.g. addition of national coding reference to the form, PVP Office logo) if the relevant information is provided according to a specified format.

Version 2.0

Participating UPOV members

34. Only authorities participating in PV2 and in Version 1.1 (Argentina, Australia, Bolivia (Plurinational State of), Brazil, Chile, China, Canada, Colombia, Czech Republic, European Union, France, Georgia, Japan, Kenya, Mexico, Netherlands, New Zealand, Norway, Organisation Africaine de la Propriété Intellectuelle (OAPI), Paraguay, Republic of Korea, Republic of Moldova, South Africa, Switzerland, Tunisia, Turkey, United States of America, Uruguay and Viet Nam) will be able to participate in Version 2.0. New participating members of the Union will be included after the release of Version 2.0.

Crops/species

35. Participants in the EAF agreed that it would be beneficial for the system to cover as many crops/ species as soon as possible. Therefore, at the EAF/8 meeting, the Office of the Union was requested to develop an approach to add new crops more rapidly and to increase the number of crops included in the EAF (see document EAF/8/3 "Report", paragraph 6 (j)).

36. The main part of the application form is the same for all crops for a particular authority. However, the crop-specific technical information, typically provided in the technical questionnaire (TQ), differs between crops. Therefore, the challenge in adding new crops is to address the crop-specific part of the application.

37. In order to be able to cover as many crops/ species as rapidly as possible, it is proposed to develop three approaches. It would be a matter for each participating member of the Union to decide which of the approaches to apply on a crop-by-crop basis.

UPOV Technical Questionnaire (Approach 1)

38. The TQ in the EAF would be identical to the TQ in the adopted UPOV TG (currently 320). The web-based TG Template would be the source of the TG TQ information; therefore, the introduction of crops/species under this approach would require the relevant TGs to be included in the web-based TG Template.

39. If there is no adopted UPOV TG, the TQ in the EAF would be based on the structure of the TQ in document TGP/7 "Development of Test Guidelines ". This would allow users to provide information, in a standardized way, for the following:

- Breeding history: breeding scheme; method of propagating the variety;
- TQ characteristics : Free text characteristics and states of expression;
- Similar varieties and differences from those varieties;
- Additional information.

UPOV TG characteristics (Approach 2)

40. If a PVP Office TQ uses only characteristics included in UPOV TG characteristics, it would be possible to generate the list of characteristics and corresponding states of expression from the UPOV Test Guidelines. The web-based TG Template would be the source of the TG characteristics; therefore, the introduction of crops/species under this approach would require the relevant TGs to be included in the web-based TG Template.

41. If there is no adopted UPOV TG, the relevant chapter would allow applicants to enter free text information for characteristics and corresponding states of expression.

Customized TQ (Approach 3)

42. If a PVP Office uses a TQ that contains some information that is different from that used in the adopted UPOV TG, it would be necessary to develop a customized TQ for that PVP Office.

43. The table below summarizes the approaches that would currently cover the participating members in the EAF:

Authority (for existing crops/species)		Approach 1	Approach 2	Approach 3
Argentina	AR			✓
Australia	AU		✓	
Chile	CL	✓		
France	FR			✓
Kenya	KE	✓		
Netherlands	NL			✓
New Zealand	NZ			✓
Norway	NO			✓
Switzerland	CH			✓
Tunisia	TN	✓		
United States of America	US			✓
Uruguay	UY			✓
Total	12	3	1	8

44. On the basis that resources would be allocated equally to the three approaches, it would be possible to cover all crops/species for Approaches 1 and 2 by the end of 2018. In the case of Approach 3, the process would continue indefinitely according to an agreed prioritization.

2018	2019	2020	...
Approach 1* complete			
Approach 2* complete			
Approach 3			...

* depending on the number of Test Guidelines adopted and included in the Test Guidelines Template Database

45. For all approaches, the order of priority for addition of crops/species would be decided in consultation with the EAF participating members and partners.

Functionalities

Information for official variety list purposes

46. With regard to information for official variety list purposes, it is proposed to discuss the requirements with each of the participating members of the Union that have expressed a wish to include such information. In that regard, the participating member of the Union may also be invited to consider providing resources, in order to implement such requirements.

Payment

47. Additional payment methods may be introduced in Version 2.0, e.g. current account or e-wallet. It is proposed to investigate those different possibilities and to report on their possible development at a subsequent EAF meeting.

Link to information available in the GENIE Database

48. It is proposed to make a link in the EAF website to the information available in GENIE, in particular with regard to experience and cooperation in DUS examination.

COMMUNICATION

49. At the launch of the EAF, the Office of the Union informed breeders' organizations and PVP Offices on the availability of the system (see Circular E17/007, E17/008 and E17/009), also inviting those parties to inform all their relevant stakeholders..

50. A series of communication materials (e.g. posters and flyers) will be developed for UPOV members and breeders' organizations. Examples of such materials will be presented at the EAF/9 meeting.

51. Meetings (including online sessions & Webinars) will be organized for individual applicants or groups of applicants upon request, and training material (e.g. PowerPoint presentation, tutorials, e-learning...) will be developed.

SUPPORT

52. A program of user-support and routine maintenance provisions for PVP Offices and users will be developed in consultation with the participating members at the EAF meetings, according to the needs expressed and resources available within the Office of the Union.

NAME

53. It is proposed to introduce the name "PRISMA" (Plant variety data Routing Information System using Multilingual Application forms) as a new name for the EAF. A proposed logo will be presented at the EAF/9 meeting.

PARTICIPATION IN THE EAF

54. Ecuador has indicated to the Office of the Union its interest to participate in the EAF.

55. Members of the Union that have not participated in PV2 or Version 1.1 will be included after the release of Version 2.0. Such members of the Union would need to provide their forms for the selected crops (application form and technical questionnaire) in a UPOV language and, if appropriate, to provide translations of the questions of the applications forms and technical questionnaires of the other participating members of the Union. The exact timetable for addition of new members of the Union would be subject to available resources and would vary according to the content of the applications forms and technical questionnaires.

TENTATIVE TIMETABLE FOR THE EAF

56. Participating members in the development of the Version 1.1 of the EAF will be invited to test the tool through different releases during the test campaign. Subject to their validation, Version 1.1 would be released in July 2017.

57. Version 2.0 of the EAF is planned to be released in January 2018.

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

(a) note the developments concerning the EAF as set out in this document;

(b) consider the plans for the release of Version 1.1, as set out in paragraphs 30 to 33;

(c) consider the plans for the release of Version 2.0, as set out in paragraphs 34 to 48;

(d) consider the proposals for publicizing the EAF, as set out in paragraphs 49 to 51;

(e) consider the proposals for support of the EAF, as set out in paragraph 52;

(f) consider the name "PRISMA" for the EAF;

(g) note the requirements for members of the Union to join the EAF, as set out in paragraph 55; and

(h) consider the proposed timetable for the next versions of the EAF, as set out in paragraphs 56 and 57.

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