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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

SEMINAR ON ESSENTIALLY DERIVED VARIETIES

Geneva, October 22, 2013

REVISED DRAFT PROGRAM

prepared by the Office of the Union

- 8.30 Registration
- 9.30 Welcome address by Mr. Francis Gurry, Secretary-General, UPOV
- 9.35 Opening by Ms. Kitisri Sukhapinda, President of the Council of UPOV
- Session I: Technical and legal aspects of essentially derived varieties and the possible impact on breeding and agriculture
 Moderator: Mr. Peter Button, Vice Secretary-General, UPOV
- 9.45 The development of the provisions on essentially derived varieties
Mr. Joël Guiard, Chairman of the Technical Committee of UPOV
- 10.00 Essentially derived varieties under the 1991 Act of the UPOV Convention:
 a brief history
*Mr. Raimundo Lavignolle, Plant Variety Register Director,
 National Seed Institute (INASE), Argentina*
- 10.15 A technical perspective on essentially derived varieties
Ms. Hedwich Teunissen, Naktuinbouw, Netherlands
- 10.30 A legal perspective on essentially derived varieties
Mr. Gert Würtenberger, Würtenberger Kunze, Germany
- 10.45 *Coffee*
- 11.20 Views of the International Community of Breeders of Asexually Reproduced Ornamental and Fruit-Tree Varieties (CIOPORA) on essentially derived varieties
Mr. Edgar Krieger, Secretary General, CIOPORA
*Mr. Jan de Riek, Molecular Genetics & Breeding - Group Leader, Institute for
 Agricultural and Fisheries Research (ILVO), Belgium, Board member of CIOPORA*
- 11.40 Views of the International Seed Federation (ISF) on essentially derived varieties
Mr. Marcel Bruins, Secretary General, ISF
*Mr. Stephen Smith, DuPont Pioneer, United States of America,
 Chairman of the ISF Intellectual Property Committee*

- 12.00 Essentially derived varieties and the perspective of farmer-breeders
Ms. Normita Gumasing Ignacio, Executive Director, South East Asia Regional Initiatives of Community Empowerment (SEARICE)
- 12.15 Essentially derived varieties and the perspective of growers
Ms. Mia Buma, Secretary, Committee for Novelty Protection, International Association of Horticultural Producers (AIPH)
- 12.30 *Lunch*
- 14.30 Discussions on Session I
- Session II: Experience in relation to essentially derived varieties
Moderator: Ms. Kitisri Sukhapinda, President of the Council of UPOV
- 15.00 Experience on essentially derived varieties in Australia
Mr. Doug Waterhouse, PBR Registrar, IP Australia
- 15.15 Court decisions concerning essentially derived varieties in the Netherlands
Mr. Tjeerd F. W. Overdijk, Vondst Advocaten N.V., Netherlands
- 15.30 Court decision concerning essentially derived varieties in Israel
Mr. Aman Gabrieli, Seligsohn Gabrieli & Co., Israel
- 15.45 Experience on essentially derived varieties in Japan
Mr. Mitsutaro Fujisada, Senior Policy Advisor: Intellectual Property, Ministry of Agriculture, Forestry and Fisheries, Japan
- 16.00 *Coffee*
- Session III: Possible role of future UPOV guidance on essentially derived varieties
Moderator: Mr. Martin Ekvad, Vice Chair of the Administrative and Legal Committee
- 16.30 The role of "soft law"/guidance in different jurisdictions
Mr. Charles Lawson, Associate Professor, School of Law, Griffith University, Nathan Queensland, Australia
- 16.45 Possible role of future UPOV guidance in cases before the courts
Mr. Gordon Humphreys, Member of the Second Board of Appeal, Office for the Harmonization in the Internal Market (OHIM)
- 17.00 Possible role of arbitration, mediation and expert determination
Mr. Erik Wilbers, Director, Arbitration and Mediation Center of the World Intellectual Property Organization (WIPO)
- 17.15 Discussion on Sessions II and III
- 17.50 Closing remarks by Ms. Kitisri Sukhapinda, President of the Council of UPOV
- 18.00 End of Seminar