STRATEGIES FOR PROMOTING THE PROTECTION OF PLANT VARIETIES IN PERU
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LEGAL AND INSTITUTIONAL FRAMEWORK
RELEVANT NATIONAL BODIES

- The National Institute for the Defense of Competition and Protection of Intellectual Property (INDECOPI), through its Inventions and New Technologies Department, is responsible in the first instance, at the national level, for carrying out the administrative functions set forth in Decision No. 345 (Requirements: novelty and denomination).

- The National Institute for Agricultural Innovation (INIA), through its Agricultural Innovation Management Department, is responsible, at the national level, for the technical aspects of the procedure (Requirements: distinctness, uniformity and stability).
Supreme Decree No. 008-96-ITINCI: Regulations for the Protection of the Rights of Breeders of New Varieties of Plants

Administrative Decision No. 043-2000-INIA (fees), Administrative Decision No. 046-2000-INIA (storage and handling of live samples), Administrative Decision No. 047-2000-INIA (technical evaluation)

Act No. 28126, under which penalties are set forth for infringements of the rights of breeders of protected plant varieties

Accession to the 1991 Act of the UPOV Convention

Decision No. 345: Common Regime for the Protection of the Protection of Plant Breeders' Rights

Supreme Decree No. 035-2011-PCM: Regulations for the Protection of Plant Breeders' Rights

National IP Policy (ongoing)

1993
Decision No. 345: Common Regime for the Protection of Plant Breeders' Rights

1996
Supreme Decree No. 008-96-ITINCI: Regulations for the Protection of the Rights of Breeders of New Varieties of Plants

2000
Administrative Decision No. 043-2000-INIA (fees), Administrative Decision No. 046-2000-INIA (storage and handling of live samples), Administrative Decision No. 047-2000-INIA (technical evaluation)

2003
Accession to the 1991 Act of the UPOV Convention

2011

2020
National IP Policy (ongoing)

2020
Supreme Decree No. 035-2011-PCM: Regulations for the Protection of Plant Breeders' Rights
02
THE IMPORTANCE OF THE SYSTEM FOR THE PROTECTION OF PLANT VARIETIES
THE IMPORTANCE OF THE SYSTEM FOR THE PROTECTION OF PLANT VARIETIES

- Provides breeders, whether local or from abroad, with legal protection by ensuring that they have exclusive rights to the protected plant varieties. That, in turn, allows them to recoup their investment in the development of those varieties.

- Contributes to economic development by making available to farmers a broad range of high-quality varieties and thereby generating more income and helping small and medium-sized enterprises to create more jobs.

- Facilitates the transfer of technology to farmers and to small and medium-sized enterprises.
CONTRIBUTION TO THE ECONOMY

First-ever study on the economic impact of industrial property in Peru, drafted by IPKEY and INDECOPI (June 2021).

The aim of the study was to gauge how much sectors with a major intellectual property (IP) rights component contribute to the Peruvian economy, with a focus on their impact on gross domestic product (GDP), foreign trade, employment and wages. It is based on the rights granted between 2015 and 2018.

Main findings:

• The contribution to GDP amounts to 1.993 billion soles, equivalent to 6 per cent of total agricultural output.

• The contribution to foreign trade amounts to 4,141 billion soles, equivalent to 33 per cent of agricultural exports.
03
STRATEGIES FOR PROMOTING THE PROTECTION OF PLANT VARIETIES
¿What does INDECOPI do to promote the protection of plant varieties?

1. Technical support in matters of protection
2. Promotion and capacity-building
3. Awareness-raising: publications and videos
4. Consulting and advisory services
Aim: To encourage a culture of protection for new plant varieties in Peru and thereby stimulate technological development and local agriculture research.

Beneficiaries: Individuals, companies, research centers and universities.

The following services will be offered to those interested:

- Free consultations for institutions and companies on the scope and implications of breeder’s certificates.
- Technical training on how to apply to the register for certificates.
2. PROMOTION AND CAPACITY-BUILDING

TECHNOLOGY AND INNOVATION SUPPORT CENTERS (TISC)

Aim: To provide researchers, inventors, innovators and business people with general guidance and technical assistance on IP matters.

Beneficiaries: Students, researchers and innovators.

The following services will be offered to those interested:

• Information on technology
• Training
• Guidance on IP rights
3. AWARENESS-RAISING: PUBLICATIONS AND VIDEOS

- Trámite de un Certificado de Obtentor de Variedad Vegetal
- El Sistema de Protección de las Obtenciones Vegetales
- ¿Qué es una Variedad Vegetal?
4. CONSULTING AND ADVISORY SERVICES

- Easy to use
- Free of charge
- Via Zoom

A range of advice sessions on plant varieties
BREEDER’S CERTIFICATES ISSUED (BY ORIGIN)

Source: Inventions and New Technologies Department (INDECOPI)
BREEDER’S CERTIFICATES (BY CROP)

Source: Inventions and New Technologies Department (INDECOPI)
THANK YOU