

Farmers' perspective on plant variety protection

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Road map

Who we are

What we do

Knowledge
and
Innovation



Who we are



an Organization in motion...



WFO Membership

About 70 farmers organizations and cooperatives in 50 countries

AFRICA	ASIA	EUROPE	LATIN AMERICA	NORTH AMERICA	OCEANIA
Burundi Congo Democratic Republic of Congo Ethiopia Ghana Ivory Coast Kenya Malawi Mozambique Rwanda South Africa Uganda Zambia Zimbabwe	Cambodia Japan Jordan Malaysia South Korea Russia United Arab Emirates	Albania Austria Belgium CEJA Croatia Cyprus Republic of North Cyprus Denmark Finland France Germany	Ireland Italy Luxembourg Netherland Norway Poland Spain Sweden Switzerland UK	Argentina Brazil Paraguay Jamaica Canada United States	Australia New Zealand

Governance

General Assembly (elects the President)

Board

Secretary General

partnership for growth



What we do

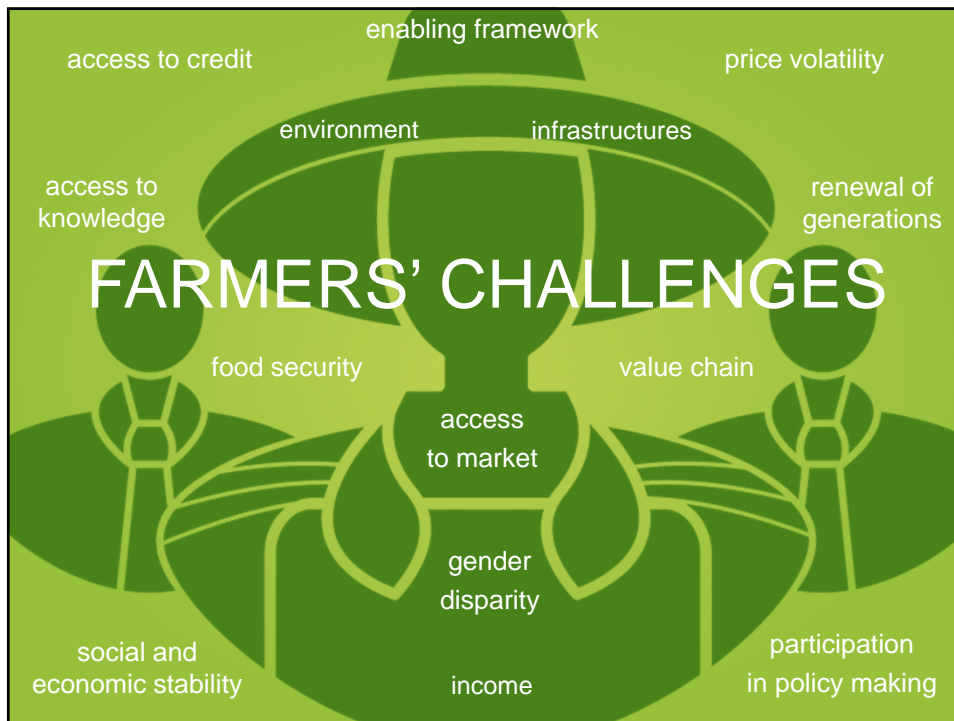


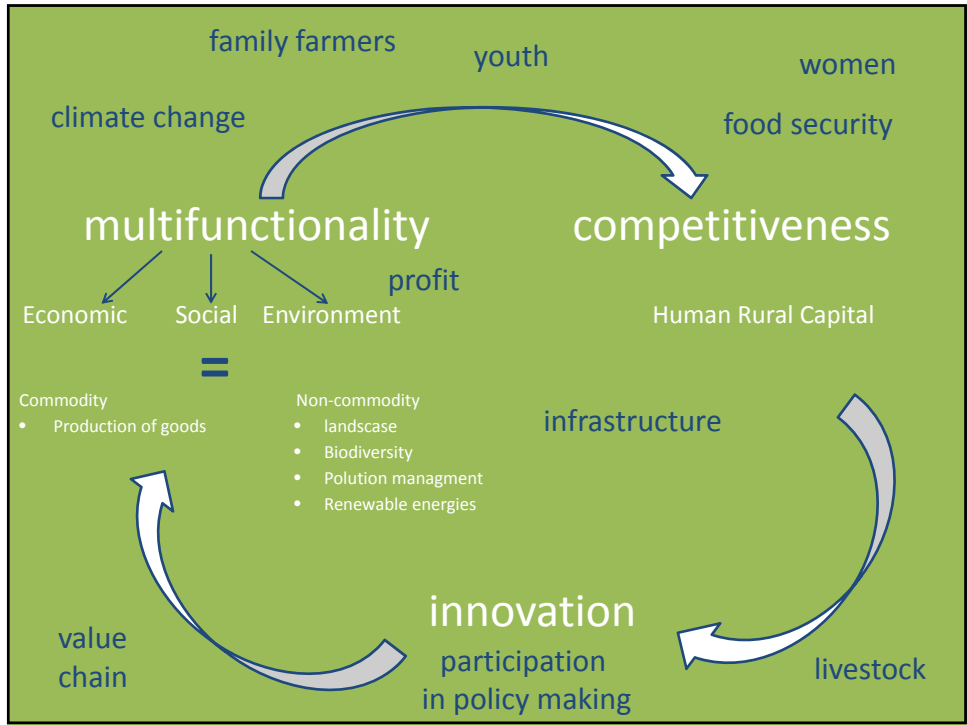
WFO main pillars

Food
Security

Value
Chain

Climate
Change





Knowledge and Innovation



The Knowledge Driven Economy

INTELLECTUAL CAPITAL MAIN ASPECT OF THE NEW ECONOMY



Intangible Assets
Ideas, Innovation,
Inventions

MARKET DEVELOPMENT



Tangible Assets
Factors of production: Land, Labour and
Capital

The Plant Varieties Legal System is a form of IP right

Plant Varieties

Copyright

Industrial
Design

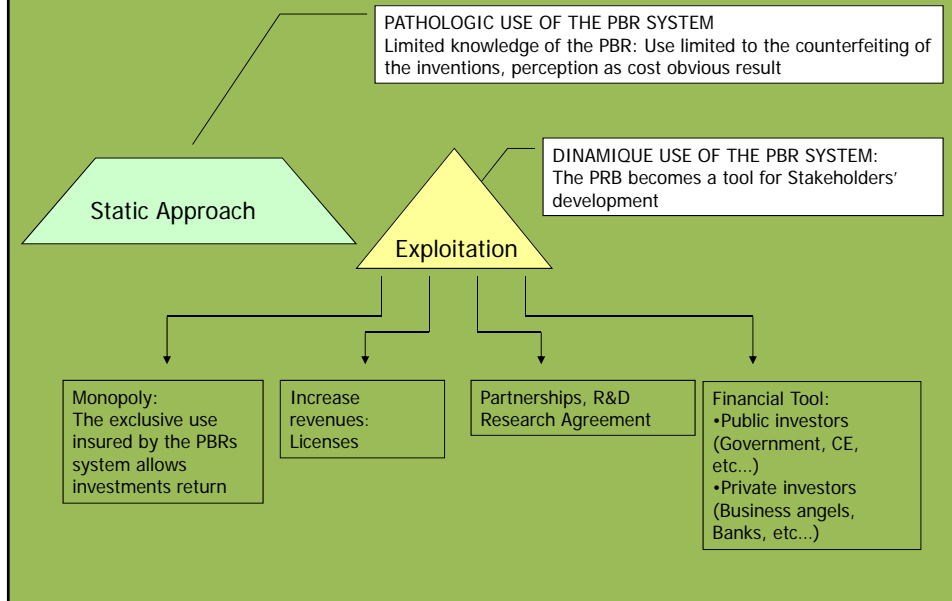


Geographical
Indication

Patent

Trademark

./..SMEs and the PBRs Legal System



The Plant Variety Legal System

- What is Plant Variety Protection/Plant Breeder Right?
- How Does the PBRs System Work?
 - Any person who **creates**, or **discovers** and **develops** a plant variety may apply for a PBR,
 - once the PBR is granted, any:
 - Production or reproduction
 - offering for sale
 - selling or other marketing
 - exporting from and importing to the PBR market
 must be authorized by the owner of the PBR
 - Exceptions to the PBR:
 - Acts done privately and for non-commercial purposes
 - Acts done for experimental purposes
 - Acts done for the purpose of breeding other varieties

Acquiring protection

- How can a PBR be acquired for a new Plant variety in UPOV member States
- File an application to the national authority
 - Criteria:
 - **Commercial Novelty:** Within the Country, not sold from more than 1 year prior to the date of application; Abroad, 6 years (for trees and vines) or for the rest of species
 - **Distinctiveness:** different from other existing or known varieties
 - **Uniformity:** any variation remain true to the description of the variety
 - **Stability:** a variety remain unchanged to its description over repeated reproduction or multiplication
 - **Denomination**
 - Protection* length for: 25 years trees and vines; 20 years other crops:
 - Protection is generally territorially meant; Regional organization i.e. Community plant Variety Office (CPVO) grants protection for all members
- *Protection granted under the 1991 Act of the UPOV convention

Farmers and the PBRs Legal System

- Dominant Position of intangible assets in the new economy
- The Global Market highly dependent on Stakeholders (Farmers, SMEs, Research center, Spin off),
 - Presence on the market;
 - Employment;
 - GDP.
- However the use of the PBRs Legal system meets some difficulties:
 - Scarce knowledge of the system;
 - System is considered complex and articulated: need for Legal Advisor;
 - The PBRs is considered being expensive and only accessible to big Enterprises.

The farmers' perspective

- ✓ Farmers create and are custodians of biodiversity.
- ✓ Farmers are also partners in plant conservation in situ
- ✓ Crops species, in fact, are maintained in their natural habitat by farmers

The International Treat on Plant Genetic Resource, (ITPGR) and its art. 9 that protect farmers' right of:

- protection of traditional knowledge relevant to plant genetic resources for food and agriculture;
- equitable participation in sharing benefits arising from the utilization of plant genetic resources for food and agriculture; and
- the right to participate in making decisions, at the national level, on matters related to the conservation and sustainable use of plant genetic resources for food and agriculture

Resolution 8/13 – Parties are invited to involve farmers' organizations in the implementation of art. 9.

Plant variety to improve farmers' income

Plant Variety
Protection, PVP

Farmers' productivity

PVP enhance farmers' capacity to build resilience against climate change and other challenges that may invest the plant species, allowing immediate diversification in the production. Farmers' resilience is key to keep the productivity level and to contribute to the achievement of global food security.

Food security



Thank you!