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ZUM SCHUTZ VON  
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GENÈVE, SCHWEIZ

UNION INTERNATIONALE  
POUR LA PROTECTION  
DES OBTENTIONS  
VÉGÉTALES  
  
GENÈVE, SUISSE

UNIÓN INTERNACIONAL  
PARA LA PROTECCIÓN  
DE LAS OBTENCIONES  
VEGETALES  
  
GINEBRA, SUIZA

INTERNATIONAL UNION  
FOR THE PROTECTION  
OF NEW VARIETIES  
OF PLANTS  
  
GENEVA, SWITZERLAND

## UPOV Press Release 92

Geneva, November 1, 2012

### **UPOV Council Holds its Forty-Sixth Ordinary Session**

The Council of the International Union for the Protection of New Varieties of Plants (UPOV) held its forty-sixth ordinary session on November 1, 2012.

Round-up of key developments:

#### Report on the Ratification of the 1991 Act by France and Accession to the 1991 Act by Panama

France had deposited its instrument of ratification of the 1991 Act of the UPOV Convention on April 27 2012, and had become bound by the 1991 Act on May 27, 2012, and that Panama had deposited its instrument of accession to the 1991 Act of the UPOV Convention on October 22, 2012, and would become bound by the 1991 Act on November 22, 2012.

#### Positive decisions on the Plant Breeders' Bill of Ghana and the Plant Breeders' Rights Bill for Mainland Tanzania (United Republic of Tanzania)

##### *Ghana*

The Council decided that the Plant Breeders' Bill of Ghana, subject to certain modifications, was in conformity with the provisions of the 1991 Act of the UPOV Convention. Once the relevant Law, on which the conformity was decided, is in force, Ghana will be in a position to deposit its instrument of accession to the 1991 Act of the UPOV Convention.

##### *United Republic of Tanzania*

The Council decided that the Plant Breeders' Rights Bill of Mainland Tanzania (United Republic of Tanzania), subject to certain modifications, was in conformity with the provisions of the 1991 Act of the UPOV Convention. The Council noted that the Government of the United Republic of Tanzania had the intention to submit, at a later stage, the Draft Law or adopted Law for Zanzibar for examination by the Council. The Council informed the Government of the United Republic of Tanzania that its instrument of accession may be deposited after positive decisions of the Council on the Laws for Mainland Tanzania and Zanzibar.

### Performance Assessment Report for the 2010-2011 biennium

- UPOV adopted a considerable number of information and guidance documents that enhance the understanding and the implementation of the provisions of the Convention in an internationally harmonized and effective way, thereby reinforcing the quality of protection and helping to reduce the cost of obtaining protection.
- In 2011, the adopted Test Guidelines covered 90% of all PBR-related entries in the Plant Variety Database.
- New measures have been taken to enhance cooperation between members of the Union through improvements to the Plant Variety Database<sup>i</sup> and GENIE Database<sup>ii</sup>.
- UPOV has assisted a number of States in the implementation of plant variety protection based on the UPOV Convention and has provided advice to governments in the preparation of legislation.
- Cooperation with members of the Union, particularly with regard to training courses, has provided substantial benefits for outreach.
- The use of the distance learning course "Introduction to the UPOV System of Plant Variety Protection under the UPOV Convention" and training of trainers have been of increasing importance in providing assistance to a wide range of experts.
- The launch of the newly designed website was an important development that will increase the understanding of UPOV's role and activities and will increase public awareness of how an effective system of plant variety protection provides benefit to society.
- The organization of the "Seminar on Plant Variety Protection and Technology Transfer: the Benefits of Public-Private Partnership" and the "Symposium on Plant Breeding for the Future" provided information on the importance of plant variety protection for dynamic and sustainable agriculture.

### Participation of the Office of the Union in the International Treaty on Genetic Resources for Food and Agriculture (ITPGRFA) Platform for the Co-Development and Transfer of Technologies

Members of the Union approved the participation of the Office of the Union in the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) Platform for the Co-Development and Transfer of Technologies.

### Plant Variety Protection Statistics

A total of 53 members of the Union now offer protection to all plant genera and species (48 in 2011), with 17 members of the Union offering protection to a limited number of plant genera and species.

The Council noted that there had been a 5.2% increase in the number of applications for plant variety protection (13,714 in 2011; 13,038 in 2010), representing a 1.4% decrease in the number of applications by residents (8,813 in 2011; 8,937 in 2010) and a 19.5% increase in the number of applications by non-residents (4,901 in 2011; 4,101 in 2010). The numbers of applications by non-residents and overall number of applications were record numbers.

The number of titles granted decreased from 11,115 in 2010 to 10,065 in 2011 (9.4% decrease).

A new record number of titles in force – 94,413 – was recorded in 2011, representing a 4.5% increase on figures for 2010 (90,344).

### Cooperation in the Examination of New Plant Varieties

In 2012, the number of plant genera and species for which there were agreements between members of the Union for cooperation in the examination of distinctness, uniformity and stability totaled 1,991, compared to 1,990 in 2011. Although the total number of genera and species did not significantly increase, there was a significant number of new agreements for cooperation within those genera and species.

### Election of the new President and the new Vice-President of the Council

The Council elected, in each case for a term of three years ending with the forty-ninth ordinary session of the Council, in 2015:

- (a) Ms. Kitisri Sukhapinda (United States of America), President of the Council;
- (b) Mr. Luis Salaices (Spain), Vice-President of the Council.

### Adoption of information and guidance documents

Including document UPOV/INF/19/1 "Rules governing the granting of observer status to States, intergovernmental organizations and international non-governmental organizations in UPOV bodies" (Revision) and document UPOV/INF/20/1 "Rules governing access to UPOV documents" (Revision). Document UPOV/INF/20/1 confirms that documents of the Administrative and Legal Committee (CAJ), Technical Committee (TC) and Technical Working Parties (TWP), which were formerly only accessible to members and observers, are now made publicly accessible.

## **Symposium on the benefits of plant variety protection for farmers and growers**

**November 2, 2012 (Geneva, Switzerland)**

The aim of the Symposium is to provide illustrations of how plant variety protection can improve incomes for farmers and growers by supporting the development and supply of new, improved varieties that are suited to their needs. The Symposium will also provide examples of how farmers and growers can use plant variety protection as breeders.

A video of the Symposium will be made available on the website as from November 6, 2012.

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<sup>i</sup> The Plant Variety Database is a compilation of data supplied by the competent authorities of the members of the Union. A significant part of the information relates to plant breeder's rights, plant patents or to national listings.

<sup>ii</sup> The GENIE database has been developed to provide online information on GENera and specIEs (hence GENIE) in relation to protection offered by members of the Union, cooperation in examination, experience in DUS testing and the existence of UPOV Test Guidelines. In addition, the GENIE database is the repository of the UPOV codes and provides information concerning alternative botanical and common names.