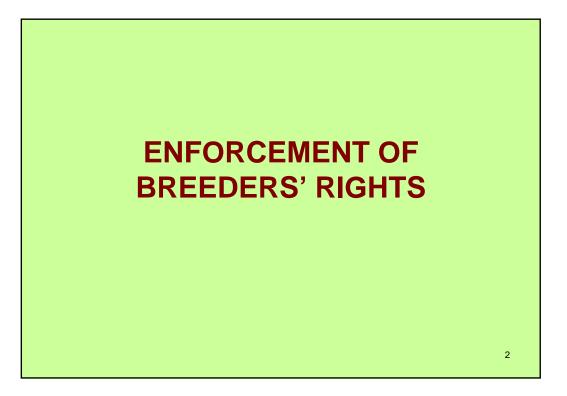
Seminar on the Enforcement of Plant Breeders' Rights under the UPOV Convention

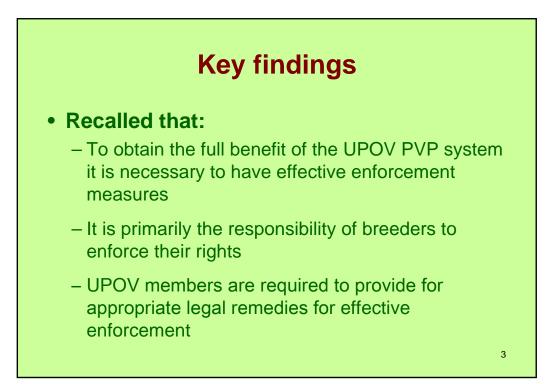
CONCLUDING REMARKS

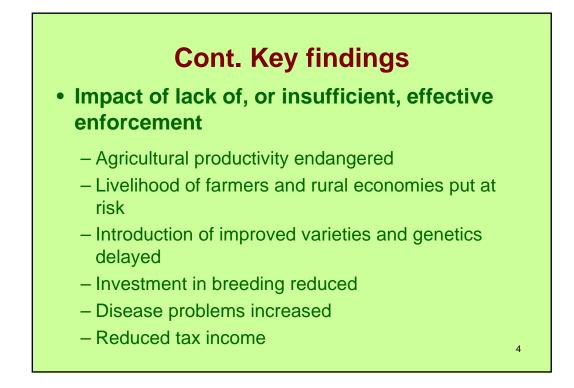
Ms. Kitisri Sukhapinda Attorney- Advisor, USPTO

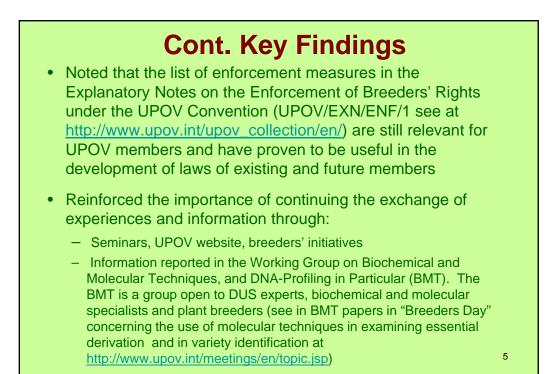
Hanoi, Viet Nam - September 7 and 8, 2016



1







Session 1- challenges and opportunities Some examples of PBR infringements identified

- Propagation beyond authorized quantities
- Unauthorized exports/imports
- Packaging of harvested crop (e.g. grain, ware potatoes) for sale as propagating material (e.g. brown/white bagging)
- Use of farm-saved seed in a way that does not comply with relevant legislation
- Sale of a protected variety under another name
- Other companies selling propagating material of protected varieties as their own
- Unprotected inbred lines used to produce protected hybrids
- Protected inbred lines used to produce protected hybrids or hybrids that are not granted protection in their own right
- Unauthorized vegetative propagation of hybrid varieties
- Unauthorized propagation from "stubs" (i.e. plants with tops removed)6



Session 2 – Experiences of UPOV members demonstrated

- Benefits of including breeders' rights in other measures for intellectual property enforcement
- Role of relevant bodies and authorities in the provision of information to the breeder regarding propagating material of varieties
- DNA-Profiling has an important role to play (e.g. prima facie evidence, suspicion of possible infringement)

8