



Progress in Accession to UPOV for 10 years: Impacts and Challenges for Agricultures in Viet Nam

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December, 2015

OUTLINE OF THE PRESENTATION

- DEVELOPMENT OF PVP IN VIETNAM
- MAIN POINTS FOR PVP LEGISLATION IN VN
- IMPACT TO AGRICULTURE IN VIETNAM
- CHALLENGES
- MEASURES TO SOLVE THE CHALLENGES

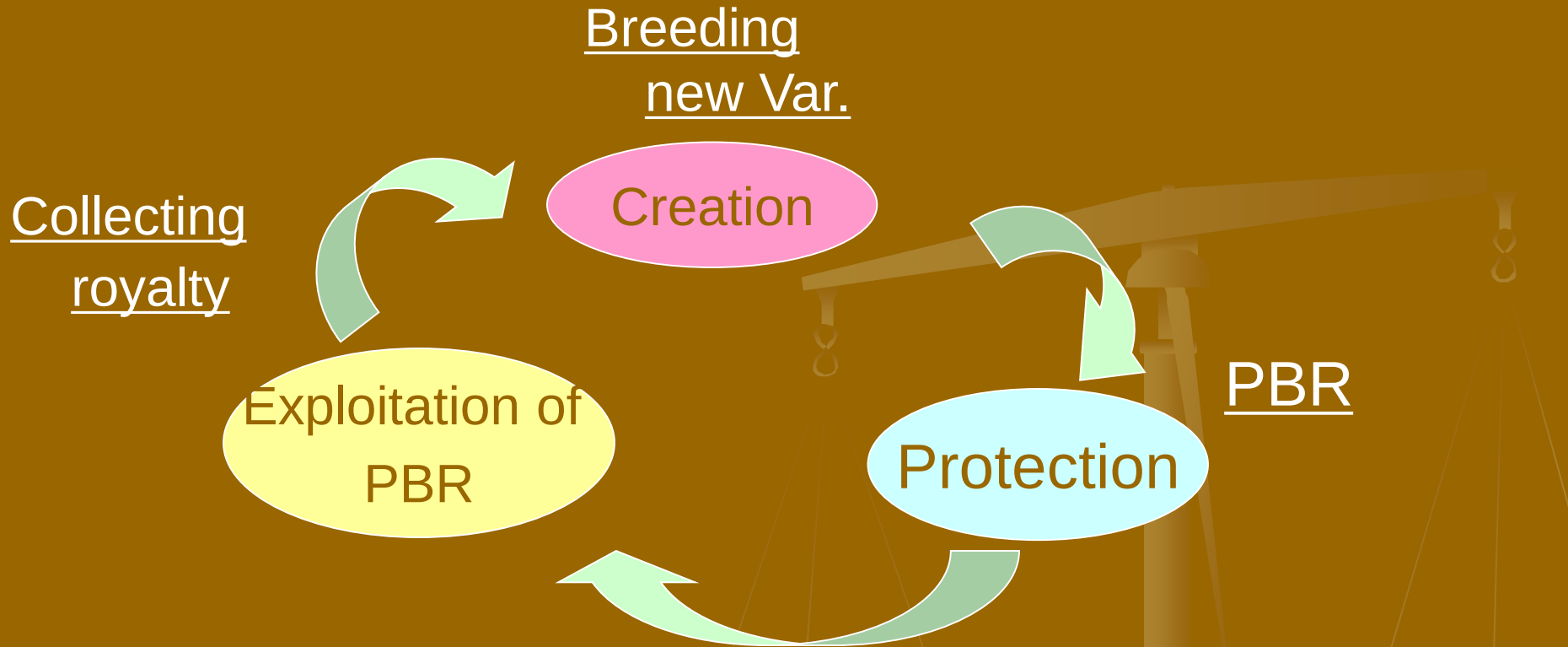


Background

- Agricultural country.
- High density of population
- Improve living standard of the people – The current main purpose of VN's Government
- Seed Sector play an important role for the purpose – big contribution of new plant varieties



Vietnam decided to establish PVP system



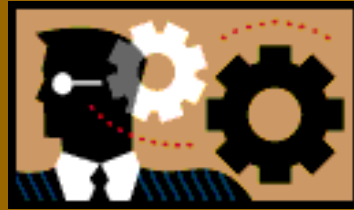
- PVP encourage of breeding and introduce new plant varieties with good features to the farmer – Benefit for farmer and consumer – benefit for society

DEVELOPMENT OF PVP IN VIETNAM



The development of PVP in Vietnam

- ✓ Operating the system under UPOV Convention
- ✓ Exploit the benefits from PVP system



**Implementing PVP System
under UPOV Convention**

2007-NOW

- ✓ Organizations to implement: PVPO/DUS Test Office
- ✓ Drafting Legislation Document

**Establishing National
PVP system and Preparations
to join UPOV**



2000-2006

**Study the real
conception of PVP**

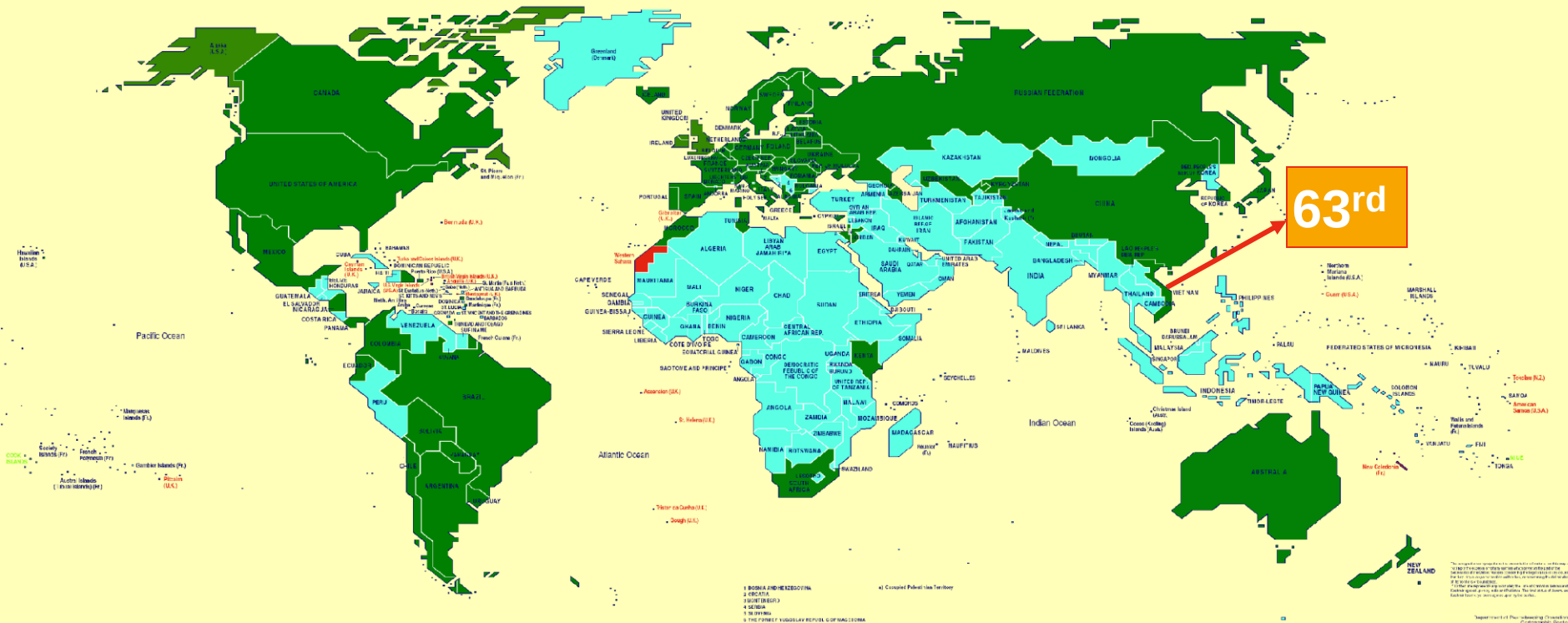
1995-2000

- ✓ Dispatching staffs to Overseas
- ✓ Invite Experts from experienced countries and UPOV
- ✓ Seminars/Workshops on PVP for relevant persons

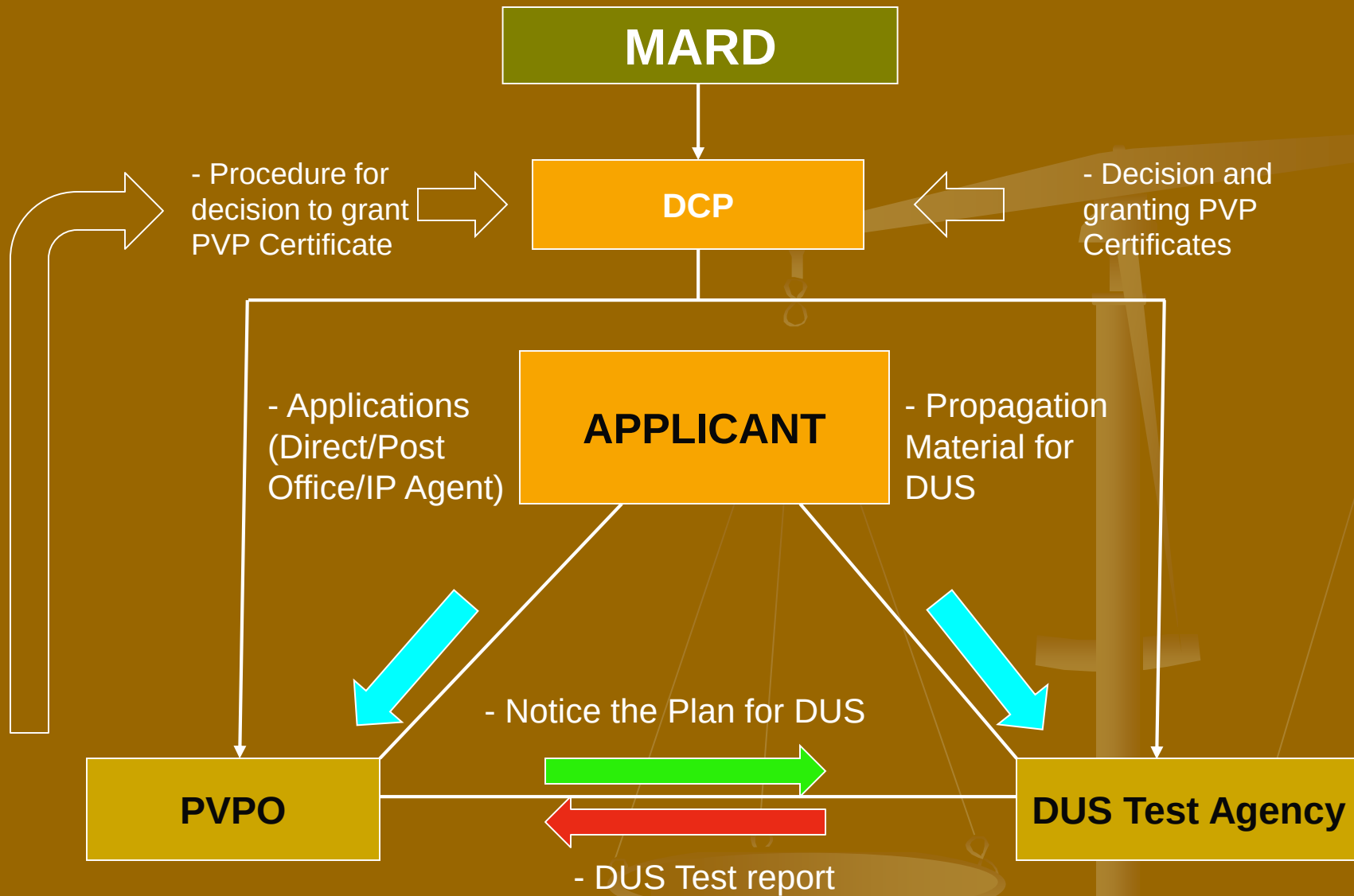


Members of UPOV (24th Dec, 2006)

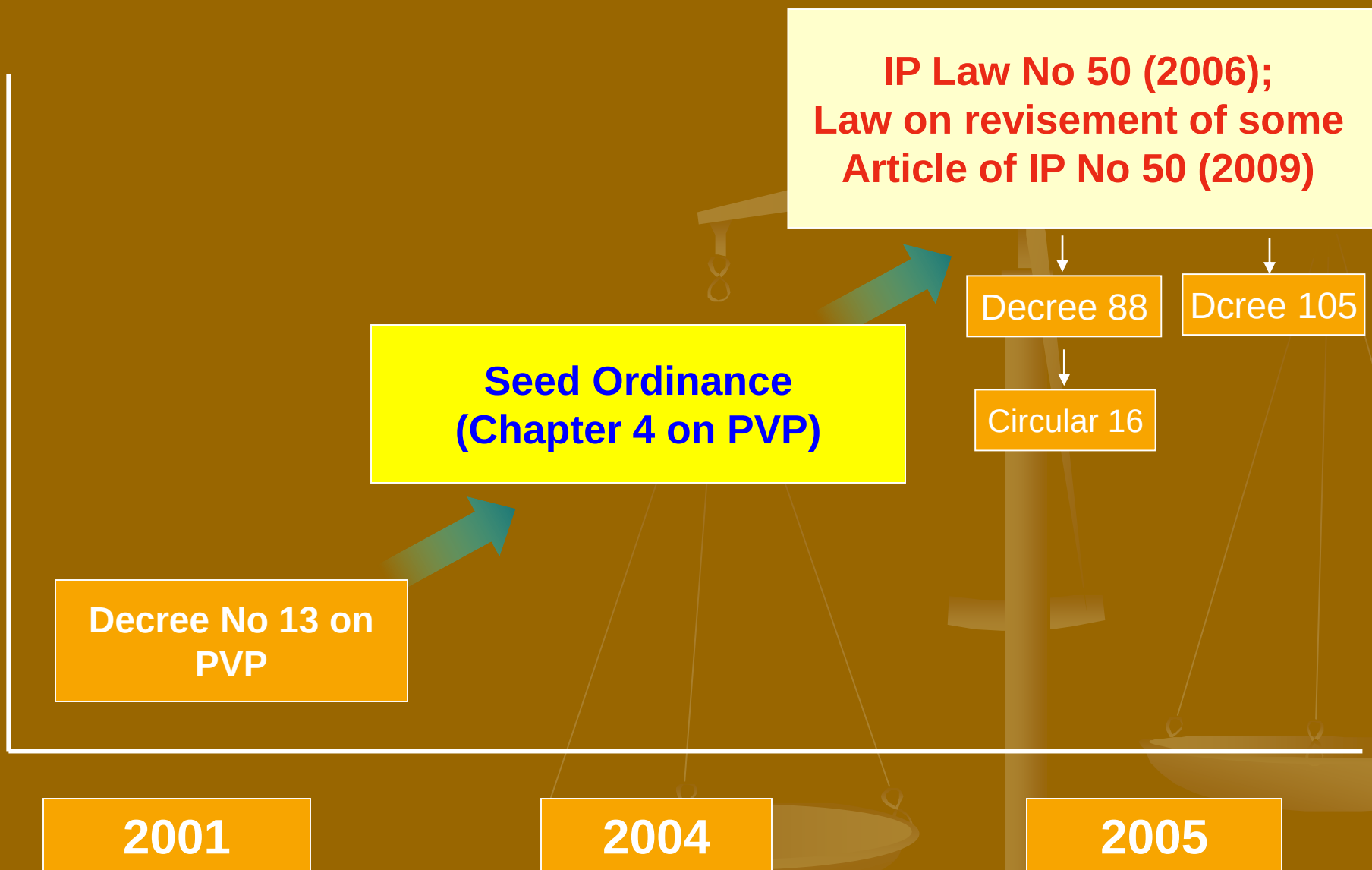
74 COUNTRIES



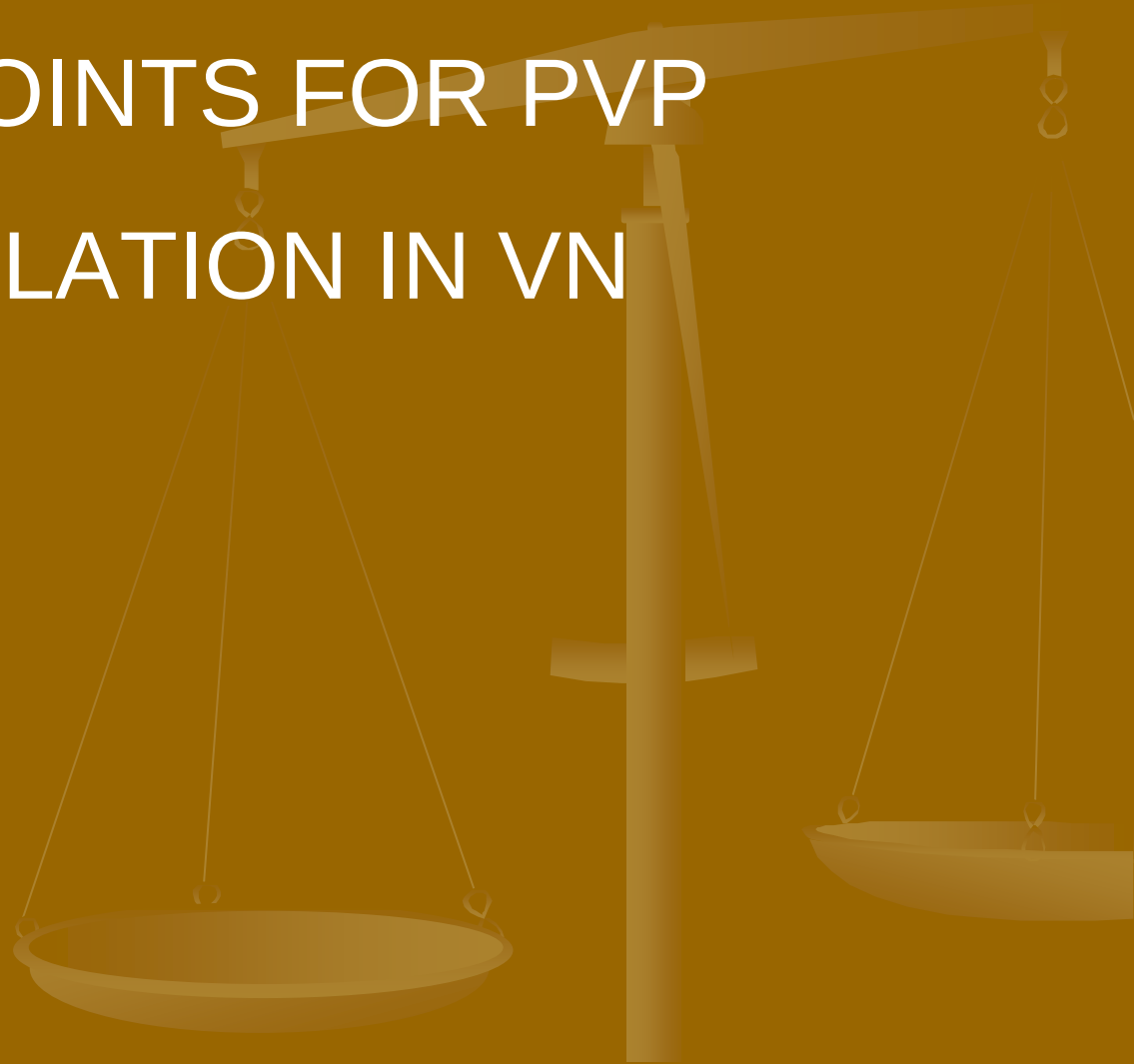
Organization System



Legislation on PVP



MAIN POINTS FOR PVP LEGISLATION IN VN

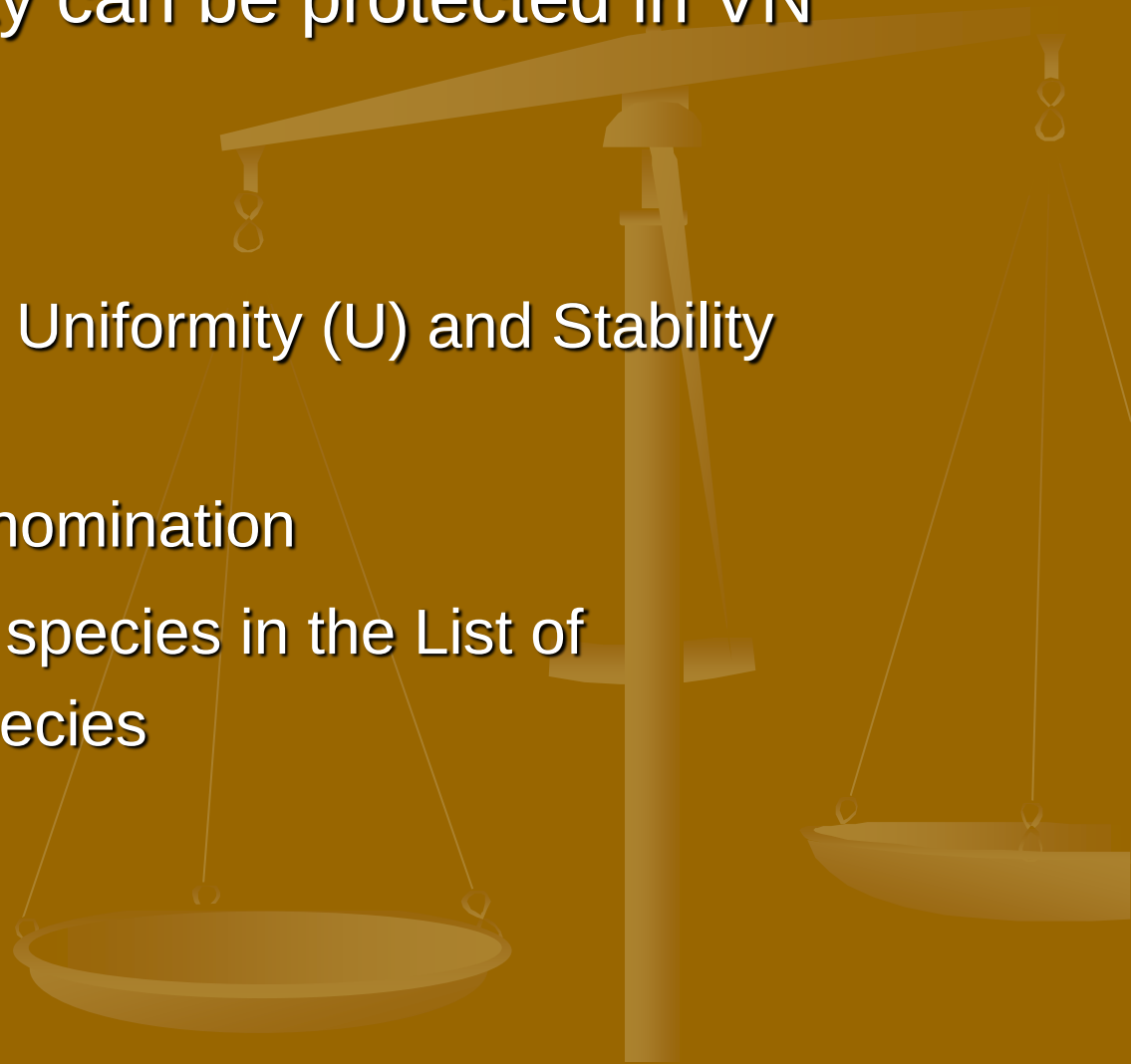


Applicants

- Vietnamese Organizations, Individual; Foreigners who are citizen or resident in a country which have agreement on PVP with Vietnam or foreigners which register a permanent residence in Vietnam:
 - Bred or discovered and develop a new variety;
 - Invested to the breeding or discovered and develop a new variety;
 - Has lawful right of PVP
- Pay the fees.

Conditions for PVP in Vietnam

- A plant variety can be protected in VN when it is
 - ✓ New
 - ✓ Distinct (D), Uniformity (U) and Stability (S)
 - ✓ Suitable denomination
 - ✓ Belong to a species in the List of protected species



The List of protected species in VN

- | | | |
|---|--|--------------------------------------|
| 1. <i>Oryza Sativa</i> L. | 12. <i>Gossypium hirsutum</i> L. và <i>Gossypium barbadense</i> L. | 19. <i>Zingiber officinale</i> Rosc. |
| 2. <i>Zea mays</i> L. | 13. <i>Vitis</i> L. | 20. <i>Mangifera indica</i> L. |
| 3. <i>Glycine max</i> (L.) Merrill | 14. <i>Brrassica oleracea</i> L. | 21. <i>Gerbera</i> Cass |
| 4. <i>Arachis hypogea</i> L. | 15. <i>Citrus</i> L. <i>Rutaceae</i> | 22. <i>Gladiolus</i> L. |
| 5. <i>Lycopersicon esculentum</i> Mill | 16. <i>Fragaria</i> L. | 23. <i>Lilium</i> L. |
| 6. <i>Solanum tuberosum</i> (L) | 17. <i>Capsicum annum</i> L. | 24. <i>Dianthus</i> L. |
| 7. <i>Rosa</i> L. | 18. <i>Cucurbita maxima</i> Duch;
<i>Cucurbita pepo</i> L; <i>Cucurbita moschata</i> L. | 25. <i>Daucus carota</i> L. |
| 8. <i>Chrysanthemum spec.</i> | | 26. <i>Saccharum</i> L. |
| 9. <i>Citrullus lanatus</i> (Thunb) Matsum et Nakai | | 27. <i>Hevea</i> Aubl. |
| 10. <i>Cucumis sativus</i> L. | | 28. <i>Citrus grandis</i> L. |
| 11. <i>Cammellia sinensis</i> | | 29. <i>Malus domestica</i> Borkh |
| | | 30. <i>Carica papaya</i> L. |

The List of protected species in VN

31. *Musa acuminata* Colla; *Musa xparadisiaca* L.

32. *Momordica Charantia* L.

33. *Tagetes* L.

34. *Hylocereus* (Haw.) Britton &

Rose; *Hycleoreus Costaricensis* (F.A.C Weber); *Hylocereus Polyrhizus* (F.A.C Weber)

35. *Allium Ceba*;

36. *Allium Oschaninii* O.Fedtsch

37. *Coffea arabica* L. *Coffea canephora* Pierre ex.A.Froehner

38. *Ficus* L. (*Ficus costata* Ait; *Ficus benjamitina* L.; *Ficus carica* L.

39. *Pennisetum americanun* [L] Leeke; *Pennisetum purpuretum* Schumach;

40. *Ampelopsis cantoniensis* (Hook.et.Am) Planch.

41. *Ipomoea batatas* .L

42. *Prunus arminiaca* L.

43. *Lotus corniculatus* L

44. *Dimocartpus Longan* L.

45. *Litche chinensis* L.

46. *Cymbidium* Sw.

47. *Amaranthus* L.

48. *Lactus* sp.

49. *Psidium guava* L.

50. *Euphorbia pulcherrima* Willd.ex Klotzsch

51. *Raphanus sativus* L.

52. *Prunus persica* (L) Batsch)

The List of protected species in VN

53. *Clerodendrum
kaempferi* (jacq) Siebold,
exhassk

54. *Bauhinia* sp.

55. *Moringa oleifera* L.

56. *Anthurium* Schott.

57. *Phalaenopsis* Blume.

58. *Persea
americana* Mill.

59. *Begonia* $\times$ *hiemalis*
Fotsch

60. *Kalanchoe
blossfeldiana* Poelln.

61. *Bougainvillea*.

62. *Calathea*.

63. *Lactus* sp.

64. *Brrassica
oleracea* L. Convar
botrytis (L.) Alef.
Var.*botrytis* L.

65. *Solanum
melongena* L.

66. *Vigna unguiculata* (L)
Walp.*supsp.secquibedal*
is (L) Verdc. L.

67. *Pisum sativum* L.

68. *Phaseolus vulgaris* L.

69. *Lagenaria
sinceraria* (Molina)
Stanley.

70. *Brassica
pekinensis* Lour. Rupr.

71. *Apium graveolens* L.

72. *Vicia faba* L. var.
major Harz

73. *Castanea sativa* Mill.

74. *Ananas comosus* (L.)
Merr.

75. *Abelmoschus
esculentus* (L.) Moench.

76. *Diospyros kaki* L.

77. *Helianthus annuus* L.

78. *Colocasia
esculenta* (L.) Schott

The List of protected species in VN

79. *Dendrobium* Sw

80. *Mokara*

81. *Pyrus communis* L.

82. *Prunus salicina* Lindl.

83. *Ipomoea aquatica*

84. *Manihot*
esculenta Crantz

85. *Nicotiana tabacum* L.

86. *Dahlia* Cav.

87. *Crinum latifolium* L.

88. *Tulipa* L.

89. *Chumbera*, *Nopal*
tunero, *Tuna* và *Nhóm*
Xoconostles

90. *Alstroemeria*

91. *Sorghum Bicolor* L.

92. *Sesamum Indicum* L.

93. *Curcuma zedoaria*

94. *Curcuma aromatica*

95. *Curcuma Longa* L.

96. *Macadamia integrifolia*
Maiden et Betche,
Macadamia tetraphylla
L.A.S. Johnson)

97. *Plukenetia Volubilis* L.

98. *Castanea crenata* Mill.

99. *Castanea dentata*
Mill.

100. *Aleurites fordii*
(Hemsl.).

101. *Quercus* L.

102. *Piper nigrum* L.

103. *Anacardium*
occidentale L.

104. *Theobroma cacao*
L.

105. *Cocos nucifera* L.

106. *Medicago sativa* L.

107. *Vigna radiata* (L.)

R Wilczek

Fees for PVP (Circular 180)

Filing (Million VND)	For DUS - 1 Var./1Appli (Million VND)	Maintaining of Certificate (Million VND)
2	✓ Seasonal Crops: 8,3 ✓ Annual crops: 11 ✓ Perennial crops: 24	✓ The years from 1 – 3: 3 ✓ The years from 4 – 6: 5 ✓ The years from 7 – 9: 7 ✓ The years from 10 – 15: 10 ✓ From 16th to finish: 20

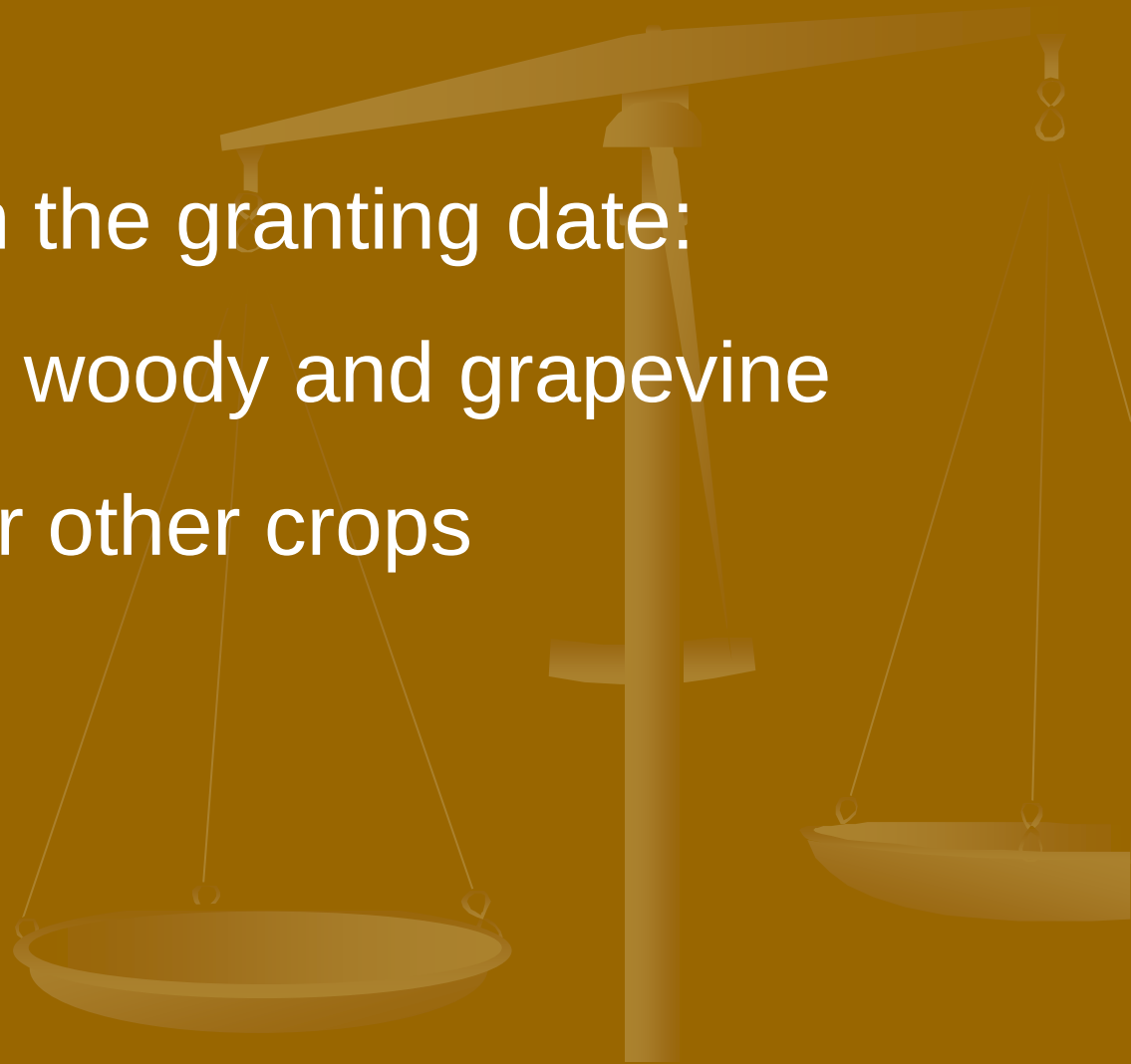
* *Way of payment:*

- ✓ First year: when receive Certificate
- ✓ From next years: First day of the year for effective of Certi.

Effectiveness of Certificate

Take effect from the granting date:

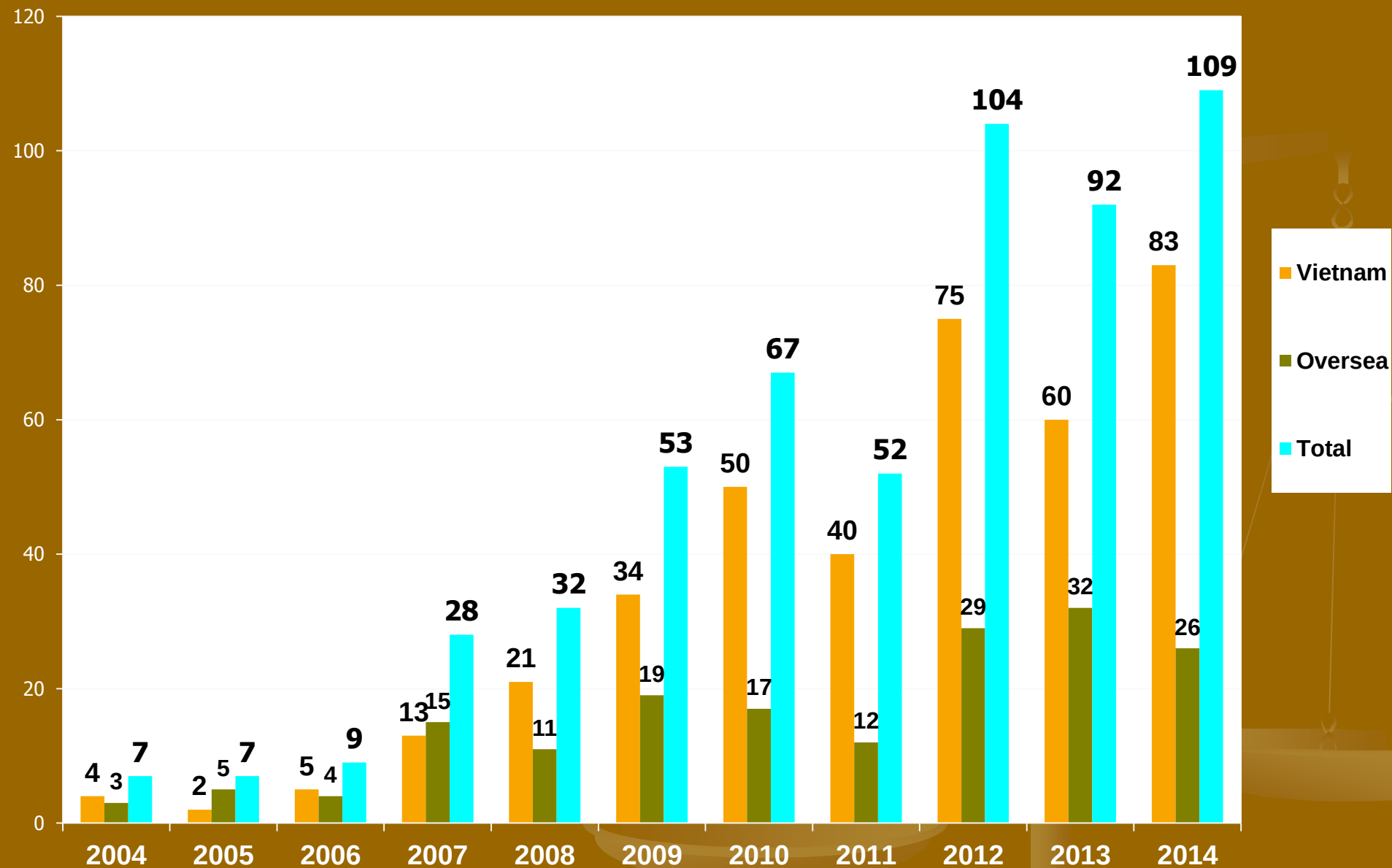
- ✓ 25 years for woody and grapevine
- ✓ 20 years for other crops



IMPACT OF PLANT VARIETY PROTECTION



Applications by years 2004 – 2014



Application is increasing

- Number of application increased – Many good new varieties and new species released for farmer
- Good new var. from oversea and new species - farmer have good income



Current situation of Agriculture

- Exporter on agriculture products
- For rice: 5/10 protected varieties are cultivated in biggest area for exporting
- New varieties of flowers (rose, cymbidium...) is introduced to VN by foreign countries





Increasing the income of farmer

- A cuttings of new rose varieties may reach 10 – 15 times more expensive than old Var.
- New variety is introduced in VN
- Farmer have chance to increase their income





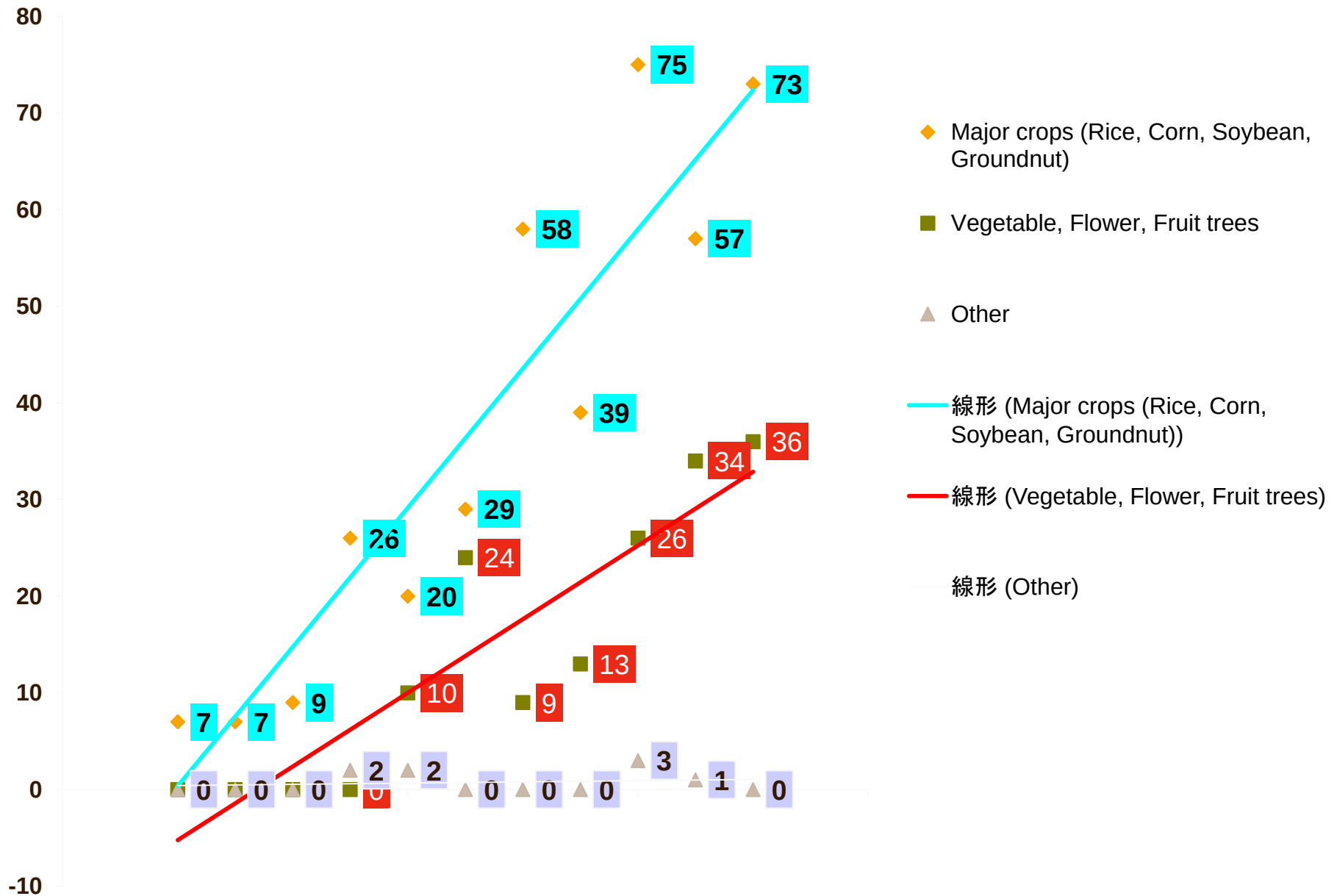
Farmer produce under license from Owners



Waiting to
the aircraft
for
exportation



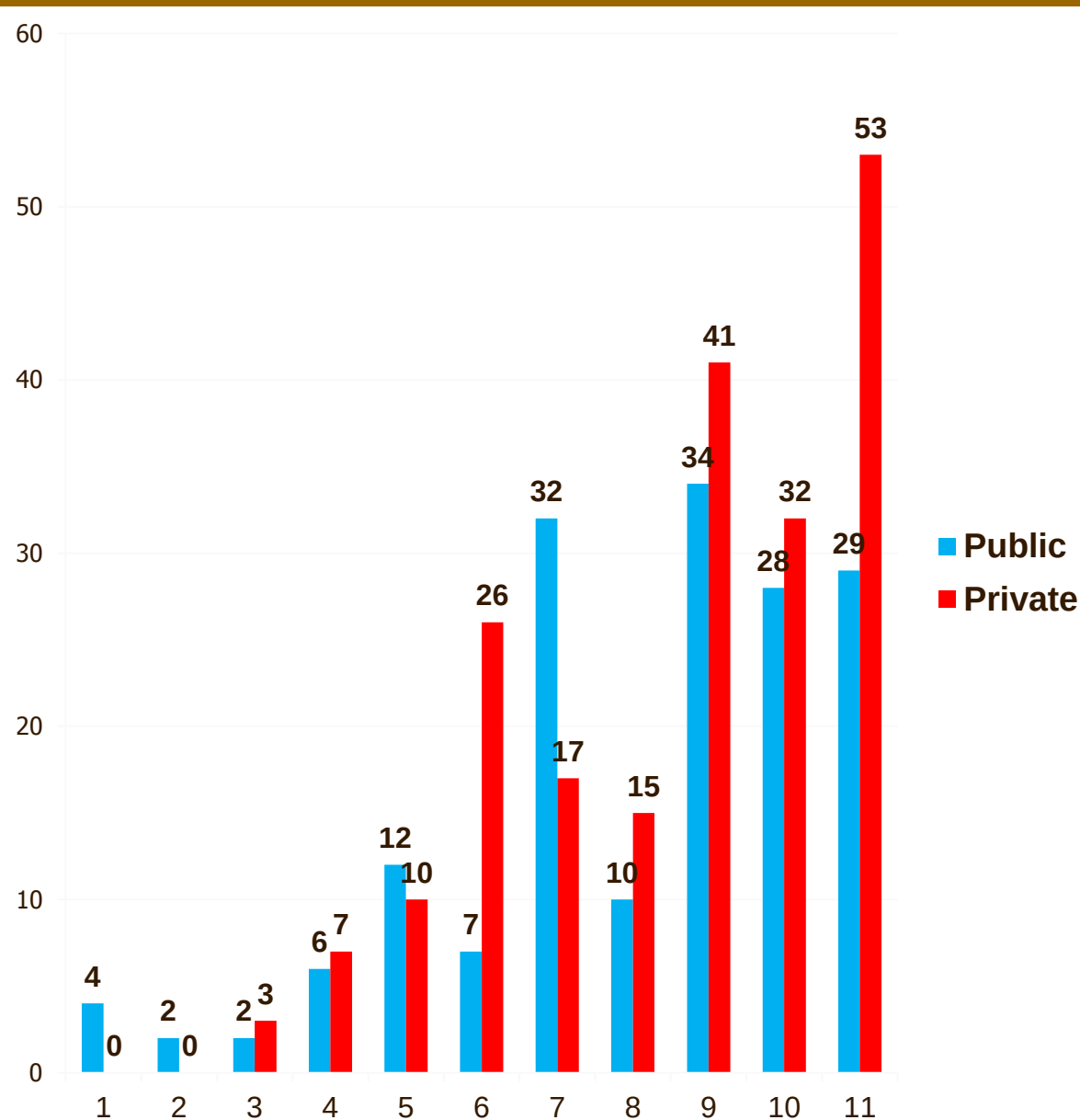
Applications by Groups



Specializing in introduction of a new variety

- For the Varieties from Research Institutes:
 - ✓ Transferred the right to seed companies
 - ✓ Establishing IP Division to exploit of the right in some Research Institutes
 - The specialization in development new variety make more effective in exploiting new varieties
 - Fair Competition in trade: Who invest to the R/D more, they have more benefits for re-investment to R/D
- 

Domestic applications: Private and Public sectors



➤ Public sector (Government Budget):

- ✓ Research Institutes
- ✓ Universities
- ✓ Research Centers
(Central Government and provincial level)

➤ Private sector:

- ✓ Individual
- ✓ VN's Seed Company

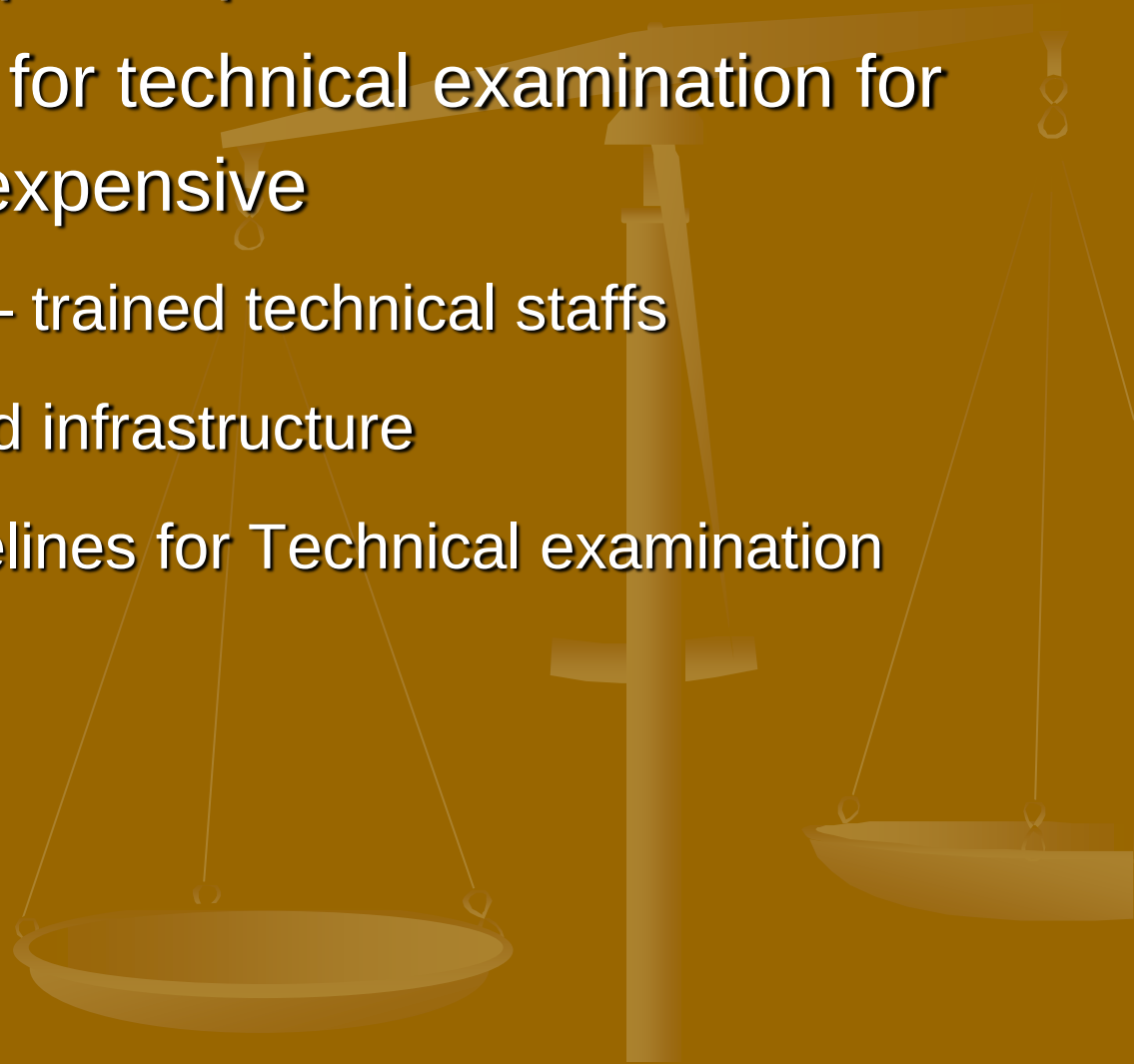
➤ Recent years:
MARD did not invest to
Public Sector for
breeding as traditional
methods

CHALLENGES

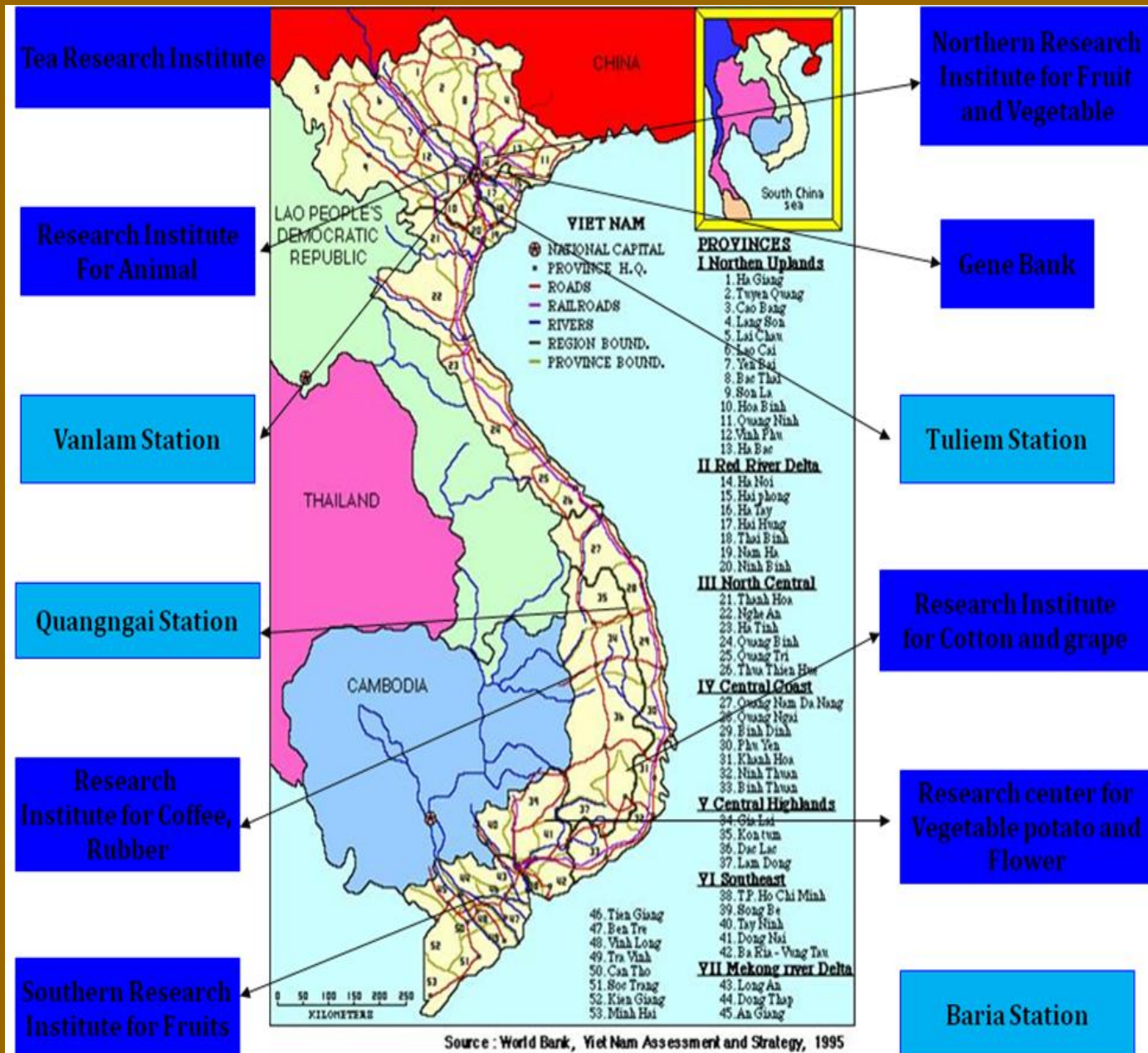


Technical works

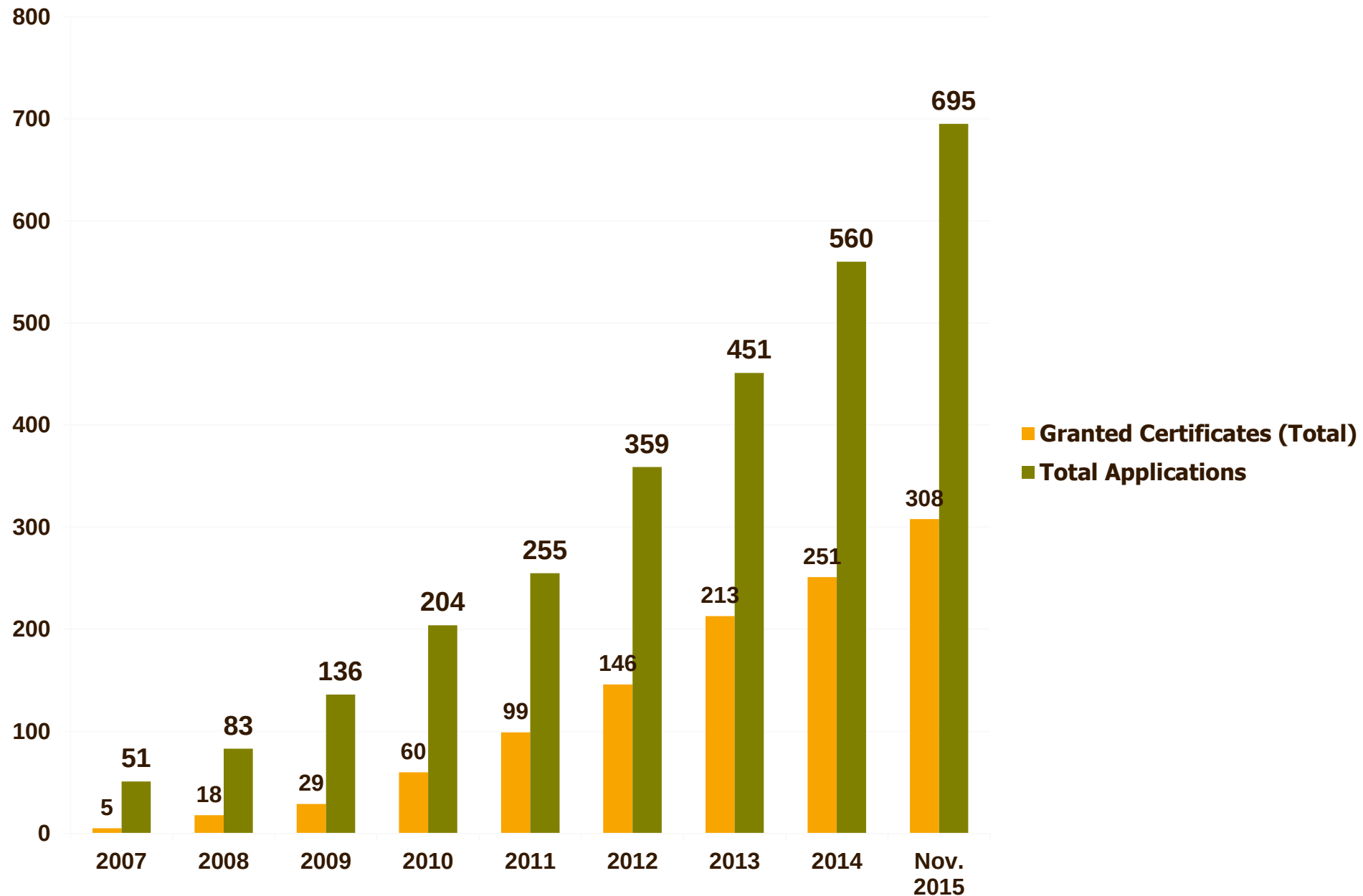
- Vietnam is rich of plant species
- Building a system for technical examination for all species is too expensive
 - ✓ Human resource – trained technical staffs
 - ✓ Investment to build infrastructure
 - ✓ Drafting the Guidelines for Technical examination



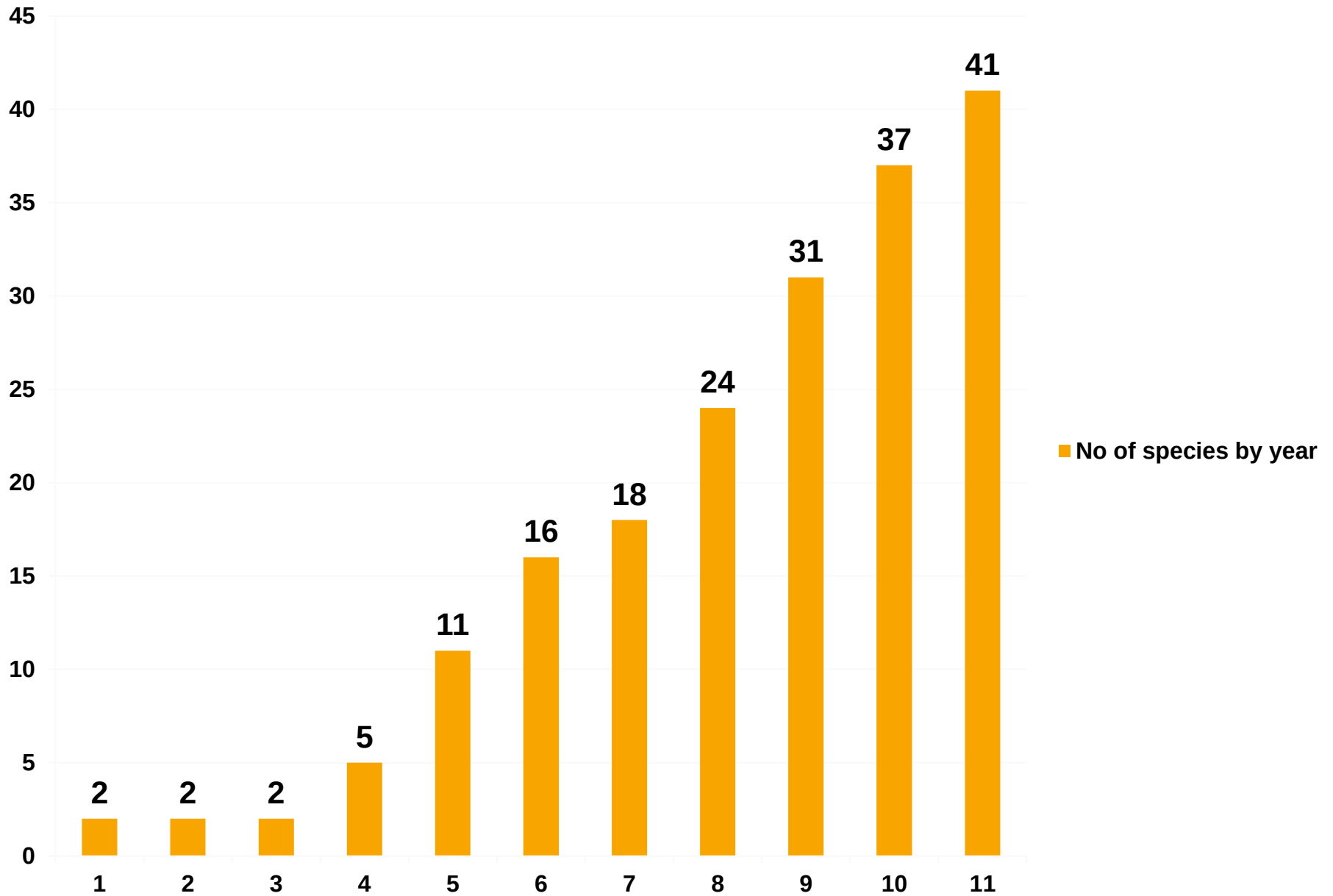
DUS Test Agencies in Vietnam



No of PVP Certificates per total applications



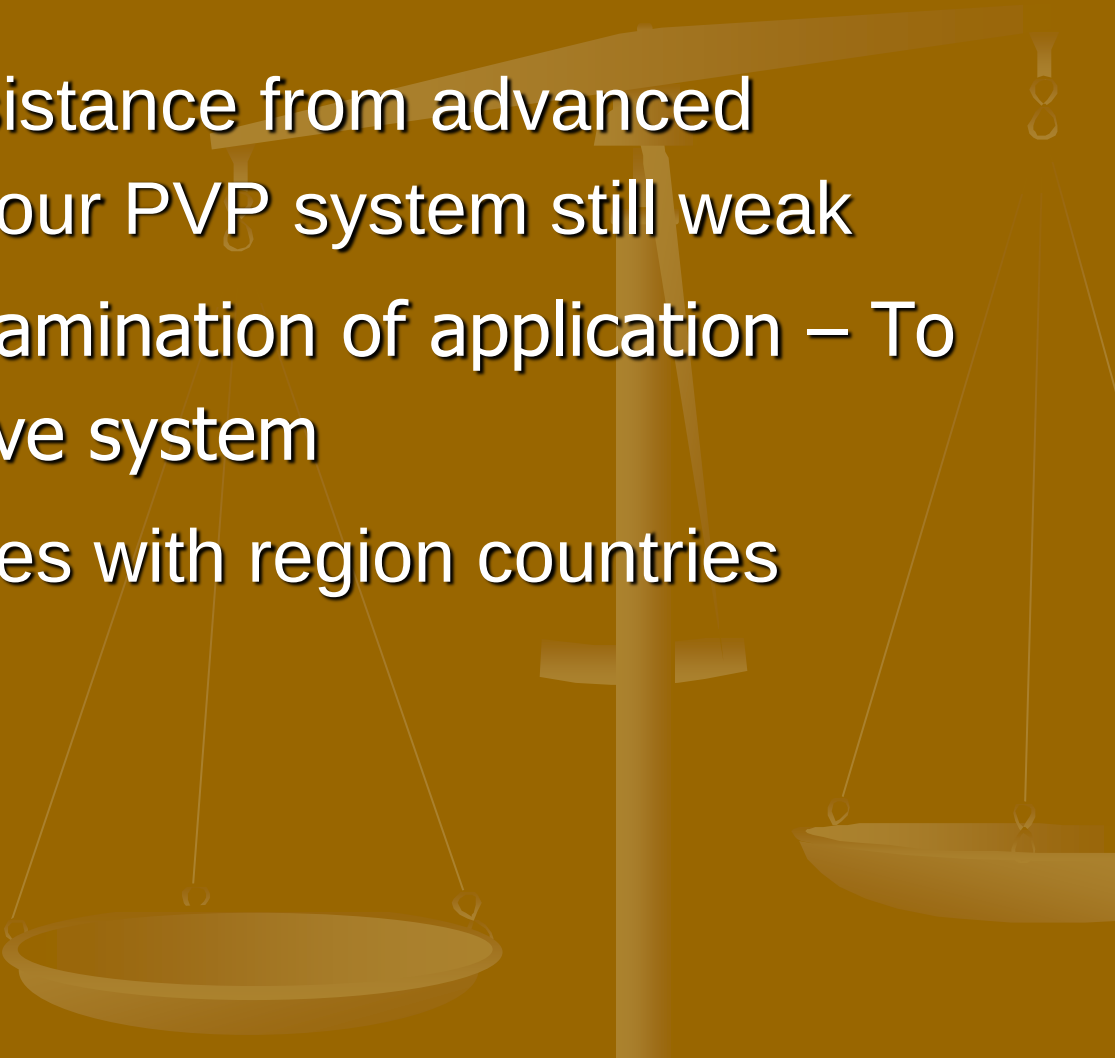
No of species by year



MEASURES TO SOLVE THE CHALLENGES



To promote of International Cooperation

- To receive the assistance from advanced countries – When our PVP system still weak
 - Cooperation on examination of application – To make more effective system
 - Sharing experiences with region countries
- 

Donors

Country	Content	Time
UPOV, USA,EU, Japan, France	Training in abroad, Workshop (VN and oversea)	2000 - 2005
Denmark, Japan, France	Equipment, training, workshop/seminars	2004 – 2007
EAPVP, the Netherlands Australia	Training (Oversea and in- country), equipment, Seminar/workshop	2008- 2011
Japan (JICA), GNIS (France)	Training (Oversea and in- country), equipment, Seminar/workshop	2010 - 2014
UPOV, EAPVP	Training (Oversea and In – country), Seminar/Workshop	2014 - ...





Japan - August.2007



France Jan.2011



The Netherlands Feb.2011

Agreements
on mutual
accepting
the DUS
Test reports



EU May.2011

Regional Training course for DUS test (VT)

Training course on DUS test for Corn in Vung Tau (VN, LAO, CAMBODIA) –
Funded by GNIS, France



GEVES Examiner's lecture of Corn



Examining the char. with Lao's
and Cambodia colleagues



Measuring some char. of Corn



Presentation on result of practical work

DUS training course for Rice - 2014

LECTURES IN THE ROOM

PRACTICE



Under EAPVP Forum

- Seminar in Myanmar and Lao PDR
- Those Seminar funded by UPOV and Japan under EAPVP forum



Vietnam – Lao cooperation on PVP

High level delegate visit VN, 2012



Technical staffs in TL, 2013



Practice on rice, VL, 2013



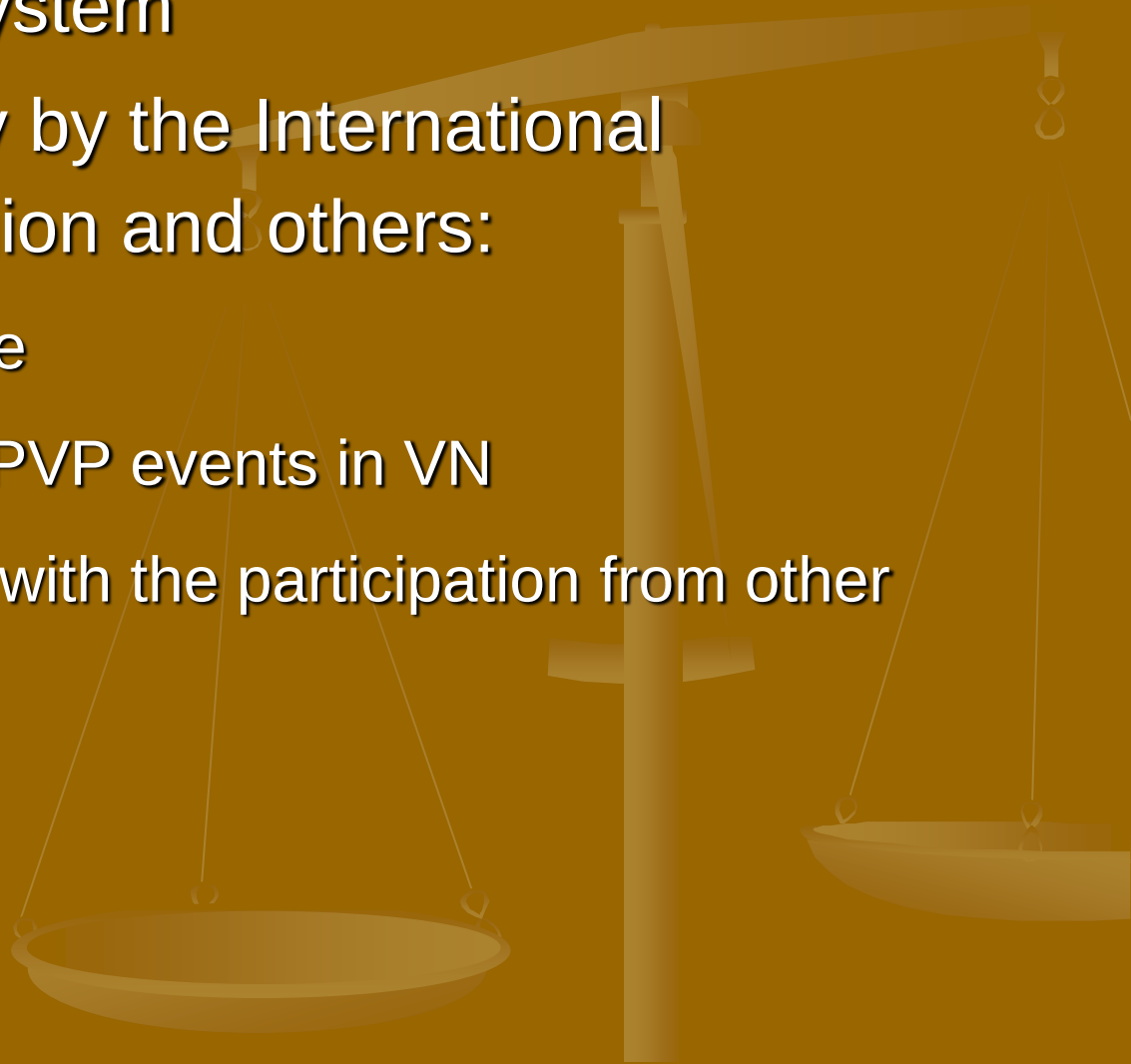
IP Program with Lao PDR (2011-2013)



- Sharing information on IP including PVP
 - ✓ Exchanging experience on establishment of PVP System
 - ✓ Workshop/Seminar in Hanoi and Vientiane
 - ✓ Study-tour/training in Vietnam
 - ✓ Establishment of filing PVP application system in Lao

For more effective

- Re-organize the system
- Improving capacity by the International Cooperation in region and others:
 - Sharing Experience
 - Host international PVP events in VN
 - In-country training with the participation from other countries



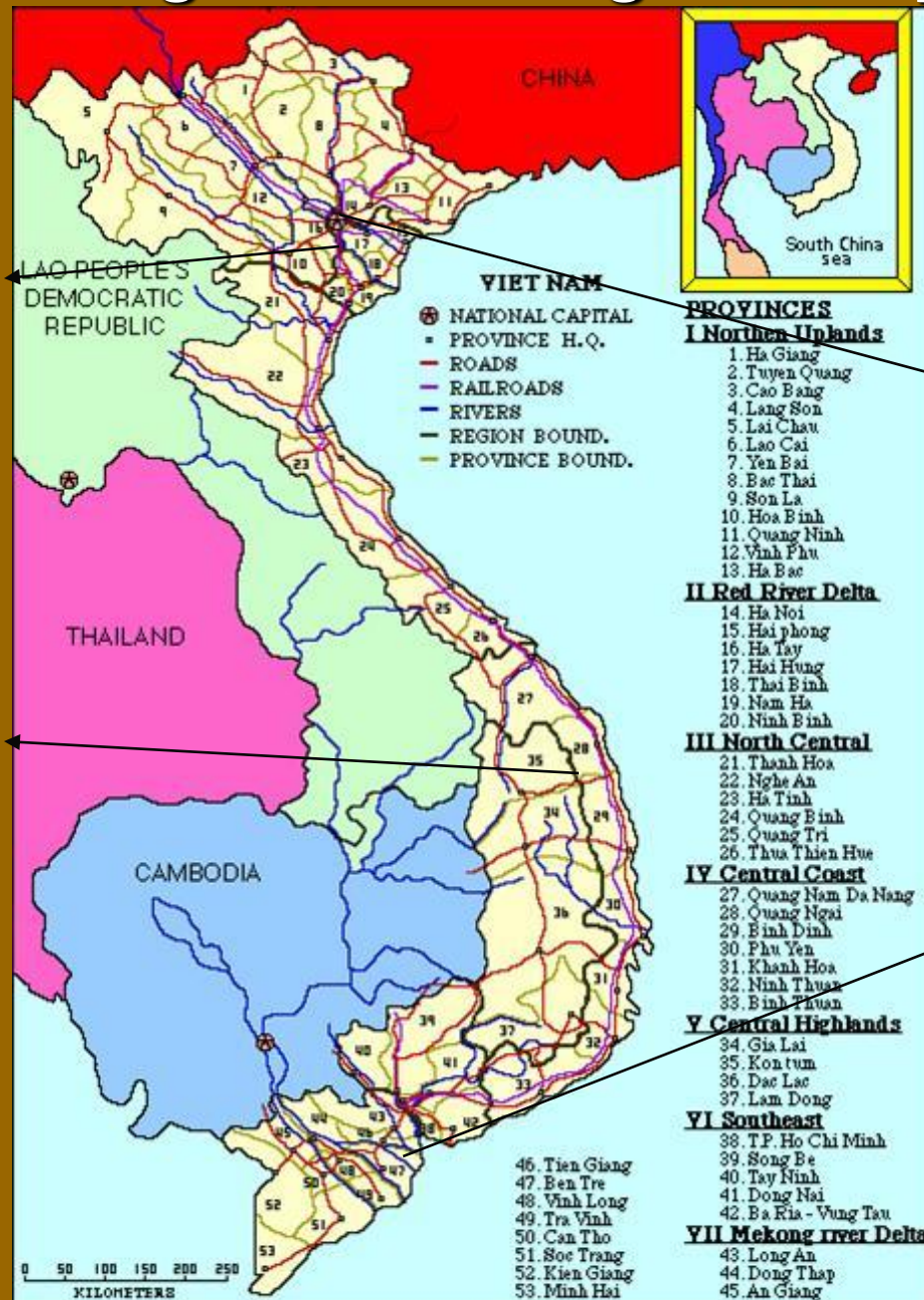
DUS Test agencies designated by MARD

Vanlam Station

Quangngai Station

Tuliem Station

Baria station



Source : World Bank, Viet Nam Assessment and Strategy, 1995

PVPO' Website

http://pvpo.mard.gov.vn/Default.aspx

Bảo hộ giống cây trồng Việt Nam



NEW PLANT VARIETY PROTECTION OF VIETNAM



Home About Contact Search application, certificate Online Form Statistics

Home

List Category

- Vietnam PVP
- UPOV Overview
- News
- Legal document
- UPOV Documents
- List of protected species
- Test guidelines
- Announcements
- PVP representative organization

Links WebSite

Announcements **NEW**

Certificates: GKG1; XL 94017; B265; Đặc ưu 11; TK 96.1; N-ưu 69; SD268;ĐT26; DEKCATALINA **NEW**

For cancellation of effective for PVP Titles of: LÚA LAI VIỆT LAI 20; HƯƠNG CỎM; FLAMENCO; PANAMERA; COLOMBA; EVORA;NAVIGATOR; CRISPS4ALL; TAURUS

Granting PVP Titles for 05 varieties of flower: 01 Athurium andreanum: ANTHKINAQ; 04 Phalaenopsis: ANTHCASDIK; PHALDAMDAP; PHALDIMXAP; PHALFTMWAO

For cancellation the effectiveness of PVP Certificates for rice variety ĐT9 (VPBH - 08/07/2015,07:43:32)

For cancellation the effectiveness of PVP Certificates: GKG1; XL 94017; B265; Đặc ưu 11; TK 96.1; N-ưu 69; SD268;ĐT26; DEKCATALINA

For cancellation of effective for PVP Titles of: LÚA LAI VIỆT LAI 20; HƯƠNG CỎM; FLAMENCO; PANAMERA; COLOMBA; EVORA;NAVIGATOR; CRISPS4ALL; TAURUS

Granting PVP Titles for 05 varieties of flower: 01 Athurium andreanum: ANTHKINAQ; 04 Phalaenopsis: ANTHCASDIK; PHALDAMDAP; PHALDIMXAP; PHALFTMWAO

Online registration

Application Form

PVP Fees

2:27 PM 8/21/2015

Thank you for your attention

➤ Detail Information:

➤ PVP Office

✓ Room No 105, A6 Build.

No 2 Ngocha Badinh, HANOI

✓ Tel: (844)8435182;

✓ Fax: 7342844

Website: <http://pvpo.mard.gov.vn>

