

*Seminar on Awareness Raising on the
UPOV System of Plant Variety Protection*

Tools for UPOV Members for international cooperation and harmonization

Jun Koide

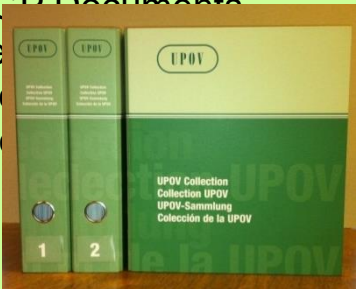
Technical/Regional Officer (Asia/Pacific), UPOV

Nay Pyi Taw, Myanmar

December 5, 2016

Harmonization, Resources and Assistance

IMPLEMENTATION

	Harmonization	Resources	Training & assistance
PVP Law	<ul style="list-style-type: none"> UPOV Convention Explanatory Notes 	<ul style="list-style-type: none"> UPOV Lex 	<ul style="list-style-type: none"> Distance Learning course UPOV events & activities Assistance by individual UPOV members
➤ Application	<ul style="list-style-type: none"> Model Application Form 	<ul style="list-style-type: none"> EAF project 	
➤ Variety Denomination	<ul style="list-style-type: none"> INF/12: "Explanatory Notes on Variety Denominations" UPOV Code 	<ul style="list-style-type: none"> PLUTO database 	
➤ DUS Testing	<ul style="list-style-type: none"> General Introduction TCR Documents Te M (c 	<ul style="list-style-type: none"> GENIE Database Exchangeable software 	



UPOV's BACKBONE

HARMONIZATION

facilitates



COOPERATION



Law

Guidance

Implementation

Forms

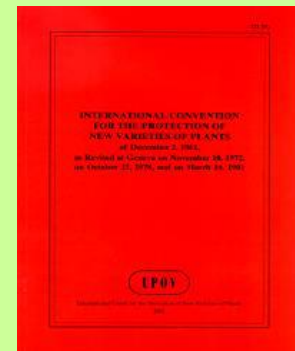
Training

Experts

Databases

Exchange

Assistance



COOPERATION



*Practical DUS
experience
offered for >3,305
genera and
species*

*Number of
genera/species for
which varieties
protected by members
of the Union: > 3,372*

*(>14,000 PBR
applications /annum)*

*Agreements for
cooperation between
members of the
Union: > 2,000*

Cooperation

= Benefits of UPOV membership

....What are the tools for cooperation and harmonization?

Tools for DUS cooperation and harmonization

1. DUS and denomination

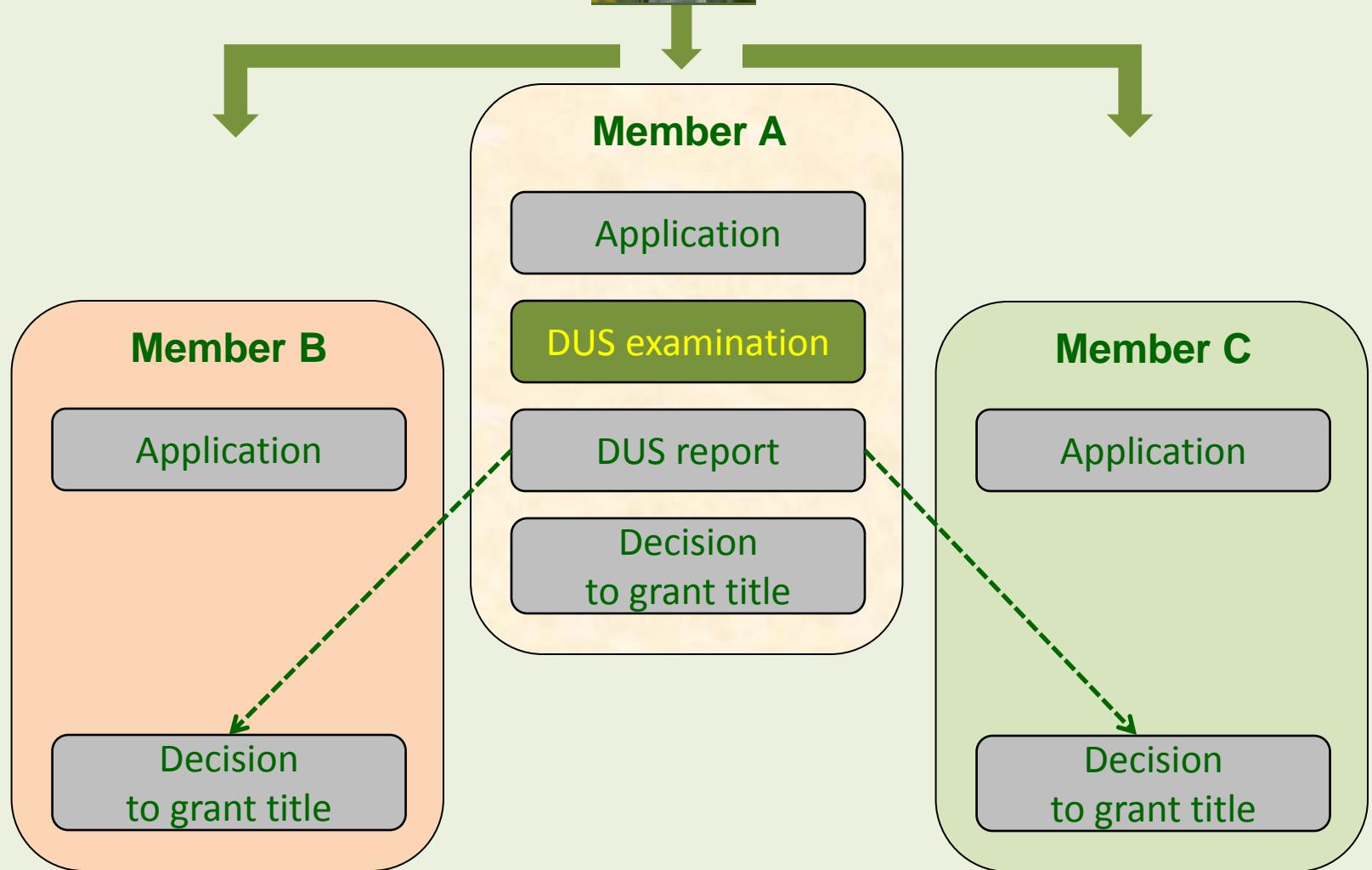
- DUS cooperation and GENIE database
- DUS test report and Variety Description
- Denomination and PLUTO database

2. Test Guidelines

Cooperation between Authorities

Cooperation between Authorities can involve:

- **use of existing DUS Test Reports** from other Authorities

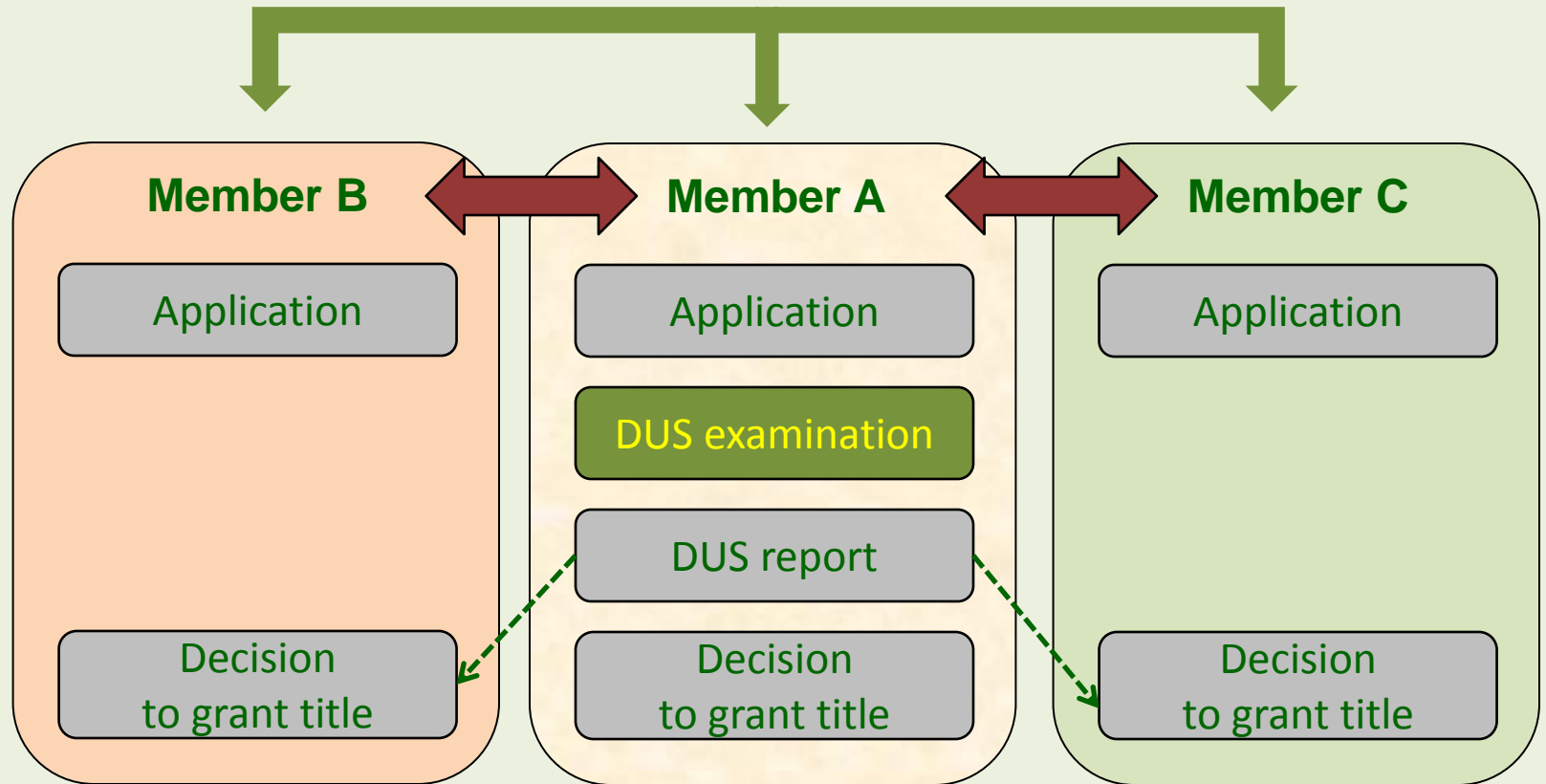


**UPOV Model administrative agreement
(TGP/5): 350 CHF (prior application)**

Cooperation between Authorities

Cooperation between Authorities can involve:

- use of existing DUS Test Reports from other Authorities
- **bilateral arrangements** to remove the need for duplication of DUS Tests
- **centralized DUS testing** at regional or global level



Cooperation between Authorities

Cooperation between Authorities is important for:

- **minimizing** the **time** for DUS examination
- **minimizing** the **cost** of DUS examination
- **optimizing examination of Distinctness** in growing trials
- **offering protection for all plant genera and species**

Cooperation between members of the Union is a key benefit of UPOV membership

Where do you find information on DUS
cooperation?

GENIE database

- Experience
- Cooperation

GENIE Database (Genus / species)



UPOV

Contact us Site map YouTube

ABOUT UPOV

MEMBERSHIP

UPOV SYSTEM

PVP DATA & STATISTICS

MEETINGS

NEWS

New UPOV logo

Stakeholder features

- Breeders
- Farmers and Growers
- Policy makers
- General Public

GENIE Database



UPOV Lex



Plant Variety Database (PLUTO)

<http://www.upov.int/genie/en/>

GENIE DATABASE

GENIE Database

List of Crop / Species

List of Authorities

Standard Reports

UPOV Code System

UPOV Code Reports and Changes

Plant Variety Database

HOME » GENIE DATABASE »

GENIE Database

Simple Search

Multiple Search Report

Search
Crop /
Species:

ALL
Botanical Name
Common Name in English
Common Name in French
Common Name in Spanish
Common Name in German

search

UPOV
Code:

search

Search
Authority:

by Name:

** Please select **



by 2-letter ISO Code:

search



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.

GENERAL NOTICE AND DISCLAIMER

Please note that the information provided by members of the Union in the GENIE database does not constitute an official publication of the authorities concerned. Users are particularly requested to note that it is not obligatory for members of the Union to supply data for the GENIE database and, for those members of the Union who supply data, it is not obligatory to supply data for all items. Contact details for the relevant authorities are provided on the UPOV website at http://www.upov.int/members/en/pvp_offices.html.

GENIE Database

Simple Search

Multiple Search Report

Search
Crop /
Species:

ALL
Botanical Name
Common Name in English
Common Name in French
Common Name in Spanish
Common Name in German

Alstroemeria

search

UPOV
Code:

search

Search
Authority:

by Name:

** Please select **



by 2-letter ISO Code:

search

Search Crop / Species: Results



Query: **Alstroemeria**

Total items found: 1

UPOV CODE	BOTANICAL NAMES	ENGLISH	FRENCH	GERMAN
<u>ALSTR</u>	Alstroemeria L.	Alstroemeria; Herb Lily	Alstroemère; Lis des Incas	Inka

Alstroemeria L. (ALSTR)



Names & Denomination Class

Names & Denomination Class

Protection

DUS Guidance and Cooperation

UPOV Principal Botanical Name: **Alstroemeria L.**

UPOV Code: **ALSTR**

Other Botanical Names:

UPOV Variety **ALSTR**

Denomination Class:

English Common Names: **Alstroemeria; Herb Lily**

[List of Classes](#)
(UPOV/INF/12/4)

French Common Names: **Alstroémère; Lis des Incas**

G
S

Alstroemeria L. (ALSTR)



DUS Guidance and Cooperation

Name & Denomination Class

Protection

DUS Guidance and Cooperation

UPOV Principal Botanical Name: **Alstroemeria L.**

UPOV Code: **ALSTR**

Other Botanical Names:

English Common Names: **Alstroemeria; Herb**

[UPOV Test Guidelines](#)

TG/29/7

Entries between botanical rank (for example
in the case of one of the species in the
genus).

[Drafting Authority](#)

None

Cooperation in DUS Examination (key to [abbreviations](#))

- [Authorities with Practical Experience](#)
- [Agreements for Cooperation in DUS Examination](#)
- [Utilization of Existing DUS Reports](#)
- Authorities which have granted variety protection: please refer to the [UPOV-ROM Plant Variety Database](#)

Authorities with Practical Experience

Entries in parenthesis indicate experience at the level of a higher botanical rank (for example in the case of a species: there is experience at the level of the genus to which it belongs).

Entries between ^ ^ indicate experience at the level of a lower botanical rank (for example in the case of a genus: there is experience at the level of one the species in the genus).

AUTHORITY	NOTES
Canada	
European Union (Community Plant Variety Office (CPVO))	
Italy	
Japan	
Netherlands	
Poland	
Republic of Korea	
Russian Federation	
South Africa	

Agreements for Cooperation in DUS Examination

<> in the receiving column indicates that the authority specified in the offering column offers to carry out examinations for any interested member of the Union.

(): Genus or species covered by agreement for a taxon of a higher rank to which it belongs (e.g. in the case of a species: the genus or family is covered by an agreement).

OFFERING AUTHORITY / EXAMINATION OFFICE	AUTHORITIES RECEIVING EXAMINATION REPORTS	NOTES
(<>)	(Switzerland)	(Switzerland) : DUS tests are not conducted in Switzerland. In cases where a DUS test report is not available from a member of the Union, the Office of Plant Variety Protection will request an appropriate authority or testing of a member of the Union to perform a DUS test on its behalf.
European Union (Community Plant Variety Office (CPVO)) Netherlands	Argentina	

CPVO carries out DUS examination of *Alstroemeria* on behalf of Argentina

Netherlands	Argentina Belgium Denmark European Union (Community Plant Variety Office (CPVO)) France Germany Norway Sweden United Kingdom	
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Utilization of Existing DUS Reports

(<>) (utilizing) indicates that the authority specified in providing column will, in general, provide existing DUS reports to any member of the Union.

(<>) (providing) indicates that the authority specified in the utilizing column will, in general, utilize existing DUS reports provided by any member of the Union.

(): Genus or species covered by agreement for a taxon of a higher rank to which it belongs (e.g. in the case of a species: the genus or family is covered by an agreement).

UTILIZING AUTHORITY	PROVIDING AUTHORITY/EXAMINATION OFFICE	NOTES
(<>)	(Australia)	Australia will provide copies of all its DUS test reports to other UPOV members.
(<>)	(Brazil)	Brazil will provide copies of all its DUS test reports to other UPOV members.
(<>)	(Canada)	Canada will provide existing DUS reports to any member of the Union for any taxa for which it has experience in DUS testing.
(<>)	(European Union (Community Plant Variety Office (CPVO)))	

Argentina	(<>)	
(Australia)	(<>)	Australia generally accepts DUS reports from UPOV members for any taxon except <i>Solanum tuberosum</i> L.. In deciding whether such test reports are wholly sufficient for the Australian examination of the variety, the Authority refers to the relevant sections of the Plant Breeder's Rights Act (1994).
Brazil	European Union (Community Plant Variety Office (CPVO))	
(Canada)	(<>)	Canada generally accepts existing DUS reports from other members of the Union for varieties of any taxa which are vegetatively propagated and for which the DUS tests were conducted in a controlled environment greenhouse.
Ecuador	European Union (Community Plant Variety Office (CPVO))	
Kenya	European Union (Community Plant Variety Office (CPVO))	
Mexico	European Union (Community Plant Variety Office (CPVO))	
(Switzerland)	(<>)	Switzerland will, in general, utilize existing DUS reports provided by any member of the Union.

Mexico purchases DUS test reports of *Alstroemeria* created by CPVO

DUS Test Report

DOCUMENT TGP/5
“EXPERIENCE AND COOPERATION IN DUS
TESTING”

Section 6:
UPOV Report on Technical Examination
and
UPOV Variety Description

DUS Test Report

TGP/5: Section 6/2

UPOV REPORT ON TECHNICAL EXAMINATION

1. Reference number of Reporting Authority
2. Requesting Authority
3. Reference number of Requesting Authority
4. Breeder's reference
5. Date of application in requesting member of the Union
6. Applicant (name and address)
7. Agent (name and address) (if applicable)
8. (a) Botanical name of taxon
(b) UPOV code
9. Common name of taxon
10. Variety denomination
11. Person who bred, or discovered
and developed, the variety (name and address)
(if different from applicant)
12. Reporting Authority
13. Testing station(s) and place(s)
14. Period of testing
15. Date and place of issue of document

16. RESULTS OF THE TECHNICAL EXAMINATION

(a) Report on **Distinctness**

The variety

- is distinct []

- is not distinct []

according to the UPOV Convention

Variety(ies) from which it is not distinct (if applicable)

.....

(b) Report on **Uniformity**

The variety

- is uniform []

- is not uniform []

according to the UPOV Convention

Characteristic(s) for which the variety is not uniform and explanation of the lack of uniformity (if applicable) are provided in an annex to this report.

(c) Report on **Stability**

The variety

- is stable []

- is not stable []

according to the UPOV Convention

Characteristic(s) for which the variety is not stable and explanation of the lack of stability (if applicable) are provided in an annex to this report.

(d) A **description** of the variety is provided in an annex to this report []

(if the variety is distinct, uniform and stable).

(If the variety is not distinct, a description can be provided on request.)

17. Remarks

.....

18. Signature

UPOV Variety Description

TGP/5: Section 6/2 ANNEX

UPOV VARIETY DESCRIPTION

1. Reference number of Reporting Authority
2. Reference number of Requesting Authority
3. Breeder's reference
4. Applicant (name and address)
5. (a) Botanical name of taxon
- (b) UPOV code
6. Common name of taxon
7. Variety denomination
8. Date and document number of UPOV Test Guidelines
9. Date and/or document number of Reporting Authority's test guidelines
10. Reporting Authority
11. Testing station(s) and place(s)
12. Period of testing
13. Date and place of issue of document
14. **Group**: (if characteristics of number 15 are used for grouping, they are marked with a G in that number)

UPOV No.	Reporting Authority No. Remarks	Characteristics	States of Expression	Note
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UPOV Variety Description

TGP/5: Section 6/2 Annex, page 2

Reference number of Reporting Authority

15. **Characteristics** Included in the UPOV Test Guidelines or Reporting Authority's Test Guidelines

UPOV No.	Reporting Authority No.	Characteristics	States of Expression	Note	Remarks

16. **Similar Varieties and Differences** from These Varieties

Denomination(s) of variety(ies) similar to the candidate variety	Characteristic(s) in which the candidate variety differs from the similar variety(ies) ^{o)}	State of expression of the characteristic(s) for the similar variety(ies)	State of expression of the characteristic(s) for the candidate variety

^{o)} In the case of identical states of expression of both varieties, please indicate the size of the difference.

17. **Additional Information**

- (a) Additional Data
- (b) Photograph (if appropriate)
- (c) RHS Colour Chart version used (if appropriate)
- (d) Remarks

1991 Act Article 20(5)

[Same denomination in all Contracting Parties]

A variety must be submitted to all Contracting Parties under the same denomination. The authority of each Contracting Party shall register the denomination so submitted, unless it considers the denomination unsuitable within its territory. In the latter case, it shall require the breeder to submit another denomination.

UPOV/INF/12 Explanatory Notes on Variety Denominations

(b) [...] although certain provisions on variety denominations allow for authorities to develop individual guidance concerning best practices, the obligation under paragraph (5) should be given priority, unless there is direct conflict with the provisions of the UPOV Convention. In that respect, it is also **recommended to avoid any narrow interpretation of the provisions of the UPOV Convention and related guidance or best practices, which could lead to the unnecessary refusal of variety denominations and, consequently, the unnecessary creation of synonyms for a variety;**

1991 Act Article 20(6)

[Information among the authorities of Contracting Parties]

The authority of a Contracting Party shall **ensure that the authorities of all the other Contracting Parties are informed of matters concerning variety denominations**, in particular the submission, registration and cancellation of denominations. **Any authority may address its observations**, if any, on the registration of a denomination **to the authority** which communicated that denomination.




Plant Variety Database (PLUTO)

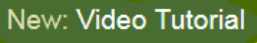
PLUTO Database

(PLUTO = **P**Lant varieties in the **U**POV system:
The Omnibus)

<http://www.upov.int/pluto/en/>



HOME » PVP DATA & STATISTICS » PLUTO »



PLUTO: Plant Variety Database
The data currently in Plant Variety Database (PLUTO) was last updated on 2016-11-22.

Term Search

Denomination Search

SEARCH BY

+ UPOV Code ▾ = [lookup]

+ Denomination ▾ =

+ Record type ▾ =

+ Application Date ▾ =

+ Botanical name ▾ =

?

search 🔍

FILTER BY

Source

Type

Status

End Type

Grant Date

End Date

NL	189,152	FR	187,743	GB	166,613	DE	165,137
IT	157,067	PL	155,300	ES	154,746	CZ	145,783
DK	145,585	SK	143,892	HU	143,420	AT	139,674
HR	138,289	SE	136,505	BG	136,095	BE	135,901
RO	135,381	SI	135,034	PT	134,876	LT	134,121
EE	133,734	LV	132,676	IE	132,432	FI	132,421
QZ	131,424	CY	131,424	GR	131,424	LU	131,424
MT	121,424	OM	80,854	US	44,008	RU	30,844

?

Sort: Count - desc ▾ Display: List ▾

filter ▼

Current Search

Current Filter

?

clear 🗑

1 - 25 / 759,704

edit columns <>

25 per page

1 / 30,389

UPOV Code	Country	Type	Botanical Name	Common Name	App. No	App. Date	Grant date	Denomination
ABELI	QZ	PBR	Abelia R. Br.		20042409	2005-01-14	2009-12-07	Minaud
ABELI	US	PLP	Abelia	Abelia			1955-11-08	Prostrate White
ABELI	QZ	PBR	Abelia R. Br.		20082129	2008-09-29	2011-04-18	Minedward
ABELI	QZ	PBR	Abelia R. Br.		20112811	2011-11-23	2015-05-26	Raspberry Profusion
ABELI	US	PLP	Abelia hybrid.	Abelia	11595432	2006-11-09	2008-05-27	Raspberry Profusion
ABELI	US	PLP	Abelia hybrid.	Abelia	11595035	2006-11-09	2008-05-27	Plum Surprise

Tools for DUS cooperation and harmonization

1. DUS and denomination

2. Test Guidelines

- Role of TGs on cooperation
- Initiate creation of TGs
- Leading Expert

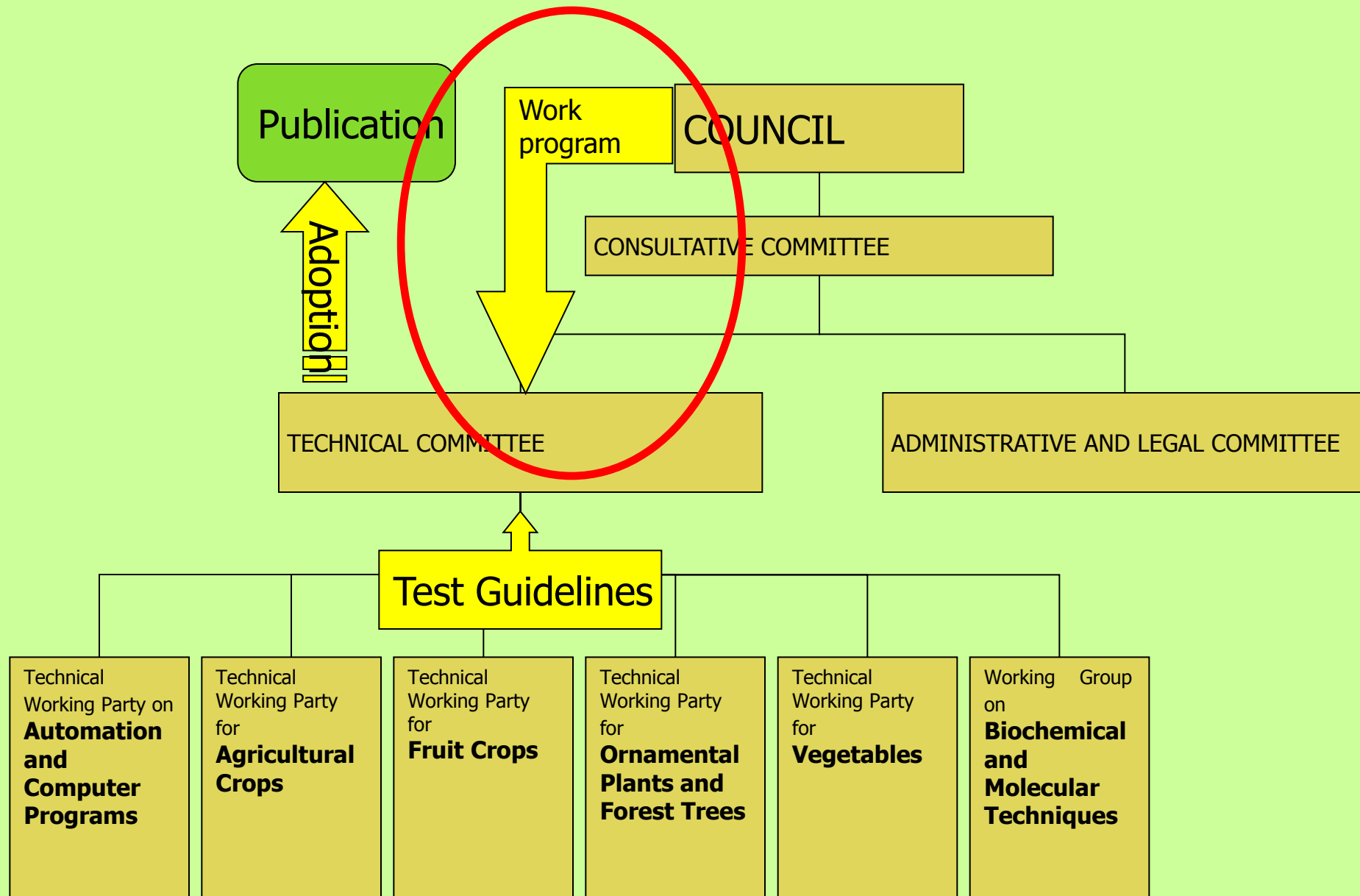
DOCUMENT TGP/5
“EXPERIENCE AND COOPERATION IN DUS TESTING”

Section 1:
Model Administrative Agreement
for International Cooperation in the Testing of Varieties

Article 2

Where the Council of UPOV has adopted Guidelines for the Conduct of Tests for Distinctness, Uniformity and Stability (“Test Guidelines”) for a genus or species covered by this Agreement, the examination shall be conducted according to those Test Guidelines. ...

Test Guidelines



TGP/7: Development of TGs

Section 2: Procedure for the Introduction and Revision of UPOV TGs

2.2.2.2 In recognition of the importance of international harmonization, the Technical Committee will take into account the following factors when considering and prioritizing the commissioning of Test Guidelines:

(a) Total number of applications for plant breeders' rights within the territories of the members of the Union.

(b) Number of authorities receiving applications for the varieties which would be covered by the Test Guidelines.

(c) Number of foreign applications received by members of the Union.

...and others.



New UPOV logo

Welcome

The International Union for the Protection of New Varieties of Plants (UPOV) is an intergovernmental organization with headquarters in Geneva (Switzerland).

UPOV was established by the International Convention for the Protection of New Varieties of Plants. The Convention was adopted in Paris in 1961 and it was revised in 1972, 1978 and 1991.

UPOV's mission is to provide and promote an effective system of plant variety protection, with the aim of encouraging the development of new varieties of plants, for the benefit of society.

Stakeholder features

- Breeders
- Farmers and Growers
- Policy makers
- General Public

GENIE Database



UPOV Lex



Plant Variety Database (PLUTO)

Quick Links

- Introduction to UPOV
- Benefits of UPOV
- UPOV Collection
- Test Guidelines
- Distance Learning Courses
- Seminars & Symposia
- FAQs

Distance Learning Courses (DL-205 and DL-305)

Two sessions of each of the following UPOV Distance Learning Courses will be run in 2017:

- **DL-205** “Introduction to the UPOV System of Plant Variety Protection under the UPOV Convention”
 - **DL-305** “Examination of applications for plant breeders’ rights”
- **DL-305A** “Administration of Plant Breeders’ Rights” (Part A of DL-305)
 - **DL-305B** “DUS Examination” (Part B of DL-305)

The timetable

Session I – 2017

Registration: January 9 to February 10

Study period: March 6 to April 9

Final exam: April 3 to 9

Session II – 2017

Registration: August 14 to September 15

Study period: September 25 to October 29

Final exam: October 23 to 29

<http://www.upov.int/resource/en/training.html>

Harmonization, Resources and Assistance

IMPLEMENTATION

	Harmonization	Resources	Training & assistance
PVP Law	<ul style="list-style-type: none"> • UPOV Convention • Explanatory Notes 	<ul style="list-style-type: none"> • UPOV Lex 	<ul style="list-style-type: none"> • Distance Learning course • UPOV events & activities • Assistance by individual UPOV members
➤ Application	<ul style="list-style-type: none"> • Model Application Form 	<ul style="list-style-type: none"> • EAF project 	
➤ Variety Denomination	<ul style="list-style-type: none"> • INF/12: “Explanatory Notes on Variety Denominations” • UPOV Code 	<ul style="list-style-type: none"> • PLUTO database 	
➤ DUS Testing	<ul style="list-style-type: none"> • General Introduction • TGP Documents • Test Guidelines • Model Agreement (cooperation) 	<ul style="list-style-type: none"> • GENIE Database • Exchangeable software 	