



# Perspective of Agri-related PVP System

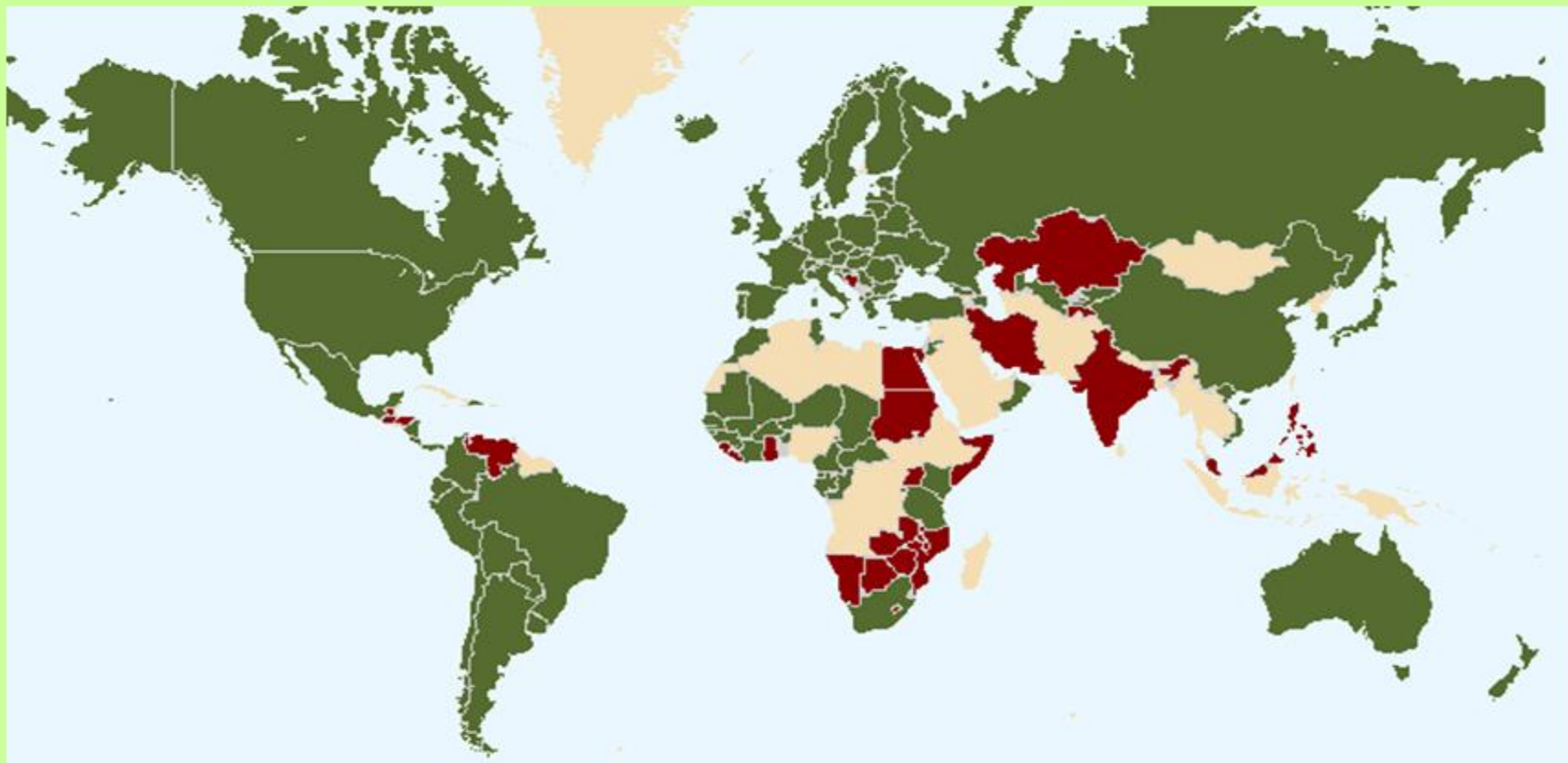
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**74 members of UPOV (green)**  
**15 initiating States & 1 organization (brown)**



The boundaries shown on this map do not imply the expression of any opinion whatsoever on the part of UPOV concerning the legal status of any country or territory

# Importance of PVP System

The International **U**nion For The **P**rotection **O**f New **V**arieties Of Plants (UPOV)

# **UPOV: INDEPENDENT INTERGOVERNMENTAL ORGANIZATION**

**The International Convention for the  
Protection of New Varieties of Plants**  
established in 1961 -was revised in Geneva,  
Switzerland in 1972, 1978 & 1991

**The International Union for the  
Protection of New Varieties of Plants**

**Union internationale pour la  
protection des obtentions végétales**



# Establishment of the East Asia Plant Variety Protection (EAPVP) Forum



- Endorsed at ASEAN+3 Ministers of Agriculture and Forestry (AMAF+3) Meeting in 2007.
- 1st plenary meeting on July 23, 2008 in Tokyo.
  - All representatives of ASEAN+3 participated.
  - EAPVP Forum Guideline adopted.



## EAPVP Forum

Platform for East Asian countries to promote **mutual cooperation** to develop internationally harmonized Plant Variety Protection systems.

# Structure of the EAPVP Forum

**Annual Plenary Meeting  
(EAPVP Forum Meeting)**

Brunei Darussalam  
Cambodia  
Indonesia  
Lao PDR  
Malaysia  
Myanmar  
Philippines  
Singapore  
Thailand  
Viet Nam

[ ASEAN ]

China  
Japan  
Republic of  
Korea

[ +three ]

**Various cooperation activities to  
develop/ harmonize PVP system  
in each country**

- 1. Capacity building**
- 2. Activities for development and harmonization of the PVP system**
- 3. Seminars and information sharing**

|                   |   |                                  |
|-------------------|---|----------------------------------|
| <b>Malaysia</b>   | <b>Act 634 PROTECTION OF NEW PLANT VARIETIES ACT 2004</b>   | <b>1 July 2004</b>               |
| <b>China</b>      | <b>Gazette, Issue No. 85 REGULATIONS<br/>OF THE PEOPLE’S REPUBLIC OF CHINA ON THE PROTECTION<br/>OF NEW VARIETIES OF PLANTS</b> | <b>October 1999</b>              |
| <b>India</b>      | <b>ACT 53 of 2001<br/>THE PROTECTION OF PLANT VARIETIES AND FARMER’S'<br/>RIGHTS ACT,2001</b>                                   | <b>2001</b>                      |
| <b>Indonesia</b>  | <b>LAW OF THE REPUBLIC OF INDONESIA NO. 29 OF 2000<br/>ON THE PLANT VARIETY PROTECTION</b>                                      | <b>2000</b>                      |
| <b>Japan</b>      | <b>THE PLANT VARIETY PROTECTION AND SEED ACT<br/>(Act No. 83 of May 29, 1998)<br/>as amended by Act No. 49/2007*</b>            | <b>May 29, 1998)</b>             |
| <b>Korea</b>      | <b>Law No. 6374 SEED INDUSTRY LAW</b>   | <b>July 1, 2001</b>              |
| <b>Philippine</b> | <b>ACT NO. 9168<br/>AN ACT TO PROVIDE PROTECTION TO NEW PLANT VARIETIES</b>   | <b>7.7.2002</b>                  |
| <b>Thailand</b>   | <b>“Plant Varieties Protection Act, B.E. 2542 (1999)”.</b>  | <b>1999</b>                      |
| <b>Singapore</b>  | <b>PLANT VARIETIES PROTECTION ACT<br/>(Original Enactment: Act 22 of 2004)REVISED EDITION 2006</b>                              | <b>31st January 2006</b>         |
| <b>Vietnam</b>    | <b>INTELLECTUAL PROPERTY LAW<br/>(Law No. 50/2005/QH11)*</b>  | <b>July 1, 2006</b>              |
| <b>Myanmar</b>    | <b>Act No. 15 New Plant Variety Protection Law</b>  | <b>20<sup>th</sup> Jan: 2016</b> |

# **Current Status of PVP System in MYANMAR**

- **Member of the East Asia PVP forum  
(10<sup>th</sup> Forum meeting at 11.9.17 -host)**
- **Not yet UPOV Membership**
- **New Plant Variety Protection Law  
enforced at 20.1.2017**

- ◆ **Member of CBD (1994)**
- ◆ **Member of WTO (1995)  
- bound to TRIPs Agreement**

# **Why **PVP** is important???**

**World population continues to grow**

- **Arable land & environmental resources limited.**
- **Necessary to find ways increasing food production with less wastage.**



# How to solve this problem????

**“Plant breeding”** The best solving ways!

- Many investments - to develop new varieties.
- PVP system will be able to reimburse these back to the plant breeders.

**PLANTS ARE TOO EASY TO BE  
PROPAGATED, THEREFORE WE  
NEED A SYSTEM TO PROTECT THE  
CREATION OF BREEDERS...**



**PLANT VARIETY PROTECTION**  
**IS**  
**AN APPROACH.....**

# BENEFITS OF PLANT VARIETY PROTECTION (PLANT BREDEER'S RIGHT)

1.

High Yield &  
Improved Quality  
Varieties

**economic benefits**

2.

Improved  
Nutritional Content  
Varieties

**health benefits**

3.

Stress Tolerance  
Varieties

**environmental benefits**

4.

Ornamental  
Plants Varieties

**Pleasure**

# 1. Promotion of Breeding

- PVP creates incentive for R&D
- PVP provides breeder of new plant variety the exclusive right to exploit it.
  - (i) producing or reproducing,
  - (ii) conditioning for the purpose of propagation,
  - (iii) offering for sale,
  - (iv) marketing,
  - (v) exporting, inclusive selling
  - (vi) importing,
  - (vii) stocking for the previous purposes.
- PVP stimulates breeding activities



## 2. Introducing Foreign Varieties

- **Breeders from abroad wish to be able to protect their long-term investment by expanding their market of new variety.**
- **For country with smaller domestic breeding sector and seed market,**
  - **farmers:** obtain good varieties,  
PVP provides more choices
  - **local breeders:** obtain good sources of germplasm for the use of local breeding program.

## Expand genetic diversity

- using protected var. for breeding is allowed under PVP
- crossing possibilities between foreign and local varieties lead to the increase of new varieties, thereby expanding the biodiversity /gene bank



# 3. Production for Export

- **New variety to be exported must meet the needs of foreign markets e.g. ornamental plants**
  - **Access to valuable foreign-bred varieties enables domestic growers and producers more scope to improve production and also more scope to export their products.**
- PVP redirect the focus of local breeder in developing potential variety for export purposes**

## **4. Political consideration**

- **PVP is compiled with other international treaties e.g. Convention on Biological Diversity (CBD), International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA)**
- **Having an effective PVP, the country will be treated as a reliable partner in various international forum e.g. APSA, East Asia PVP Forum etc.**



# **Adoption of PVP System in Myanmar**

# THANK YOU

