

COUNTRY REPORT ON THE PROGRESS OF PVP SYSTEM IN **MALAYSIA**



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Protection Forum Meeting, Hanoi, Vietnam



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Progress of the PVP System in Malaysia

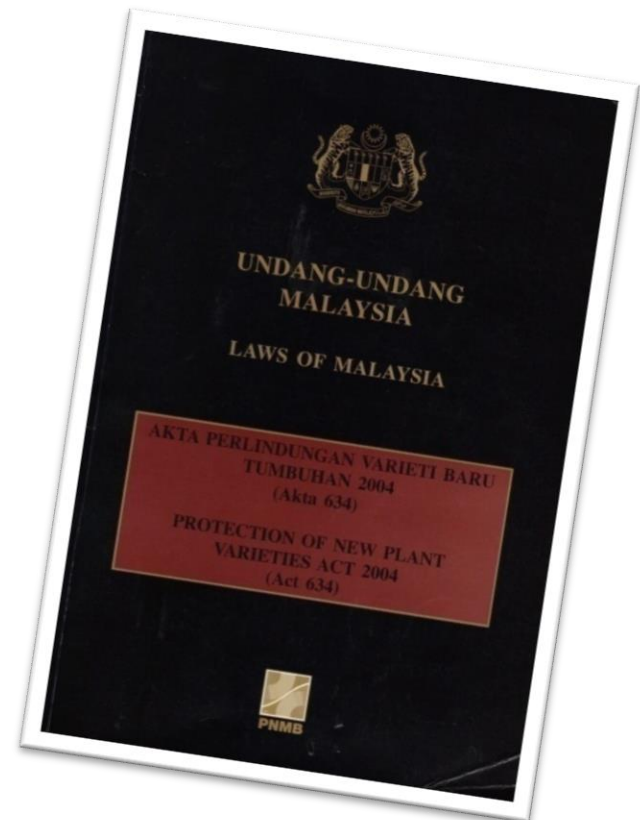
Establishment of PVP Act



1994 – 2004 (Drafting of PNPV Act)

Protection of New Plant Varieties Act 2004

- modeled after
 - UPOV 1978 model law;
 - provision of CBD; and
 - IPR system of other countries
(India, Thailand, Japan)
- *Sui Generis*
- Legislated – 25 April 2004
- Royal Consent – 1 July 2004





2006 - 2008 (Drafting of Regulations & Admin GL)

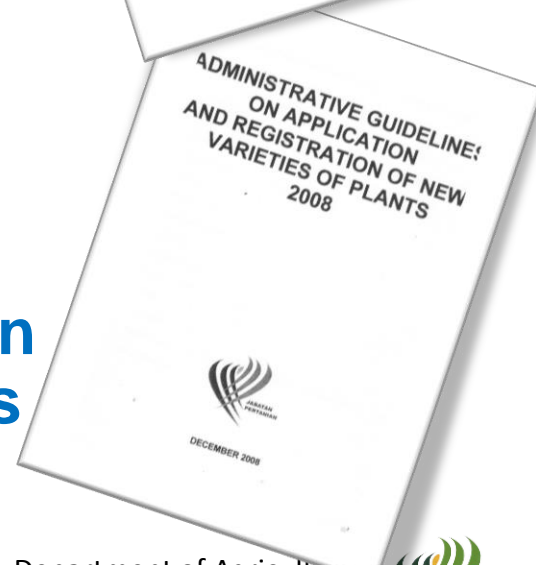
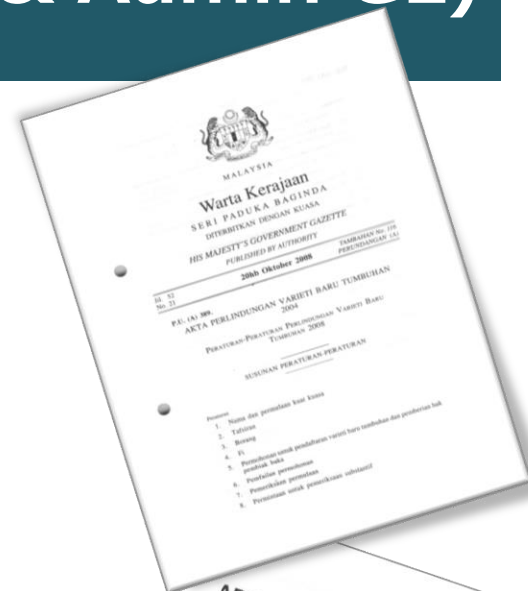
i. Protection of New Plant Varieties Regulations 2008

– forms, fees etc.

ii. Protection of New Plant Varieties Regulations (Prescribed Size of A Holding) 2008

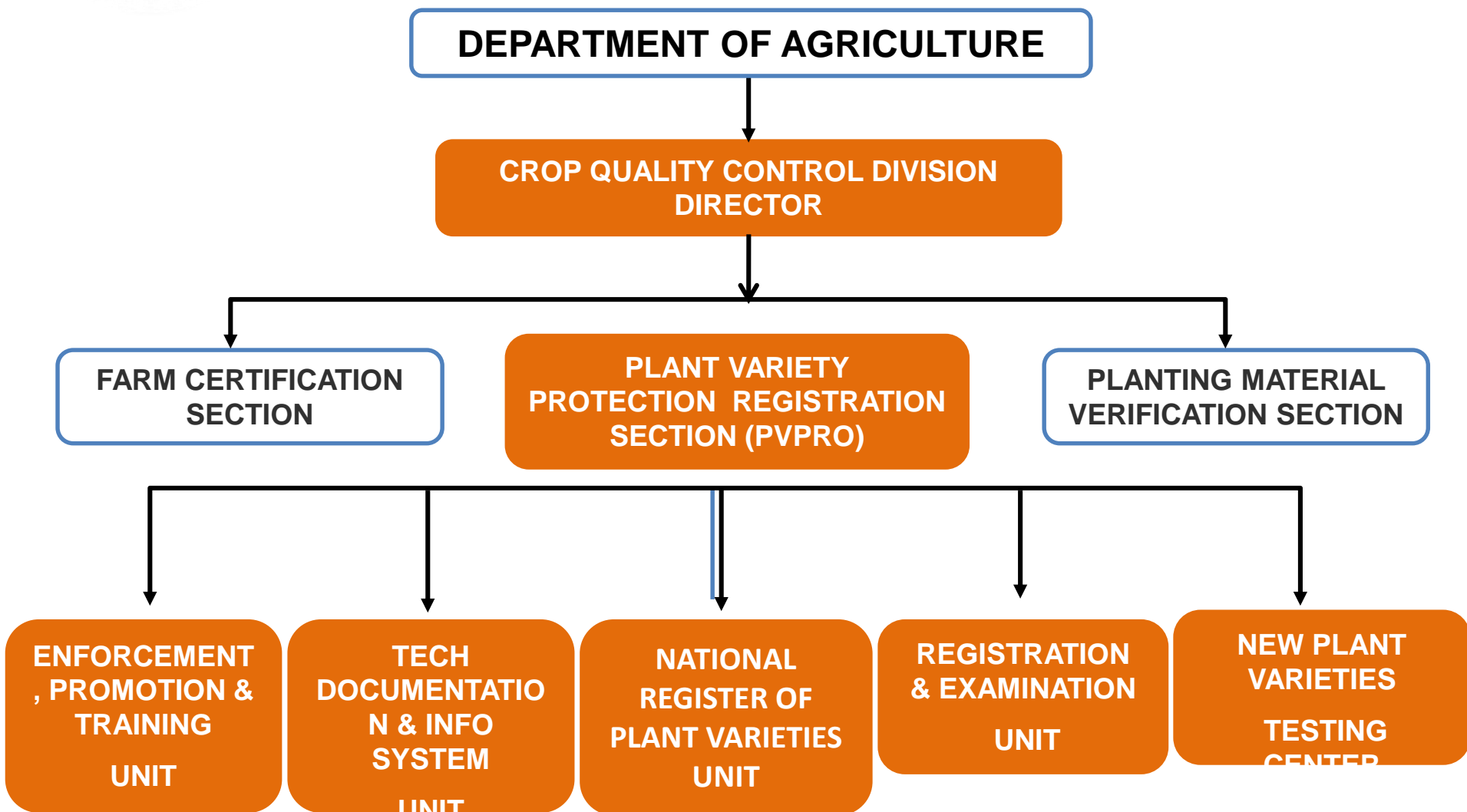
→ Published on 20 Oct 2008

• Administrative Guidelines on Application & Registration of New Varieties of Plants 2008





2005 (Establishment of PVP Registration Section under DOA)





Technical Examination

Malaysia offers three (3) types of testing approaches:

- (1) Growing Test**
- (2) On-Site Inspection**
- (3) Document Examination**

Testings are done by examiners appointed by Malaysian Plant Varieties Board from other Division and agencies.



2006-2009 (Facilities and Infrastructure)

New Plant Variety Testing Center (4 locations)

- **Serdang Center [Middle Malaysia]
(4 ha, New crop, Ornamental, Herbs)**
- **Cameron Highlands Center
(2 ha, Temperate crops)**
- **Titi Serong Center [North Malaysia] : (Rice)**
- **Padang Ipoh Center [East Coast]
(Chilli, Melon, Vegetables)**



New Plant Variety Testing Center

TITI SERONG, PERAK
2014



SERDANG, SELANGOR
2006



PADANG IPOH, TERENGGANU
2015



CAMERON HIGHLANDS, PAHANG
2012





Applications and Granted PBRs in Malaysia



List of Plant Species eligible for PBR

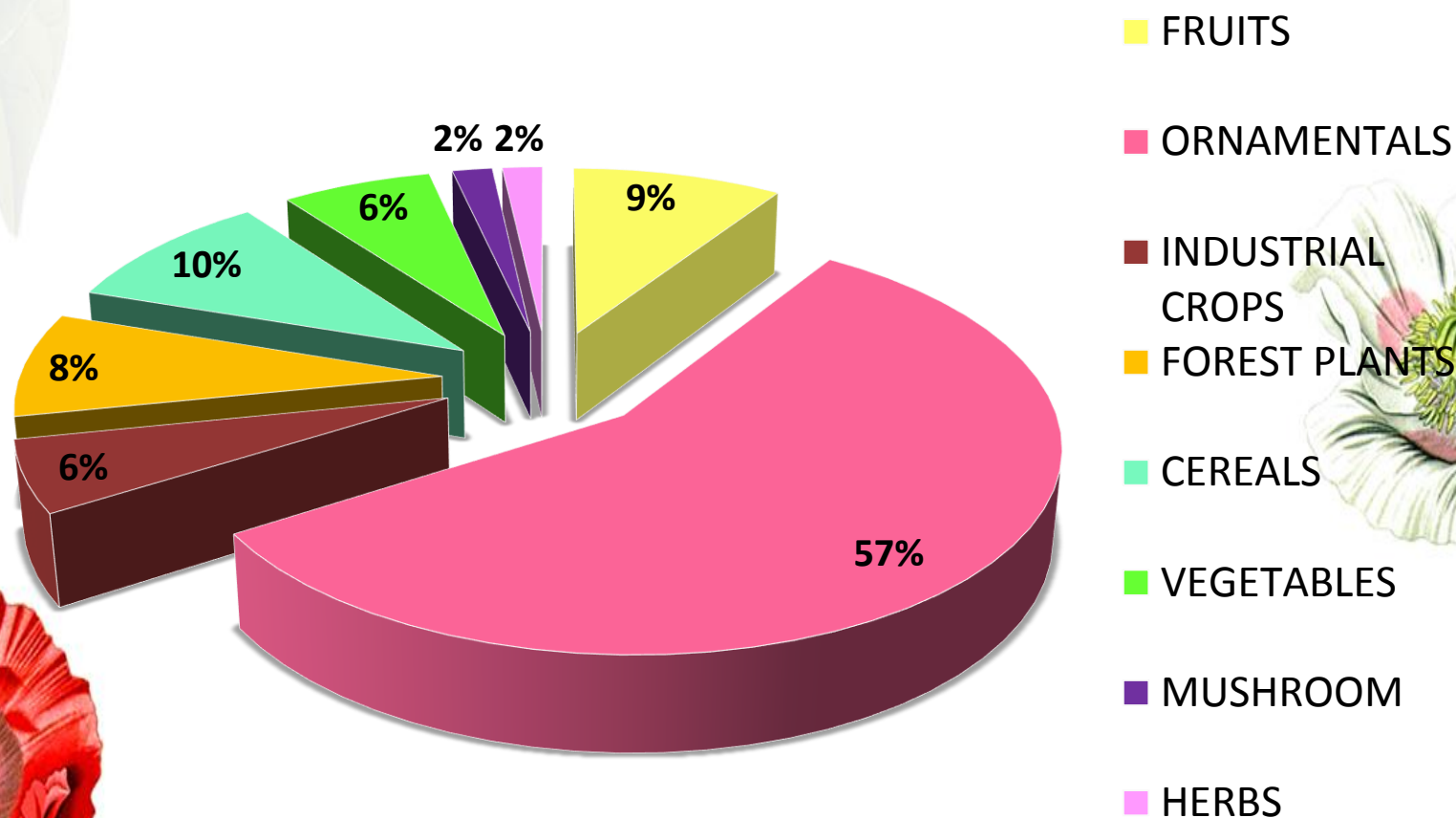
- All plants including mushrooms.



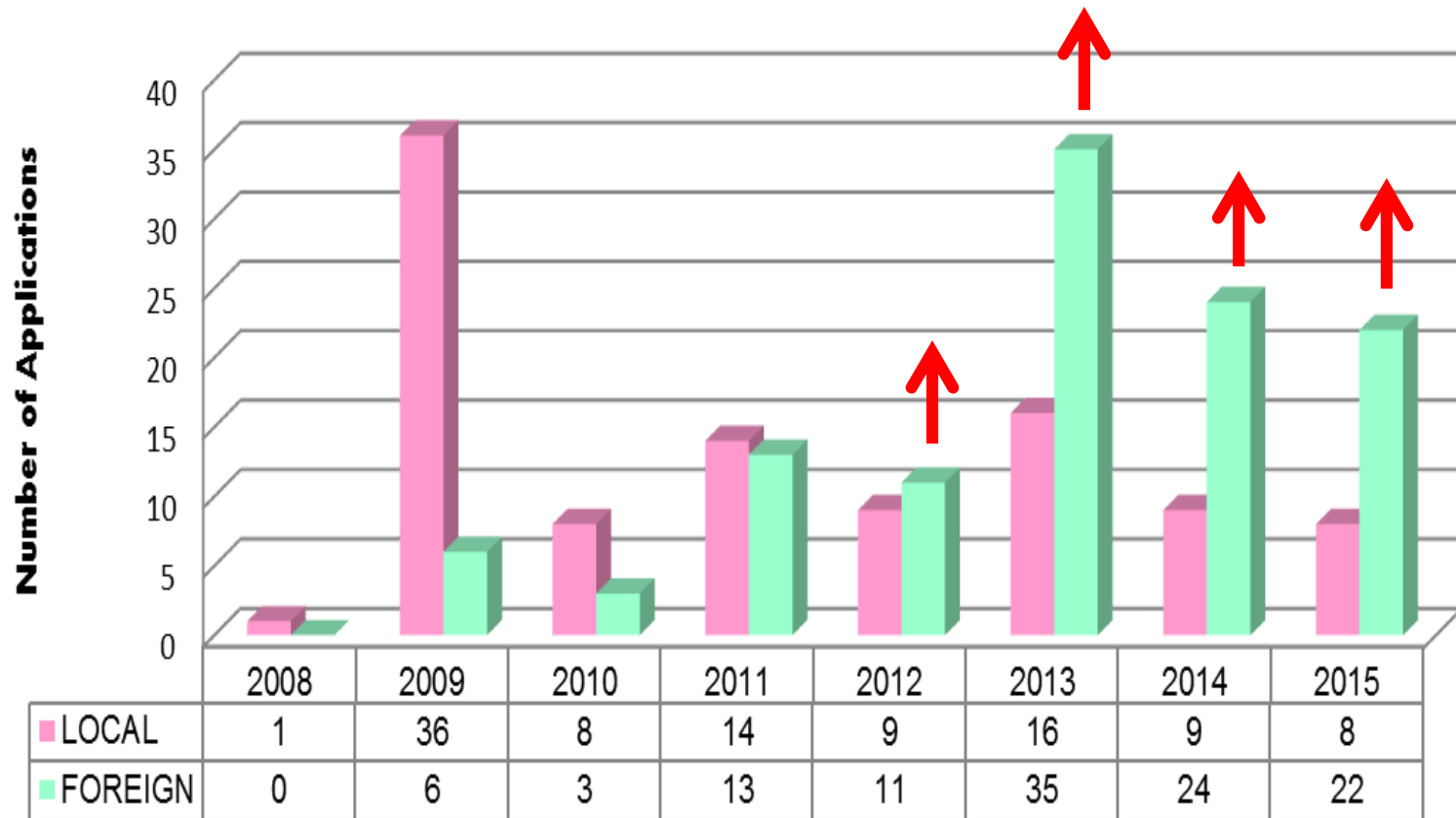
Number of Applications Received 2008 – 2015 (by Crop Type)

Crop Type	Total Applications	Rejected	Withdrawn
Ornamentals	21	1	4
Cereals	130	5	0
Forest Plant Sp.	12	0	0
Fruit	19	0	5
Industrial Crop	22	0	0
Vegetables	15	0	1
Herbs	4	0	0
Mushroom	4	0	2
TOTAL	227	6	12

PVP APPLICATIONS by APPLICANT CATEGORIES (2008- July 2016)



Number of PVP Applications by Nationality YEAR 2008 - 2015




Foreign applicants: The Netherlands, New Zealand, USA, Japan, Taiwan

PROTECTED VARIETIES

YEAR of GRANTING	Term	NUMBER OF TITLES
2012	April	25 (Acacia, Chrysanthemum, Papaya, Orchid <i>Dendrobium</i>)
2014	May	14 (Rice, Chrysanthemum, Roselle, Durian, Capsicum)
2015	June	17 (Chrysanthemum, Dragon Fruit, Lemon Myrtle)
2016	Till July	26 (Rice, Chrysanthemum, Pandanus, Lime, Kiwi fruit, Lettuce, Lime)

[illegible]



Activities under EAPVP Forum (From Aug 2015 – Aug 2016)

1. The 8th East Asia Plant Variety Protection Forum Meeting





OUTCOME

- 3 proposals from Malaysia were adopted and implemented:
 - (i) TG Harmonisation for Acacia**
 - (ii) Training on Selection of Example Varieties**
 - (iii) Legal Advisory Session with UPOV**



OUTCOME

- **TG for Carambola – endorsed**
- **TG for Rambutan:**
 - Agreed to circulate to Indonesia and Thailand through e-mail
 - Further discussion needed



(i) The 1st Meeting on TG Harmonisation of Acacia

- 7 – 10 September 2015**
- FRIM, Kepong, Malaysia**





OUTCOME

- **Attended:** China, Indonesia, Japan, Malaysia (Leading Country), Thailand, Vietnam
- 27 Characteristics adopted.
- Completed and pending for endorsement in this meeting.



(ii) Training on Selection of Example Varieties

- 24 – 27 November 2015
- DUS Testing Center, Titi Serong, Malaysia





OUTCOME

- **Participants:** 11 (foreign), 13 (Malaysian)
- **Countries:** Cambodia, Japan, Lao PDR, Malaysia, Myanmar, Philippines, Thailand, Vietnam
- Knowledge was applied in several **exercise of selection of example varieties** i.e. rice, banana, cocoa, canna, lemon grass etc.



(iii) Legal Advisory Session with UPOV

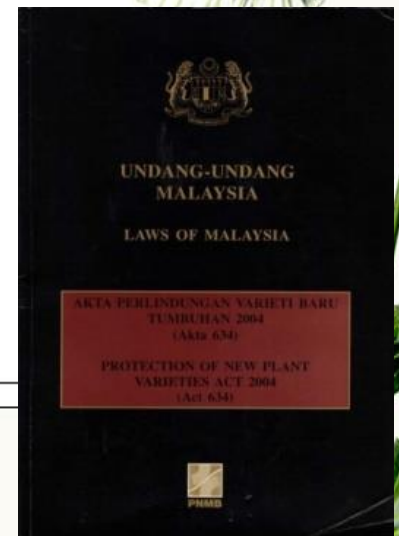
- 13 – 14 January 2016

- Department of Agriculture, Putrajaya, Malaysia



OUTCOME

- Several sessions of revision were conducted since 2015 – drafter team & core team
- Legal Advisory Session with UPOV – 13 – 14 January 2016 (Proposal adopted in 8th EAPVPPF)
 - UPOV comments are taken into account
 - 1st revised draft to come out by end of 2016



Workshop of DUS Test of Corn

(organised by Vietnam, 1-4 Aug. 2016)

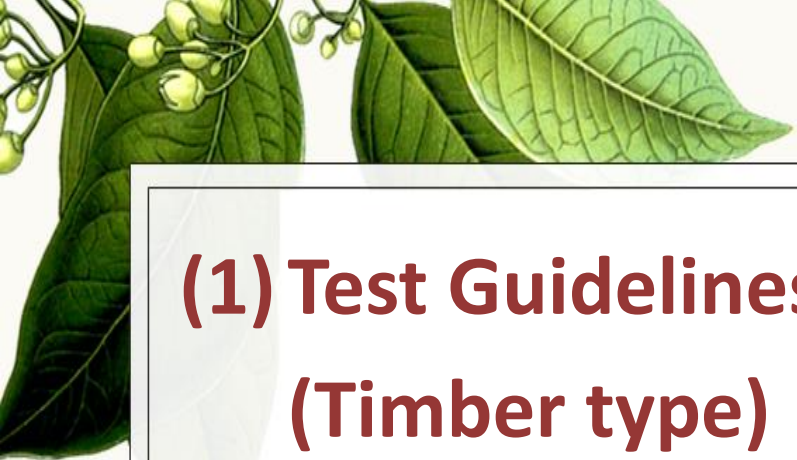


Attended by Mr.
Muhammad Adib
Bin Mazlan, Head
of New Plant
Variety Testing
Center, Serdang
Malaysia





PROPOSAL MALAYSIA TO EAPVP FORUM



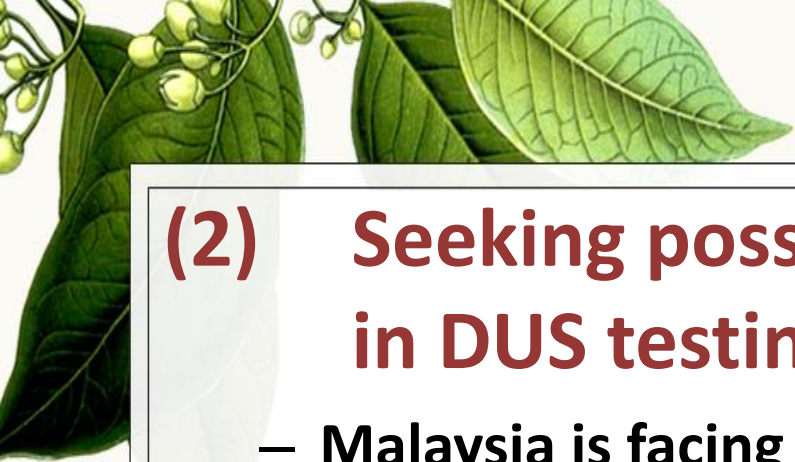
(1) Test Guidelines for Eucalyptus (Timber type)

- Malaysia will be receiving a few applications on Eucalyptus**
- No local expert in drafting TG**
- Seek forum members with experience in Eucalyptus to lead the development / harmonisation of TG**



(2) Seeking possible form of Cooperation in DUS testing

- Malaysia is facing the following constraints:
 - Received applied variety that only want to seek protection in Malaysia
 - Not possible to grow new crops (e.g. temperate) which test report are not available else where.
- **Suggestion:** Access of Test Report, DUS Testing Service, Joint Testing



(3) Seeking sponsorship for attending UPOV Technical Meetings (TWF, TWA, TWO, TWV) as capacity building opportunity

- A good platform to familiarize the UPOV testing procedure and technical documents.
- Malaysia has been participated in developing UPOV TGs e.g. coconut, papaya, orchids etc.





THANK YOU

For further information, please visit to our website:

<http://www.doa.gov.my>
<http://pvpbkkt@doa.gov.my>