

ROLE OF VN'S GOVERNMENT IN IP COMMERCIALIZATION



NGUYEN THANH MINH, PVPO, MARD/VIETNAM
HCM CITY, 24.August - 2017

OUTLINE OF THE PRESENTATION

- PVP AND IT'S BENEFITS
- ESTABLISHING PVP SYSTEM
- IMPACT OF PVP IN VIETNAM
- POLICIES AND STRATEGY FOR
FURTHER DEVELOPMENT



PVP AND IT'S BENEFITS



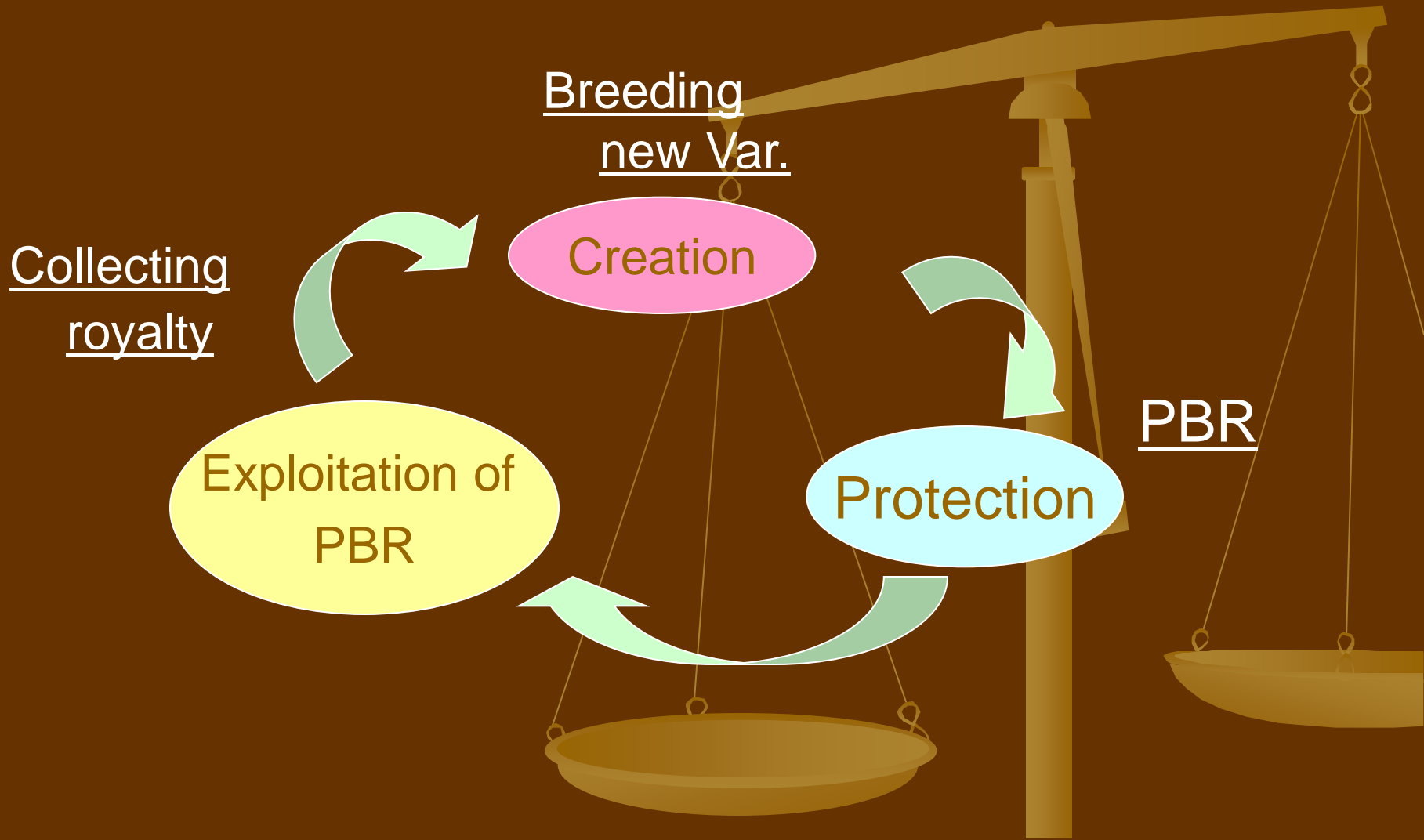
Background

PVP AND IT'S BENEFITS

- Agricultural country.
- High density of population
- Improve living quality 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



IP Circle on Breeding and exploitation of a variety

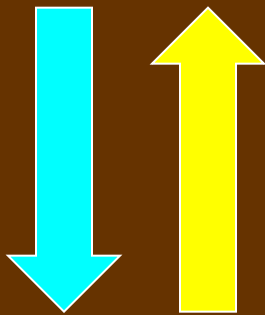


Adding Value of protected varieties

Case of Licensed by Owner (Public Varieties)

Owner of PBR

License



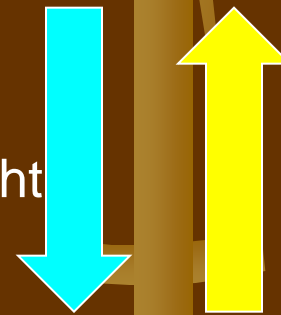
Licensee

Royalty
(Adding Value)

Case of commercialized by Ownerself (Seed Companies)

Owner of PBR

Sell with
exclusive right

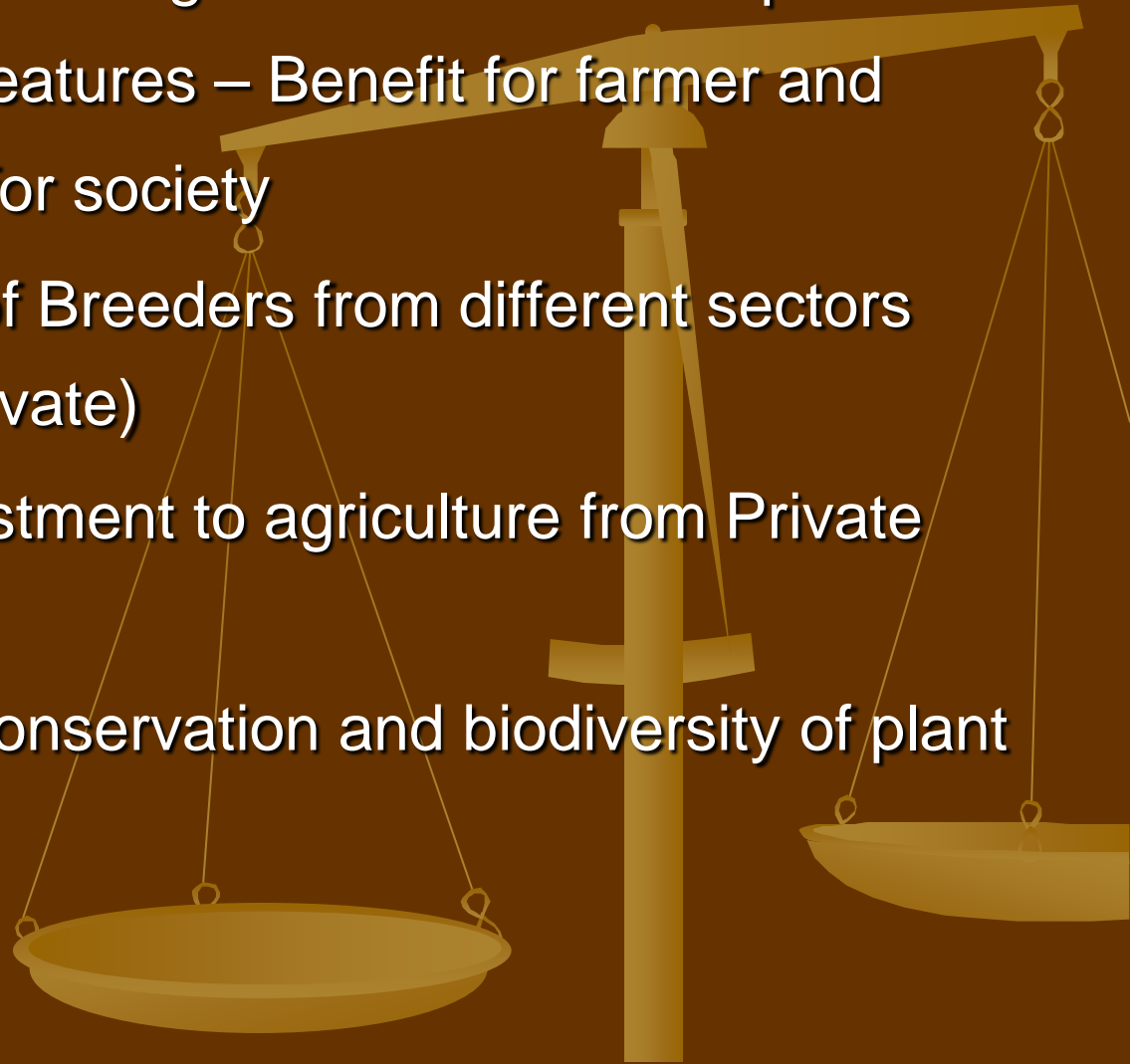


Users

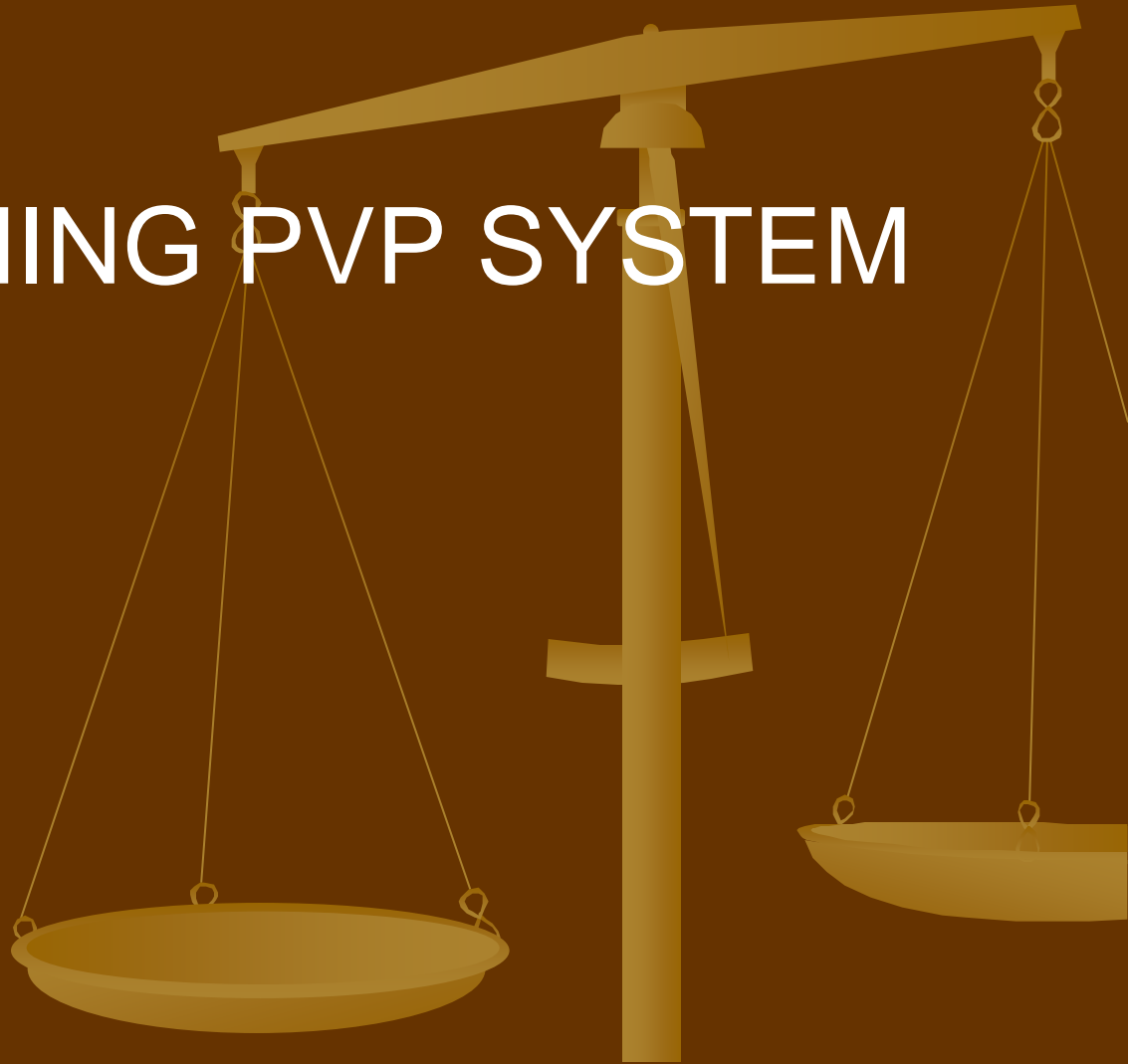
A part of
higher price
(Adding
Value) =
Royalty

Benefits of PVP

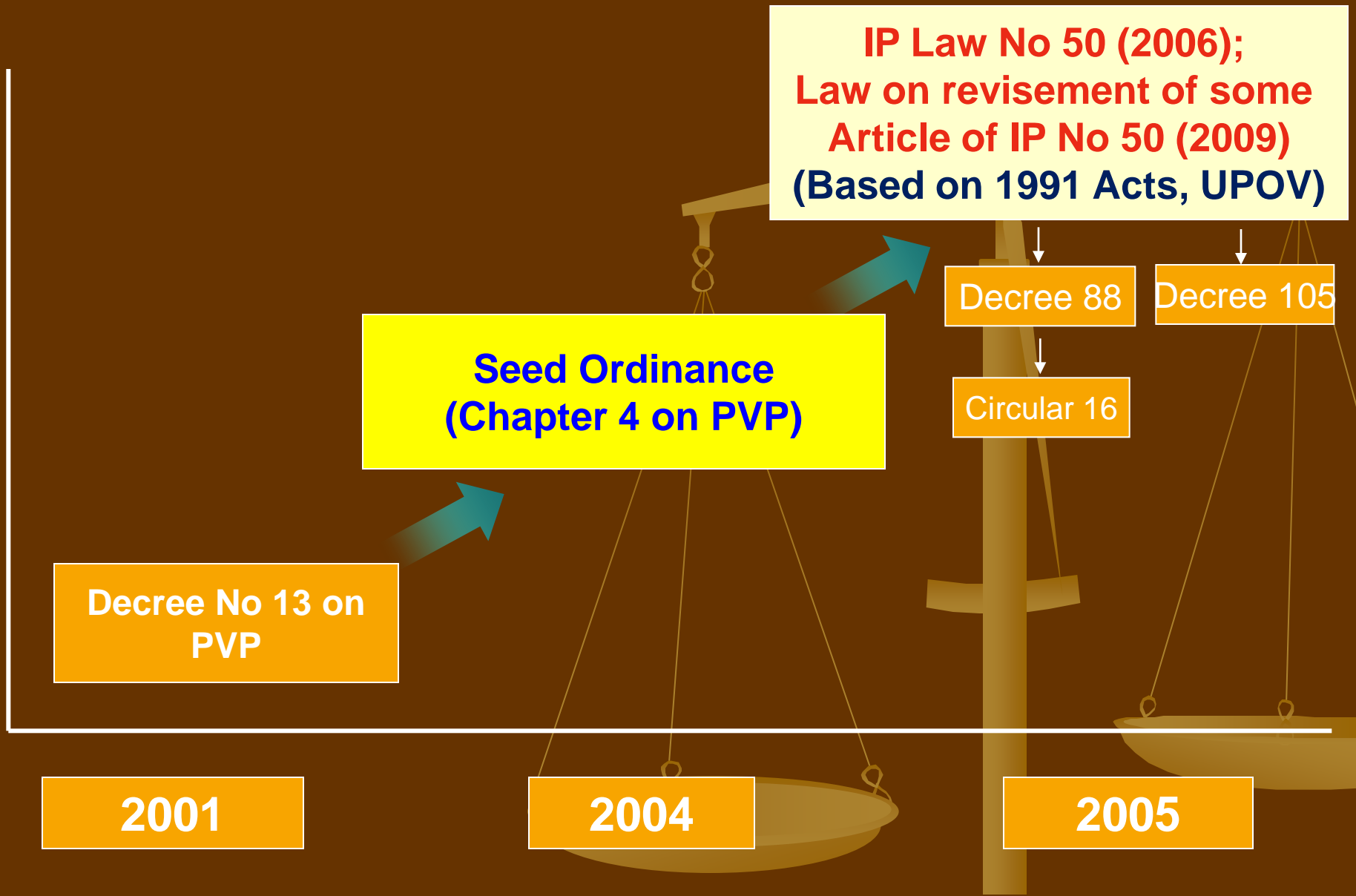
- PVP encourage of breeding and introduce new plant varieties with good features – Benefit for farmer and consumer – benefit for society
- Increasing number of Breeders from different sectors (Individual/Public/Private)
- Encouraging of investment to agriculture from Private Sector.
- Contribution to the conservation and biodiversity of plant genetic resource



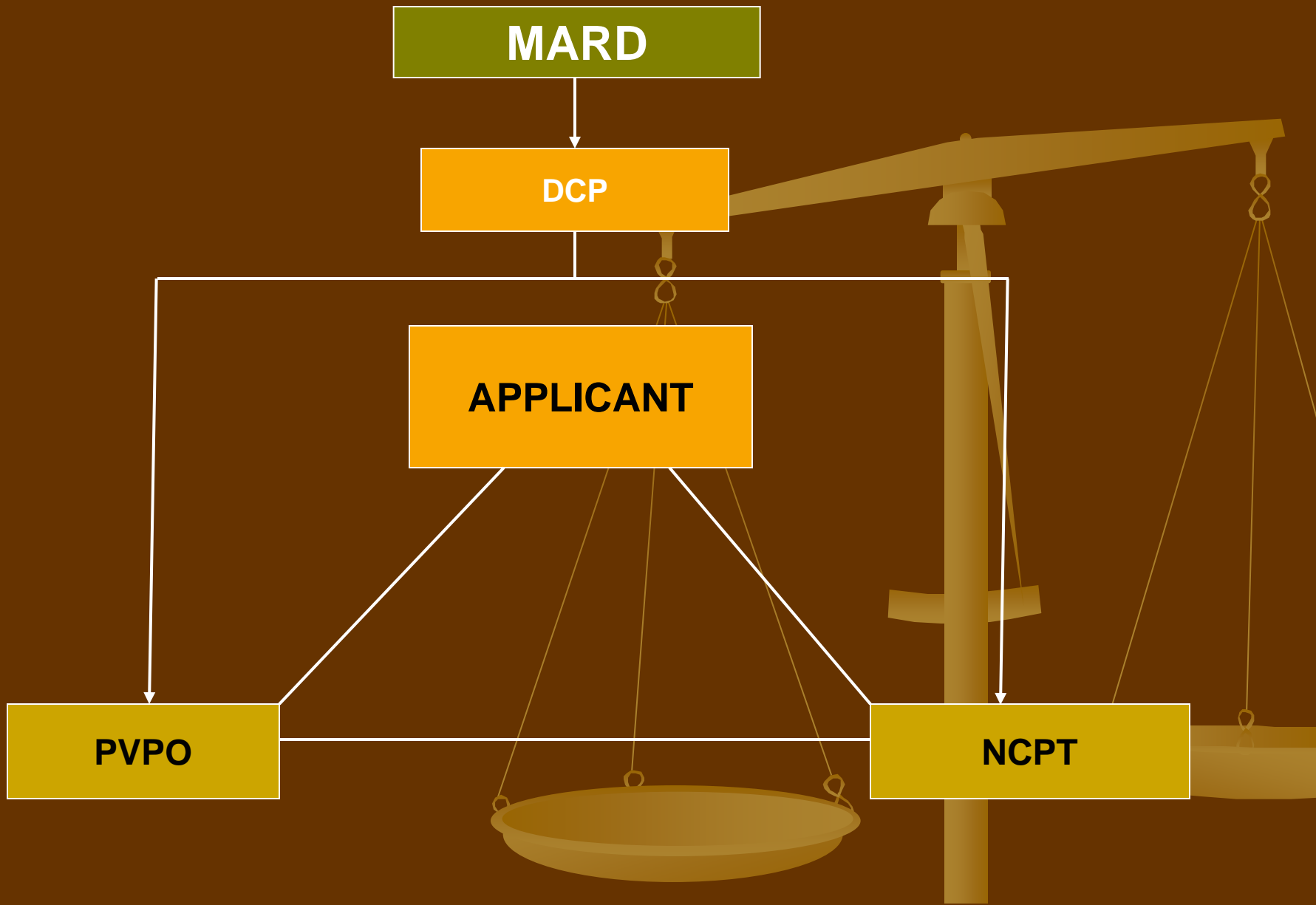
ESTABLISHING PVP SYSTEM



Legislation on PVP



Organization System





Implementing PVP System
under UPOV Convention

2007-NOW

Establishing National
PVP system and Preparations
to join UPOV



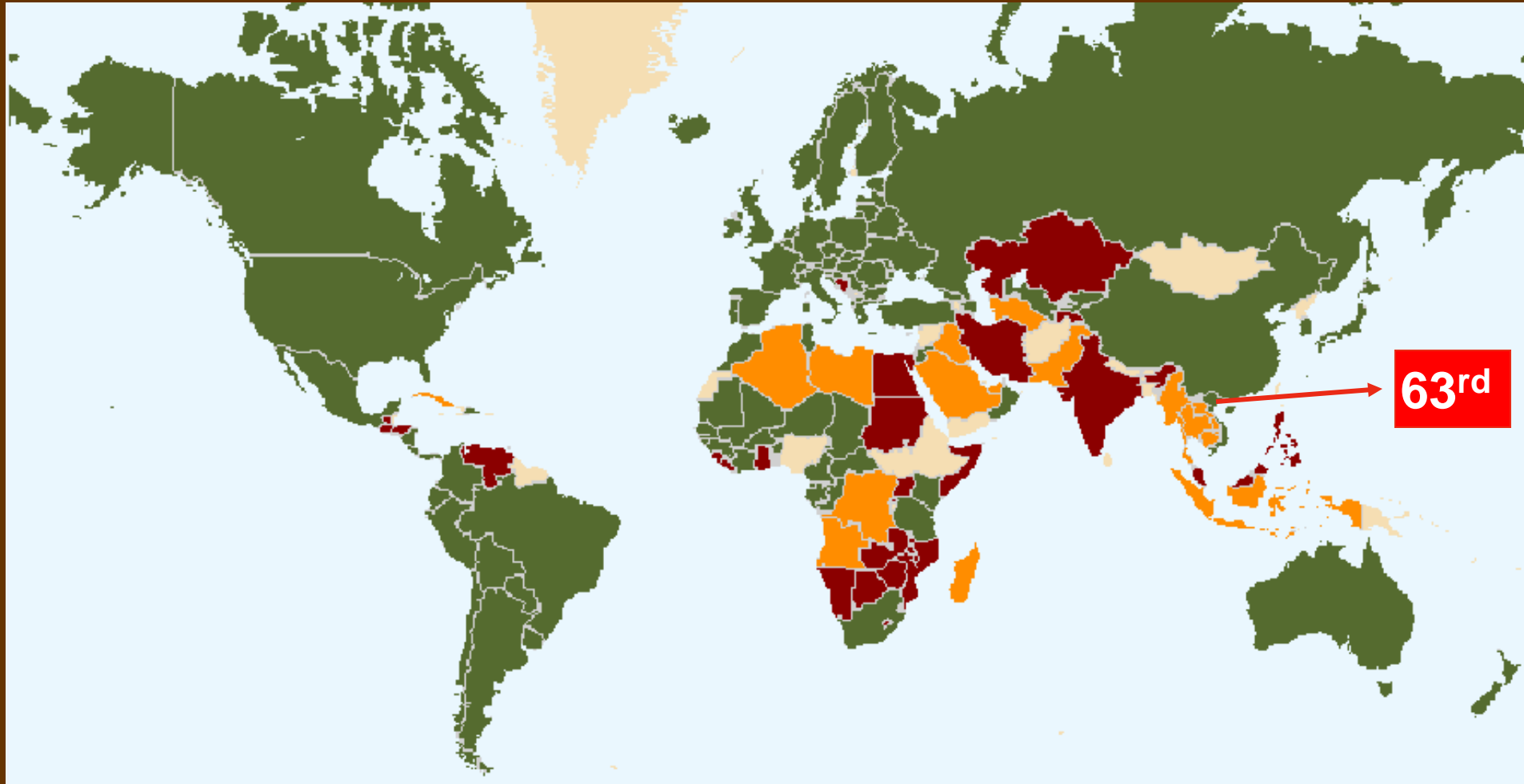
2000-2006

Study the real
conception of PVP

1995-2000



Member of UPOV (24th Dec, 2006)



Members of UPOV (74)

Initiating States (15) and Organization (1)

States (23) and Organization (1) in contact with the UPOV Office

IMPACT OF PVP IN VIETNAM



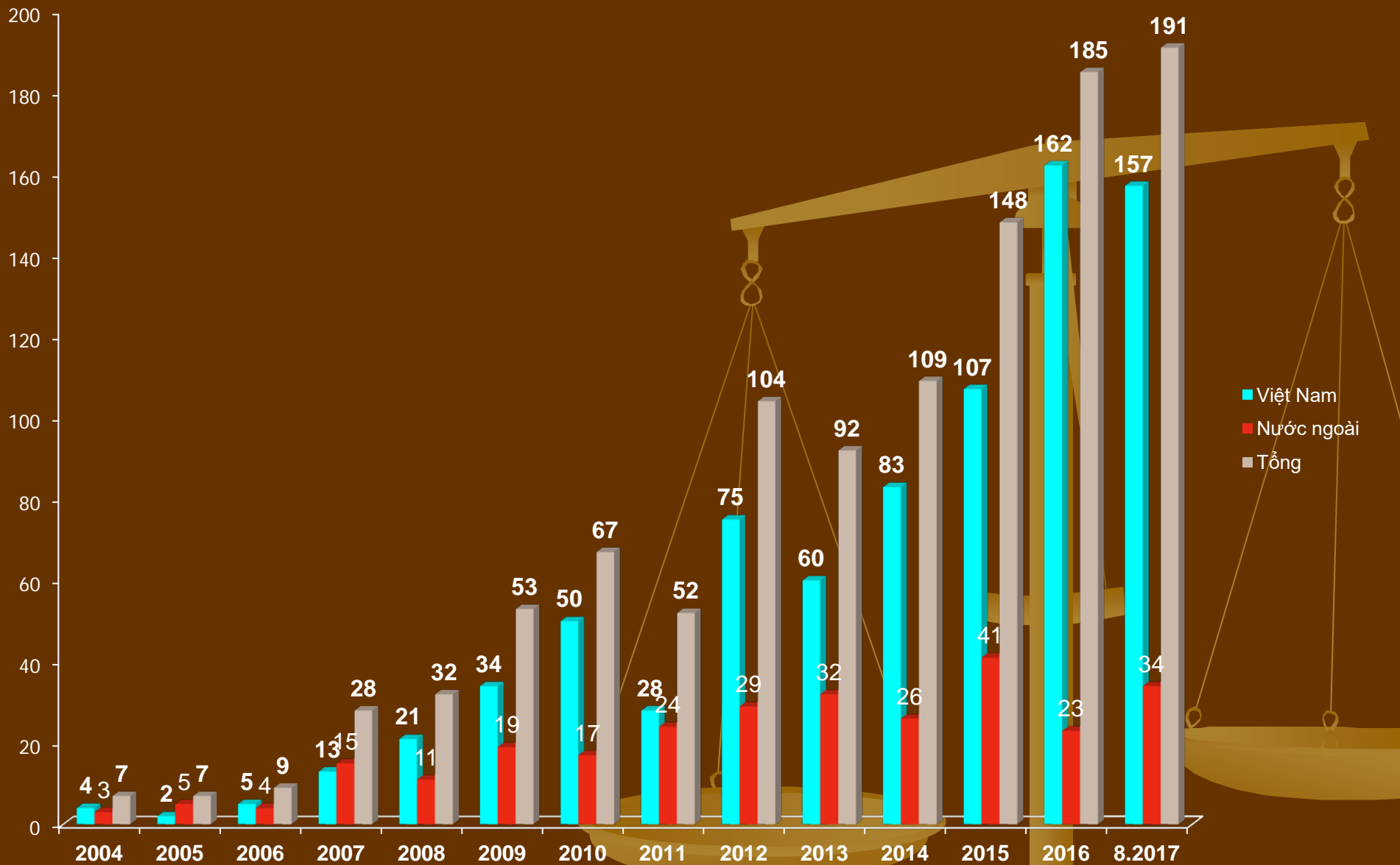
What is in Vietnam impacted by PVP?

IMPACT OF PVP

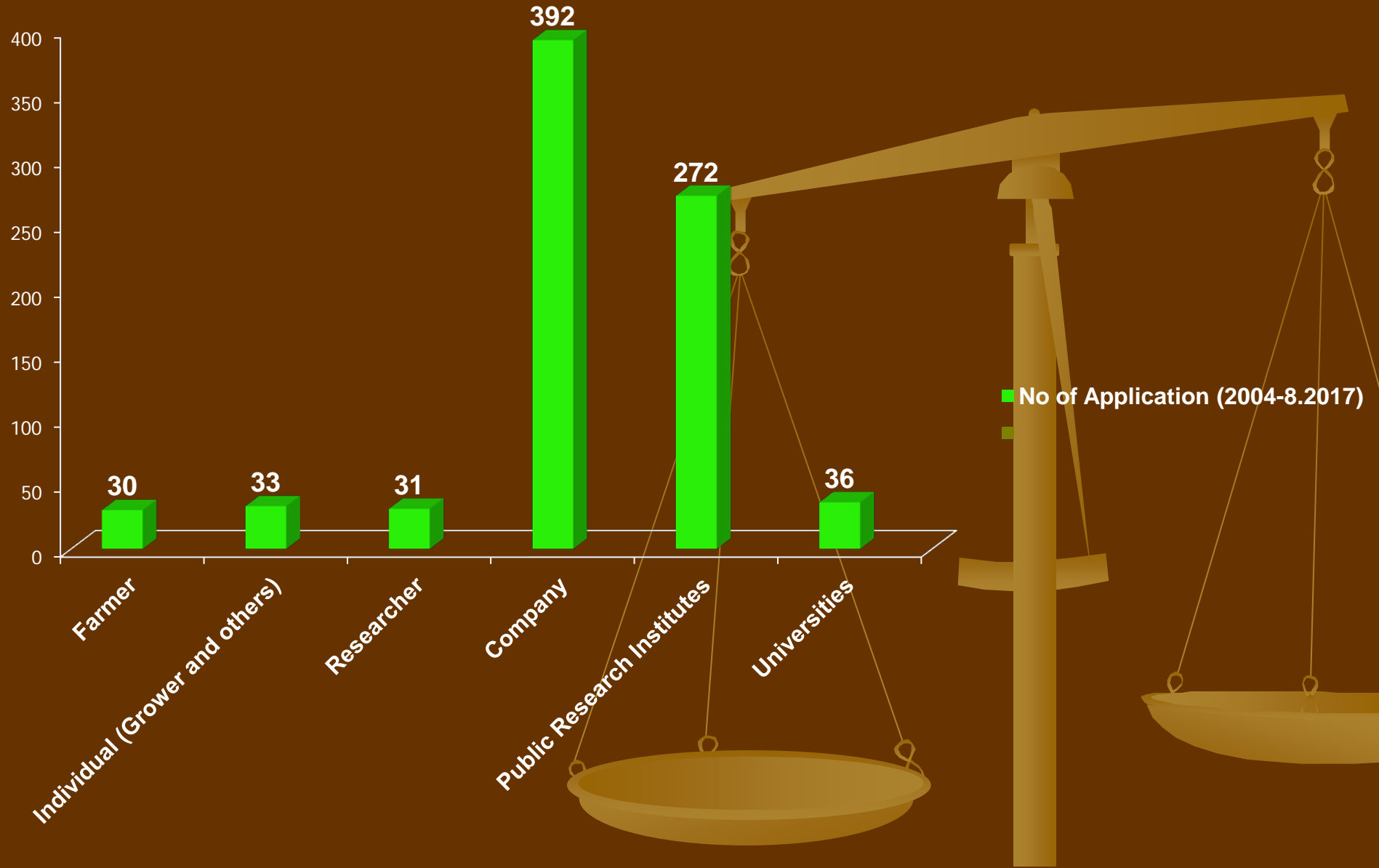
- Increasing number of applications and No of Breeders from different sectors (Individual/Public/Private)
 - Encouraging of investment to agriculture from Private sector.
 - ✓ Government reduce of finance for breeding new Var.
 - ✓ Contribution to changing the Mode of Agriculture Production
 - ✓ Specialization on the chain from breeding to introduce to the production by a good Seed Distribution System
 - ✓ Contribution on Big Policies of Government: Land Consolidation; Food Value Chain; Safe Crop Production; Re-organize of Crops Pattern
 - Contribution to the conservation and biodiversity of plant genetic resource
 - Increasing Agriculture's GDP significantly
- 

Applications by years 2004 – 8.2017

IMPACT OF PVP



Who are applicant?

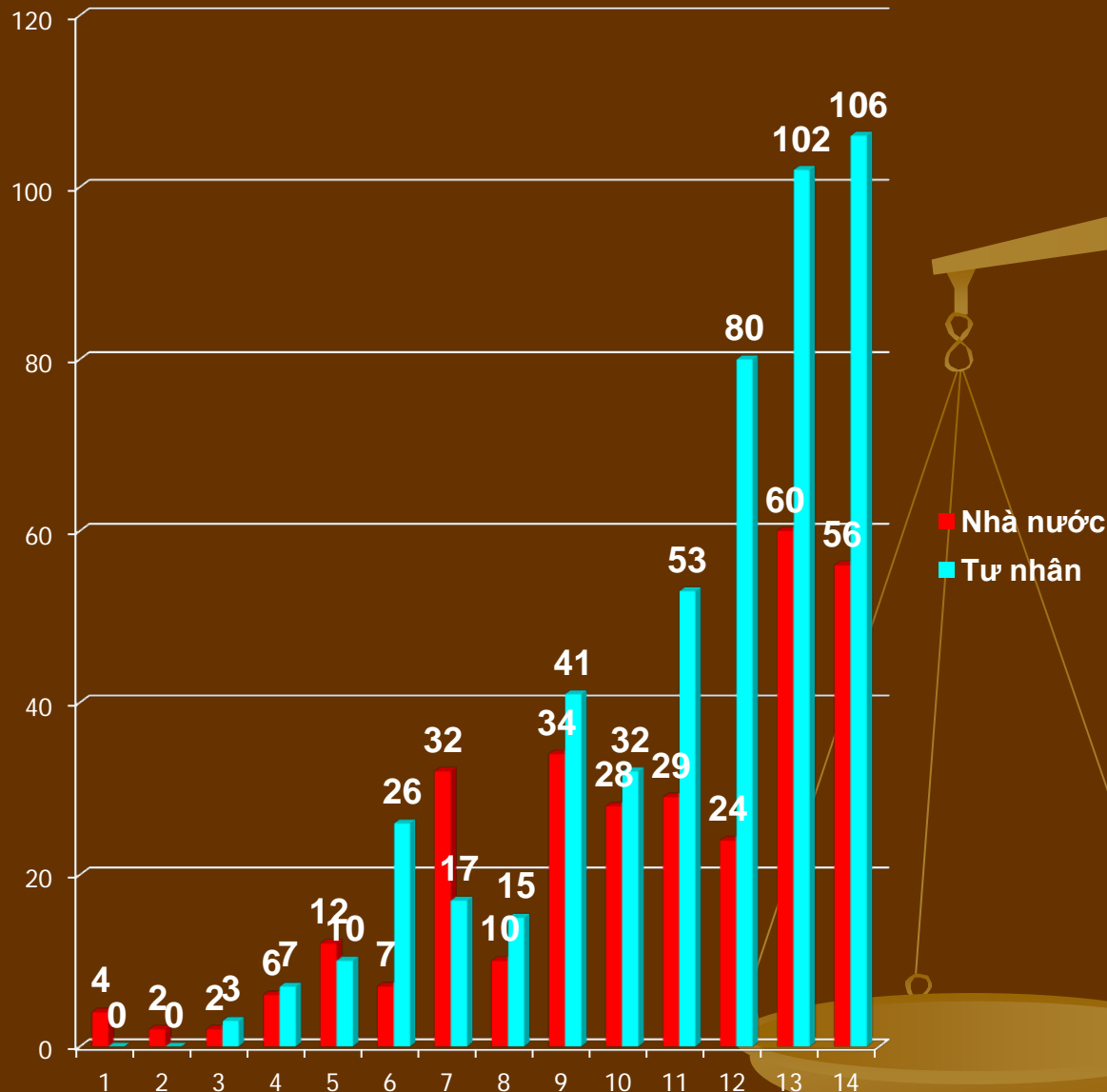


Positive impact to SMEs

- Before PVP: almost of them are trade company (not interest in RD)
- When PVP system is established:
 - ✓ Beginning: they are licensed to exploit PBR from owner (transferred)
 - ✓ They develop breeding facility
- Now, many of them have own breeding facility
- Some become big with very good breeding facility.



Vietnam's applications: Private/Public sectors (2007- 8.2017)



- 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 by traditional methods

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





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 by exportation



Farmer produce under license from Owners



Waiting to
the aircraft
for
exportation



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
- Good Seed Distribution system is established – benefits for farmer



The Seed distribution system of new Var.

BEFORE PVP

Breeders

No Professional
distribution
system

Farmer

Is not
professional,
Difficult on
Seed Quality
control

AFTER PVP

Breeders

License

Company

Royalty

Good professional
distribution
system

Farmer

Good service
for the farmer;
Better seed
quality due to
professional

Contribute to big policies on agriculture

IMPACT OF PVP



LAND CONSOLIDATION



RE-ORGANIZED PATTERN CROP

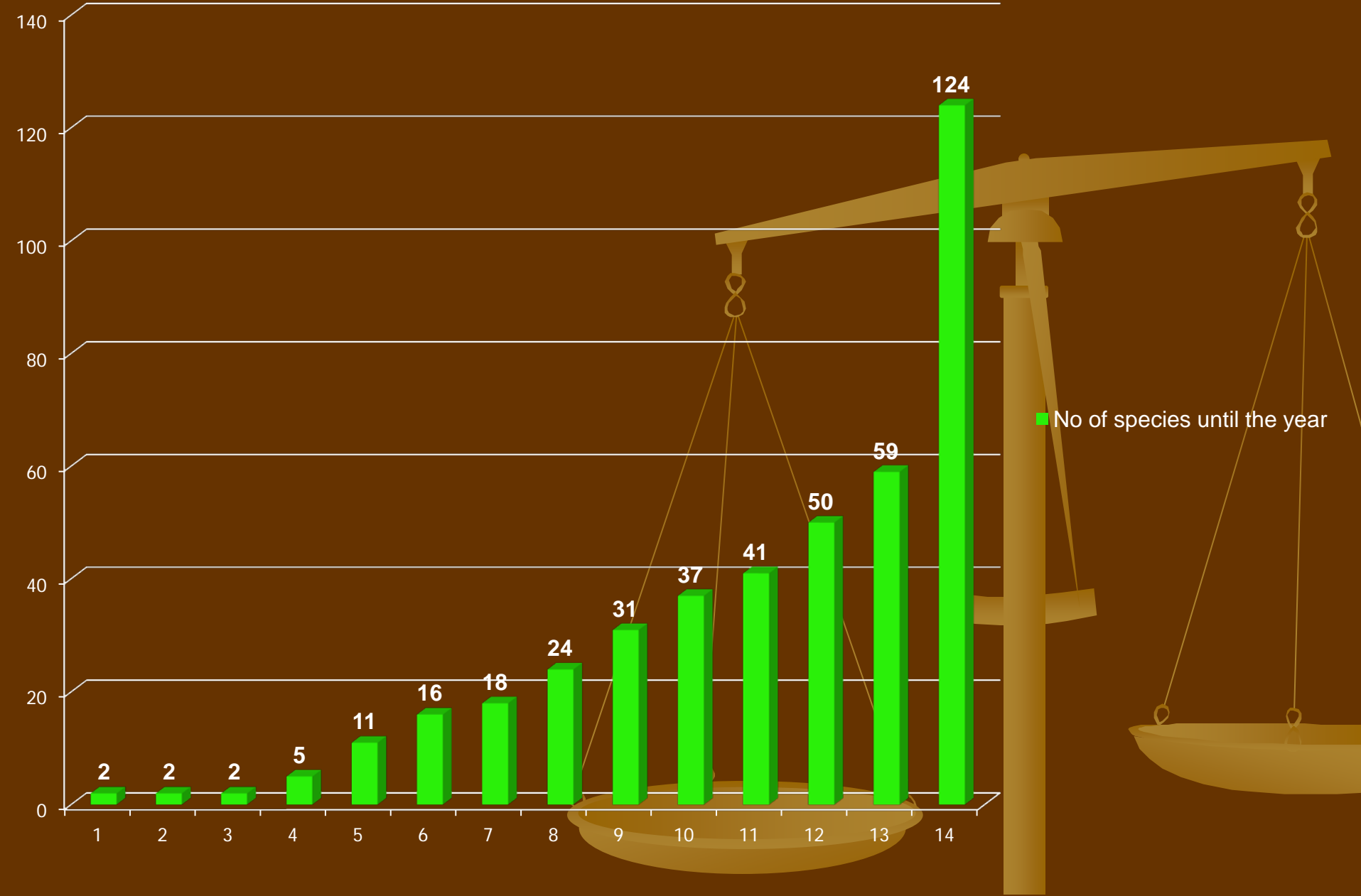


FOOD VALUE CHAIN



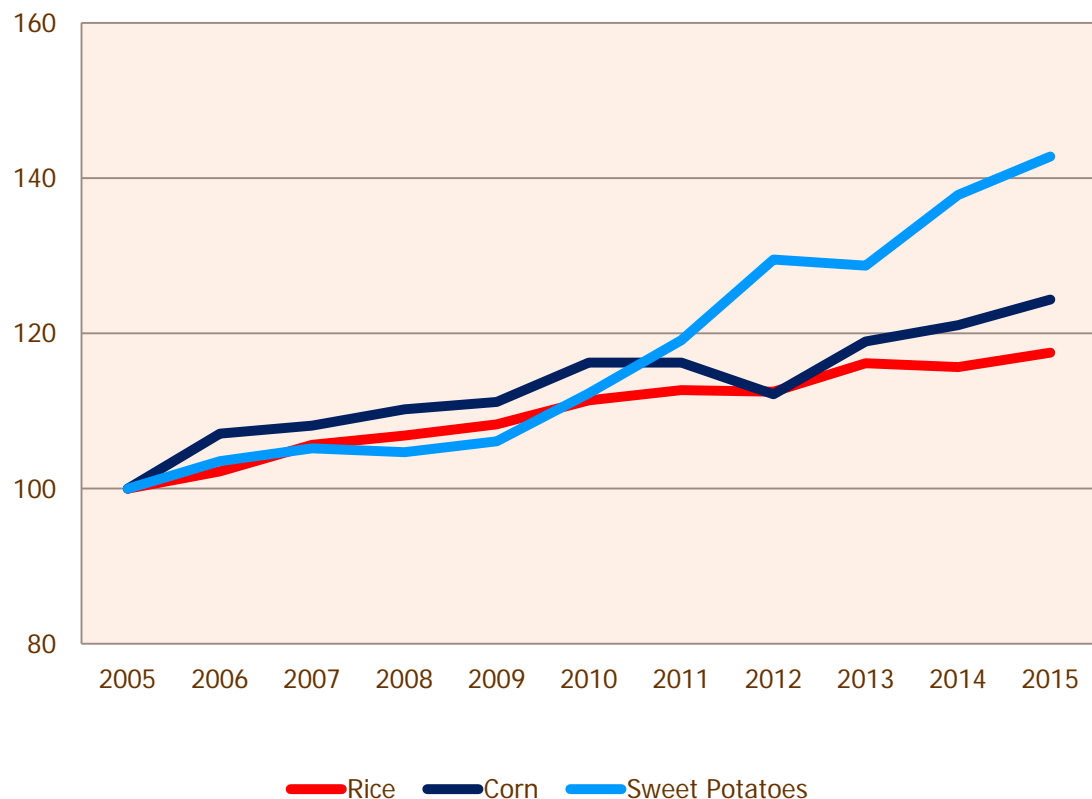
SAFE CROP PRODUCTION

No of species until the year



Plant breeding in Viet Nam: Yield vs. overall productivity developments

Vietnamese yield developments over time: major arable crops (index, 2005=100%)



→ Per annum since 2005:

- rice: + 1.6 %,
- corn: + 1.8 %,
- sw. potatoes: + 3.6 %.

→ To compare, global yield increases are in the range of:

- rice: + 1.3 %,
- corn: + 1.1 %,
- sw. potatoes: – 0.3 %.

→ Can Viet Nam already be considered an out-performer?

Plant breeding benefits: Supply changes also have monetary implications

The income effects referring to major arable crops are just part of the overall impact.



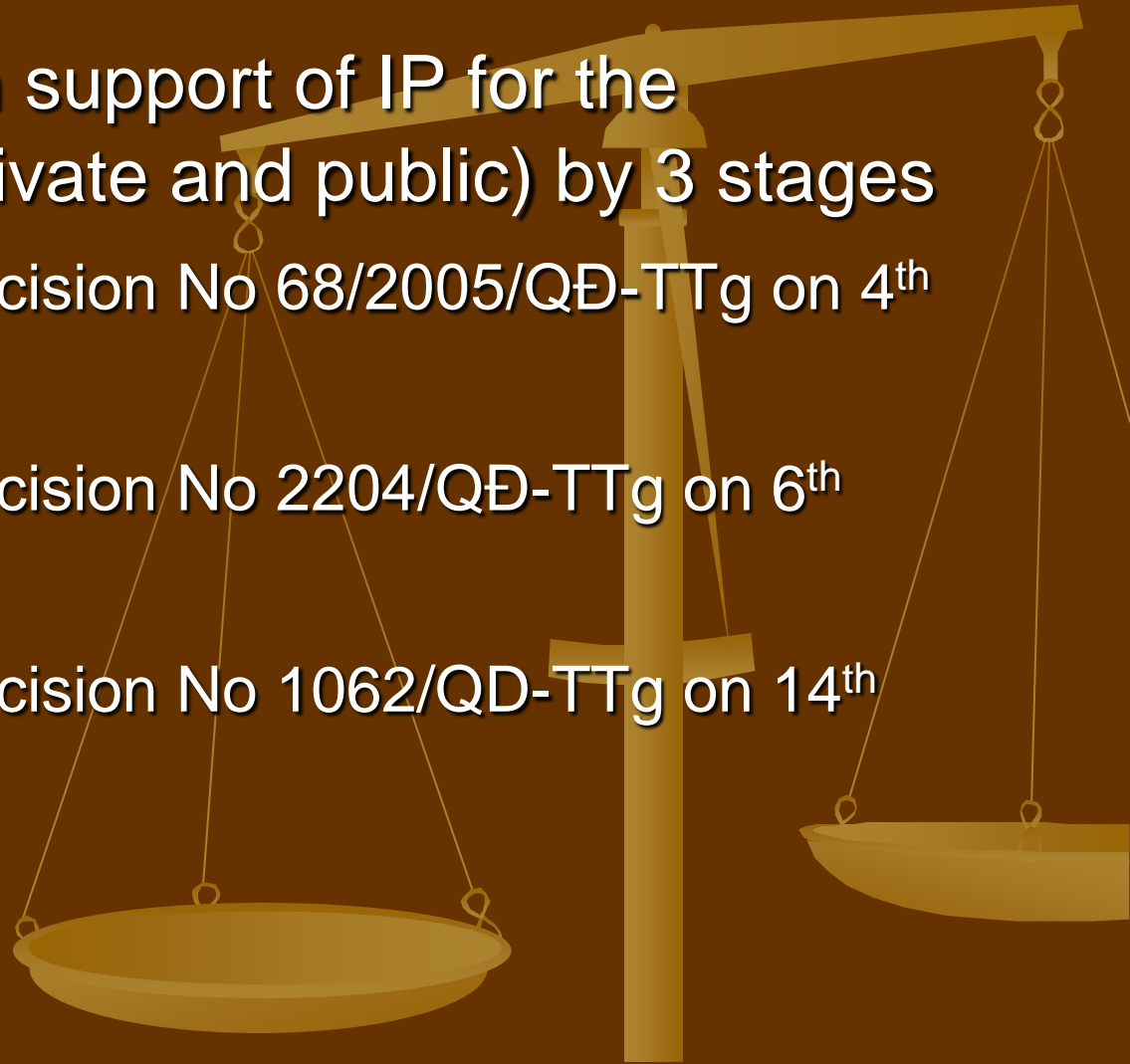
- Whereas approximately USD 3.5 billion have been added to GDP when looking at rice, corn and sweet potatoes, ...
- ... an additional GDP of at least USD 0.2-0.3 billion has been added by having invested ten years into plant breeding for flowers.
- Indeed, Viet Nam has become one of the fastest growing flower markets.

POLICIES AND STRATEGY FOR FURTHER DEVELOPMENT

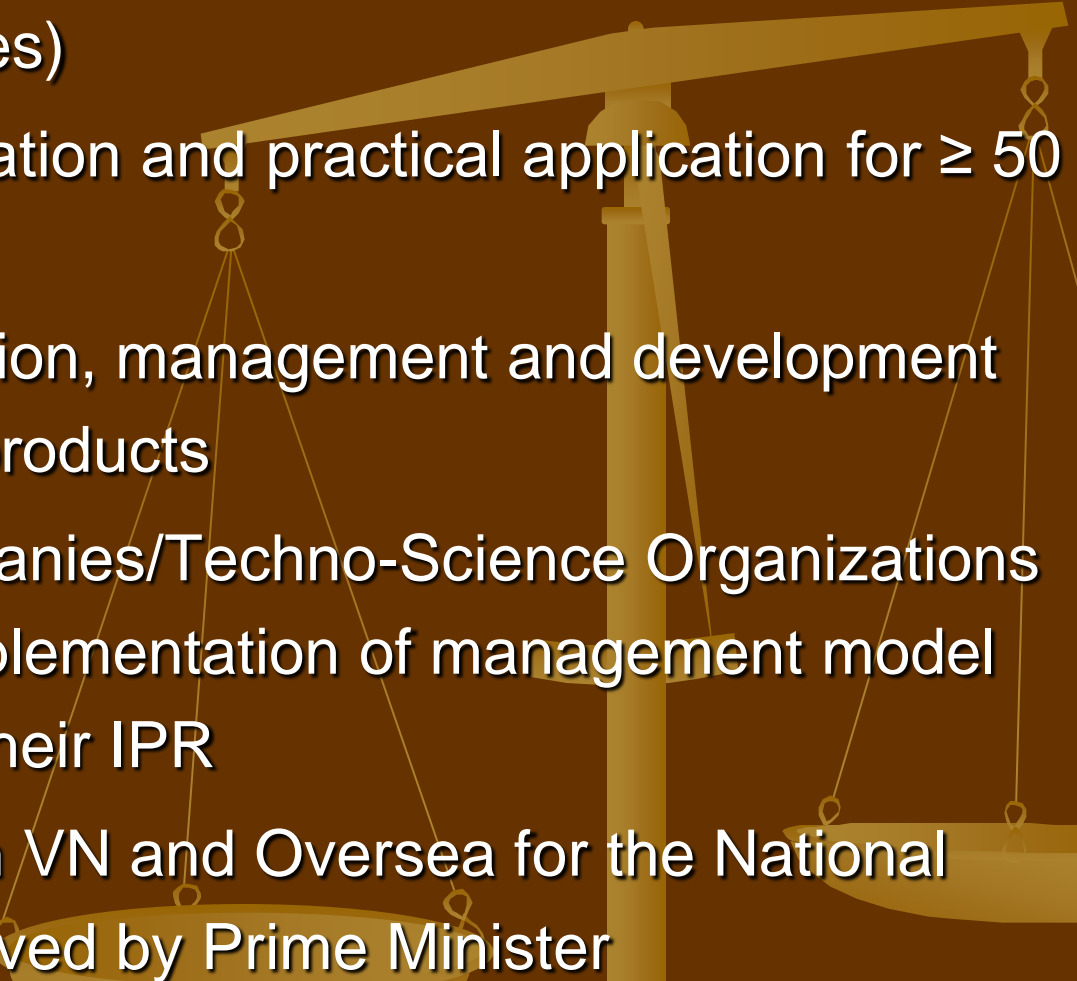


Policies on promoting of IP

- The programs on support of IP for the organizations (private and public) by 3 stages
 - ✓ 2005 – 2010 (Decision No 68/2005/QĐ-TTg on 4th April 2005);
 - ✓ 2011 – 2015 (Decision No 2204/QĐ-TTg on 6th December 2010);
 - ✓ 2016 – 2020 (Decision No 1062/QĐ-TTg on 14th June 2016)

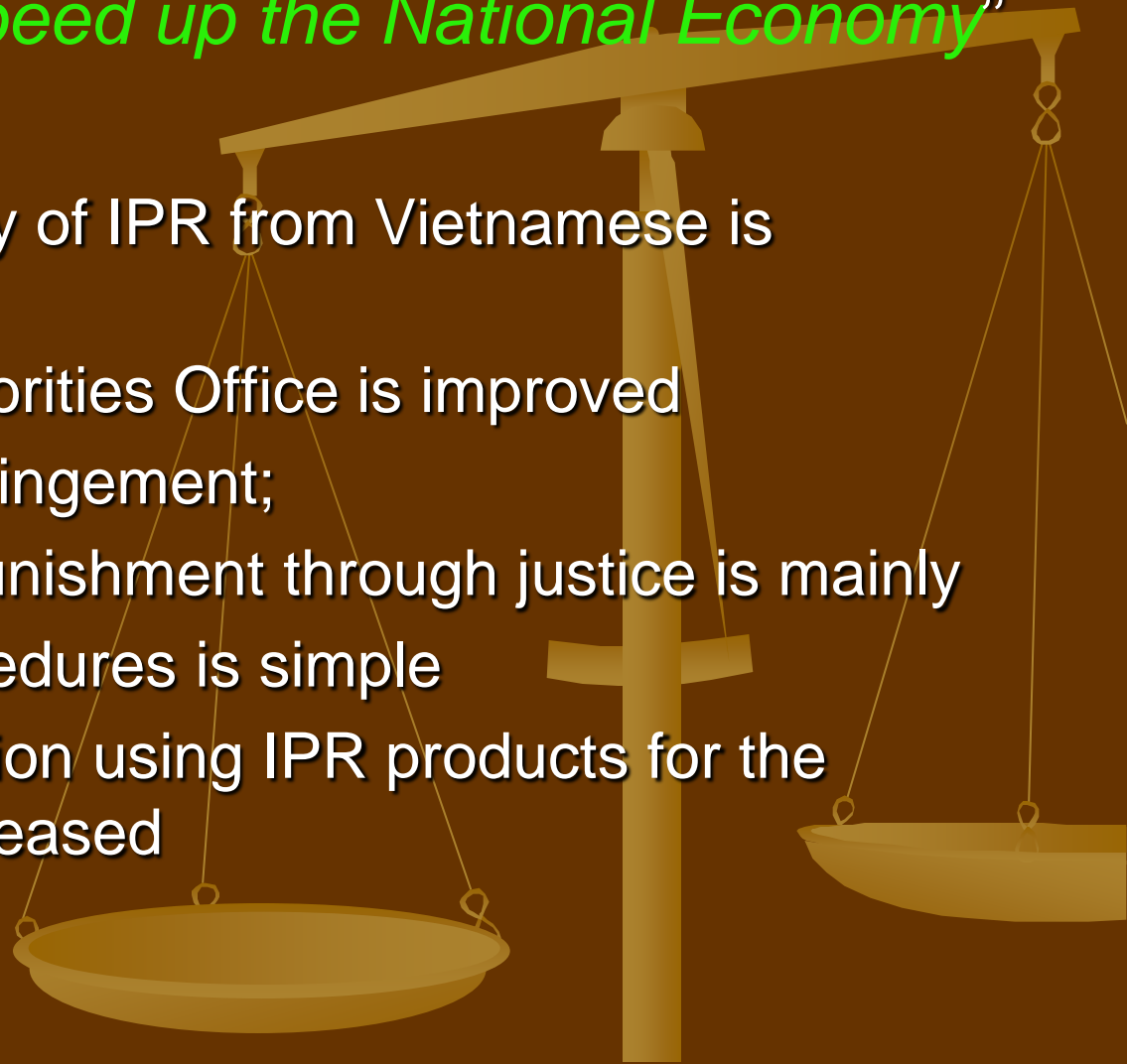


Purpose of the program 2016 – 2020 (1062/QD-TTg)

- ✓ Improving aware for the relevant persons
 - ✓ Training (≥ 1000 persons from Research Institutes/Private companies/Universities)
 - ✓ To support on exploitation and practical application for ≥ 50 IPR (Including PBR)
 - ✓ To support on protection, management and development for IPR of ≥ 70 local products
 - ✓ To assist ≥ 100 companies/Techno-Science Organizations in developing and implementation of management model and development of their IPR
 - ✓ Assisting to file IPR in VN and Oversea for the National Products those approved by Prime Minister
- 

Strategy to develop VN's IP until 2030 (drafting)

- General purpose: “*A Modern National IP System become a tool to speed up the National Economy*”
- Specific purposes:
 - ✓ Quantity and Quality of IPR from Vietnamese is increased
 - ✓ Capacity of IP Authorities Office is improved
 - ✓ Decrease of the infringement;
 - ✓ The measures of punishment through justice is mainly
 - ✓ Administrative procedures is simple
 - ✓ The No of corporation using IPR products for the development is increased



Thank you for your attention

➤ Detail Information:

➤ PVP Office

✓ Room No 105, A6 Build.

No 2 Ngocha Badinh, HANOI

✓ Tel: (844)38435182;

✓ Fax: (844)37342844

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

