



CPVO

Community Plant Variety Office

INTRODUCTION OF THE CPVO SYSTEM AND COOPERATION WITH ASIAN COUNTRIES

VIENTIANE, Lao P.D.R., 8 August 2014

**Martin EKVAD
President**

Outline

1. The EU system on plant variety protection
2. The CPVO
3. International cooperation
4. Statistics
5. CPVO Finances
6. New proposed tasks to the CPVO
7. Follow-up of the evaluation of the CPVR system in 2011
8. Final remarks



1. The EU Plant Variety System

- A system for the intellectual protection of plant varieties was established by a Regulation of the European Community in 1994.
- The intellectual property rights granted under this system are valid throughout the territory of the 28 Member States of the European Union.



- **EU / national**

- The EU system co-exists with the national systems of those 24 EU Member States.
- It is the applicant's choice : national or EU plant variety rights.

- **UPOV**

- The EU system is in line with the UPOV 1991 Act.
- 24 out of 28 EU Member States are UPOV members.
- The EU is a full member of UPOV as an inter-governmental organisation



- The EU system is tailored made for intellectual property protection for plant varieties (sui generis system under TRIPS)
 - Breeders' exemption
 - Agricultural exemption
- Plant varieties can not be protected by patents under the
 - European Patent Convention
 - EU Directive on patents for biotechnological inventions



2. The CPVO

Mission Statement

To foster innovation in plant varieties by high quality processing of applications for Community plant variety rights at affordable costs while providing policy guidance and assistance in the exercise of these rights for the benefit of stakeholders.



The CPVO

- The **Community Plant Variety Office (CPVO)** has been operational since 1995.
- Based in Angers, France
- President and Vice-President appointed by the Council
- The CPVO has a total of 45 staff members: 12 Nationalities



Council

Commission

Court of Justice

EU Parliament

Administrative Council

Board of Appeal

CPVO

Examination Offices



The Administrative Council

- Monitoring the CPVO
- Composed by representatives of the EU Member States, the European Commission and observer organisations
- Budgetary authority
- Entrustment of Examination Offices
- Approval of Technical Protocols
- 2 meetings per year



Technical Examinations

- The CPVO has not created its own technical infrastructure.
- Technical examinations are carried out by the Examination Offices entrusted by the Administrative Council.

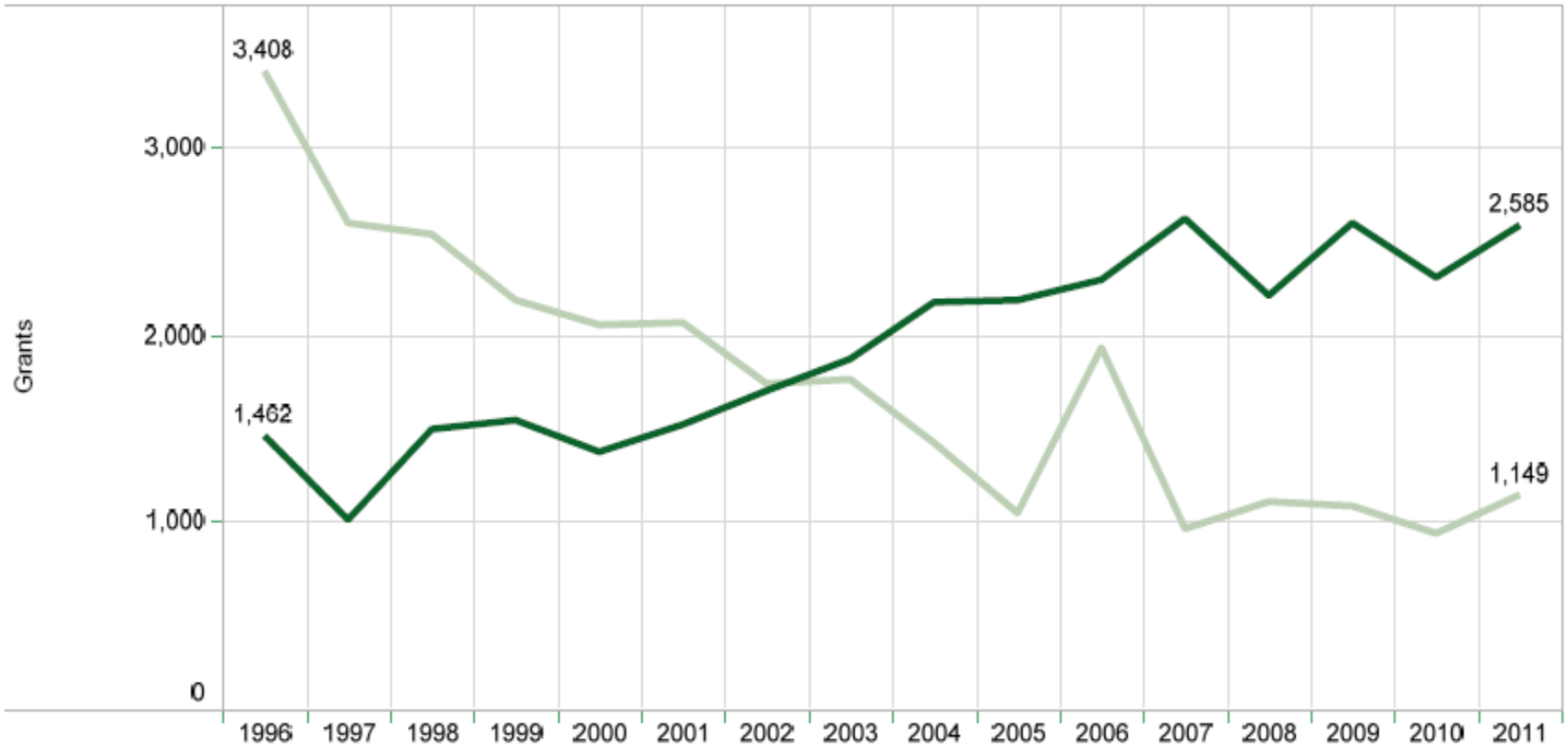


CPVO network of Examination offices in the EU



Evolution of PBR : EU and CPVO 1996-2011

Year



Organisation

- CPVO
- EU MS



Impact

- Less administration for States and breeders
- Technical co-operation has been intensified
 - Experts work on CPVO technical protocols adopted by the Administrative Council
 - Experts seek to harmonise how tests are made
 - R&D projects co-financed by the CPVO to which many examination offices participate
 - Common data bases
 - The use of new techniques used in DUS testing



3. International co-operation

- The EU is involved in various projects in the agricultural sector in ASIA.
- The EU pvr-system is an example of international co-operation
- CPVO participates in programs to introduce candidate EU member states



International co-operation

- Cooperation with UPOV
 - Participating in all UPOV bodies
 - Presentations in international seminars and working groups
- Cooperation with other organizations
 - ARIPO, OAPI, GNIS
- Cooperation with individual countries
 - exchange of DUS reports (including Asian countries)
 - technical cooperation



4. Statistics

- 49.700 applications received (75% online in 2014)
- 37.900 titles granted (22.250 in force)
- 1.800 different species

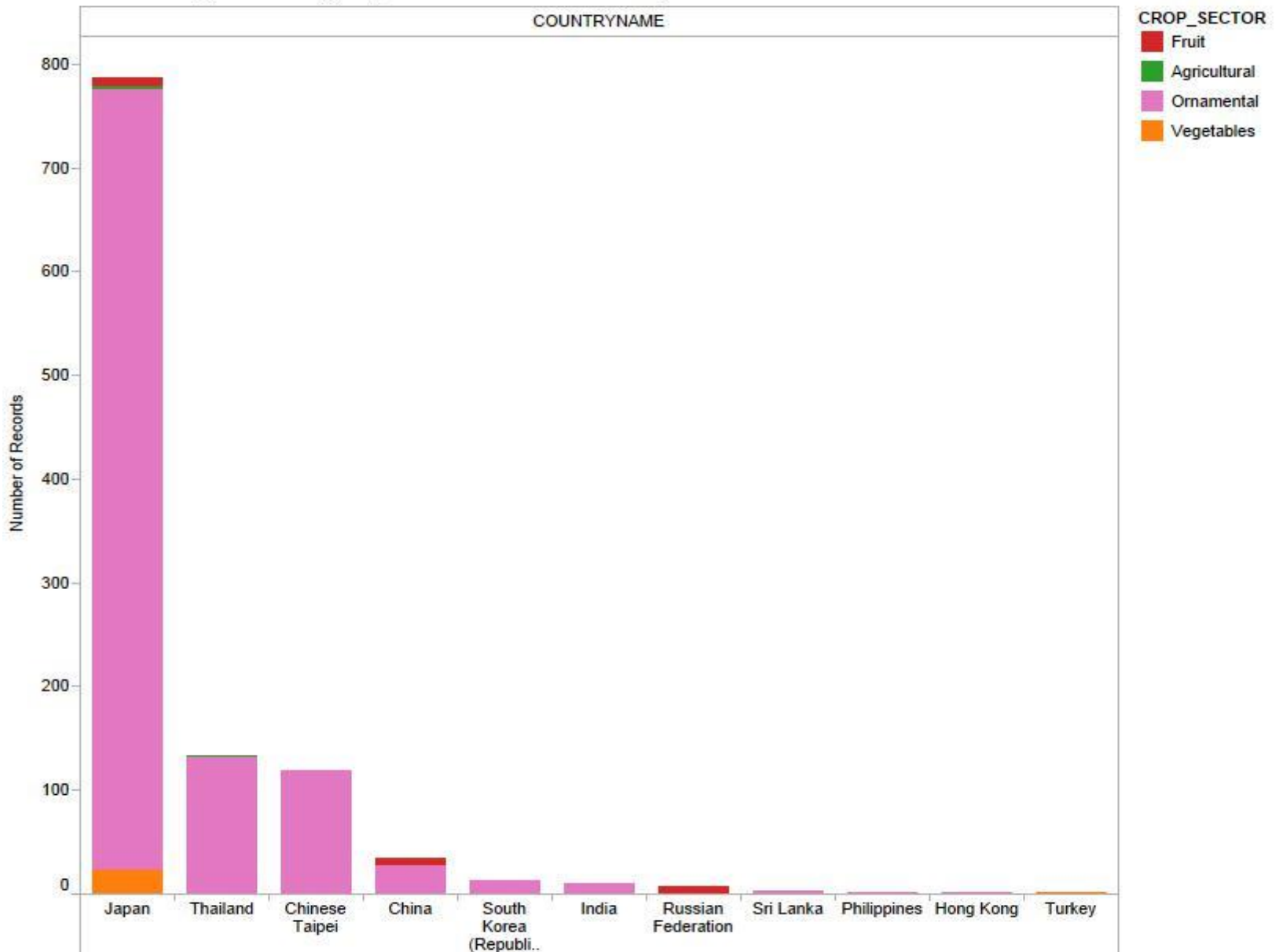


Number of CPVO applications received by crop sector since 1995

Country name of main applicant	Fruit	Agricultural	Ornamental	Vegetables	Grand Total
Japan	9	2	753	23	787
Thailand		1	133		134
Chinese Taipei			119		119
China	8		27		35
South Korea (Republic Of)			13		13
India			10		10
Russian Federation	7				7
Sri Lanka			3		3
Philippines			2		2
Hong Kong			1		1
Turkey				1	1
Grand Total	24	3	1061	24	1112



Applications by origin for the filters selected - Update:22/07/2014 15:14:29

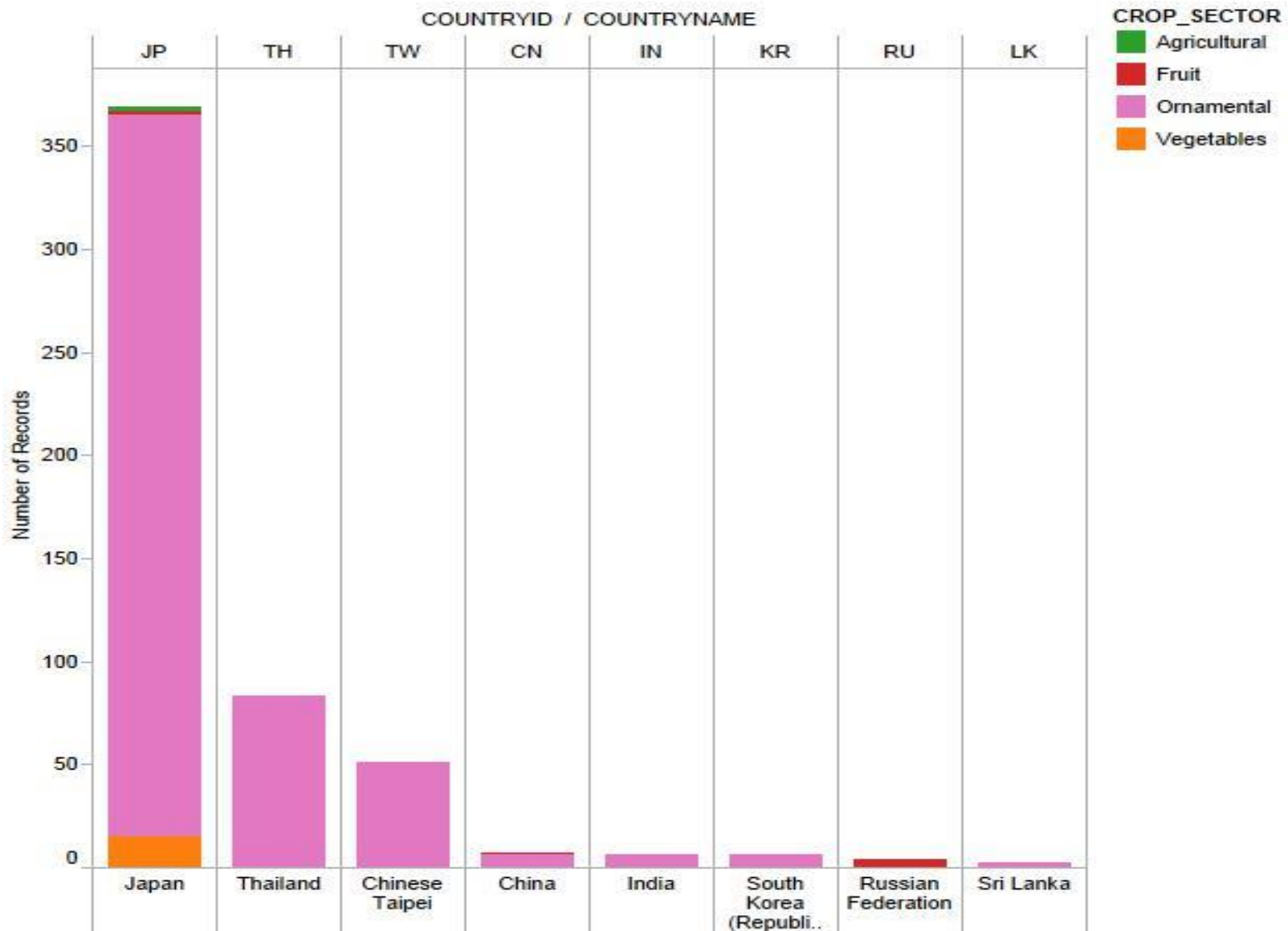


Titles in force by crop sector since 1996

Country name of main applicant	Agricultural	Fruit	Ornamental	Vegetables	Grand Total
Japan	2	2	350	15	369
Thailand			83		83
Chinese Taipei			51		51
China		1	6		7
India			6		6
South Korea (Republic Of)			6		6
Russian Federation		4			4
Sri Lanka			2		2
Grand Total	2	7	504	15	528



Titles in force TODAY by origin for the application status selected - Update:22/07/2014 15:14:29

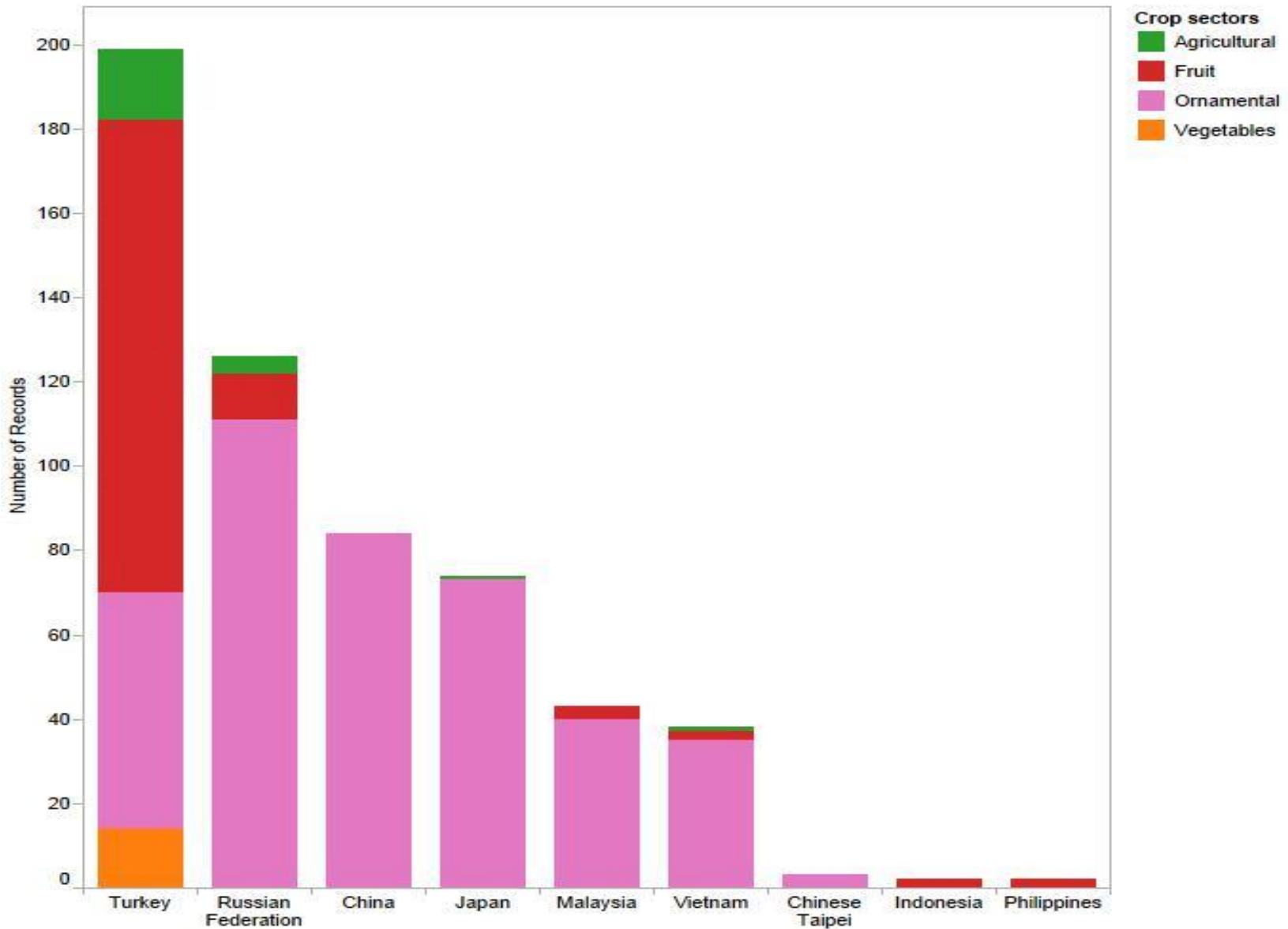


Number of sales of reports per crop sector since 1998

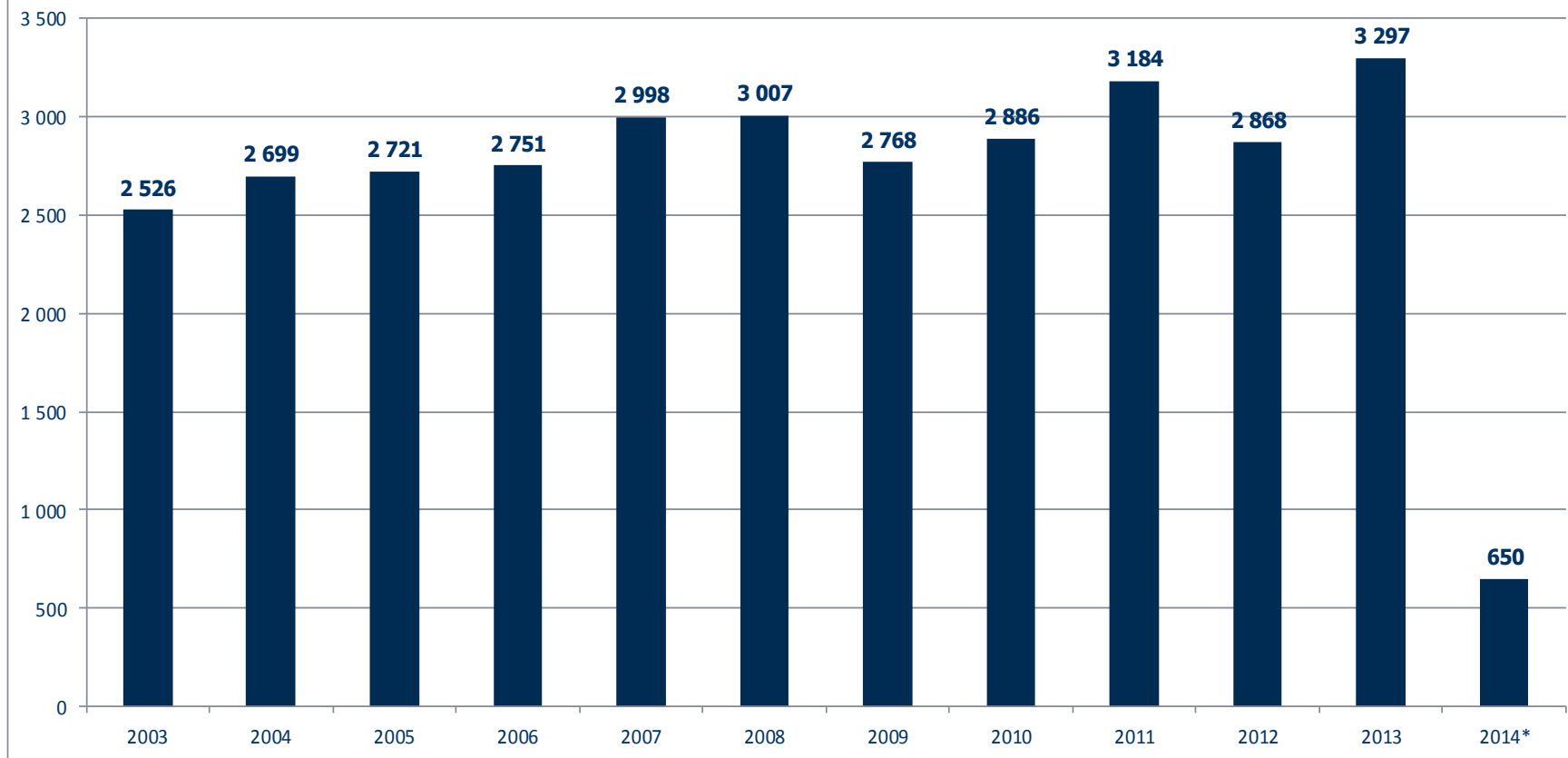
Requesting country	Agricultural	Fruit	Ornamental	Vegetables	Grand Total
Turkey	17	112	56	14	199
Russian Federation	4	11	111		126
China			84		84
Japan	1		73		74
Malaysia		3	40		43
Vietnam	1	2	35		38
Chinese Taipei			3		3
Indonesia		2			2
Philippines		2			2
Grand Total	23	132	155	14	571



Graph Sales of DUS reports Asian countries Turkey and Russia - Update: 24/07/2014
15:42:34



Evolution of annual number of applications received for Community Plant Variety Rights from 01/01/2003 to 07/03/2014

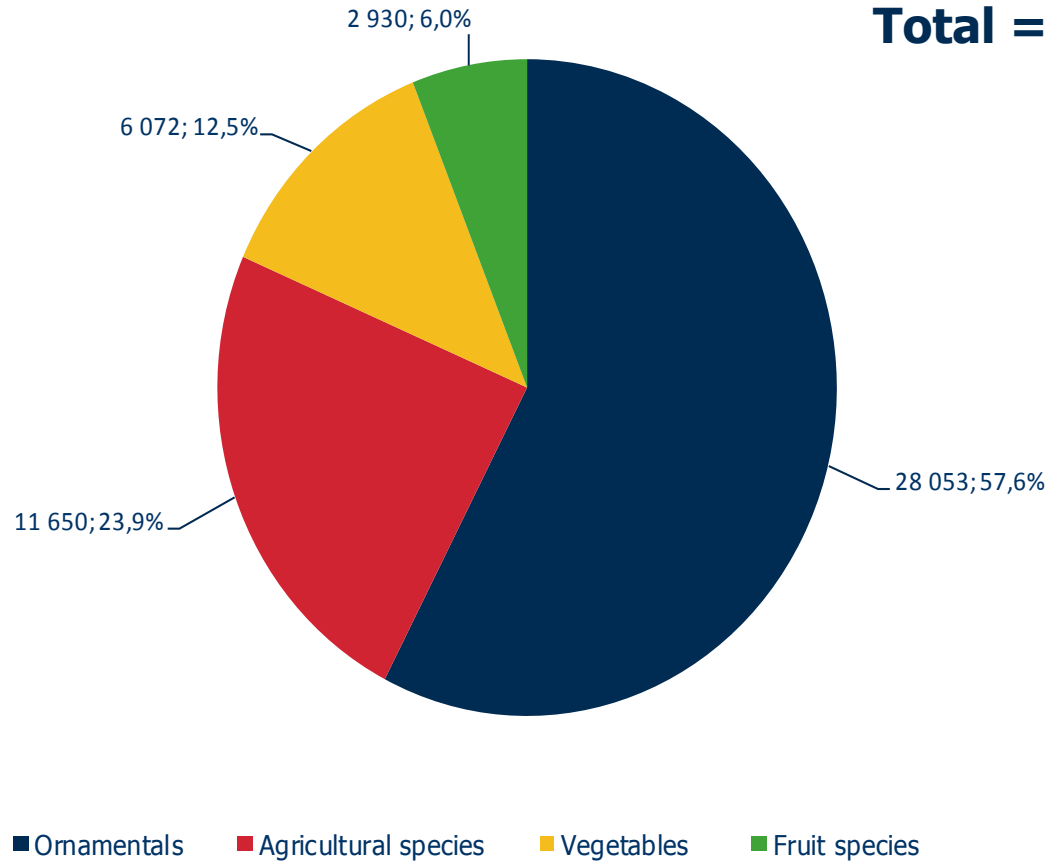


NB: (*) comparison with 2013 - period from 01/01 to 07/03: -18.4%



Applications received for Community Plant Variety Rights from
27/04/1995 to 07/03/2014*

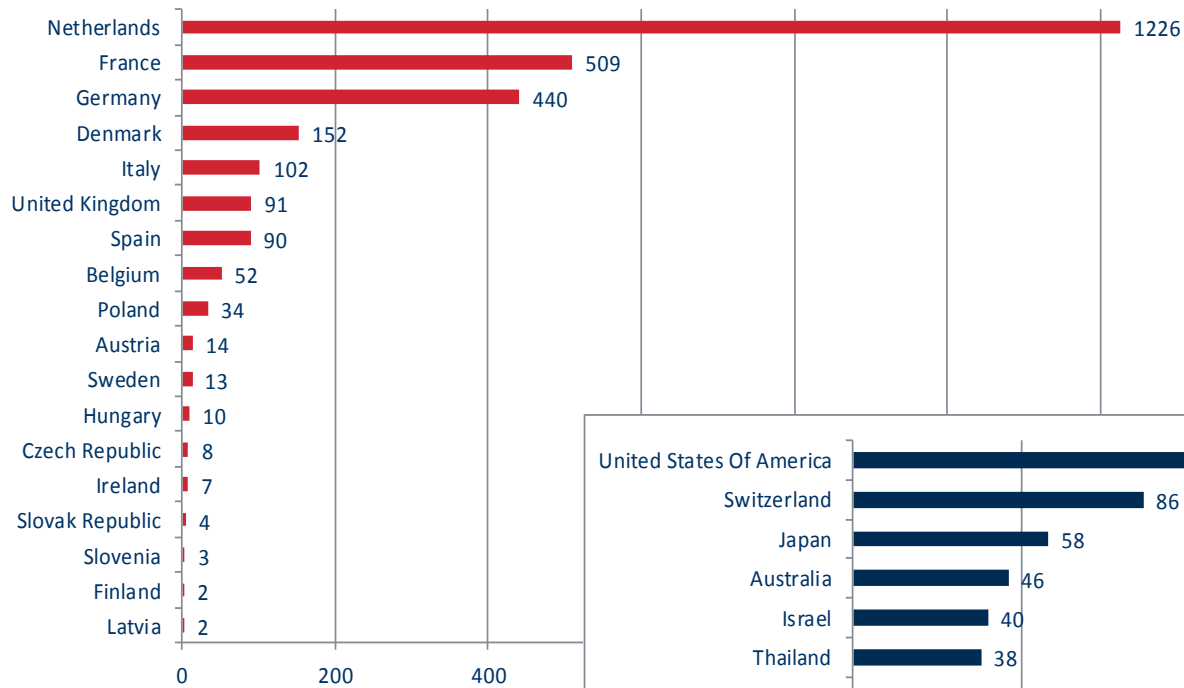
Total = 48 705



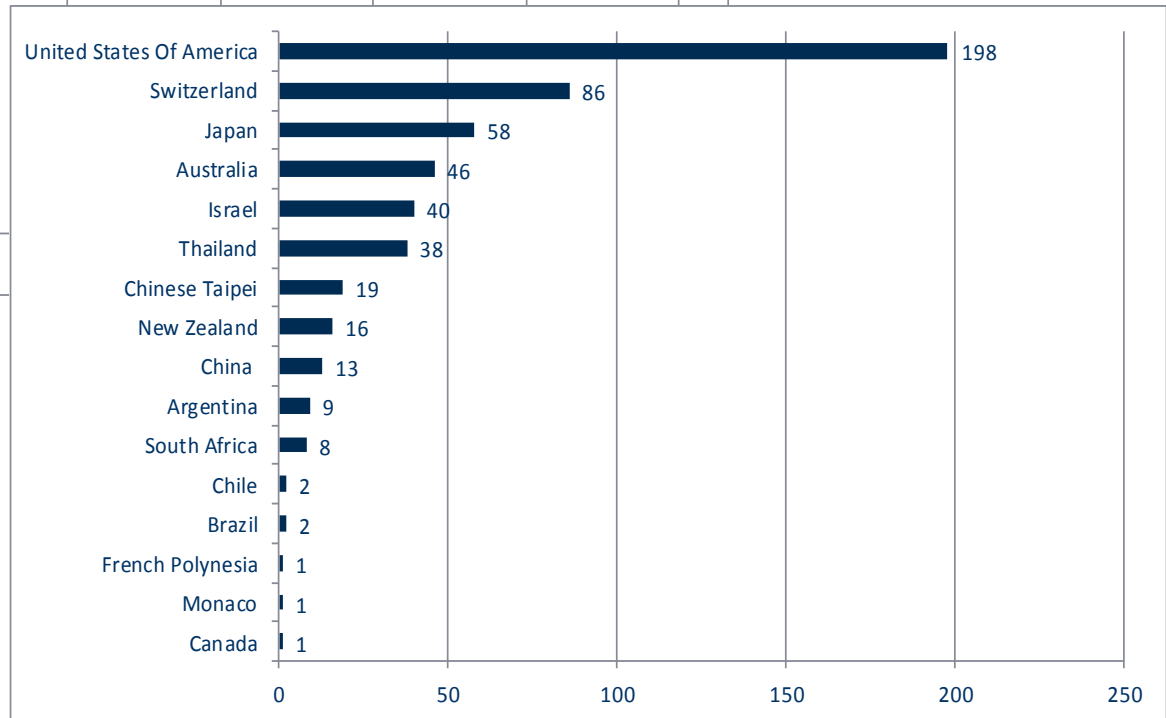
NB: (*) Situation at 07/03/2014 - Total = 48 705



Origin of Community Plant Variety Rights applications in 2013



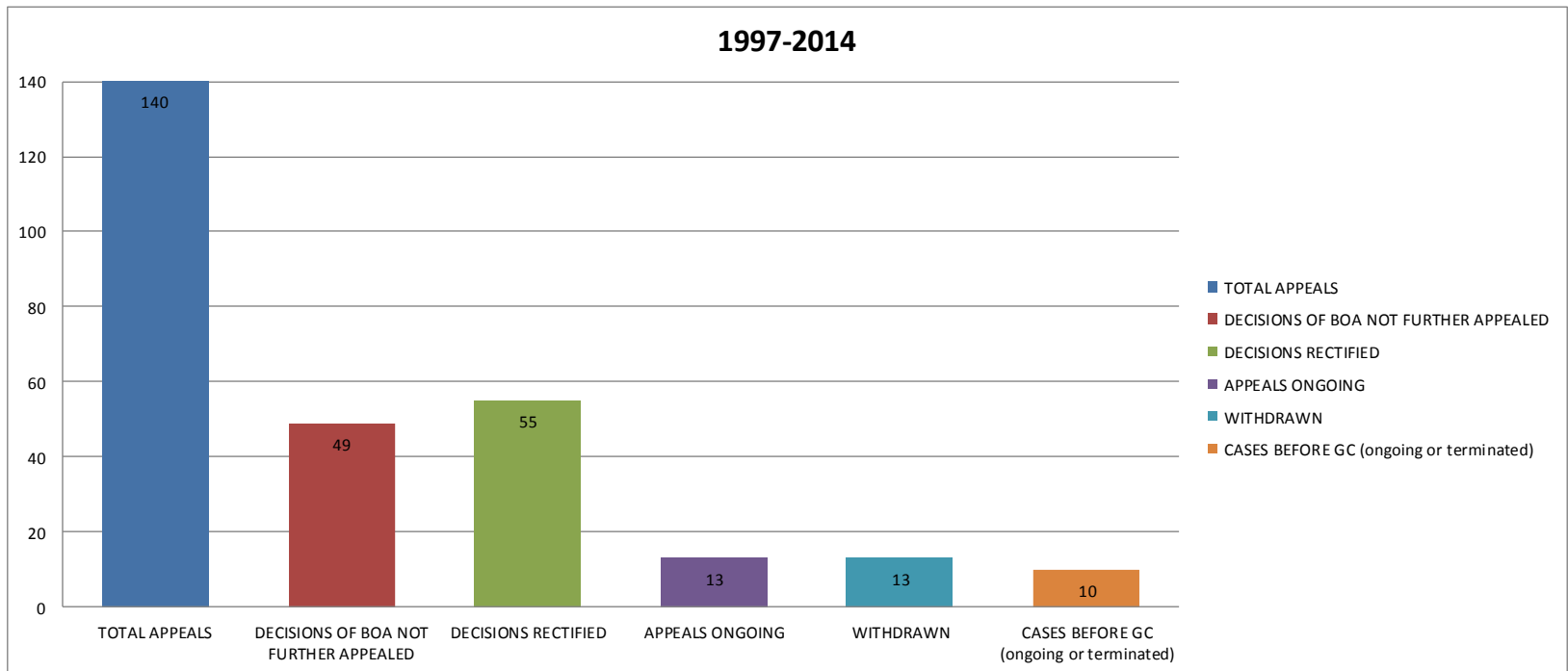
Total from EU members
= 2759 applications

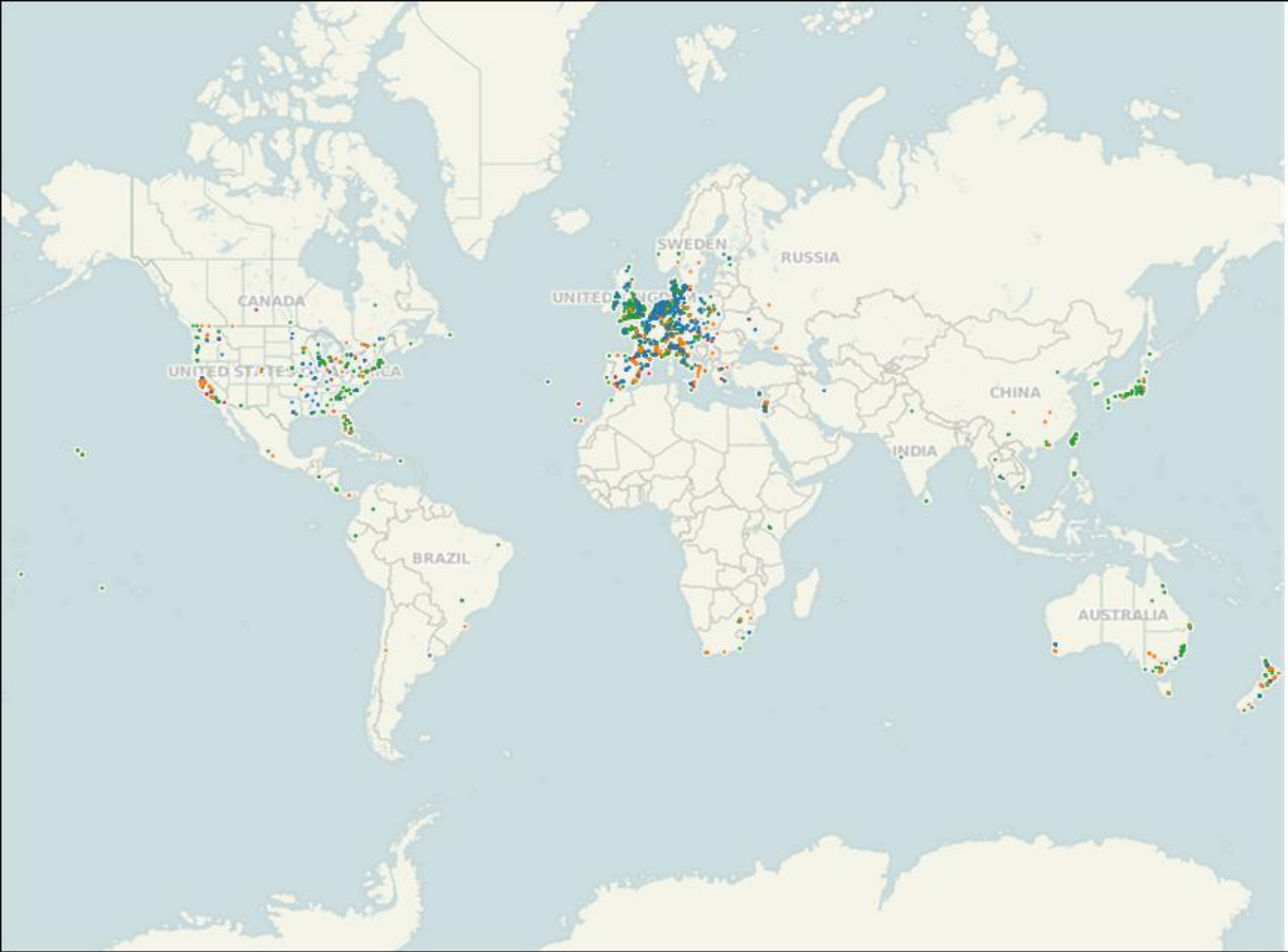


Total from Non-EU members
= 538 applications



BOARD OF APPEAL: Statistics (1997-2014)





- CROP
- Agricultural
 - Fruit
 - Ornamental
 - Vegetables

Fees from clients per crop sector



5. CPVO Finances

- Commission decides on fees
- Self-Financed
 - Ensuring continuity of operations
 - Maintaining the reserve at a reasonable level
- Demand-driven
- Medium-Long Term Outlook to balance budget



The fees cover several steps of the procedure:

- Application fee: 650 Euro
- Examination fee: 1200 – 2000 Euro
per year/cycle of DUS test
- Take over fee: 240 Euro
- Annual fee: 250 Euro



6. New proposed tasks to CPVO

- Establish and manage a Union variety register
- Handle listing applications for certain species
- Advise Member States on variety denominations
- Auditing Examination Offices only doing listing



7. Follow-up of the evaluation of the CPVR system in 2011

- The evaluator concluded that:
 - the system functions well over all and that stakeholders are happy with it and that they wish to retain the system in its current form, albeit with some carefully targeted adjustments
- No Commission initiative foreseen before 2015



8. Final Remarks

- CPVO contributes to:
 - Efficiencies for applicants
 - Less administration for national authorities
 - Close co-operation between CPVO and MS on a technical level
 - Protection at reasonable prices
- Financial management is sound
- New tasks logical for an EU Agency dealing with Plant Varieties



Thank you!

