



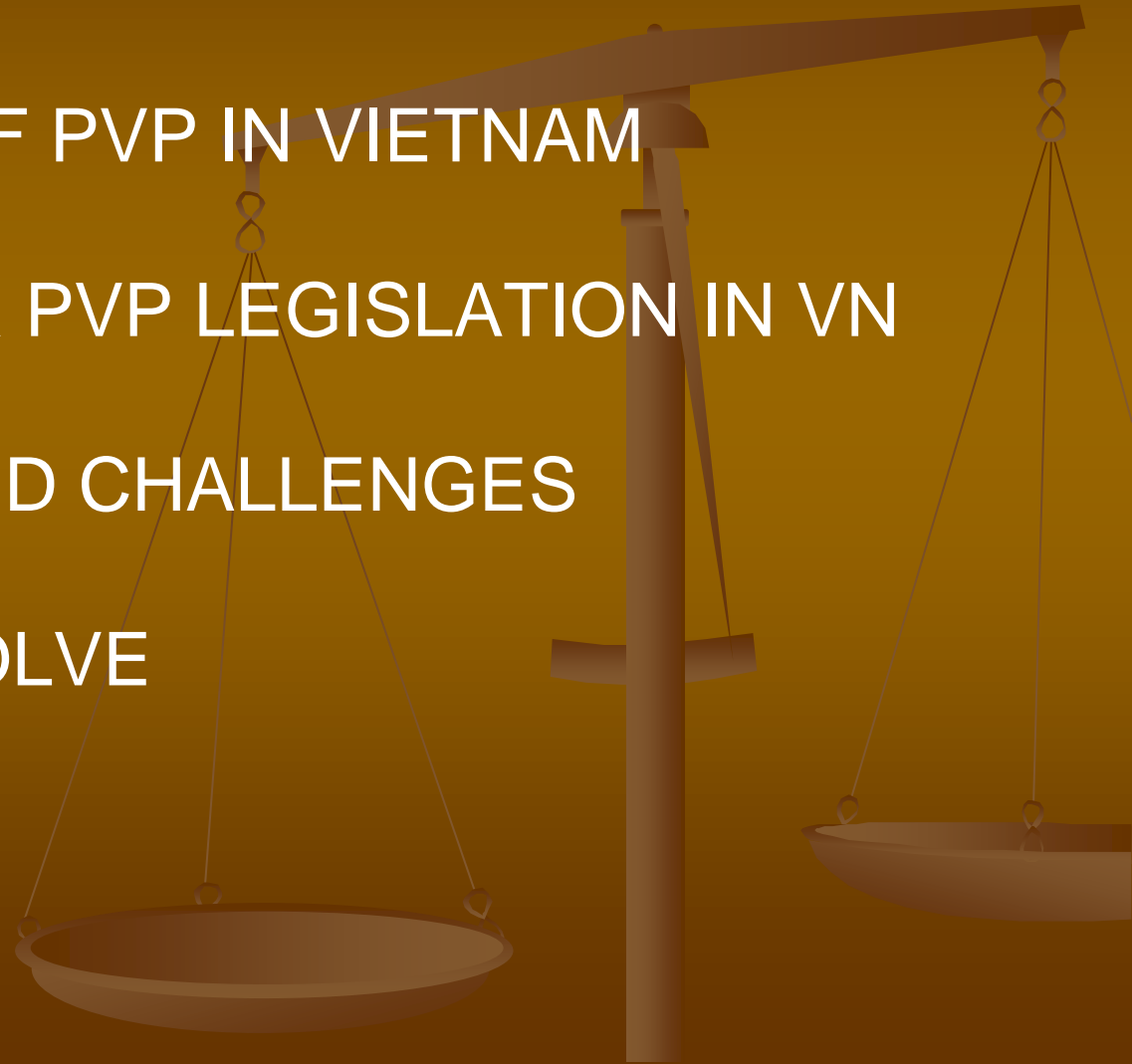
IMPLEMENTATION OF PVP IN VIETNAM

NGUYEN THANH MINH, PVPO, DCP – MARD/VIETNAM

Thailand - Feb 2017

OUTLINE OF THE PRESENTATION

- DEVELOPMENT OF PVP IN VIETNAM
- MAIN POINTS FOR PVP LEGISLATION IN VN
- ACHIEVEMENT AND CHALLENGES
- MEASURES TO SOLVE

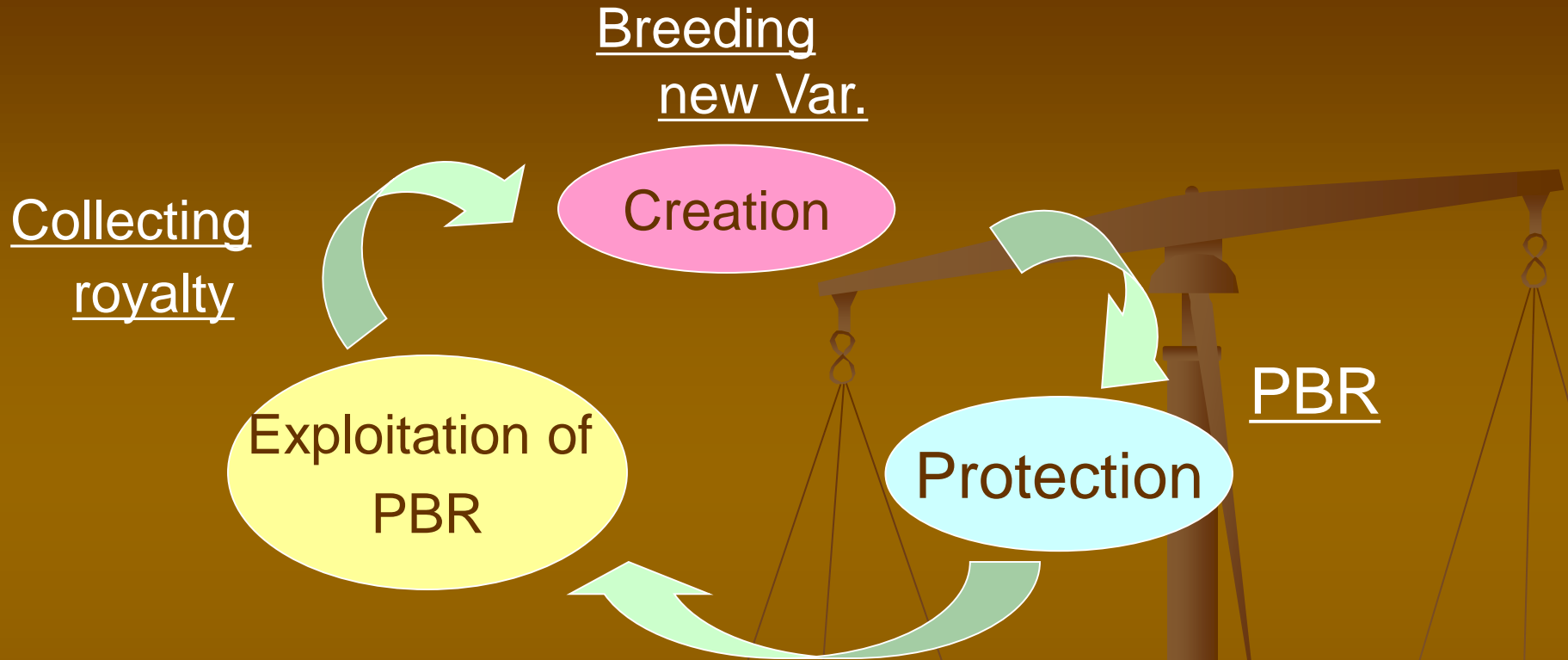


Background

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



Vietnam decided to establish PVP system



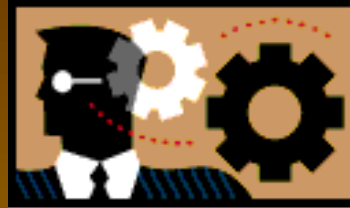
- PVP encourage of breeding and introduce new plant varieties with good features – Benefit for farmer and consumer – benefit for society

DEVELOPMENT OF PVP IN VIETNAM



History by periods

- ✓ Operating the system under UPOV Convention
- ✓ Exploit the benefits from PVP system



Implementing PVP System under UPOV Convention

2007-NOW

- ✓ Organizations to implement: PVPO/DUS Test Office
- ✓ Drafting Legislation Document

Establishing National PVP system and Preparations to join UPOV



2000-2006

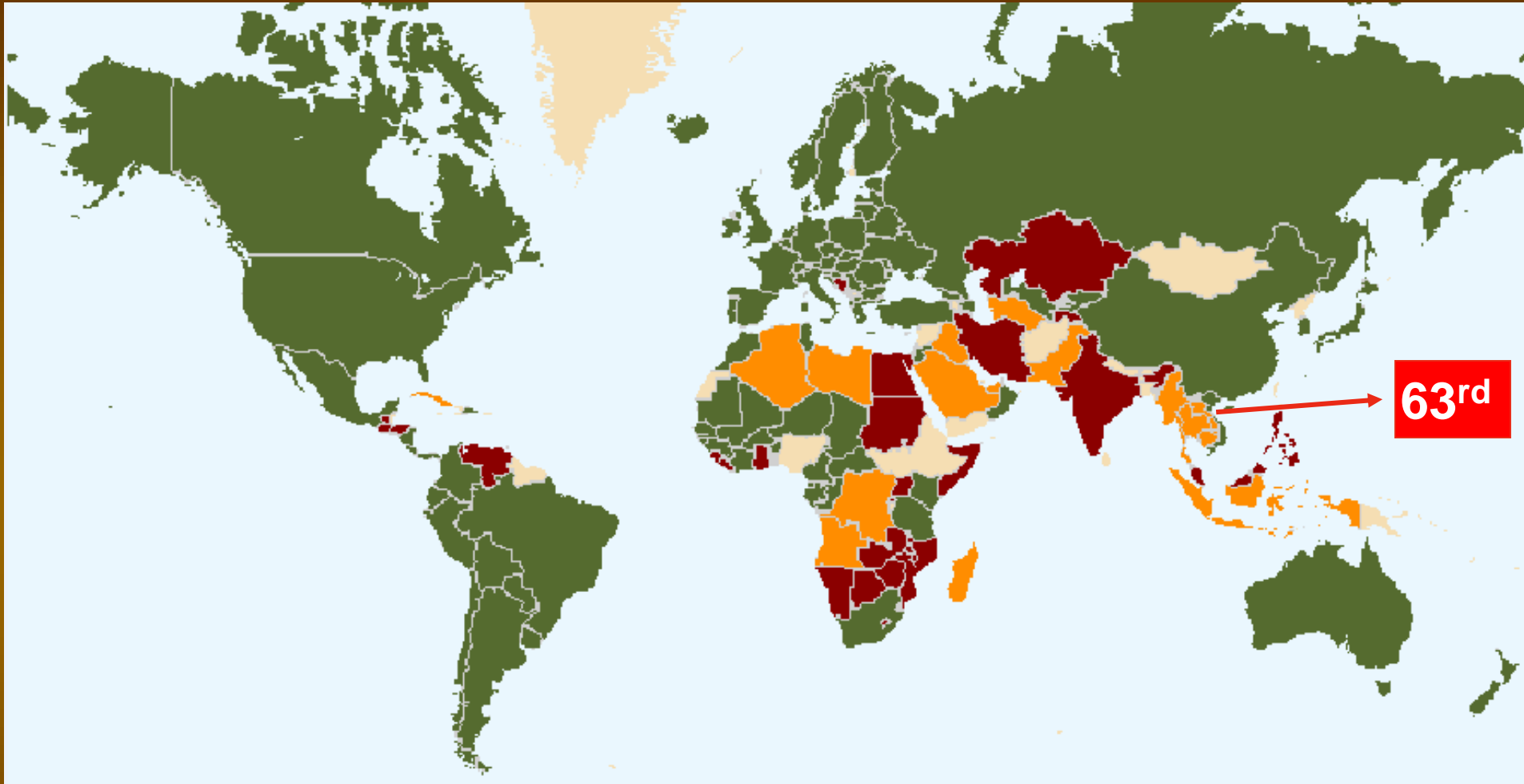
Study the real conception of PVP

1995-2000

- ✓ Dispatching staffs to Overseas
- ✓ Invite Experts from experienced countries and UPOV
- ✓ Seminars/Workshops on PVP for relevant persons



Members of UPOV (24th Dec, 2006)



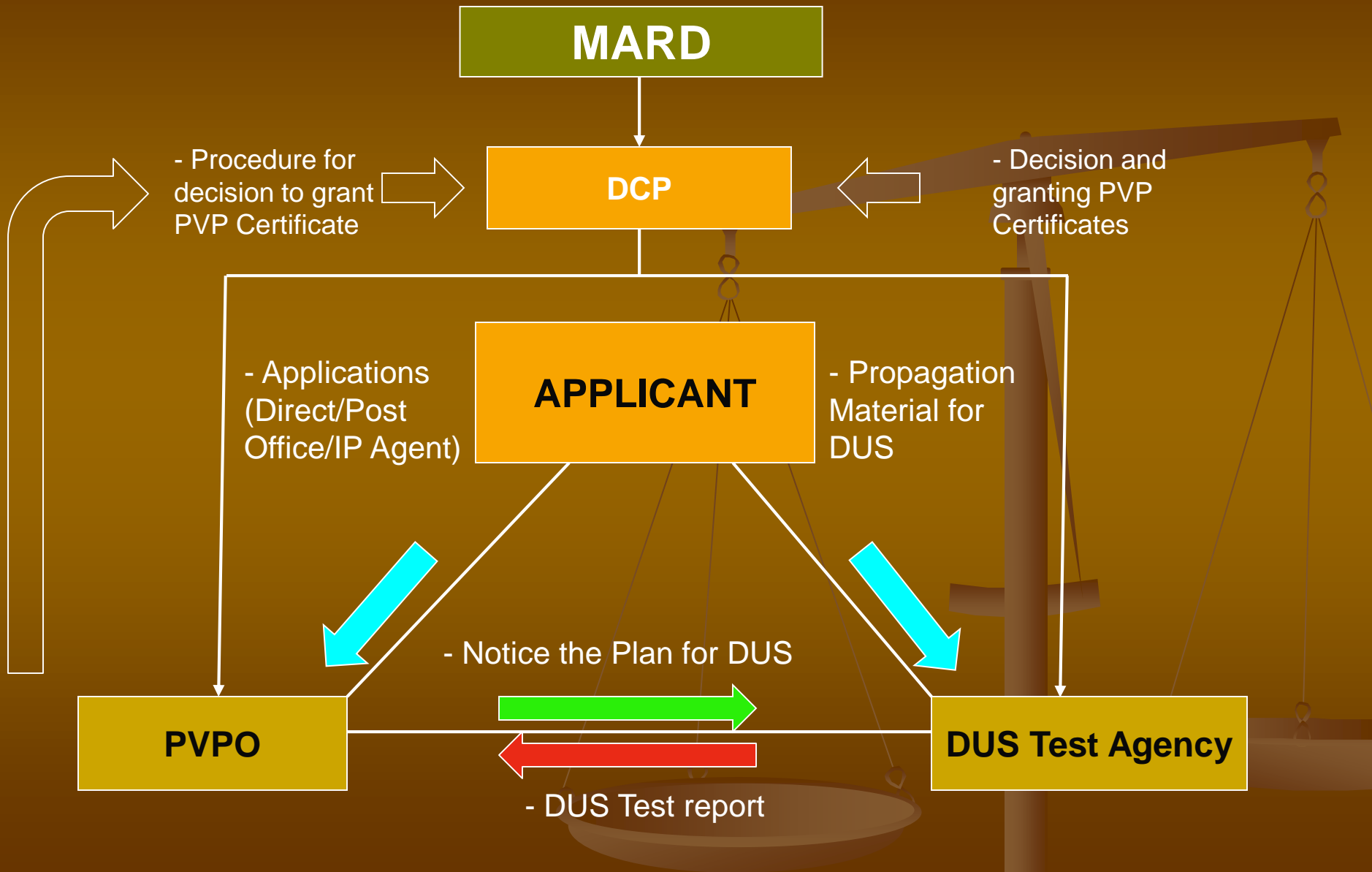
Members of UPOV (74) – 93 states

Initiating States (15) and Organization (1)

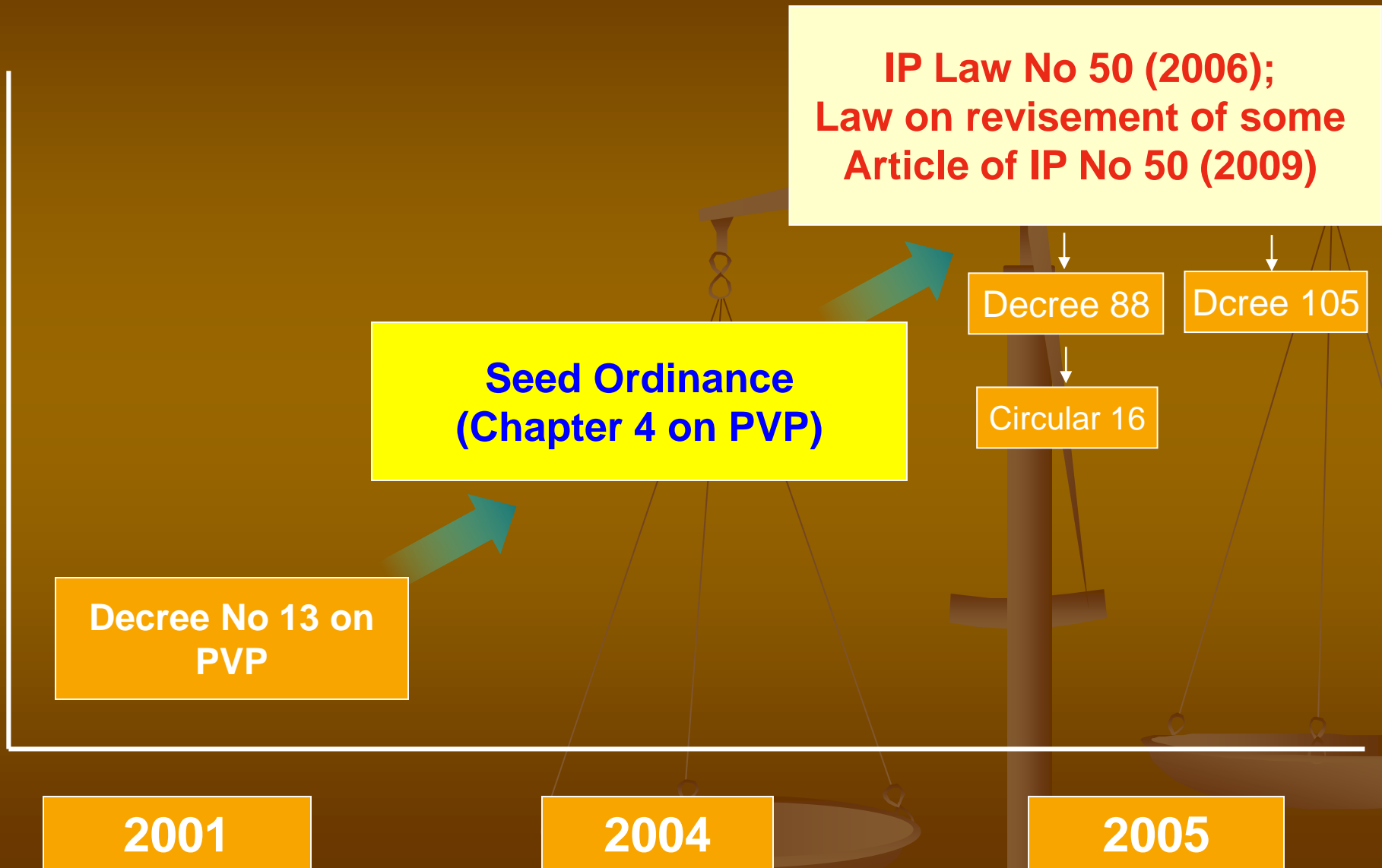
States (23) and Organization (1) in contact with the UPOV Office

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

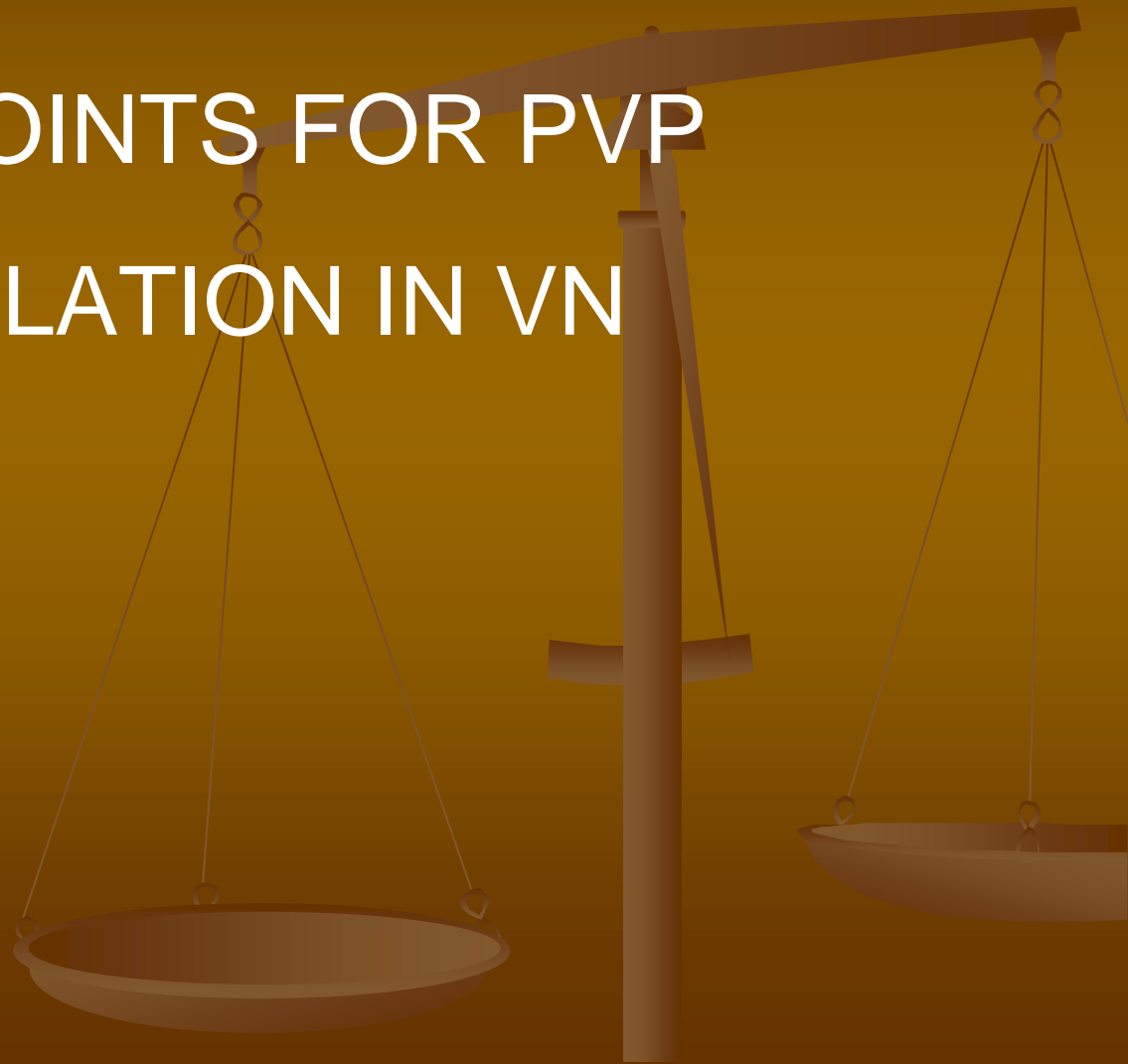
Organization System



Legislation on PVP



MAIN POINTS FOR PVP LEGISLATION IN VN



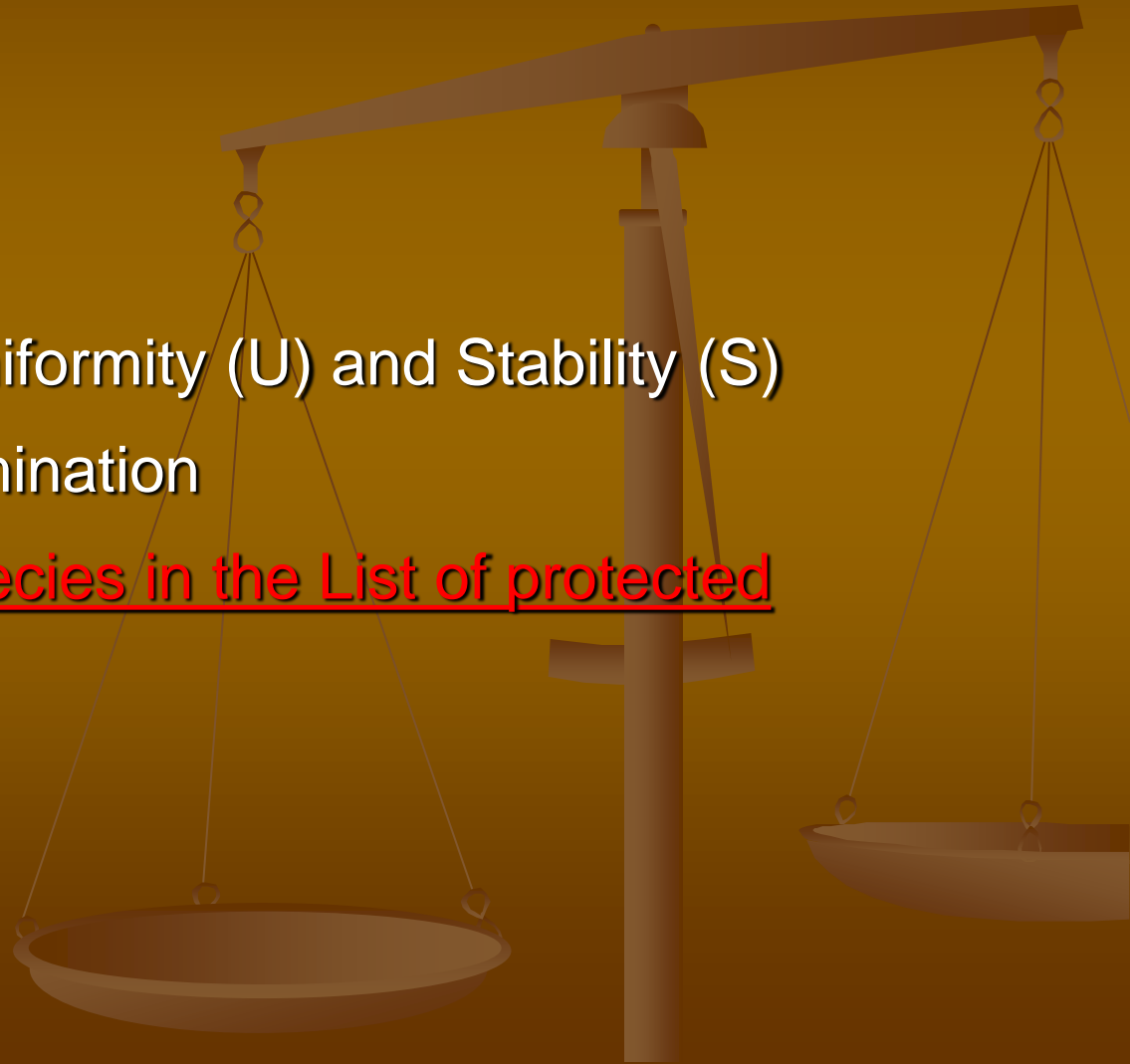
Applicants



- Vietnamese Organizations, Individual; Foreigners who are citizen or resident of UPOV Members or the country which have agreement on PVP with Vietnam or foreigners which register a permanent residence in Vietnam:
 - ✓ Bred or discovered and develop a new variety;
 - ✓ Invested to the breeding or discovered and develop a new variety;
 - ✓ Has lawful right of PVP
- Pay the fees.

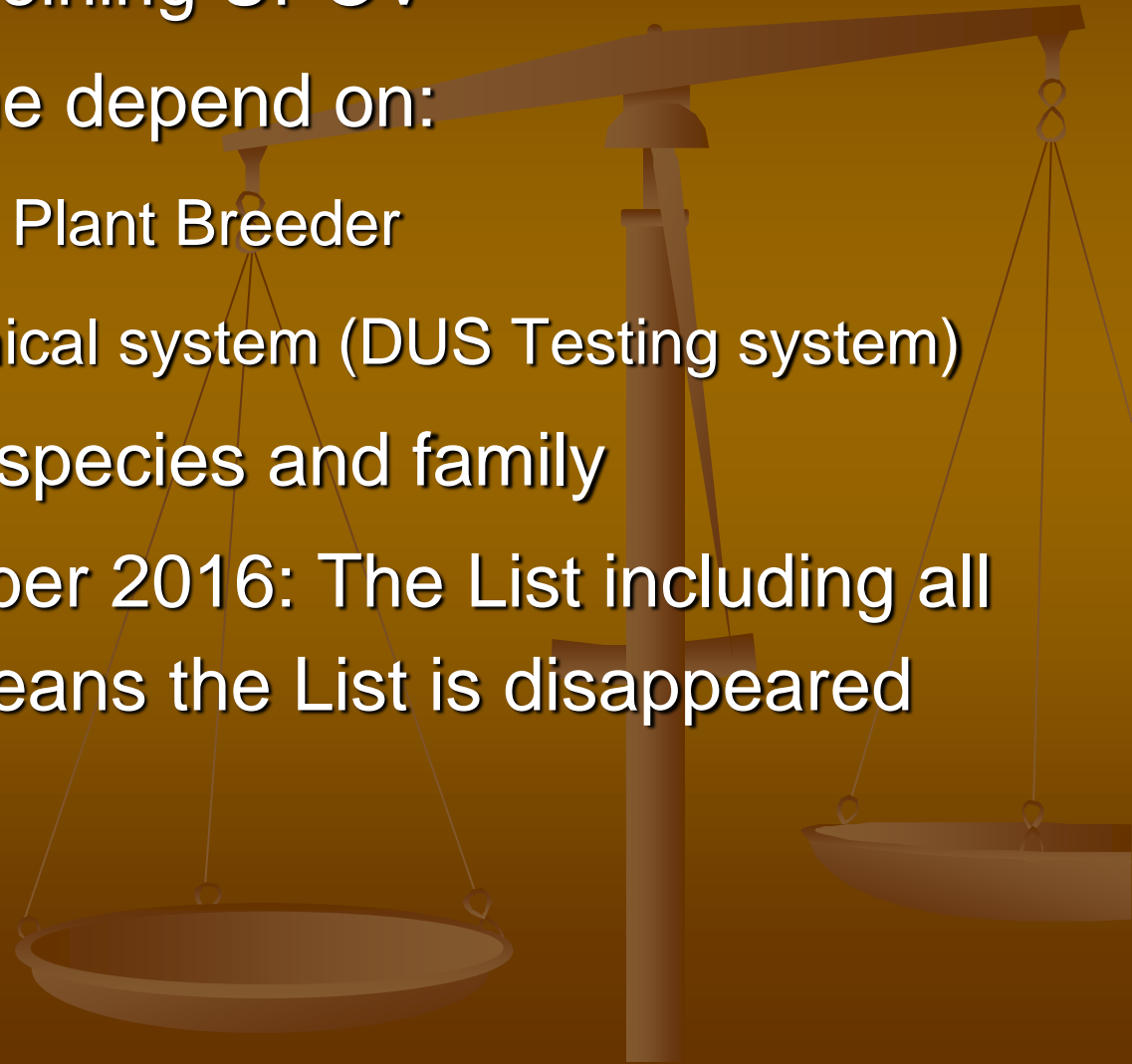
Conditions for a variety can be protected in Vietnam

- When it is
 - ✓ New
 - ✓ Distinct (D), Uniformity (U) and Stability (S)
 - ✓ Suitable denomination
 - ✓ Belong to a species in the List of protected species



The list of Protected species

- 15 species when joining UPOV
- Expand by the time depend on:
 - ✓ The demand from Plant Breeder
 - ✓ Capacity of Technical system (DUS Testing system)
- End of 2016: 107 species and family
- From 24th December 2016: The List including all plant species – Means the List is disappeared



Fees for PVP (Circular 180)

Filing (Million VND)	For DUS - 1 Var./1Appli (Million VND)	Maintaining of Certificate (Million VND)
2	<ul style="list-style-type: none">✓ Seasonal Crops: 8,3✓ Annual crops: 11✓ Perennial crops: 24	<ul style="list-style-type: none">✓ The years from 1 – 3: 3✓ The years from 4 – 6: 5✓ The years from 7 – 9: 7✓ The years from 10 – 15: 10✓ From 16th to finish: 20

(1 USD is about 22,300 VND)

* *Way of payment:*

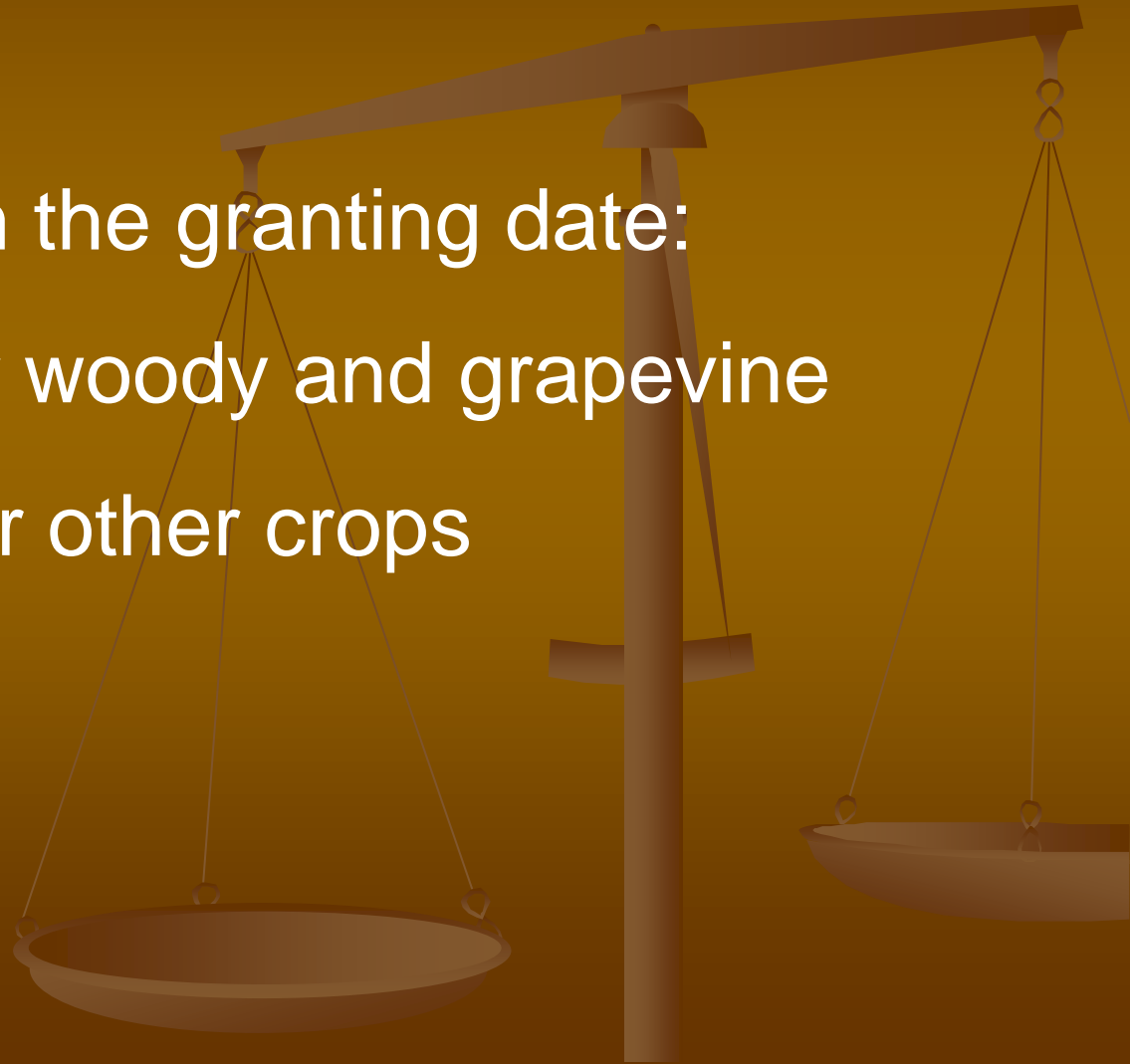
✓ First year: when receive Certificate

✓ From next years: First day of the year for effective of Certi.

Effectiveness of Certificate

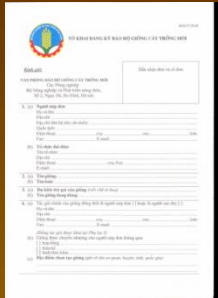
Take effect from the granting date:

- ✓ 25 years for woody and grapevine
- ✓ 20 years for other crops



Procedures for PVP in Vietnam

Filing Application



- Application and TQ ; Photos; fee receipt
- Filing fee receipt
- Others (If possible)

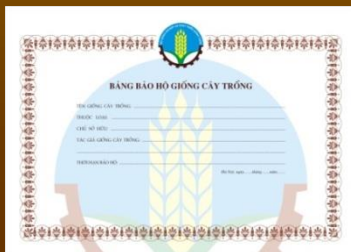
Publicity (Validity)

- Technical Examination (DUS Test)
- Fee for DUS Test)
- Examining of DUS Test report

Decision for granting

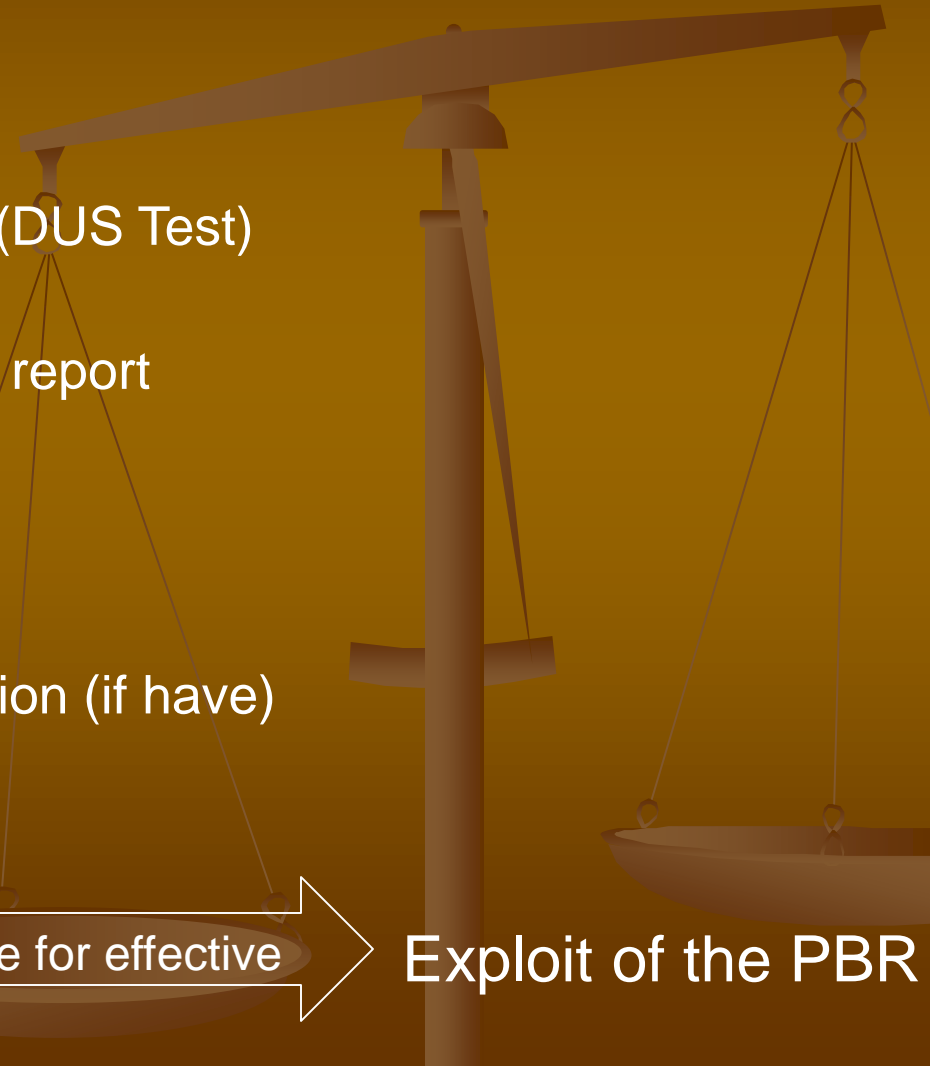
- Public the decision
- Treatment of third opinion (if have)

Granting



Maintain fee for effective

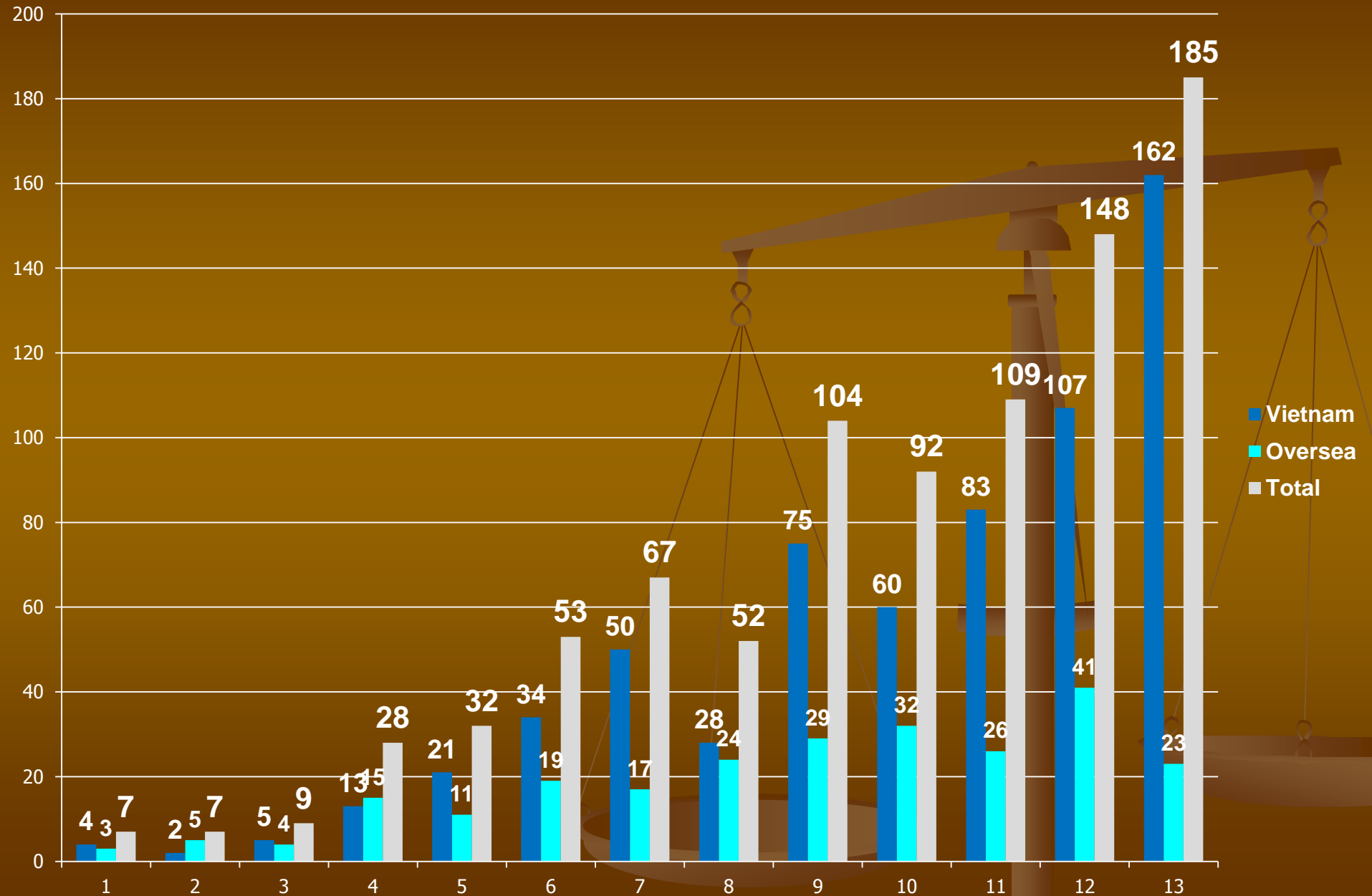
Exploit of the PBR



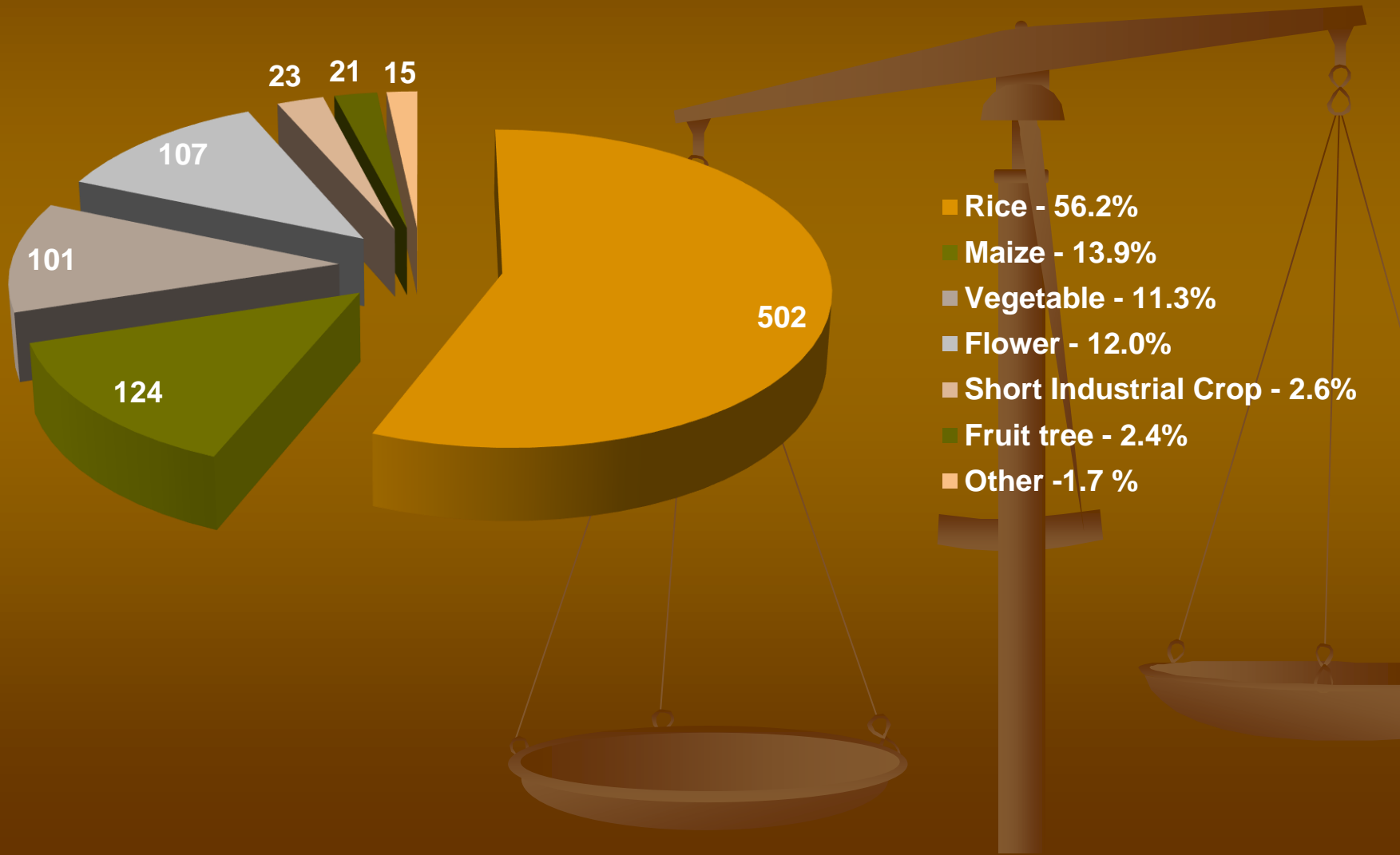
OPPORTUNITIES AND CHALLENGES



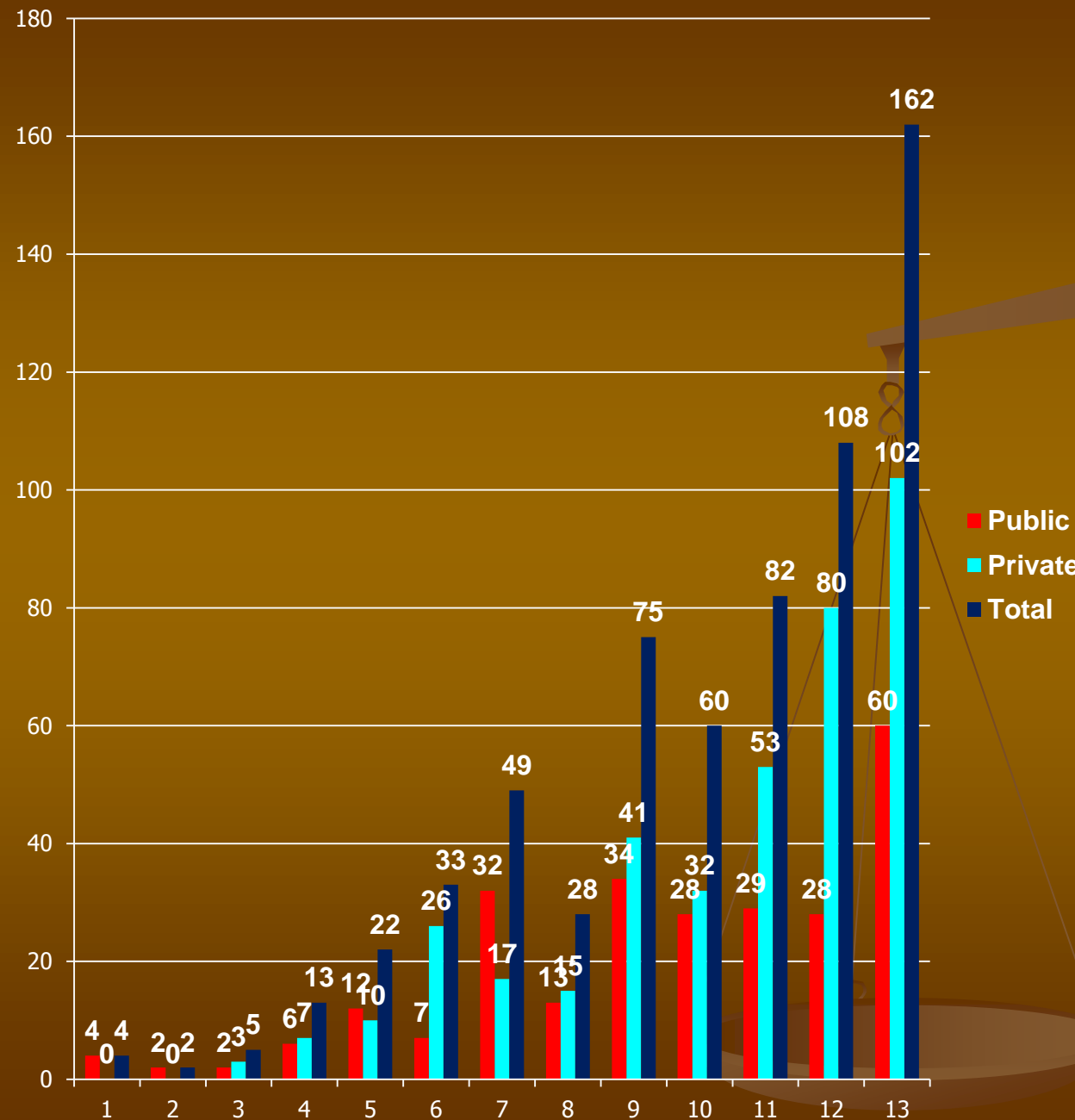
Applications (2004-2016)



Distribute of application by species/group



Vietnam's applications: Private and Public sectors



➤ Public sector
(Government Budget):

- ✓ Research Institutes
- ✓ Universities
- ✓ Research Centers
(Central Government
and provincial level)

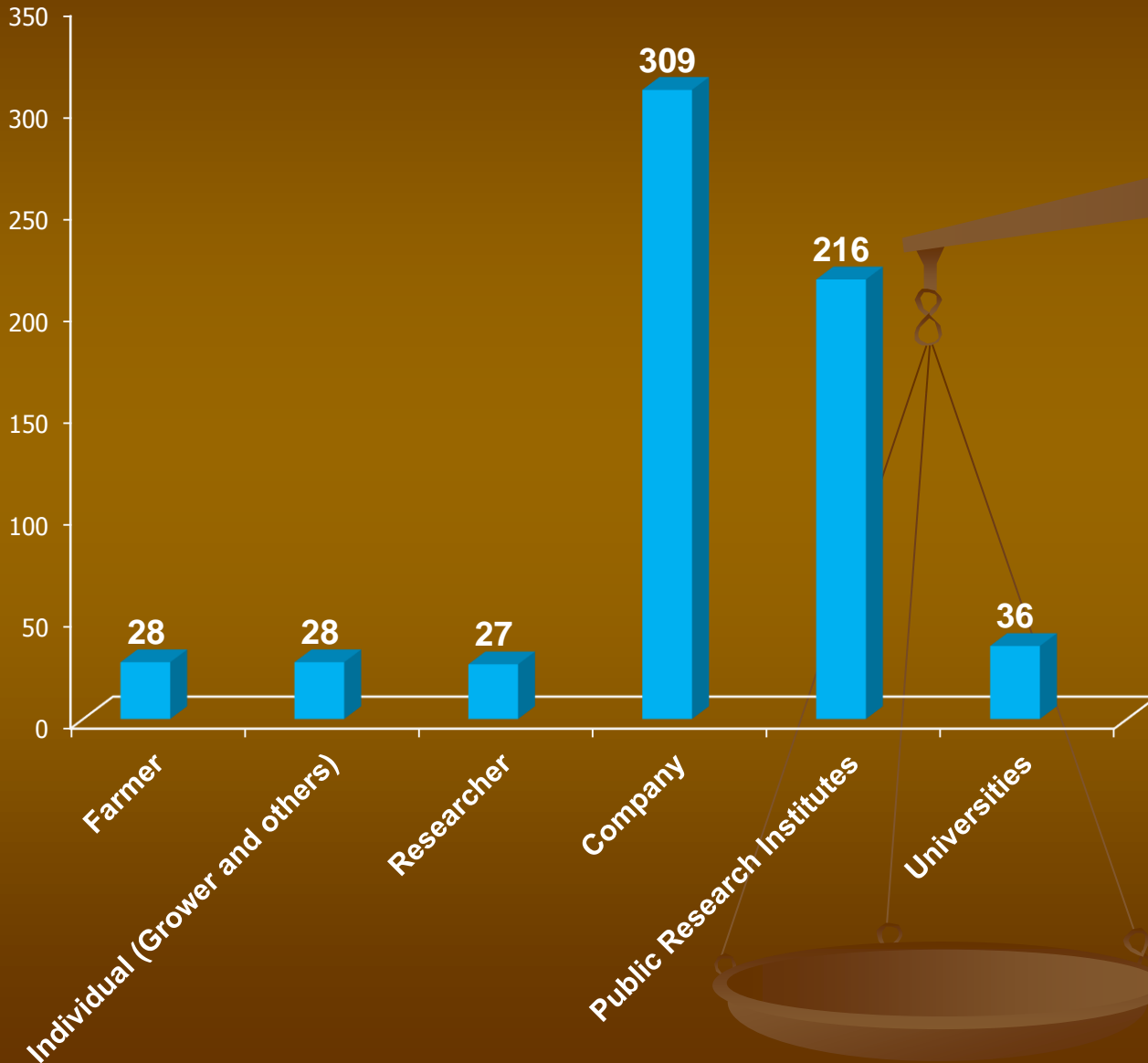
➤ Private sector:

- ✓ Individual
- ✓ VN's Seed Company

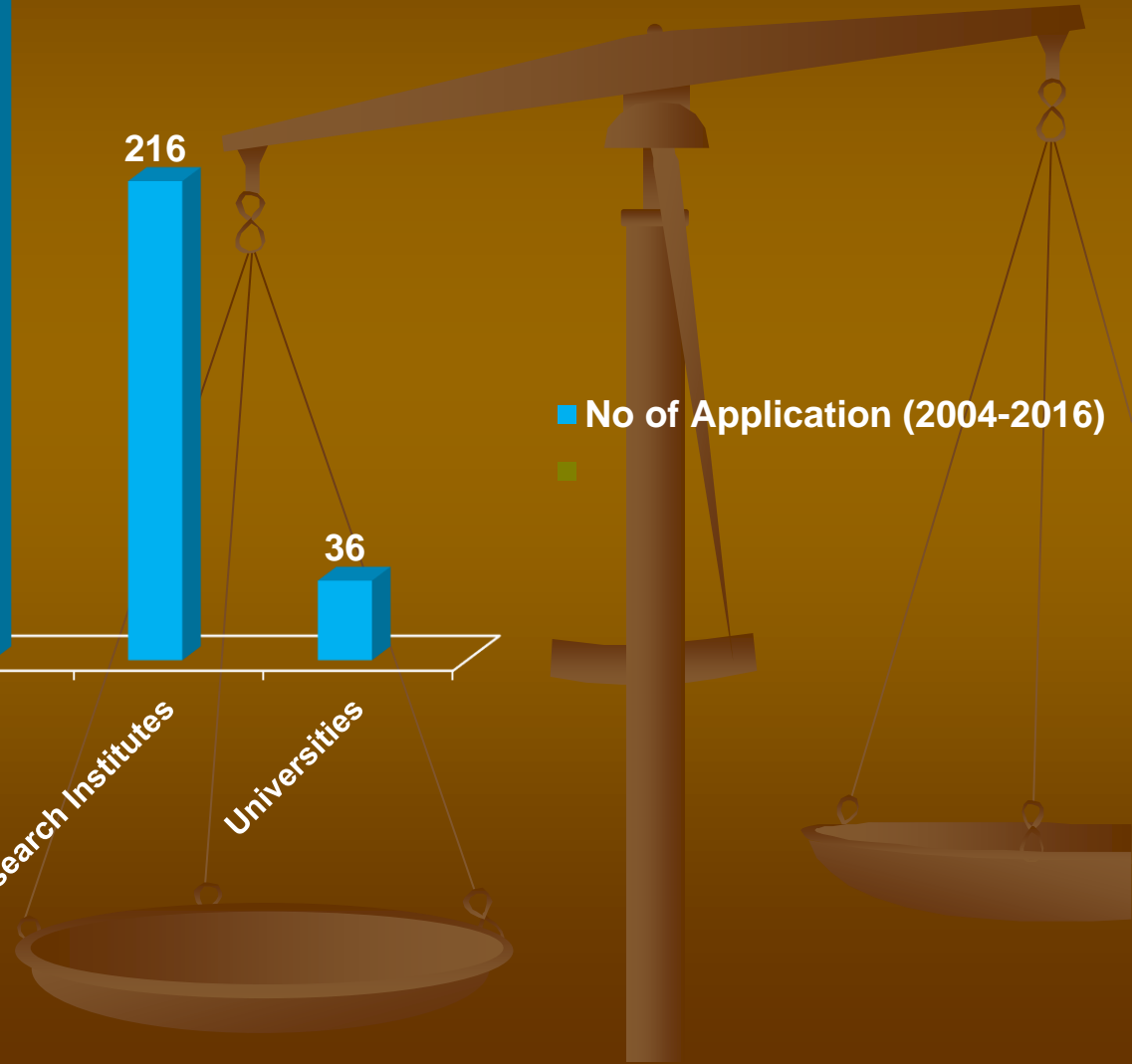
➤ Recent years:

MARD did not invest
to Public Sector for
breeding by traditional
methods

Who are plant Breeders in Vietnam



■ No of Application (2004-2016)



Cooperation among UPOV's Members

- Strengthening capacity by the assistance from advanced Members
 - ✓ Japan, USA, France, the Netherlands, Denmark, Australia...
- Cooperation on examination of application
 - ✓ Japan
 - ✓ France
 - ✓ EU
 - ✓ The Netherlands



Donors and activities

Country	Content	Time
UPOV, USA,EU, Japan, France	Training in abroad, Workshop (VN and oversea)	2000 - 2005
Denmark, Japan, France	Equipment, training, workshop/seminars	2004 – 2007
EAPVP, the Netherlands Australia	Training (Oversea and in-country), equipment, Seminar/workshop	2008-2011
Japan (JICA), GNIS (France)	Training (Oversea and in-country), equipment, Seminar/workshop	2010 - 2014
UPOV, EAPVP	Training (Oversea and In – country), Seminar/Workshop	2014 - ...



Agreements on mutual accepting the DUS Test reports



Japan - August.2007



EU May.2011

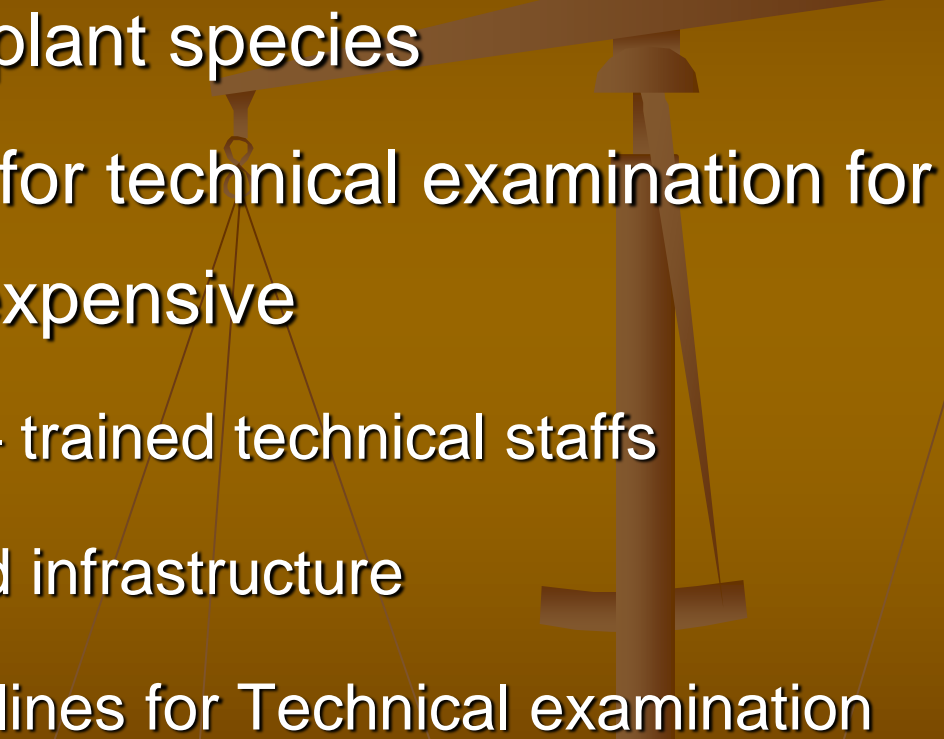


The Netherlands Feb.2011



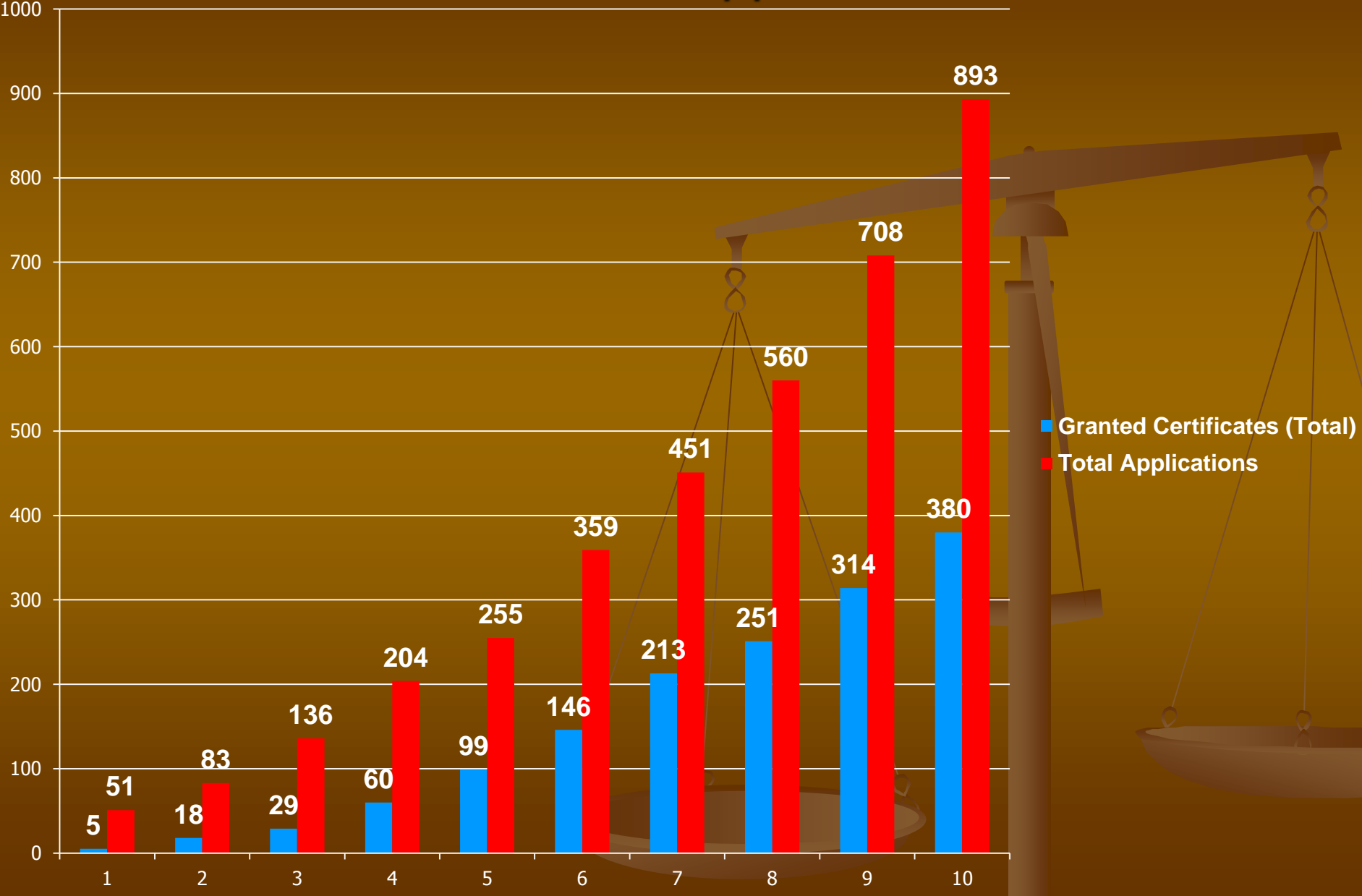
France Jan.2011

Technical works


- Vietnam is rich of plant species
 - Building a system for technical examination for all species is too expensive
 - ✓ Human resource – trained technical staffs
 - ✓ Investment to build infrastructure
 - ✓ Drafting the Guidelines for Technical examination
- 

CHALLENGE

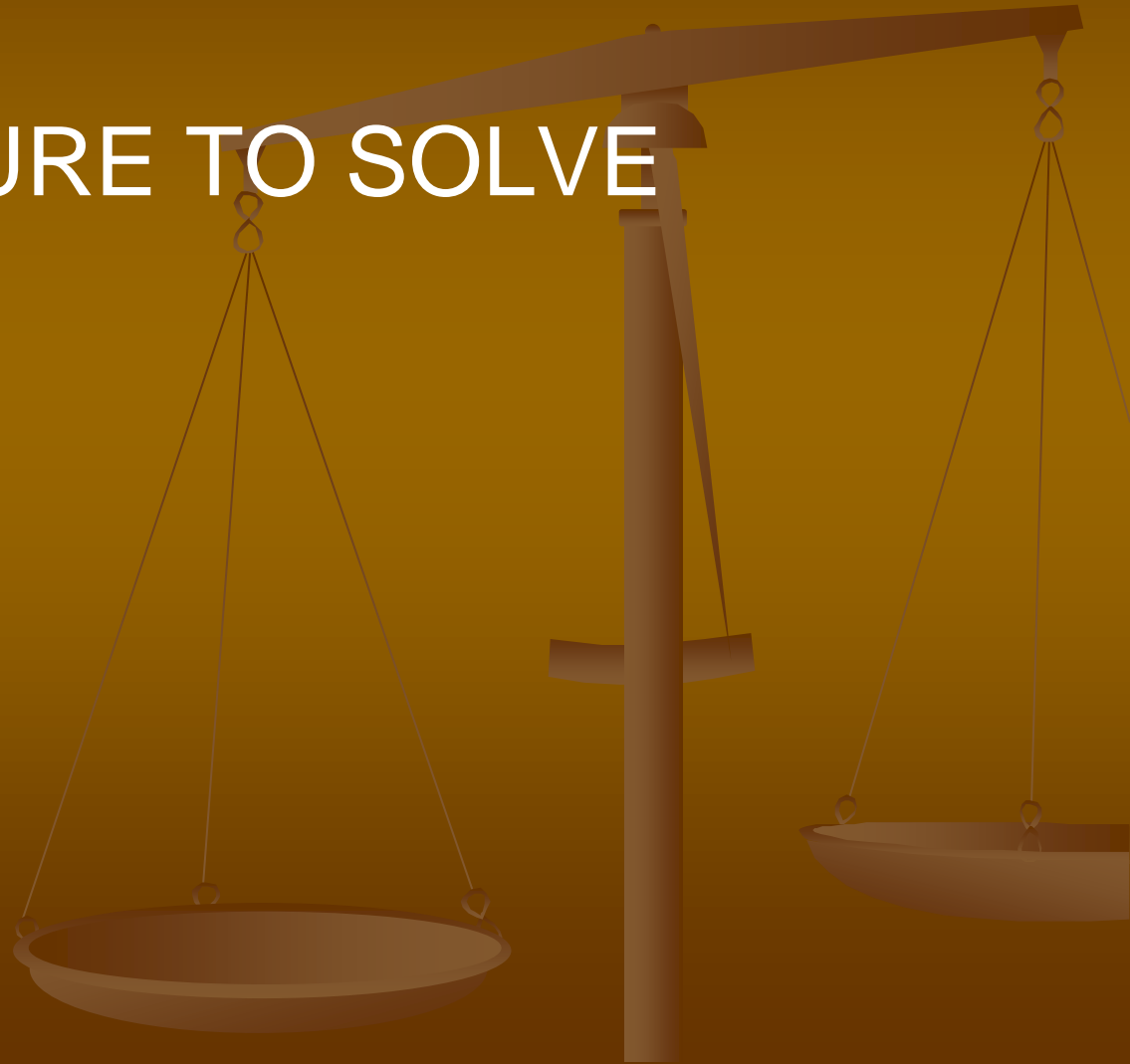
No of PVP Certificates per total applications



VN's PVP in coming years

- Fully Member of UPOV since 24th December 2016
 - ✓ Protect all species from 24th December: Opportunities and challenge
 - Member of TPP Agreement in 2018
 - ✓ “The Parties recognise the importance of a rich and accessible public domain” (Article 18.15)
 - ✓ Need to consider on Public Varieties
- 

MEASURE TO SOLVE



Activities for the measures

- Revise of Legislation document: Law and other
- Improving the system for the new stage
 - ✓ Technical system
 - ✓ Aware on PVP of the relevant persons
- Strengthening the International Cooperation
 - ✓ On examination of application
 - ✓ Co-organize the PVP events in Vietnam



Seminar on PVP by cooperation with VSTA



Vinhphuc Province (2015)



Dalat (2015)



Thai Binh Province (2016)

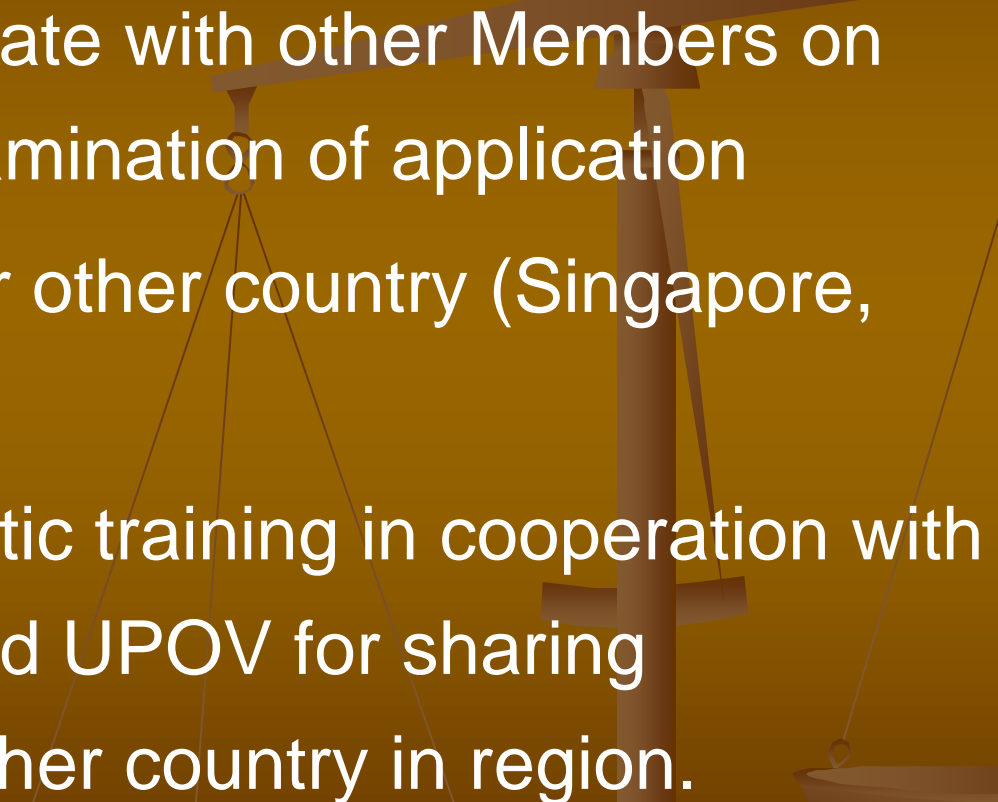


Cantho City (2016)

* Participants:

- ✓ Farmer
- ✓ Breeder
- ✓ Manager on Agriculture in local
- ✓ Companies (Members of VSTA)
- ✓ Journalist

To promote of International Cooperation

- Continue to negotiate with other Members on cooperation in examination of application
 - Provide service for other country (Singapore, Brunei...)
 - Organizing domestic training in cooperation with other Members and UPOV for sharing experience with other country in region.
- 

Agreements on mutual accepting the DUS Test reports



Japan – 4.2016: Free of charge to
Provide examination results

- ✓ Negotiation: Email
- ✓ Signing by each side then exchange through Post mail.

Singapore: 7.2016

To host of International Events



9th Meeting of EAPVP (Hanoi 6th September 2016)

- Harmonization on technical and administrative procedures
- Same application in region – agreed in 9th EAPVP Meeting by the Members of EAPVPF

DUS training course for Rice – 2014 (EAPVP)

LECTURES IN THE ROOM

PRACTICE



* Participants: Cambodia, Lao, Myanmar, Philippines, Indonesia, Malaysia, Thailand, Vietnam and Japan.

Training course for tomato – 2015 (UPOV, Japan)




* Participants: Cambodia, Lao, Vietnam and Japan

DUS Test for corn – 2016 (UPOV, Japan)



* Participants: Lao, Myanmar, Malaysia, Vietnam and Japan

For more effective of technical system

- Re-organize the Technical system
 - ✓ Reduce of DUS Test agencies for effective investment
 - ✓ Increasing the Breeder's Testing – on site inspection
 - Continue to organize the International Events by cooperation with UPOV, Members of UPOV and VSTA (Meetings/Seminars/Training courses...).
- 

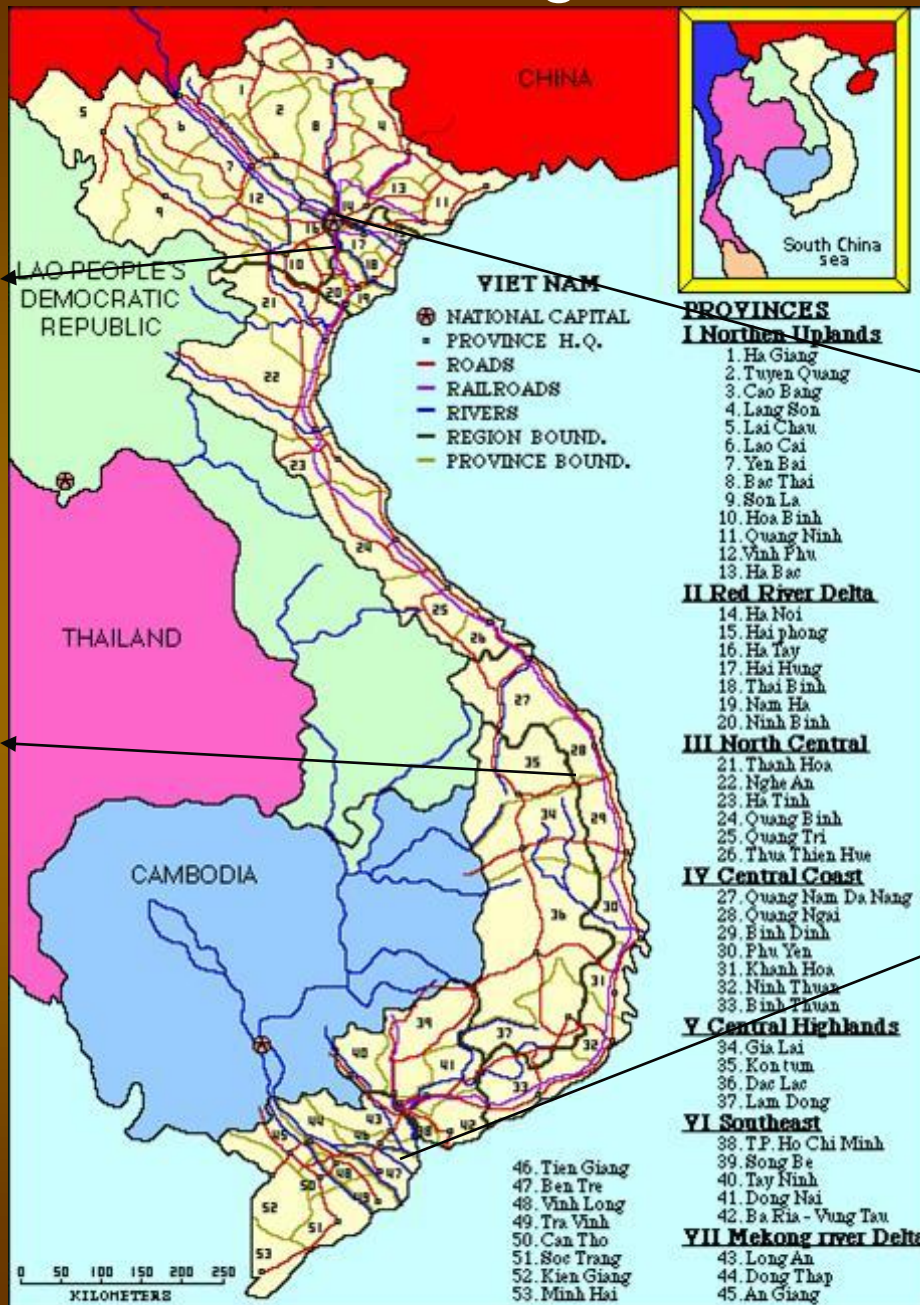
DUS Test agencies

Vanlam Station

Quangngai Station

Tuliem Station

Baria station



PVPO' Website

The screenshot shows a web browser window displaying the PVPO website. The address bar shows the URL <http://pvpo.mard.gov.vn/Default.aspx>. The page features a green header with the text "NEW PLANT VARIETY PROTECTION OF VIETNAM" and a logo on the left. A navigation menu includes "Home", "About", "Contact", "Search application, certificate", "Online Form", and "Statistics". The main content area is divided into three sections: "List Category" on the left, "Home" in the center, and "Announcements" on the right. The "Home" section contains a list of news items, and the "Announcements" section includes a "NEW" badge and text about certificates and PVP titles. The Windows taskbar at the bottom shows the system clock as 2:27 PM on 8/21/2015.

Home **About** **Contact** **Search application, certificate** **Online Form** **Statistics**

List Category

- Vietnam PVP
- UPOV Overview
- News
- Legal document
- UPOV Documents
- List of protected species
- Test guidelines
- Announcements
- PVP representative organization

Home

 For cancellation the effectiveness of PVP Certificates for rice variety ĐT9 (VPBH - 08/07/2015,07:43:32)

- For cancellation the effectiveness of PVP Certificates: GKG1; XL 94017; B265; Đắc ưu 11; TK 96.1; N-ưu 69; SD268;ĐT26; DEKCATALINA
- For cancellation of effective for PVP Titles of: LÚA LAI VIỆT LAI 20; HƯƠNG CỔM; FLAMENCO; PANAMERA; COLOMBA; EVORA;NAVIGATOR; CRISPS4ALL; TAURUS
- Granting PVP Titles for 05 varieties of flower: 01 Athurium andreanum: ANTHKINAQ; 04 Phalaenopsis: ANTHCASDIK; PHAL DAMDAP; PHAL DIMXAP; PHAL FMWAO

Announcements **NEW**

Certificates: GKG1; XL 94017; B265; Đắc ưu 11; TK 96.1; N-ưu 69; SD268;ĐT26; DEKCATALINA **NEW**

For cancellation of effective for PVP Titles of: LÚA LAI VIỆT LAI

Filing an application

- Online registration
- Application Form
- PVP Fees

Links WebSite

2:27 PM 8/21/2015

Thank you for your attention

➤ Detail Information:

➤ PVP Office

✓ Room No 105, A6 Build.

No 2 Ngocha Badingh, HANOI

✓ Tel: (844)8435182;

✓ Fax: 7342844

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

