

*The Course of DUS Test of Tomato*

# **Benefit of UPOV membership for DUS testing**

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# Overview

1. Overall benefits of the UPOV system of Plant Variety Protection and UPOV membership
2. Benefits of UPOV membership for DUS testing

# **BENEFITS OF PVP SYSTEM AND UPOV MEMBERSHIP**

## **(a) Breeders**

- Diversity of breeders
- Number of breeders
- Investment in breeding

## **(b) Improved varieties**

## **(c) Farmers, Growers, Consumers**

- Delivering improved varieties to farmers growers
- Delivering added value to consumers
- Income and Knowledge

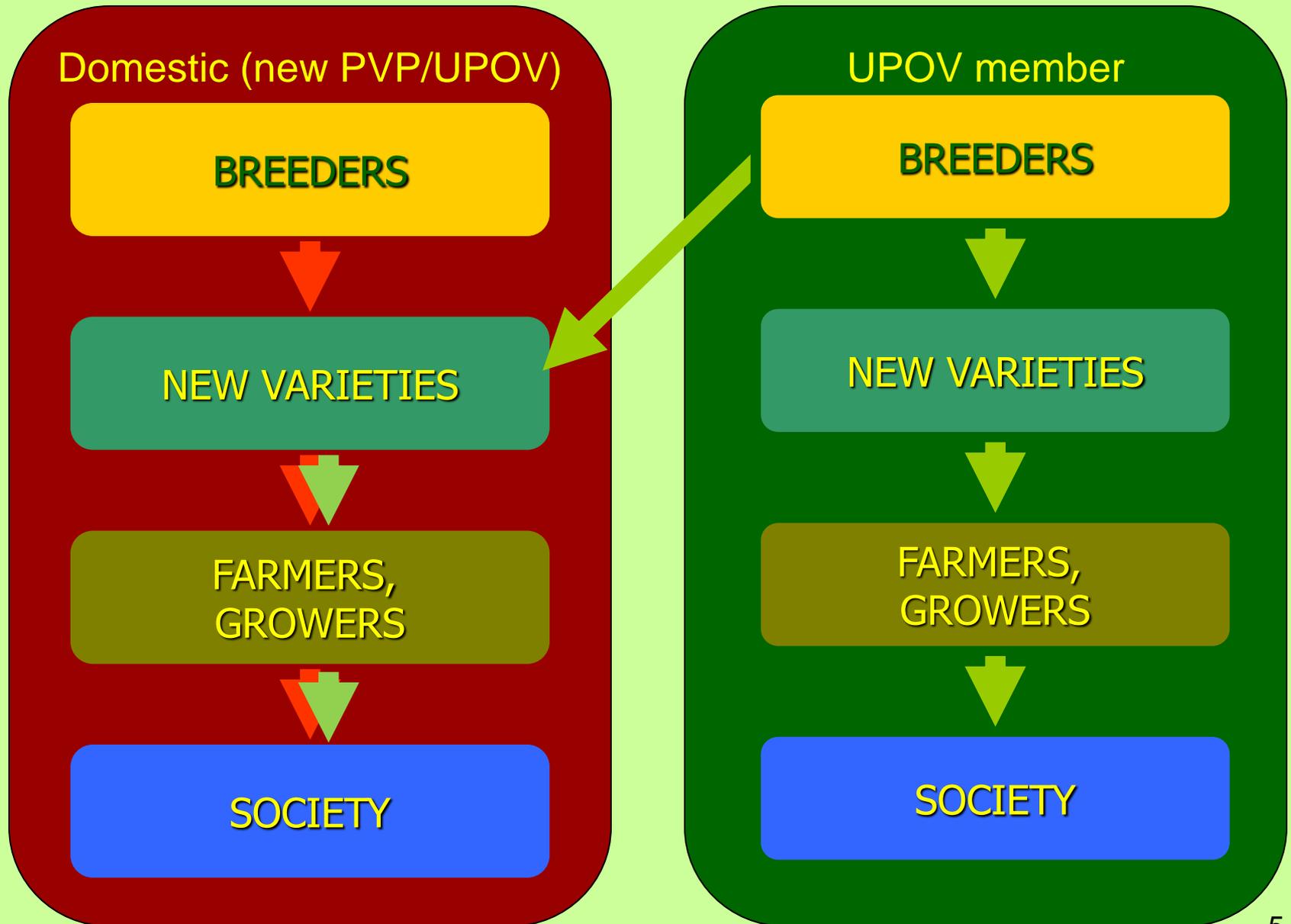
## **(d) International dimension**

- Development of new industry on foreign markets
- Access to foreign varieties and enhanced domestic programs

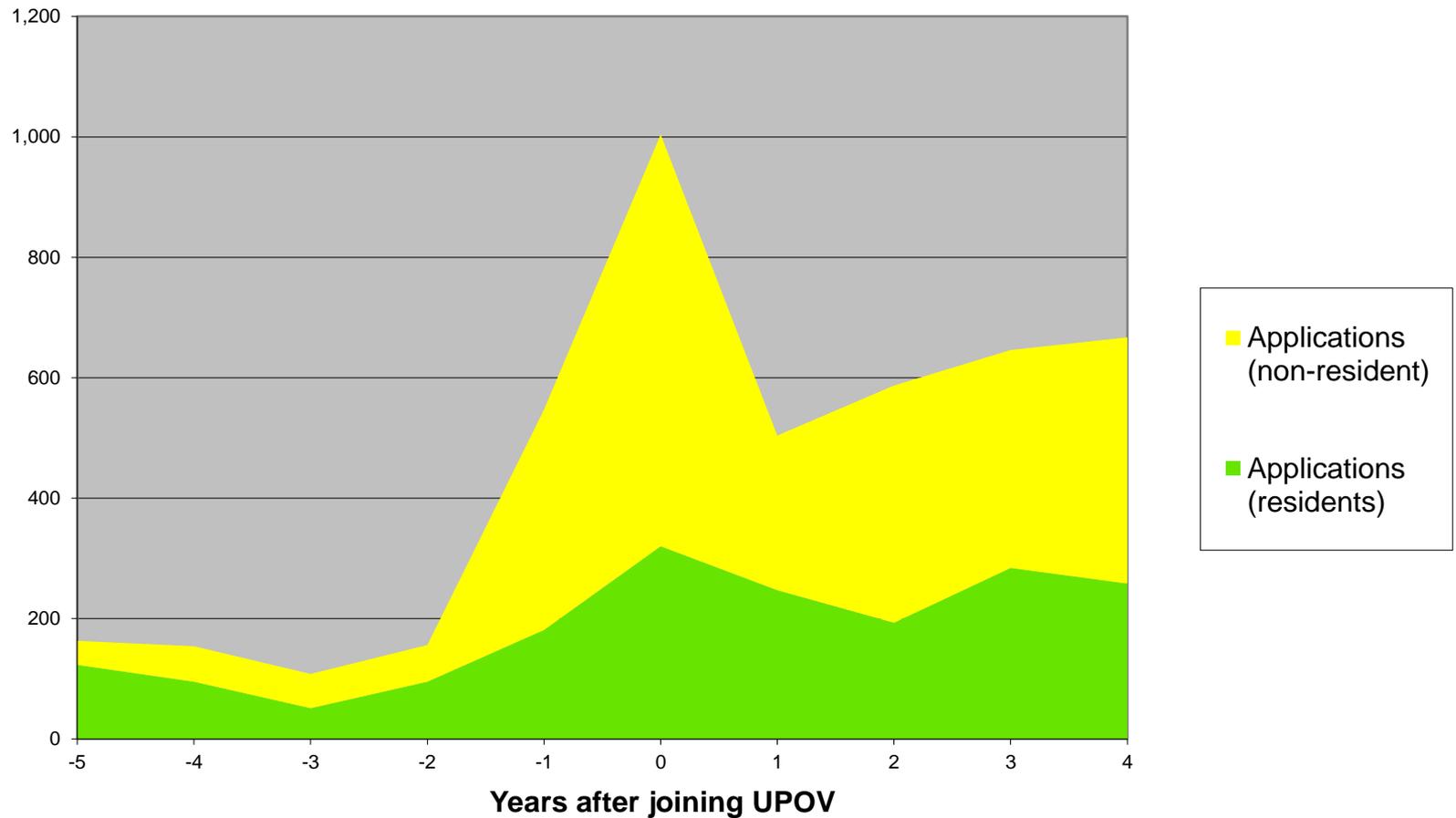
# Benefits of UPOV: the International Dimension



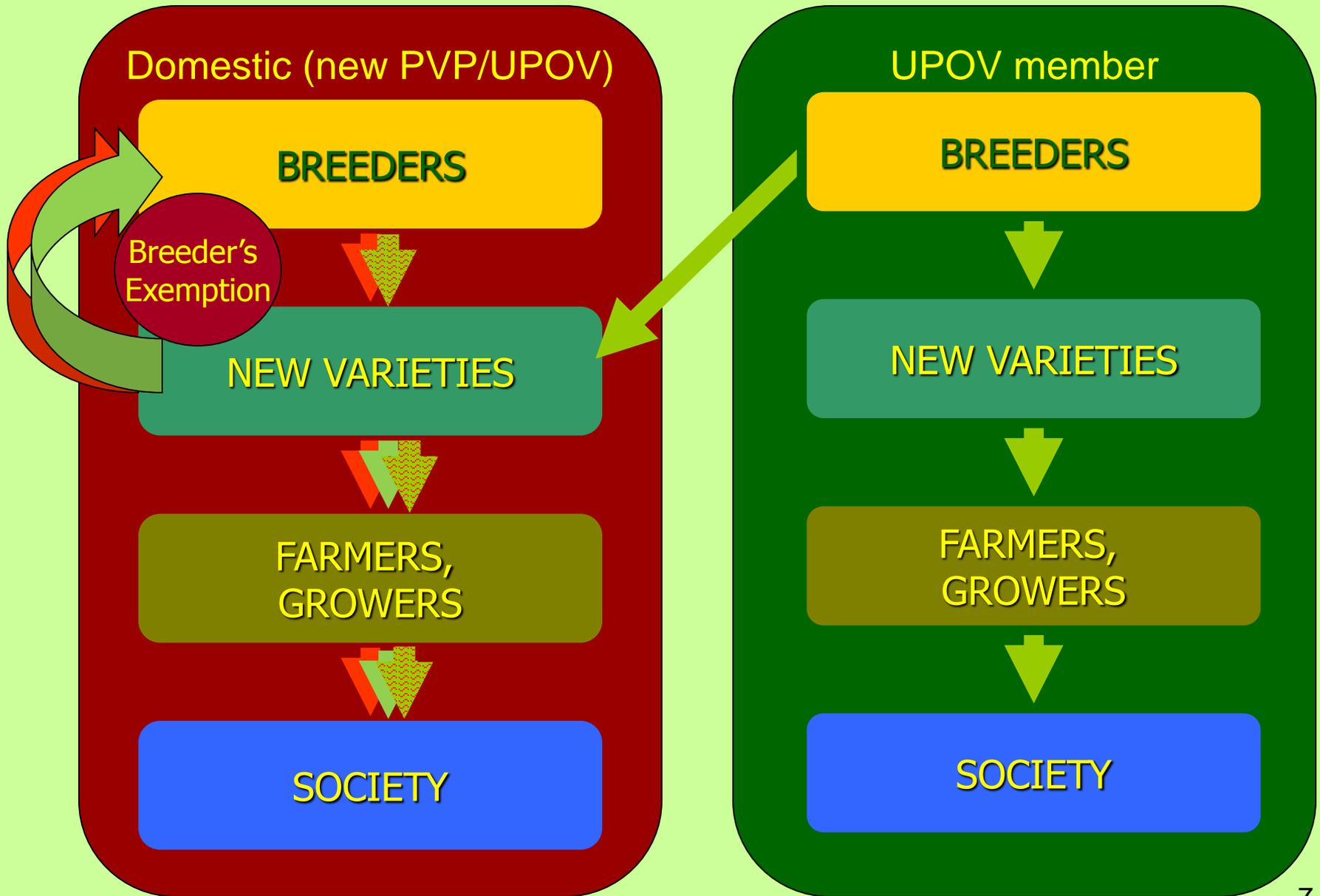
# Benefits of UPOV



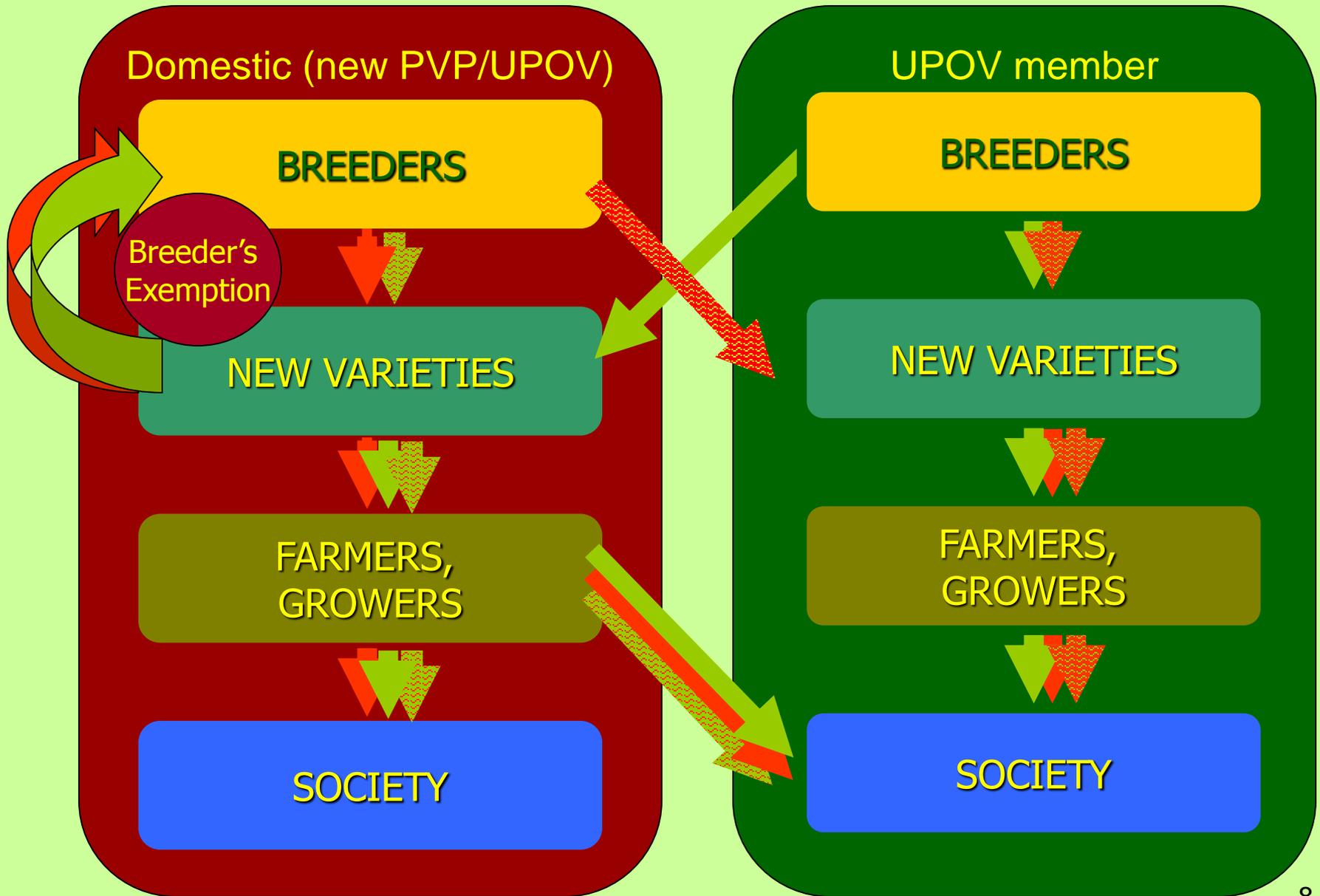
## Latin America Countries acceding to UPOV between 1994 & 2000



# Benefits of UPOV

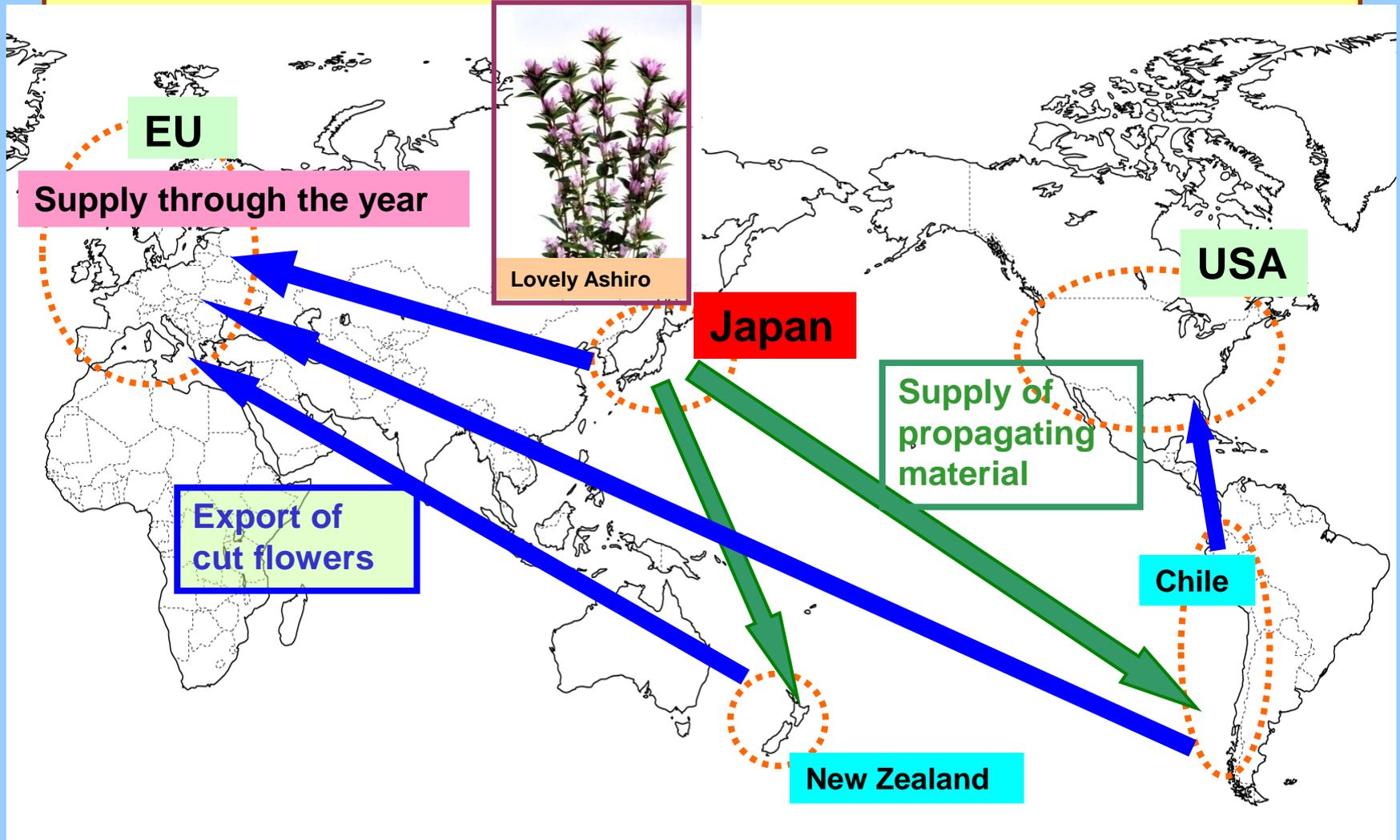


# Benefits of UPOV



# International Market Development

World Branding Strategy of "Ashiro" based on PBR



Yasunori Ebihara, International Symposium (Seoul, August 2009)

# Foreign New Varieties

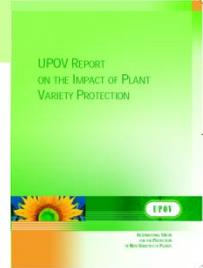
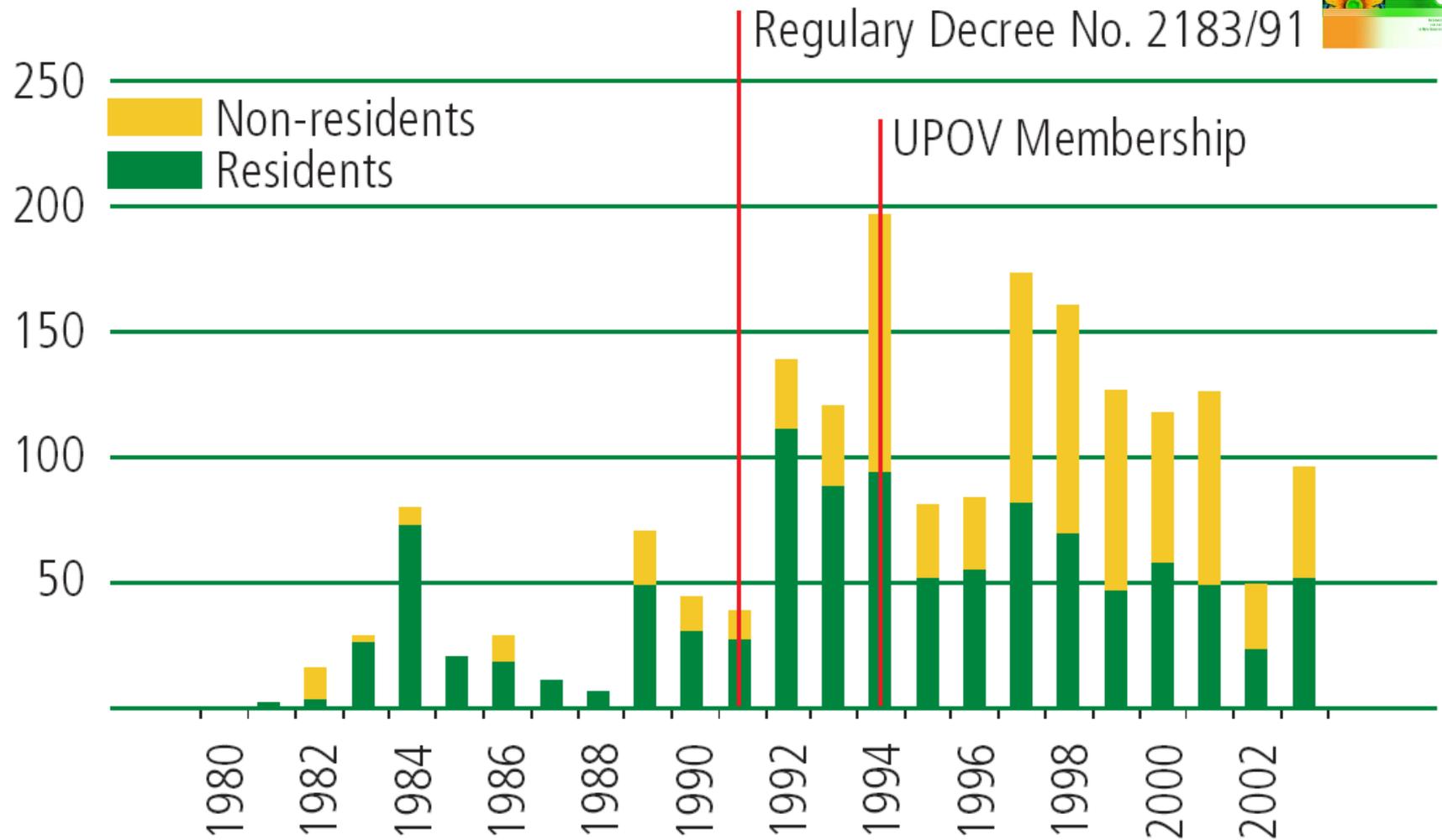
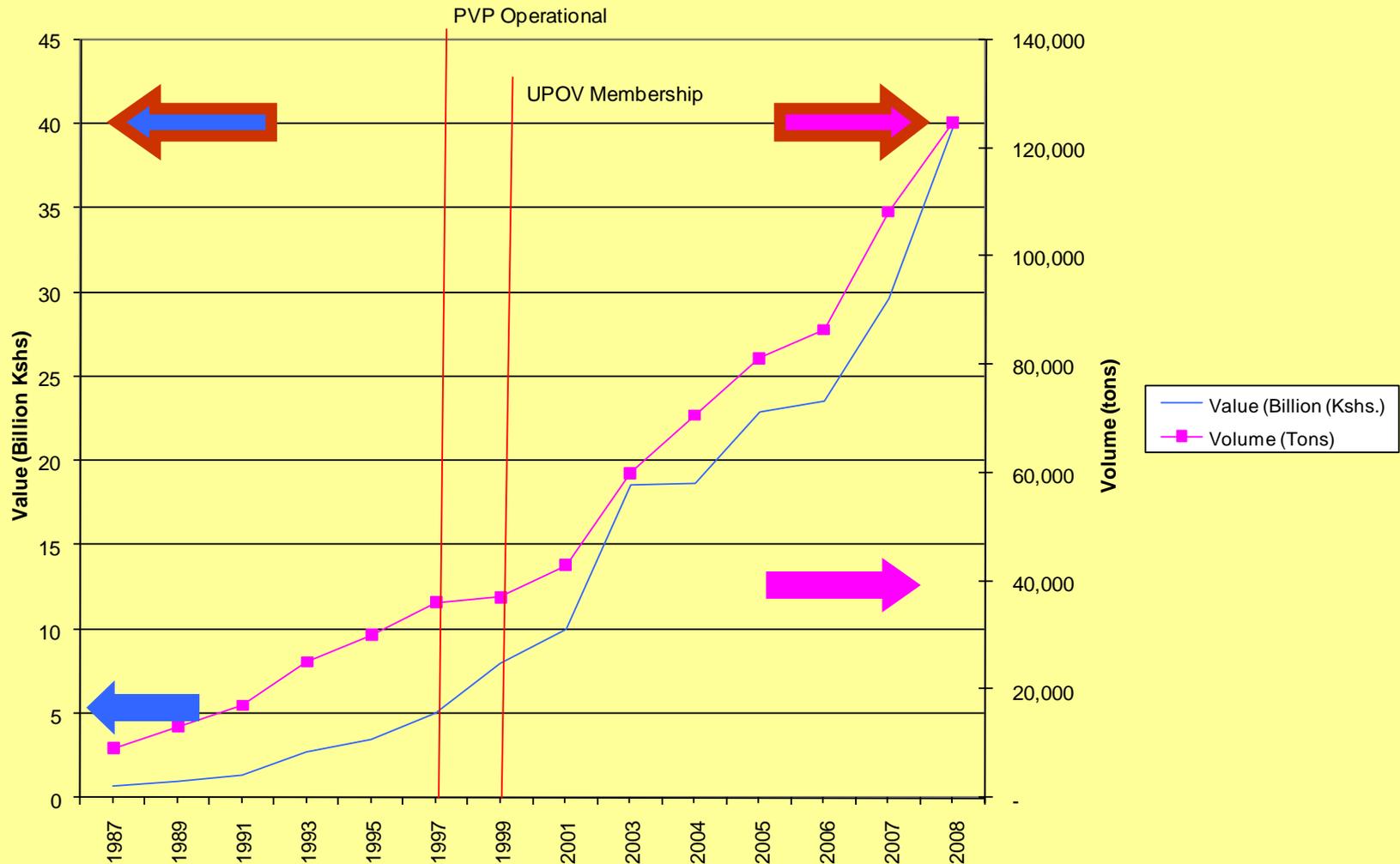


Figure 13. Argentina: Number of Titles Granted



# Export of Kenyan Cut Flowers



Evans Sikinyi, Second World Seed Conference

# Benefits of UPOV membership for DUS testing

## 1. Cooperation

- Protecting all genera and species
- Information: GENIE database
- DUS testing cooperation
- DUS test report and Variety Description

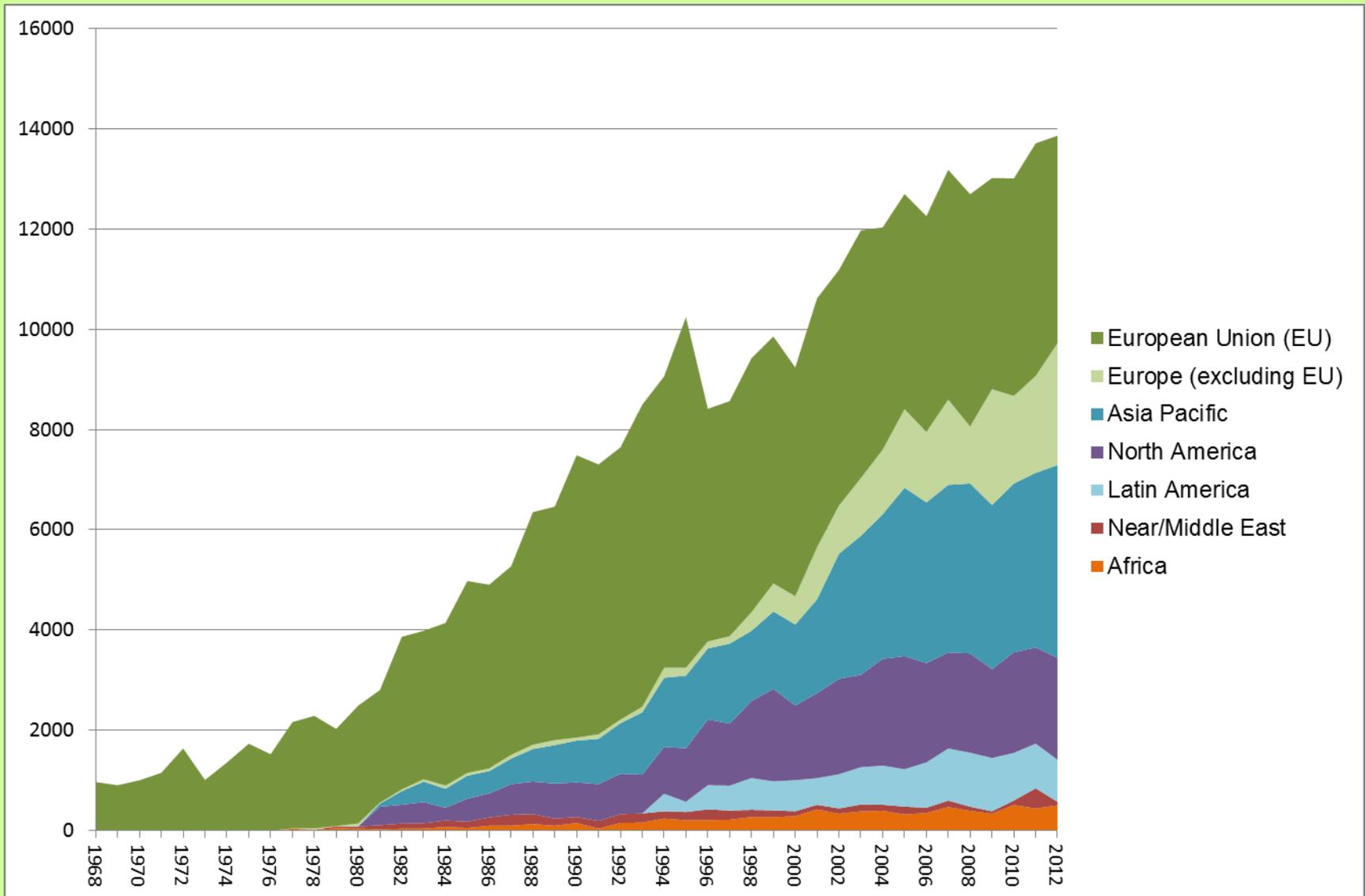
## 2. Test Guidelines

# Protecting all genera and species

Workload?

How to overcome?

# Applications for Plant Breeders' Rights



# Cooperation between members



*Number of  
genera/species for  
which varieties  
protected by  
members of the  
Union: > 3,500*

*(>11,000 titles granted  
/annum)*

*Practical DUS  
experience  
offered for  
>3,300 genera  
and species*

*Agreements for  
cooperation  
between members  
of the Union: >  
2,000*

**Cooperation between members of  
the Union is a key benefit of  
UPOV membership**

Where to find the information?

**GENIE database**

- Experience
- Cooperation

# GENIE Database

(Genus / species)



<http://www.upov.int/genie/en/>



Search

GENIE DATABASE

GENIE Database

List of Crop / Species

List of Authorities

Standard Reports

UPOV Code Reports and Changes

UPOV Code System

Plant Variety Database

HOME > GENIE DATABASE >

GENIE Database

Simple Search Multiple Search Report

Search

Crop / Species:

ALL  
Botanical Name  
Common Name in English  
Common Name in French  
Common Name in Spanish  
Common Name in German

search

UPOV Code:

search

Search Authority: by Name: \*\* Please select \*\*

by 2-letter ISO Code: search



The GENIE database has been developed to provide online information on GENera and specIEs (hence GENIE) in relation to protection offered by members of the Union, cooperation in examination, experience in DUS testing and the existence of UPOV Test Guidelines. In addition, the GENIE database is the repository of the UPOV codes and provides information concerning alternative botanical and common names.

GENERAL NOTICE AND DISCLAIMER

Please note that the information provided by members of the Union in the GENIE database does not constitute an official publication of the authorities concerned. Users are particularly requested to note that it is not obligatory for members of the Union to supply data for the GENIE database and, for those members of the Union who supply data, it is not obligatory to supply data for all items. Contact details

# GENIE Database

Simple Search

Multiple Search Report

Search  
Crop /  
Species:

- ALL
- Botanical Name
- Common Name in English
- Common Name in French
- Common Name in Spanish
- Common Name in German

Alstroemeria

search

UPOV  
Code:

search

Search  
Authority:

by Name:

\*\* Please select \*\*



by 2-letter ISO Code:

search

## Search Crop / Species: Results



Query: **Alstroemeria**

Total items found: 1

UPOV CODE	BOTANICAL NAMES	ENGLISH	FRENCH	GERM
<a href="#">ALSTR</a>	Alstroemeria L.	Alstroemeria; Herb Lily	Alstroèmère; Lis des Incas	Inka

# Alstroemeria L. (ALSTR)



## Names & Denomination Class

Names & Denomination Class

Protection

DUS Guidance and Cooperation

UPOV Principal Botanical Name: **Alstroemeria L.**

UPOV Code: **ALSTR**

Other Botanical Names:

UPOV Variety: **ALSTR**

English Common Names: **Alstroemeria; Herb Lily**

Denomination Class: [List of Classes \(UPOV/INF/12/4\)](#)

French Common Names: **Alstroémère; Lis des Incas**

G  
S

# Alstroemeria L. (ALSTR)



## DUS Guidance and Cooperation

Name & Denomination Class

Protection

DUS Guidance and Cooperation

UPOV Principal Botanical Name: **Alstroemeria L.**

UPOV Code: **ALSTR**

Other Botanical Names:

English Common Names: **Alstroemeria; Herb**

[UPOV Test Guidelines](#)

TG/29/7

Entries between botanical rank (for example in the case of one of the species in the genus).

[Drafting Authority](#)

None

## Cooperation in DUS Examination (key to [abbreviations](#))

- [Authorities with Practical Experience](#)
- [Agreements for Cooperation in DUS Examination](#)
- [Utilization of Existing DUS Reports](#)
- Authorities which have granted variety protection: please refer to the [UPOV-ROM Plant Variety Database](#)

### Authorities with Practical Experience

Entries in parenthesis indicate experience at the level of a higher botanical rank (for example in the case of a species: there is experience at the level of the genus to which it belongs).

Entries between ^ ^ indicate experience at the level of a lower botanical rank (for example in the case of a genus: there is experience at the level of one the species in the genus).

AUTHORITY	NOTES
<a href="#">Canada</a>	
<a href="#">European Union (Community Plant Variety Office (CPVO))</a>	
<a href="#">Italy</a>	
<a href="#">Japan</a>	
<a href="#">Netherlands</a>	
<a href="#">Poland</a>	
<a href="#">Republic of Korea</a>	
<a href="#">Russian Federation</a>	
<a href="#">South Africa</a>	

### Agreements for Cooperation in DUS Examination

<> in the receiving column indicates that the authority specified in the offering column offers to carry out examinations for any interested member of the Union.

() : Genus or species covered by agreement for a taxon of a higher rank to which it belongs (e.g. in the case of a species: the genus or family is covered by an agreement).

OFFERING AUTHORITY / EXAMINATION OFFICE	AUTHORITIES RECEIVING EXAMINATION REPORTS	NOTES
(<>)	<a href="#">(Switzerland)</a>	<a href="#">(Switzerland)</a> : DUS tests are not conducted in Switzerland. In cases where a DUS test report is not available from a member of the Union, the Office of Plant Variety Protection will request an appropriate authority or testing of a member of the Union to perform a DUS test on its behalf.
<a href="#">European Union (Community Plant Variety Office (CPVO))</a> <a href="#">Netherlands</a>	<a href="#">Argentina</a>	

CPVO carry out DUS examination of Alstroemeria on behalf of Argentina

<a href="#">Netherlands</a>	<a href="#">Argentina</a> <a href="#">Belgium</a> <a href="#">Denmark</a> <a href="#">European Union (Community Plant Variety Office (CPVO))</a> <a href="#">France</a> <a href="#">Germany</a> <a href="#">Norway</a> <a href="#">Sweden</a> <a href="#">United Kingdom</a>
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## Utilization of Existing DUS Reports

<> (utilizing) indicates that the authority specified in providing column will, in general, provide existing DUS reports to any member of the Union.

<> (providing) indicates that the authority specified in the utilizing column will, in general, utilize existing DUS reports provided by any member of the Union.

( ): Genus or species covered by agreement for a taxon of a higher rank to which it belongs (e.g. in the case of a species: the genus or family is covered by an agreement).

UTILIZING AUTHORITY	PROVIDING AUTHORITY/EXAMINATION OFFICE	NOTES
(<>)	<a href="#">(Australia)</a>	Australia will provide copies of all its DUS test reports to other UPOV members.
(<>)	<a href="#">(Brazil)</a>	Brazil will provide copies of all its DUS test reports to other UPOV members.
(<>)	<a href="#">(Canada)</a>	Canada will provide existing DUS reports to any member of the Union for any taxa for which it has experience in DUS testing.
(<>)	<a href="#">(European Union (Community Plant Variety Office (CPVO)))</a>	

<a href="#">Argentina</a>	<>	
<a href="#">(Australia)</a>	(<>)	Australia generally accepts DUS reports from UPOV members for any taxon except <i>Solanum tuberosum</i> L.. In deciding whether such test reports are wholly sufficient for the Australian examination of the variety, the Authority refers to the relevant sections of the Plant Breeder's Rights Act (1994).
<a href="#">Brazil</a>	<a href="#">European Union (Community Plant Variety Office (CPVO))</a>	
<a href="#">(Canada)</a>	(<>)	Canada generally accepts existing DUS reports from other members of the Union for varieties of any taxa which are vegetatively propagated and for which the DUS tests were conducted in a controlled environment greenhouse.
<a href="#">Ecuador</a>	<a href="#">European Union (Community Plant Variety Office (CPVO))</a>	
<a href="#">Kenya</a>	<a href="#">European Union (Community Plant Variety Office (CPVO))</a>	
<a href="#">Mexico</a>	<a href="#">European Union (Community Plant Variety Office (CPVO))</a>	
<a href="#">(Switzerland)</a>	(<>)	Switzerland will, in general, utilize existing DUS reports provided by any member of the Union.

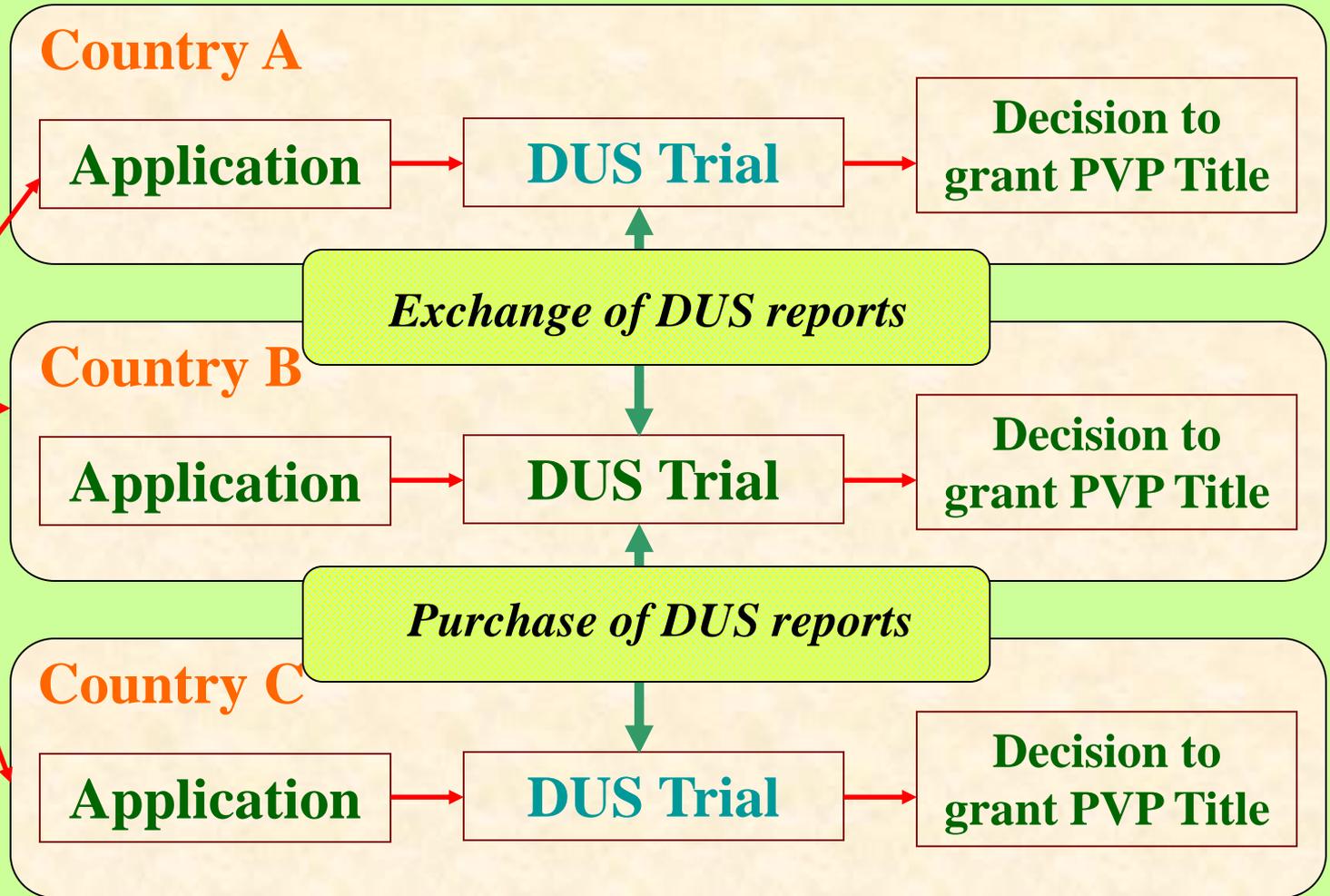
Mexico buys DUS test reports of *Alstroemeria* created by CPVO

# Cooperation between Authorities

Cooperation between Authorities can involve:

- **purchase of DUS Test Reports** from other Authorities (e.g. QZ-MX)
- **bilateral arrangements** to remove the need for duplication of DUS Tests (e.g. QZ-AR)
- **centralized DUS** testing at regional or global level

# Cooperation in DUS Trial



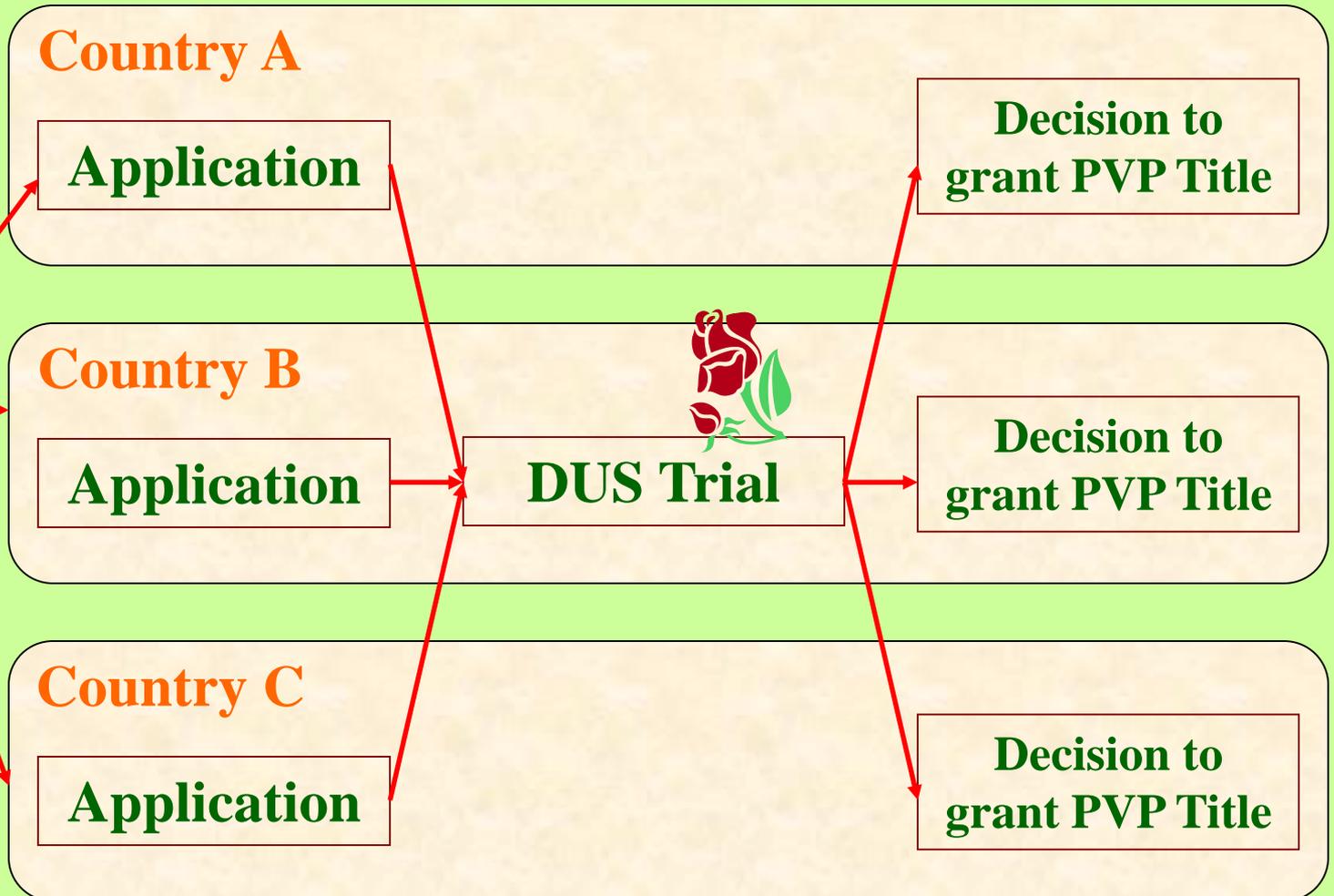
**UPOV Model administrative agreement  
(TGP/5): 350 CHF**

# Cooperation between Authorities

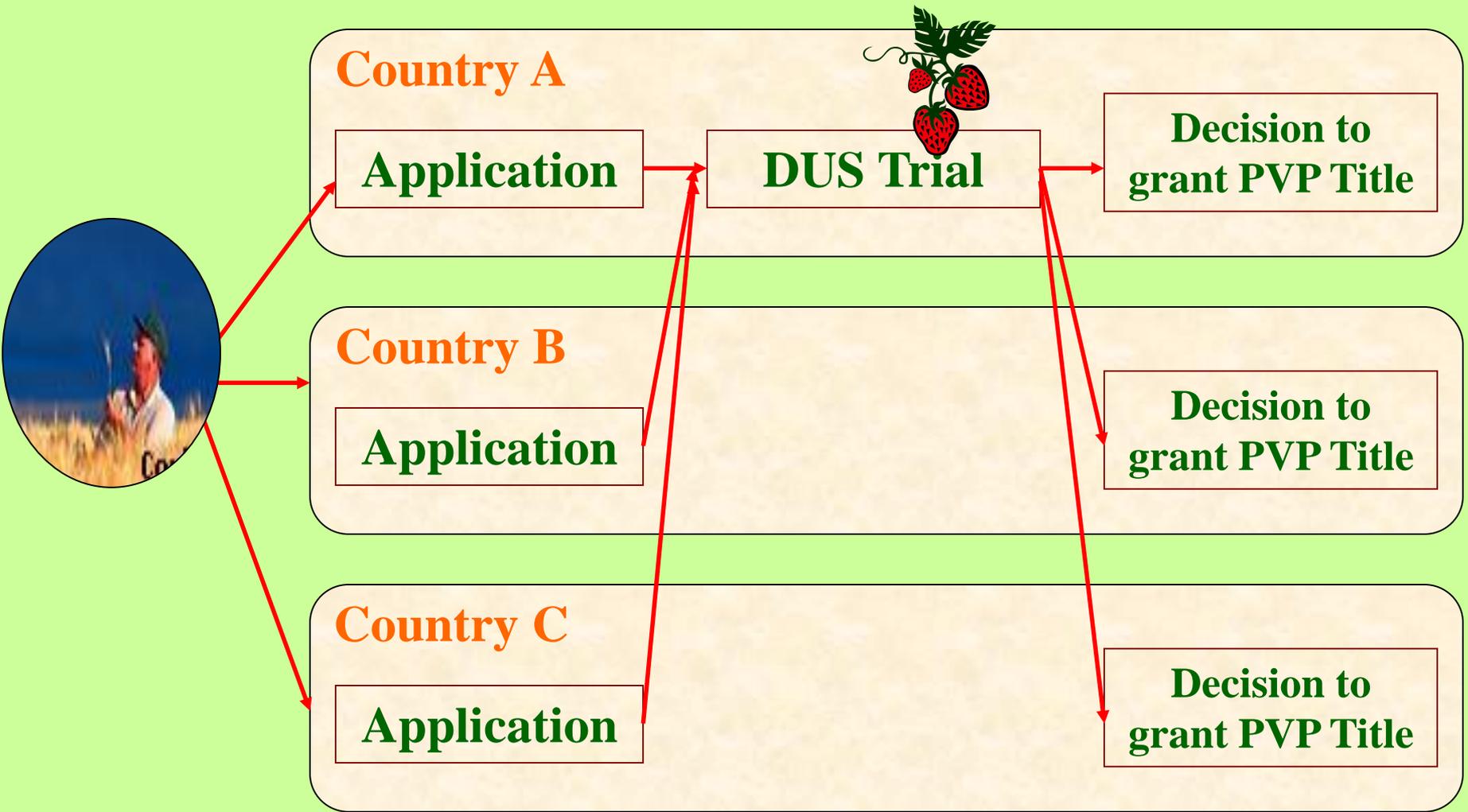
Cooperation between Authorities can involve:

- **purchase of DUS Test Reports** from other Authorities
- **bilateral arrangements** to remove the need for duplication of DUS Tests
- **centralized DUS** testing at regional or global level (e.g. QZ)

# Cooperation in Examination (centralized examination)



# Cooperation in Examination (centralized examination)



# Cooperation between Authorities

Cooperation between Authorities is important for:

- **minimizing** the **time** for DUS examination
- **minimizing** the **cost** of DUS examination
- **optimizing examination of Distinctness** in growing trials
- **offering protection for all plant genera and species**

# DUS Test Report

**DOCUMENT TGP/5**  
**“EXPERIENCE AND COOPERATION IN DUS**  
**TESTING”**

**Section 6:**  
**UPOV Report on Technical Examination**  
**and**  
**UPOV Variety Description**

# DUS Test Report

TGP/5: Section 6/2

## UPOV REPORT ON TECHNICAL EXAMINATION

1. Reference number of Reporting Authority  
.....
2. Requesting Authority  
.....
3. Reference number of Requesting Authority  
.....
4. Breeder's reference  
.....
5. Date of application in requesting member of the Union  
.....
6. Applicant (name and address)  
.....
7. Agent (name and address) (if applicable)  
.....
8. (a) Botanical name of taxon  
.....  
(b) UPOV code  
.....
9. Common name of taxon

16. RESULTS OF THE TECHNICAL EXAMINATION

(a) Report on **Distinctness**

The variety

- is distinct [ ]

- is not distinct [ ]

according to the UPOV Convention

Variety(ies) from which it is not distinct (if applicable)

.....

(b) Report on **Uniformity**

The variety

- is uniform [ ]

- is not uniform [ ]

according to the UPOV Convention

Characteristic(s) for which the variety is not uniform and explanation of the lack of uniformity (if applicable) are provided in an annex to this report.

(c) Report on **Stability**

The variety

- is stable [ ]

- is not stable [ ]

according to the UPOV Convention

Characteristic(s) for which the variety is not stable and explanation of the lack of stability (if applicable) are provided in an annex to this report.

(d) A **description** of the variety is provided in an annex to this report [ ]

(if the variety is distinct, uniform and stable).

(If the variety is not distinct, a description can be provided on request.)

17. Remarks .....

.....

18. Signature .....

# UPOV Variety Description

TGP/5: Section 6/2 ANNEX  
UPOV VARIETY DESCRIPTION

1. Reference number of Reporting Authority .....
2. Reference number of Requesting Authority .....
3. Breeder's reference .....
4. Applicant (name and address) .....
5. (a) Botanical name of taxon .....
- (b) UPOV code .....
6. Common name of taxon .....
7. Variety denomination .....
8. Date and document number of UPOV Test Guidelines .....
9. Date and/or document number of Reporting Authority's test guidelines .....
10. Reporting Authority .....
11. Testing station(s) and place(s) .....
12. Period of testing .....
13. Date and place of issue of document .....
14. **Group**: (if characteristics of number 15 are used for grouping, they are marked with a G in that number)

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UPOV No.	Reporting Authority No. Remarks	Characteristics	States of Expression	Note
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# UPOV Variety Description

TGP/5: Section 6/2 Annex, page 2

Reference number of Reporting Authority .....

15. **Characteristics** Included in the UPOV Test Guidelines or Reporting Authority's Test Guidelines

UPOV No.	Reporting Authority No.	Characteristics	States of Expression	Note	Remarks

16. **Similar Varieties and Differences** from These Varieties

Denomination(s) of variety(ies) similar to the candidate variety	Characteristic(s) in which the candidate variety differs from the similar variety(ies) <sup>o)</sup>	State of expression of the characteristic(s) for the similar variety(ies)	State of expression of the characteristic(s) for the candidate variety

<sup>o)</sup> In the case of identical states of expression of both varieties, please indicate the size of the difference.

17. **Additional Information**

- (a) Additional Data
- (b) Photograph (if appropriate)
- (c) RHS Colour Chart version used (if appropriate)
- (d) Remarks

# Benefits of UPOV membership for DUS testing

## 1. Cooperation

## 2. Test Guidelines

- Role of TGs on cooperation
- Initiate creation of TGs
- Leading Expert

# **Organization of the DUS Examination**

## **Cooperation between Authorities**

**DOCUMENT TGP/5**

**“EXPERIENCE AND COOPERATION IN DUS  
TESTING”**

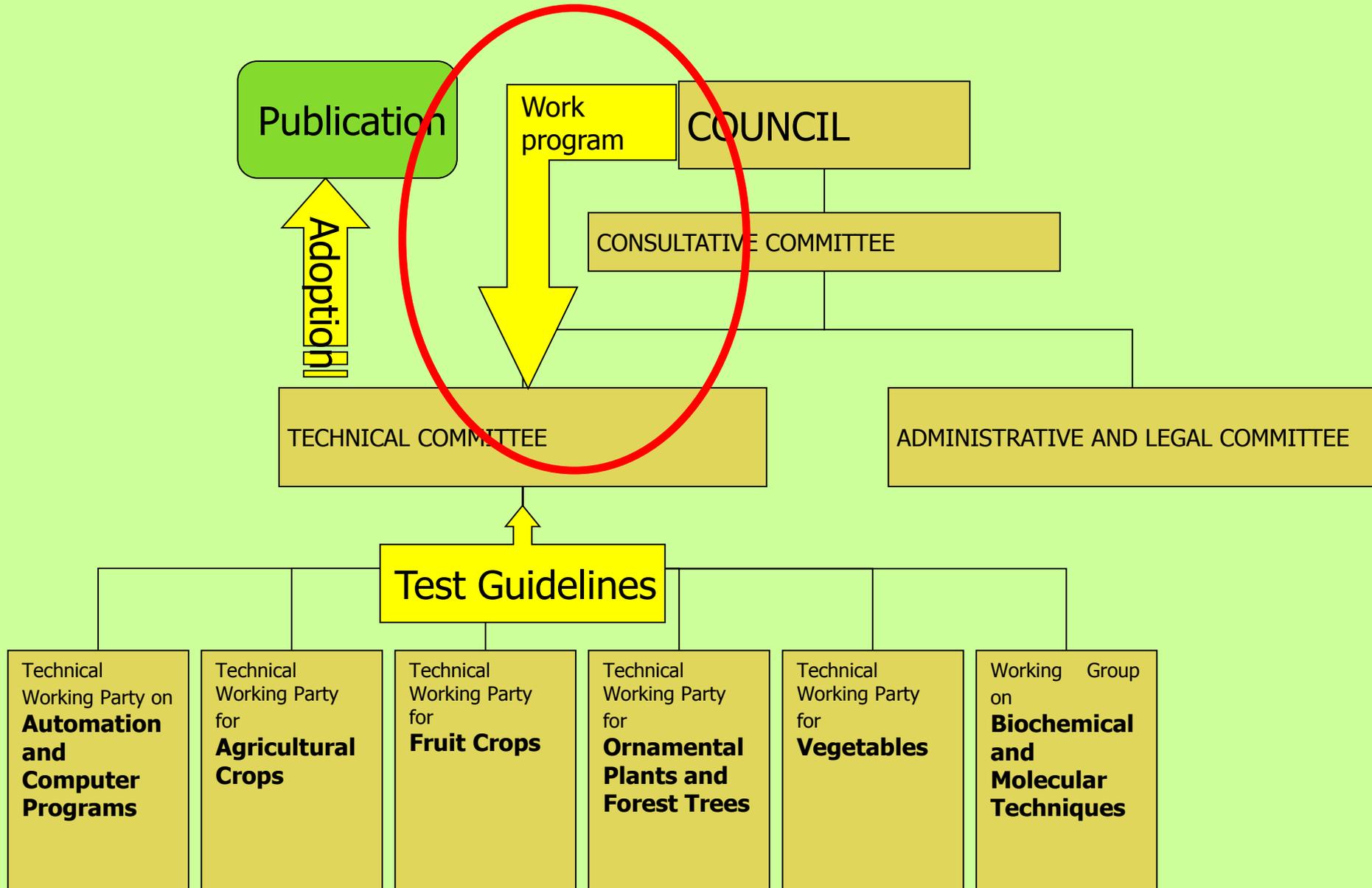
**Section 1:**

**Model Administrative Agreement  
for International Cooperation in the Testing of Varieties**

**Article 2**

**Where the Council of UPOV has adopted Guidelines for  
the Conduct of Tests for Distinctness, Uniformity and  
Stability (“Test Guidelines”) for a genus or species covered  
by this Agreement, the examination shall be conducted  
according to those Test Guidelines. ...**

# Test Guidelines



# TGP/7: Development of TGs

## Section 2: Procedure for the Introduction and Revision of UPOV TGs

2.2.2.2 In recognition of the importance of international harmonization, the Technical Committee will take into account the following factors when considering and prioritizing the commissioning of Test Guidelines:

(a) Total number of applications for plant breeders' rights within the territories of the members of the Union.

(b) Number of authorities receiving applications for the varieties which would be covered by the Test Guidelines.

(c) Number of foreign applications received by members of the Union.

...and others.

# Who can be a Leading Expert?

## TGP/7: Development of TGs

### 2.1.4 Leading Expert

The procedure recognizes that the drafting of Test Guidelines is led by an **expert or experts** (referred to as the “Leading Expert” in this document) **from within one of the UPOV Technical Working Parties (TWPs)**.

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