



# IMPORTANCE of PVP in INDONESIA

## Nurdini Khadijah

**Sub Coordinator for PVP Technical Service** 

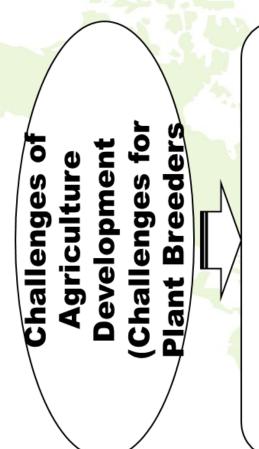
EAPVPF International Seminar on PVP System Jakarta, July 14th 2022





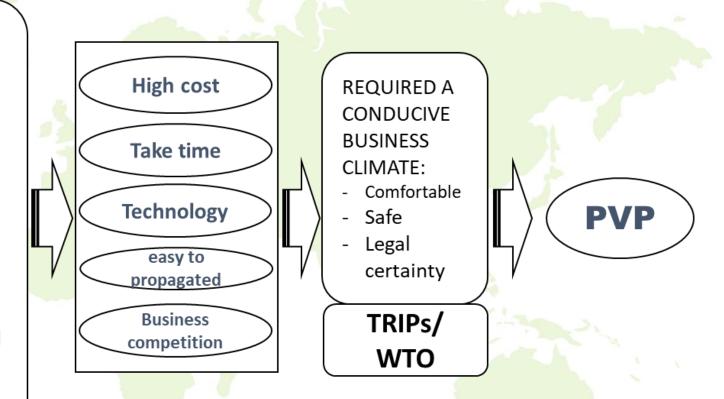






Needed new superior varieties:

- High productivity
- Tolerant to bio/abiotic stress
  - Meet to the consumers taste
- Shorter life
- Environmental ly friendly
- Etc.





## THE CHALLENGES OF INDONESIAN AGRICULTURAL DEVELOPMENT



#### (Challenges for Plant Breeders):



**Number of Population** 

- Number: ± 270 million people
- Growth: ± 1.5%/year (4.05 million people/year or 11,096 people/day)

**Agriculture Land Conversion** 

- Number of the agriculture land conversions to non-agriculture purposes
→ reduce the land of planting/harvesting.

#### **Environmental issues**

- Climate change
- Uncertain climate
- Flood
- Drought
- Increasing Pests/diseases problem.

Required an adaptive and environment friendly varieties



Global business competition

WTO, AEC : Business competition is getting tougher → quality products and competitive prices.

**Consumer preferences** 

- Well educated and welfare people → Increased demands of product quality







Description	Variety		
	PVP	Registration	VCU
Purpose	Rights by the state to breeders and/or PVP rights holders	The importance of collecting data on plant varieties, No fees, No testing	Protecting farmers/consumers for superior seeds/varieties
Status	Optional	Optional	Mandatory
Expense	Yes	No (Free)	No (Free)
Requirement	Denomination, meet DUS	Description and filling form	Meet VCU Test
Test	DUS Test	Validation on site	VCU Test
Subject	Breeding Varieties	Local and Breeding Varieties	Breeding Varieties
Output	PVP Certificate	Registration Certificate	Ministerial Decree



# EDV (Essentially Derived Variety) LEGAL BASIS





#### **PVP Law**

No.29/2000

### Government Regulation

No.13/2004
Denomination, Registration and Use of Initial Variety for making EDV

#### No.14/2004

Terms and Procedures for Transfer of PVP and Use of Protected Varieties by the Government.

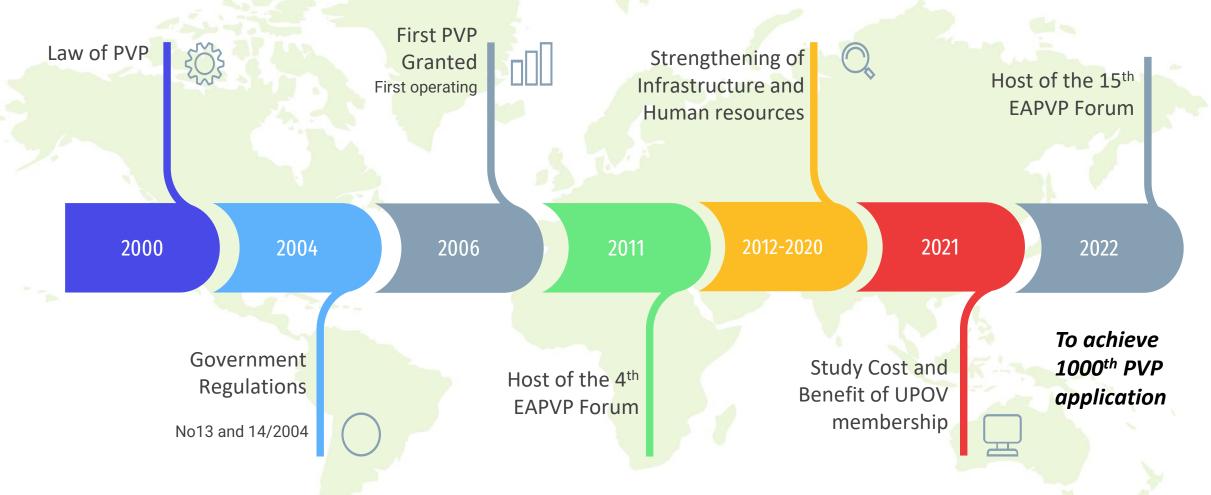
#### Ministerial Decree

No.25/2021
Implementation of PVP Application



## Milestones of PVP System in Indonesia

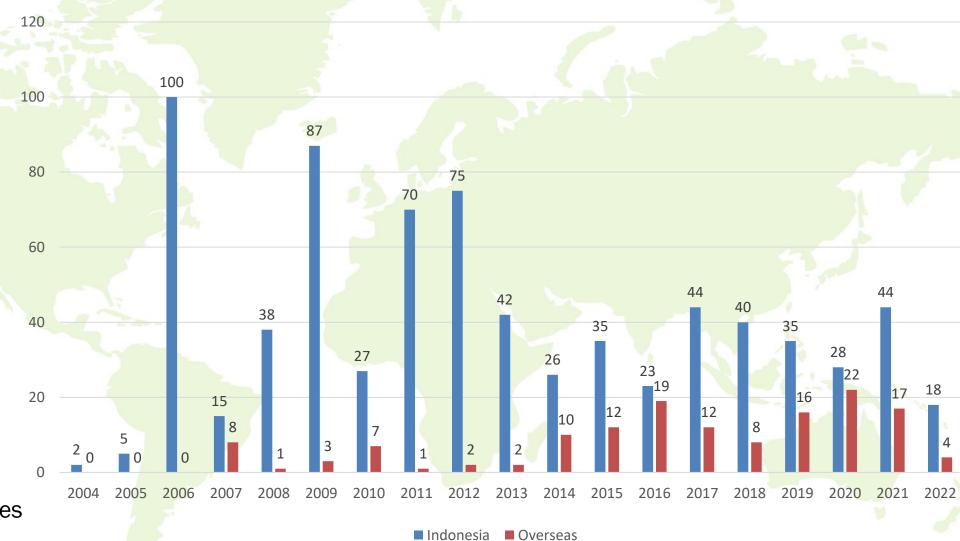






### **Trend PVP Domestic and Overseas Application**





Total PVP Applications:

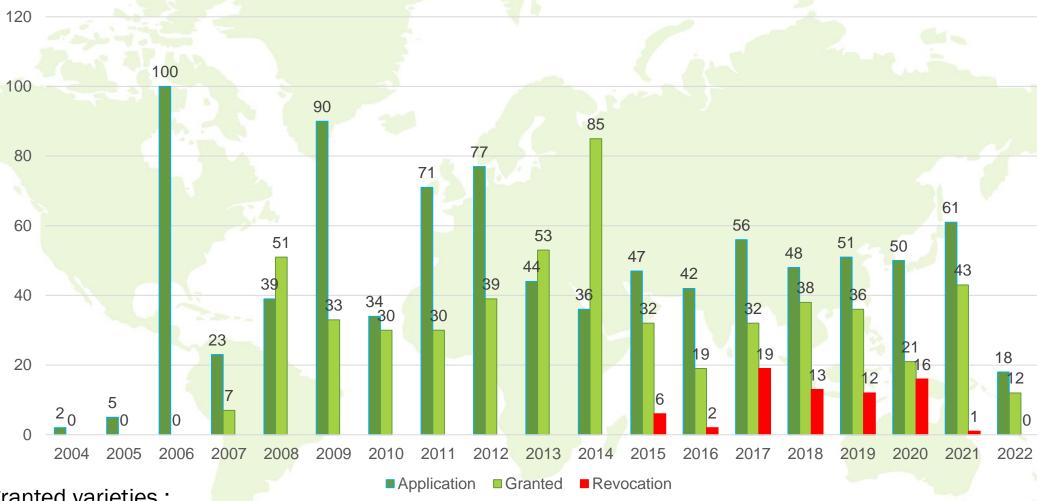
912

Varieties



## **Status PVP Application**





Total PVP granted varieties:

567 Varieties







Not mandatory compare with VCU test



Complicated form filling

People Talks about PVP



> 2 (two) years



Annual fee and DUS testing fee



Reputation & Trust

Law enforcement and UPOV membership







Initiation / formulation of the concept of harmonization of DUS testing and VCU test

#### **Formula**



- Registration
- VCU
- PVP



Focus Group Discussion with related parties



# CHALLANGE OF THE PROPERTY OF T



#### Form Simplification-Ministerial Decree No. 25/2021

. Component	Before	After	
Applying PVP	Manual with hardcopy documents submitted in 2 copies	Online via a simple application: ap1.pertanian.go.id/pvp/	
Number of form	<ul><li>There are 2 documents:</li><li>1. PVP rights application form</li><li>2. Varieties Description Form</li></ul>	Only 1 document: - PVP Rights application form (description of varieties included)	
Number of questions	<ul><li>Total 37 number</li><li>1. 25 number in form 1</li><li>2. 12 number in Form 2</li></ul>	Into 18 number in 1 form	
Number of pages	25 pages	5 pages	
Administrative checking	30 working days	10 working days	
Revision of documents that must be met by the applicant (especially technical matters such as plant variety breeding schemes)	In general 2x in 3-6 months	Only 1x, < 1 month, In general without revision	
	Applying PVP  Number of form  Number of questions  Number of pages  Administrative checking  Revision of documents that must be met by the applicant (especially technical matters	Applying PVP  Manual with hardcopy documents submitted in 2 copies  Number of form  There are 2 documents:  1. PVP rights application form 2. Varieties Description Form  Number of questions  Total 37 number 1. 25 number in form 1 2. 12 number in Form 2  Number of pages  Administrative checking  30 working days  Revision of documents that must be met by the applicant (especially technical matters	



## TAKE A LONG PROCESS



No.	Services	Before	At present	Effort of acceleration
1.	Administrative checking	1-3 months	10 days	<ul><li>Revision e-filling form</li><li>Coaching clinic</li></ul>
2.	Announcement	6 months	6 months	- Law Amendment
3.	DUS testing (average for annual crop)	24 months	10 months	<ul><li>Seed preparation</li><li>Integrated DUS testing</li></ul>
	Total	33 months = 2, 75 years	16 months 10 days = 1, 33 years	







	Reduction of	Year	
-	Annual Fees	0-3	4
	Indonesian citizens / Universities/ Government R&D	Rp. 0,-	10% from normal rate











### Law enforcement case



Pemalsu Benih Jagung Kena 32 Bulan

Perbanyak tanpa Persetujuan Pemegang PVT

juga menjelaskan hal-hal yang Manager (GM) RnD Vegetable See dan Basuki, 50, Desa Pojok, Kecamatan Yang memberatkan adalah merugikan Aries Setiawan mengaku mengharga

Untuk diketahui, ketiganya mem- Menanggapi sidang tersebut, ketiga

The case of PVP violation has been decided in court under the PVP Law

proof of the benefits and importance of PVP, as a form of legal certainty and as an education for the public in respecting PVP as an intellectual property.







#### **REPUTATION & TRUST**







Cons from **NGOs** 



# Join UPOV

Cost and Benefit Study, IPB University 2021

The result





#### **BENEFITS OF UPOV MEMBERSHIP**

- Internationally accepted sui generis system
- Protection for Breeders in other UPOV members
- Benefit from the **priority** date (first application)
- **Co-operation** in examination
- Legal and Technical guidance
- **Awareness / Influence** of future developments





Terimakasih
Thank You