

EAPVP Forum International Cooperation Activity in Lao PDR Seminar on the benefits of the UPOV system for farmers and growers

# Plant Variety Protection System in JAPAN

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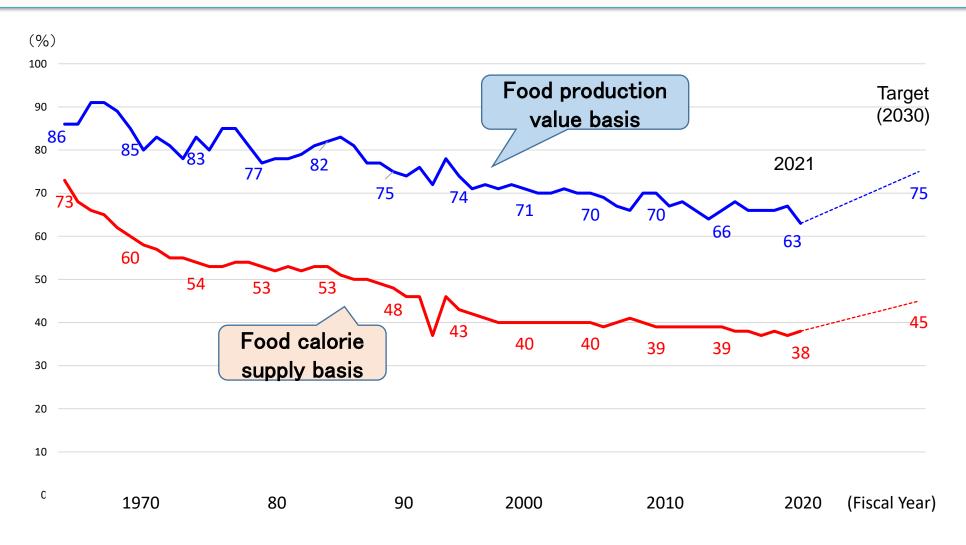
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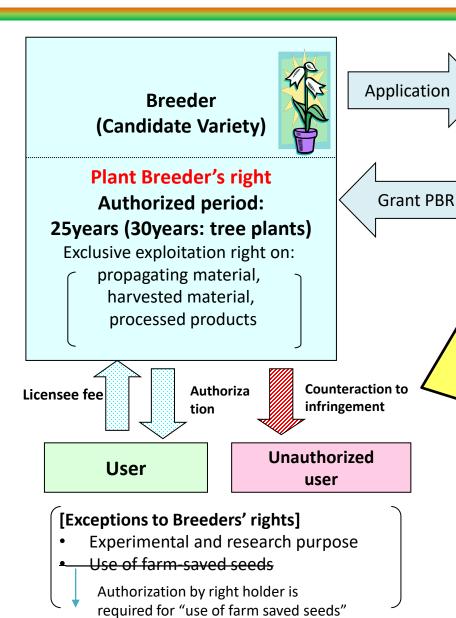


## **Self-sufficiency ratio**

Until 2000, food self-sufficiency ratio has been trending downward over the long term due to such factors as changes in dietary patterns.



## **Outline of PVP System in Japan**



by amendment of the Act (2020).

/ Conditions for registration

- Distinctness
- Uniformity
- Stability
- Novelty

(within one year after first transfer in the course of business, four years in foreign state (six years in case of tree plants))

Appropriateness of Denomination

#### **Civil remedies**

- Injunction
- Claim for compensation for damage
- Request for recovery of the credit

#### **Criminal penalties**

Imprisonment and/or fine

PVP Office.

MAFF

**Examination** and

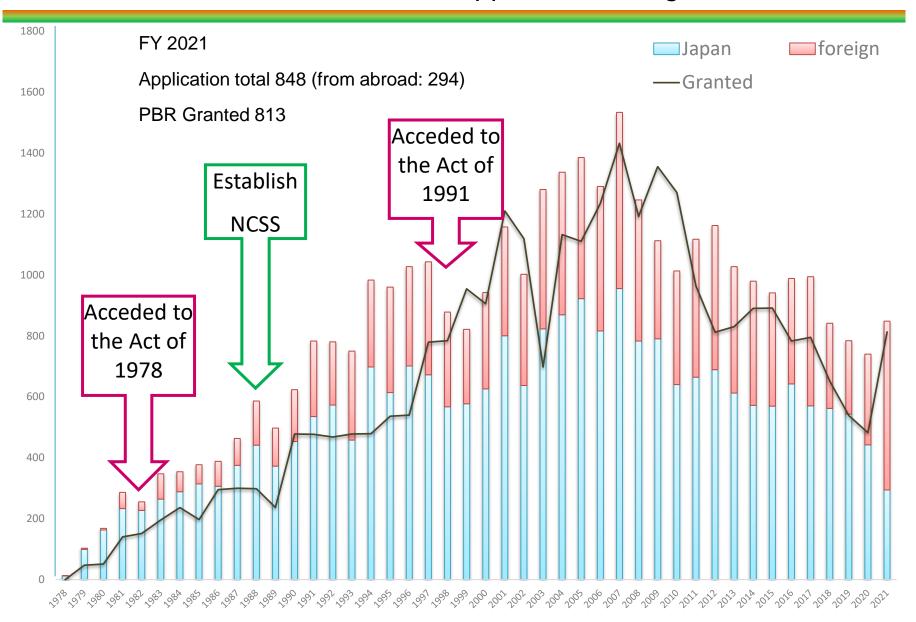
Grant right

Individual: imprisonment not more than 10 years and/or fine not more than 10 million yen Juridical person: fine not more than 300 million yen

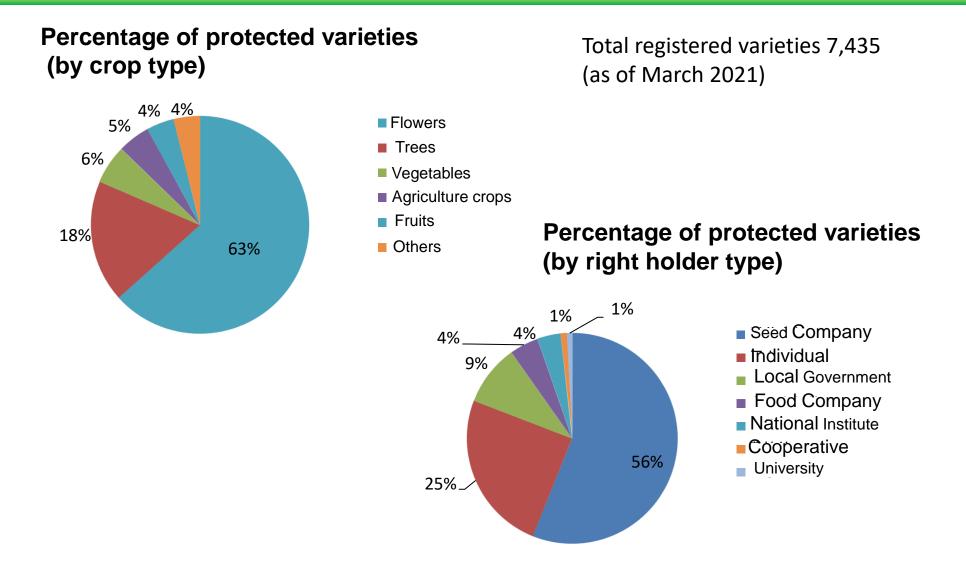
#### **Customs law**

Control of international trade at customs office

#### Trend of annual PBR application and grant



## Percentage of protected varieties(by crop type, right holder type)

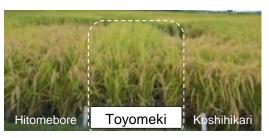


## Japan's agriculture supported by superior new plant varieties

- New plant variety is an important factor supporting the development of agriculture in Japan.
- Both farmers and consumers enjoy multiple benefits from the development of new plant varieties
  that meet environmental needs and consumers' preferences, such as, improved productivity,
  better taste etc.

#### [Super high-yield rice]

Super high-yield paddy rice "TOYOMEKI", of which yield is 800 kg/10a or more, 1.5 times more than other varieties



#### [Chestnuts easy to peel]

Japan chestnut "Porotan", which can be very easily peeled and cooked.



#### [Pears resistant to disease and pests]

Pears "Gold Twentieth Century", resistant to black spot disease which is the weaknesses of conventional varieties



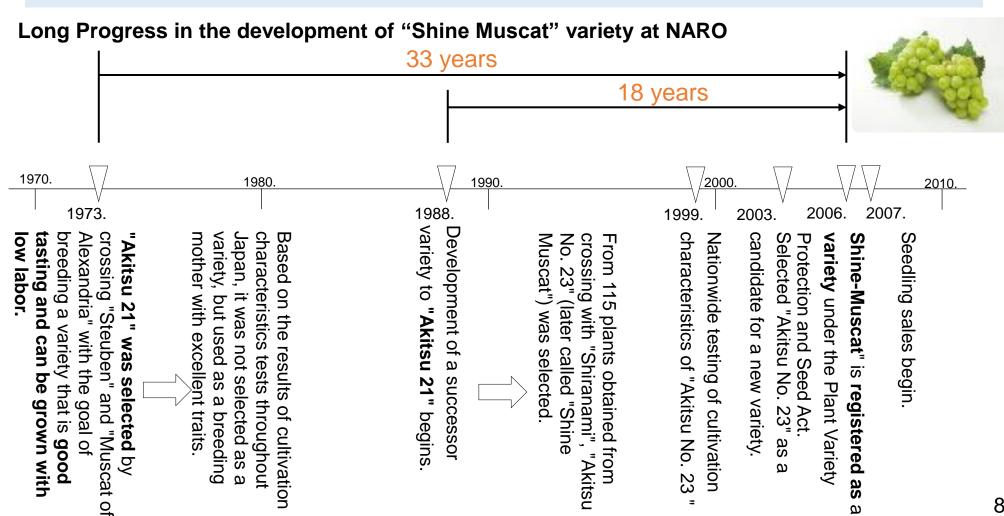
#### [Cold-resistant and delicious rice]

Paddy rice "Kirara 397" has achieved unprecedented excellent taste in addition to cold resistance. This variety led to the later strategy of brand-name rice.

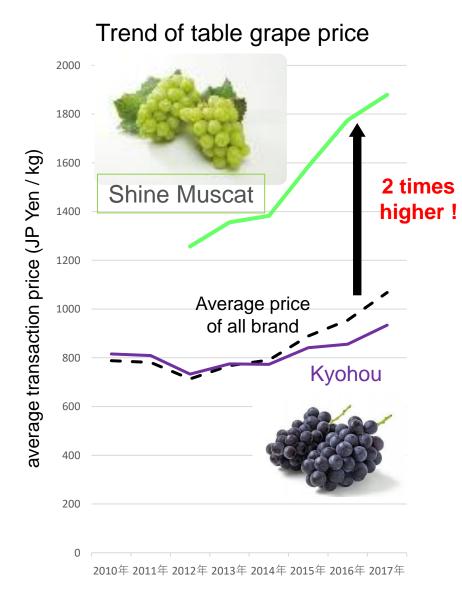


#### The "Shine Muscat" case

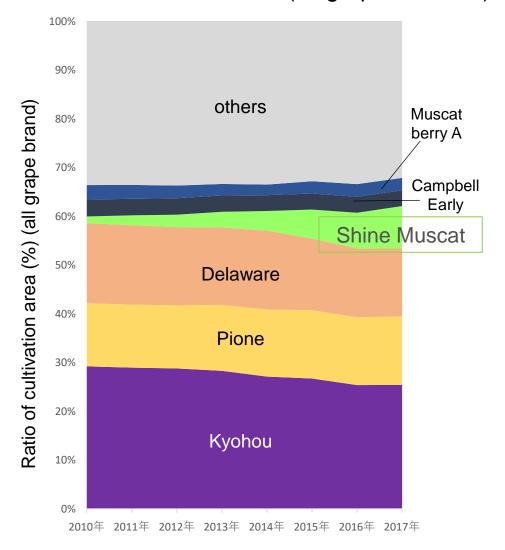
- The grape variety "Shine Muscat" developed by the National Agriculture and Food Research Organization(NARO) took 33 years from the selection of the parent line "Akitsu 21" to its registration, and 18 years from the start of crossbreeding tests of "Akitsu 21".
- In the last 18 years alone, 13 researchers have been involved in the development of the variety.



### Effect of the PVP (table grape variety "Shine Muscat")



#### Ratio of cultivation area (all grape varieties)



#### Unintended outflow of plant varieties developed in Japan



## [Japan]

- Bred in Japan
- Registered in 2006
- Period of breeding is 33 years !!
- It has a strong sweetness, excellent taste, and can be eaten with the skin, so it is traded with high price.
- · It is high expected as a main product of export.

As the background of this case, two factors are identified:

- 1. Because domestic seed/seedling market was large enough to sustain breeding activities, Japanese breeders haven't tended to acquire PBRs for their new varieties outside Japan.
- → Duration of Novelty was already over, and breeders could not apply for their variety to overseas
- 2. Under the Japan's PVP Act before its amendment, PBRs were not valid on export once protected seed/seedlings are transferred by breeders or with their consents.



Production, Trade, or Marketing of "Shine Muscat" has been widely spread in Asia, and which is not the intention/strategy of the breeder of "Shine Muscat" at all.

→ This situation caused not only a loss of Japan's export market, but also damage of Japan's Brand

## Japan's International Cooperation on PVP

## Activities to support PVP in Asia

#### in collaboration with UPOV

- Cooperation activities under the East Asia PVP Forum
  - 1. support in-country action
  - (e.g. development of legislation)
  - 2. regional cooperation
- Capacity Building (JICA training course)
- Common application platform for UPOV member countries (e-PVP Asia)
- Cooperation for examination

# The East Asia Plant Variety Protection Forum

The East Asia Plant Variety Protection Forum consisting of ASEAN Plus Three countries (China, Japan, Korea) was established in 2007 to exchange a wide range of ideas and information to establish effective PVP systems consistent with the UPOV Convention.



7<sup>th</sup> EAPVP Forum Meeting, Vientiane, Lao PDR, August, 2014

#### **Activities**

- ➤ Forum meeting is organized annually to exchange and update progress, and adopt cooperation activities. (June 14-15, Cambodia)
- ➤ In-country and regional cooperation activities are implemented to support countries to develop and update PVP systems.

# Recent activities of the EAPVP Forum

2023. 03.28	Lao PDR	Seminar on the benefits of the UPOV system for farmers and growers
2023.03.01	Thailand	Meeting to introduce the actual information about the UPOV system
2023.01.23	Cambodia	Training on Distinctness, Uniformity, Stability (DUS) examination on cucumber and yard long bean
2022.11.18	Japan	Capacity building workshop2: technical training for PVP senior staff
2022.11.01	Japan	Capacity building workshop 1: introduction of PVP & UPOV TG1/3
2022.10.07	Indonesia	International seminar on PVP system
2022.07.25	Indonesia	15 <sup>th</sup> EAPVPF annual meeting
2022.03.01	Cambodia	Workshop on PVP- plant breeders' rights and farmers' benefits

JICA group training Plant Variety Protection and Quality Control System of Seeds to Facilitate Distribution of High Quality Seeds

Learn from the experiences and technical expertise of Japan and find out the technical ways and benefit of PVP in conformity of UPOV convention.

2023 general information Duration: July 19 to Sep 8 (online and onsite)

- Lectures
- UPOV lessons
- DUS test practice at NCSS
- Third country phase in Vietnam



photo: JICA Tsukuba

## **Cooperation for Plant Examination**

Japanese PVP office offers UPOV member states the examination report at no charge by exchanging the Memorandum of Cooperation (MOC) since 2016.

- For Japanese plant breeders, they can expect PBR registration with shorter period and lower cost
- For UPOV members, they can save the cost of DUS growing test.















Australia

Federative Republic of Brazil

New Zealand

swiss confederation

Socialist Republic of Vietnam

EU

Russian Federation





Mexican States











UPOV member countries that Japan has shared test reports since 2016

Country	Plant name	
Australia	ustralia Hibiscus	
Brazil	Chrysanthemum, Alstroemeria	
Canada	Cape Periwinkle, Citrus,	
Canada	Hydrangea, Ranunculus	
Israel	Rose	
Kenya	Carnation	

Country	Plant name	
New Zealand	Satsuma Mandarin	
Russia	Strawberry	
Turkey	Lettuce	
Viot Nam	Chrysanthemum, Rice,	
Viet Nam	Sweet potato, Poinsettia	

# Thank you very much for your attention!!

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