

# National Workshop on Laos's accession to UPOV 1991

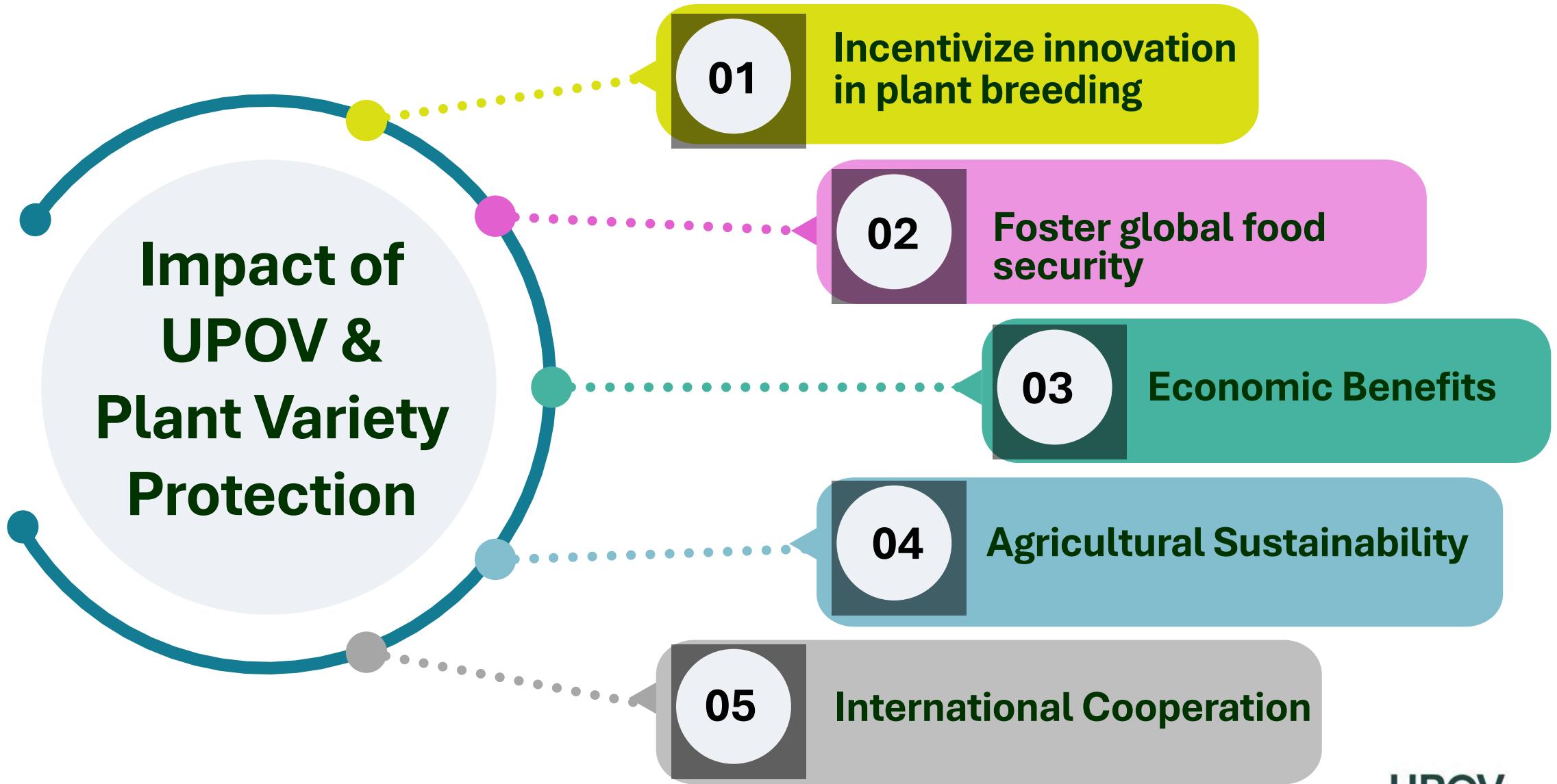
## Impacts of Plant Variety Protection (PVP) System and UPOV Membership

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UPOV



# OVERVIEW

1. UPOV
2. UPOV Convention
3. Socio-Economic Impact of the  
UPOV Plant Variety Protection  
System

# Plant Variety Protection under the UPOV Convention

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## UPOV: INDEPENDENT INTERGOVERNMENTAL ORGANIZATION

The International **Convention** for the Protection of New Varieties of Plants

established in 1961

The International **Union** for the Protection of New Varieties of Plants

**Union internationale pour la protection des obtentions végétales**

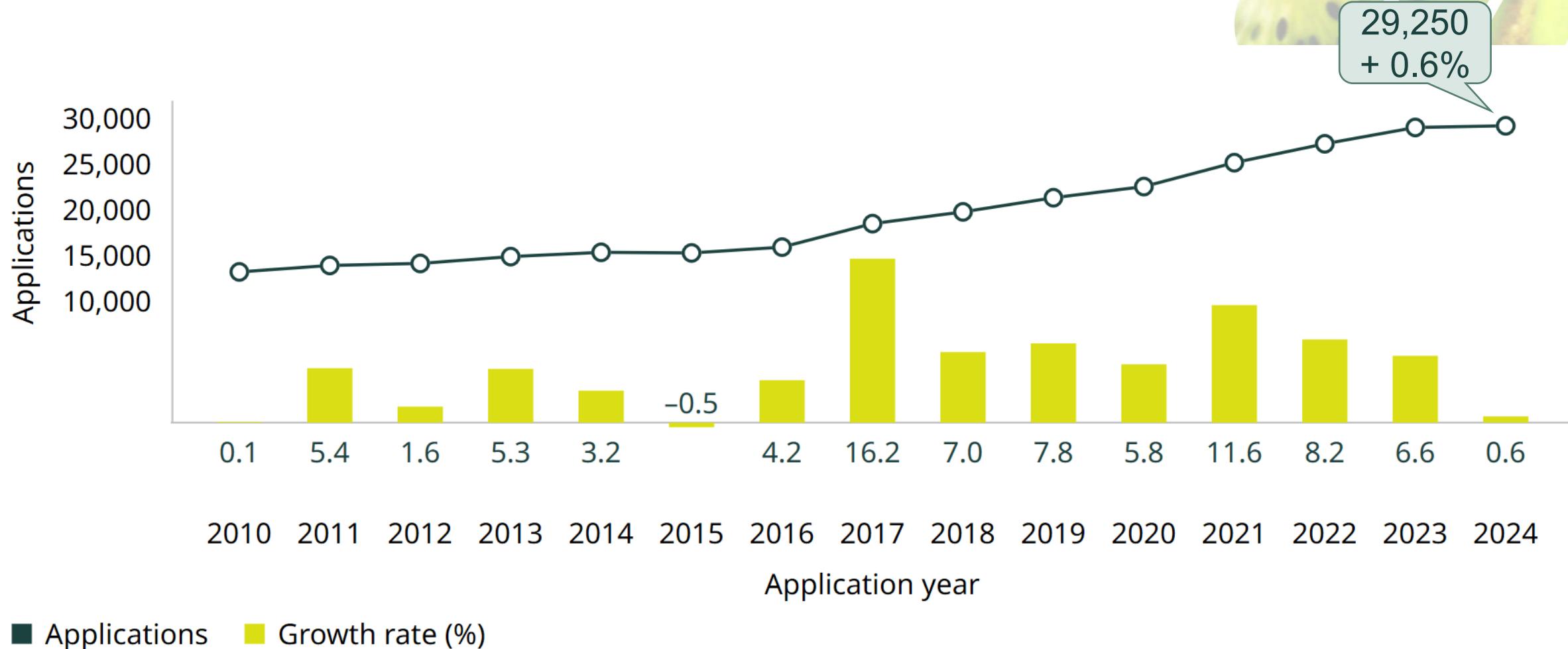


## UPOV MISSION STATEMENT



To provide and promote  
an effective system of plant variety protection, with the aim of  
**encouraging the development of new varieties of plants**,  
for the benefit of society

# Trend in plant variety applications in UPOV members



# Becoming a UPOV Member – Status of Lao PDR

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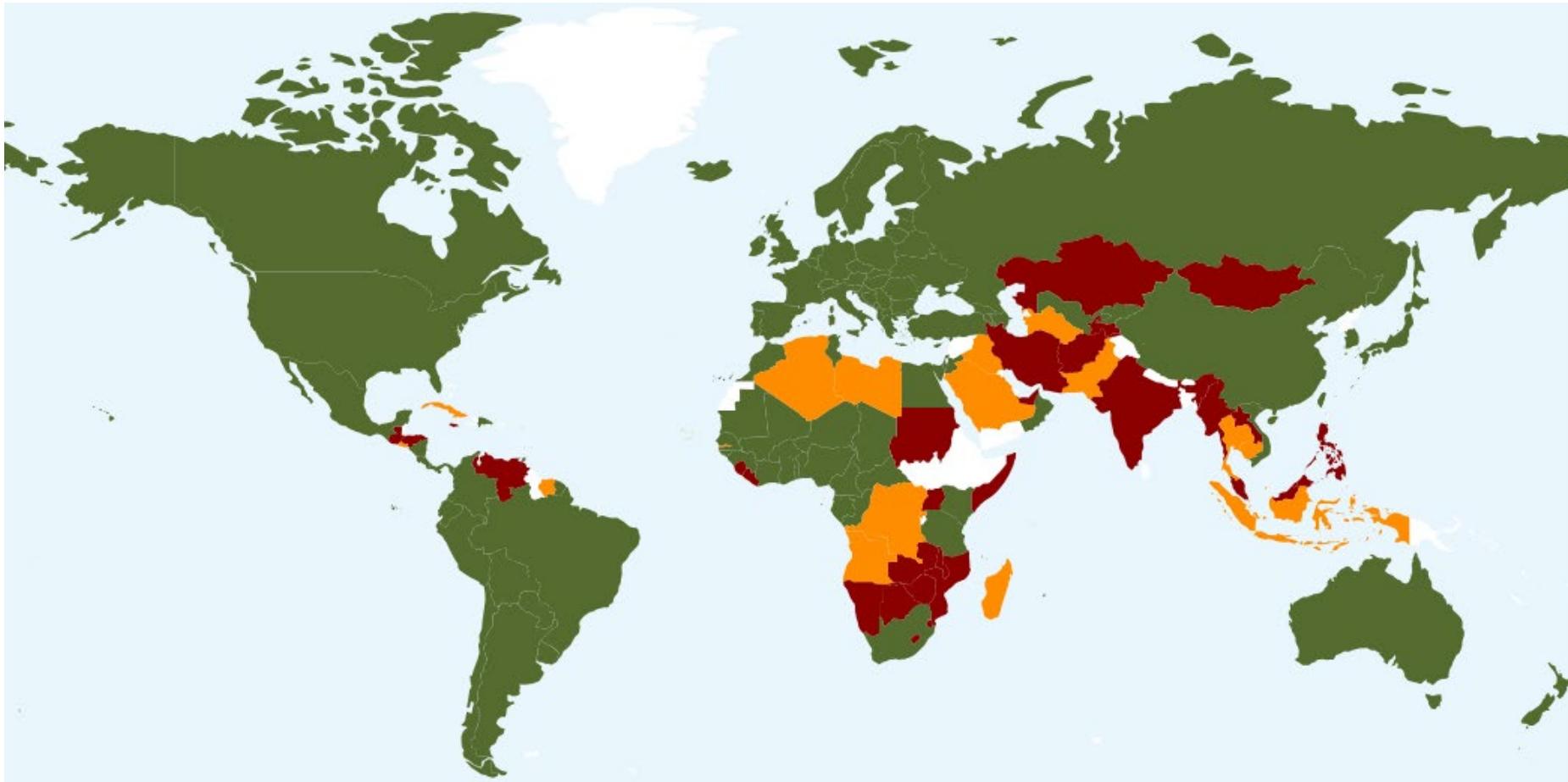
- a) Policy decision to draft legislation in accordance with the 1991 Act of the UPOV Convention
- b) Ask Council of UPOV to advise on conformity of its law (Article 34(3) of the Convention) to get a positive advice
- c) Deposit the instrument of accession
- d) Becomes a UPOV member one month after depositing the instrument of accession

Completed by Lao PBR

Next step for Lao PDR to become a UPOV Member

# UPOV STATUS

on August 4, 2025



*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*

- Members of UPOV (80) (covering 99 States)
- Initiating States (18) and Organization (1)
- States (28) and Organization (1) in contact with the UPOV Office

# UPOV Status in ASEAN Member States (AMS)

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## UPOV Members in AMS (2)

Singapore, Viet Nam

## AMS Initiating Procedure for Acceding to UPOV (5)

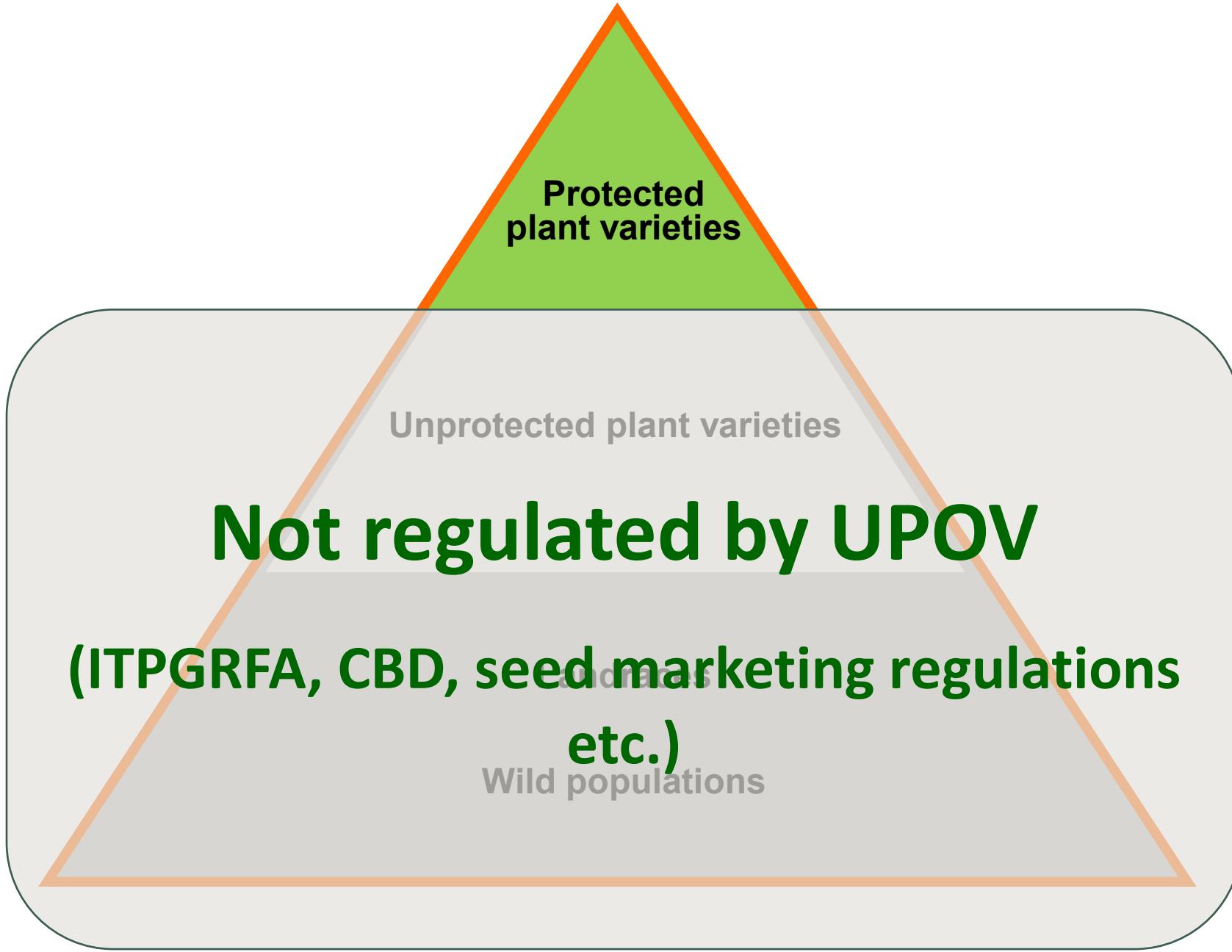
Brunei Darussalam, Lao PDR, Malaysia, Myanmar,  
Philippines

## AMS in contact with the UPOV Office for Assistance in the Development of Laws (3)

Cambodia, Indonesia, Thailand

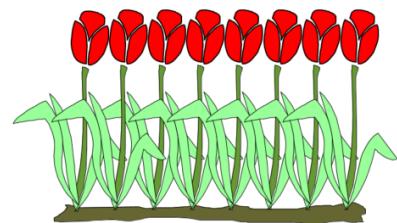
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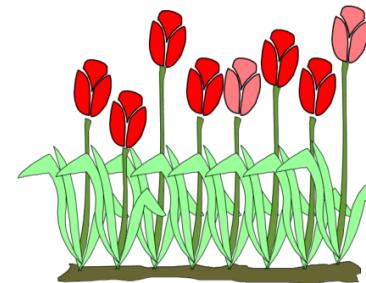


# CONDITIONS FOR GRANTING A BREEDER'S RIGHT

- Novelty
- Distinctness
- Uniformity
- Stability
- Denomination

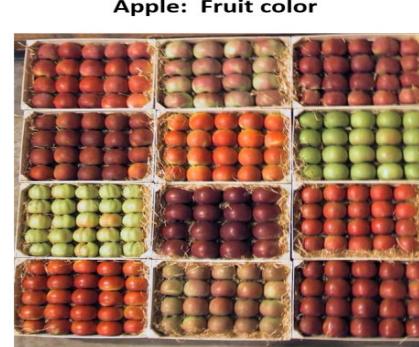


A uniform variety



A variety lacking uniformity

## UNIFORMITY



Apple: Fruit color

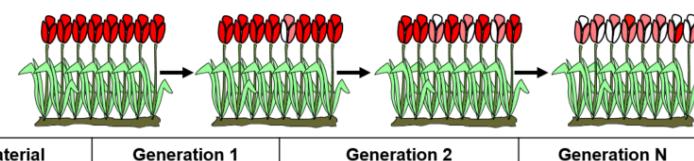
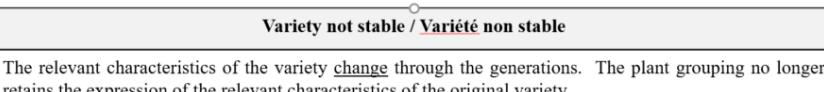
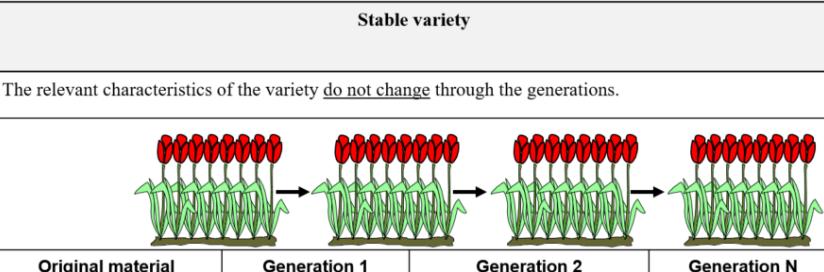


Apple: Flower bud color

## DISTINCTNESS



## STABILITY



Original material      Generation 1      Generation 2      Generation N



## Scope of breeders' rights

- a) Acts covered**
- b) Material covered**
- c) Varieties covered**



## Authorization of breeder required for:

- Production or reproduction (multiplication)
- Conditioning for the purpose of propagation
- Offering for sale
- Selling or marketing
- Exporting
- Importing
- Stocking for any of the above purposes

*.... for any protected variety*

# Exceptions to the Breeder's Right

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## Acts done:

- **privately and for non-commercial purposes**
- **for experimental purposes**
- **breeding other varieties (breeder's exemption")**
- **Farm-saved seed**



# Exceptions to the breeder's right

## Acts done privately and for non-commercial purposes;

- the propagation of a variety by an **amateur gardener** for exclusive use in his own garden
- the propagation of a variety by a farmer exclusively for the production of a **food crop** to be consumed entirely by that farmer and the dependents of the farmer living on that holding,

