

National Workshop on Laos's accession to UPOV 1991

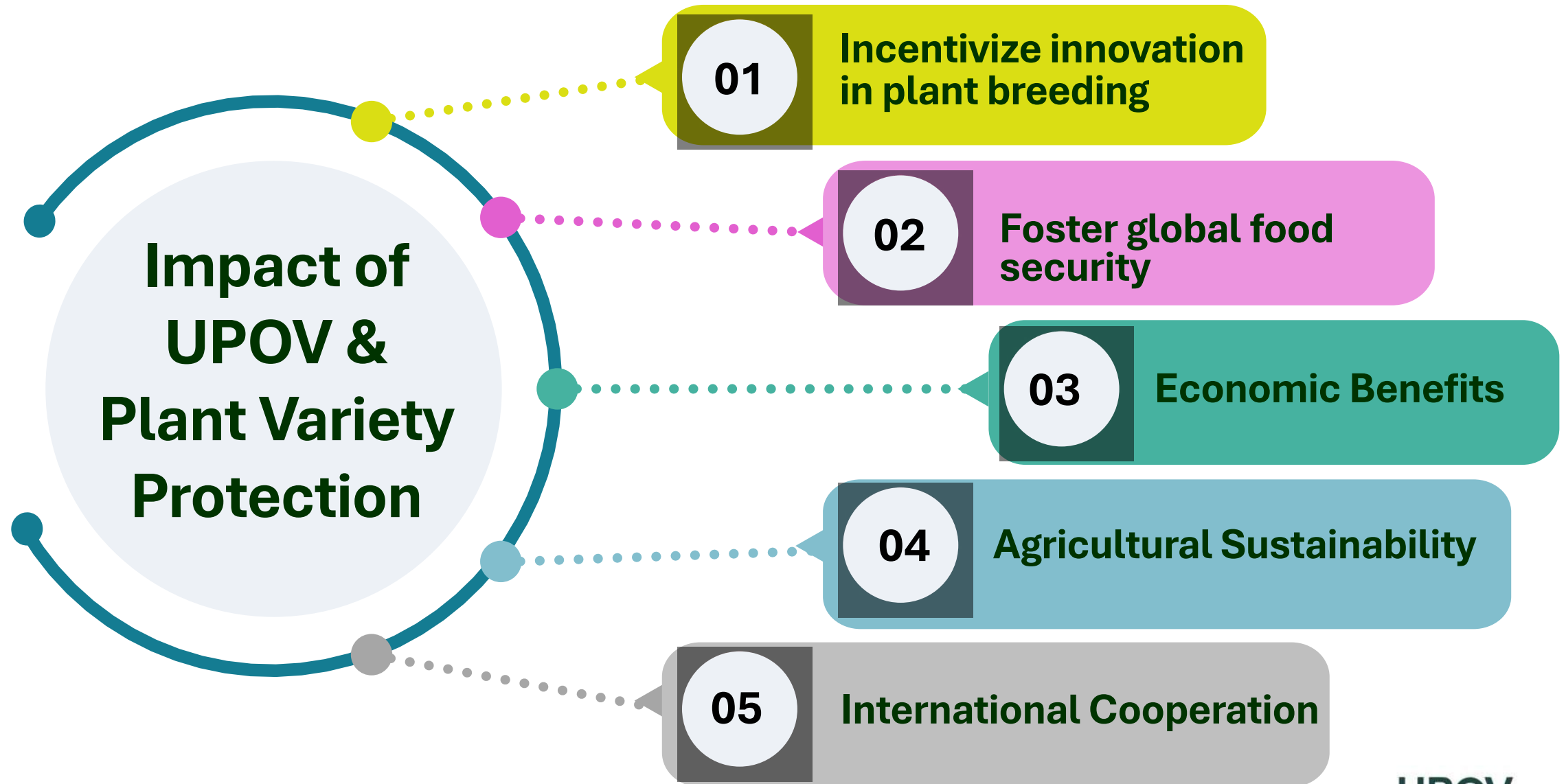
Impacts of Plant Variety Protection (PVP) System and UPOV Membership

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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

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

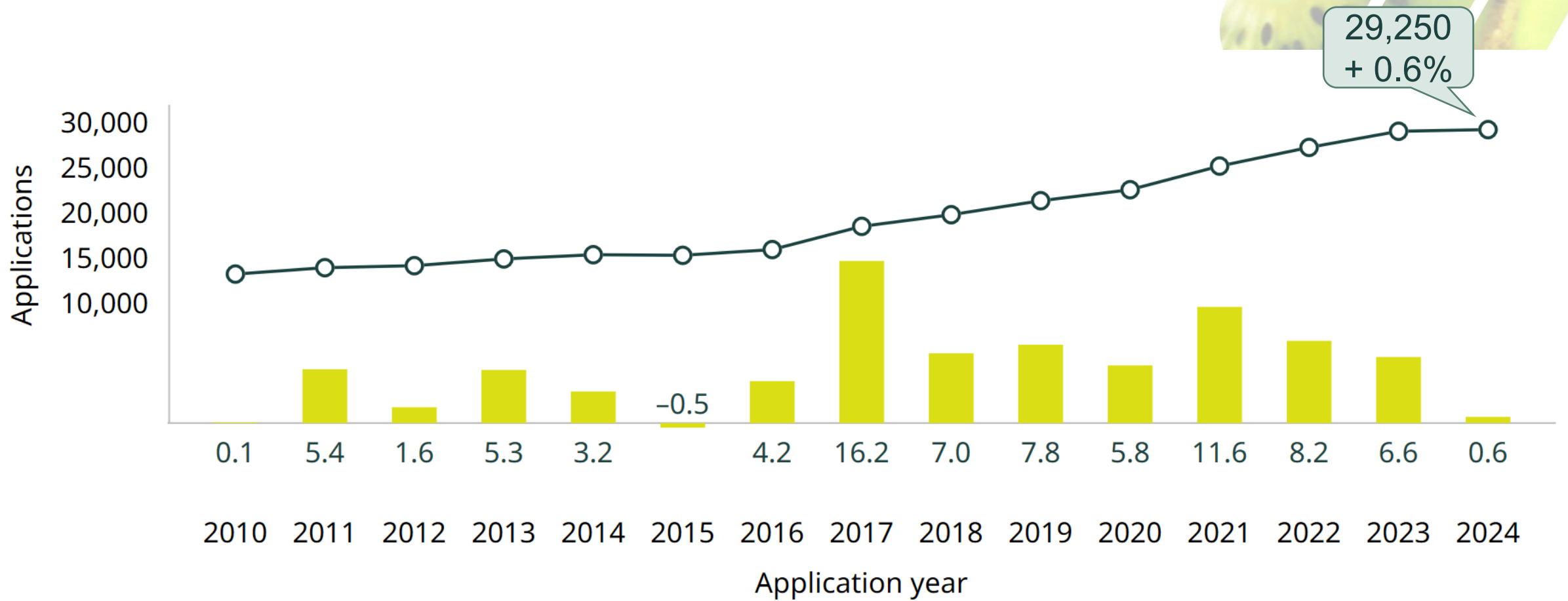
Union internationale pour la
protection des **o**btentions **v**égétales



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



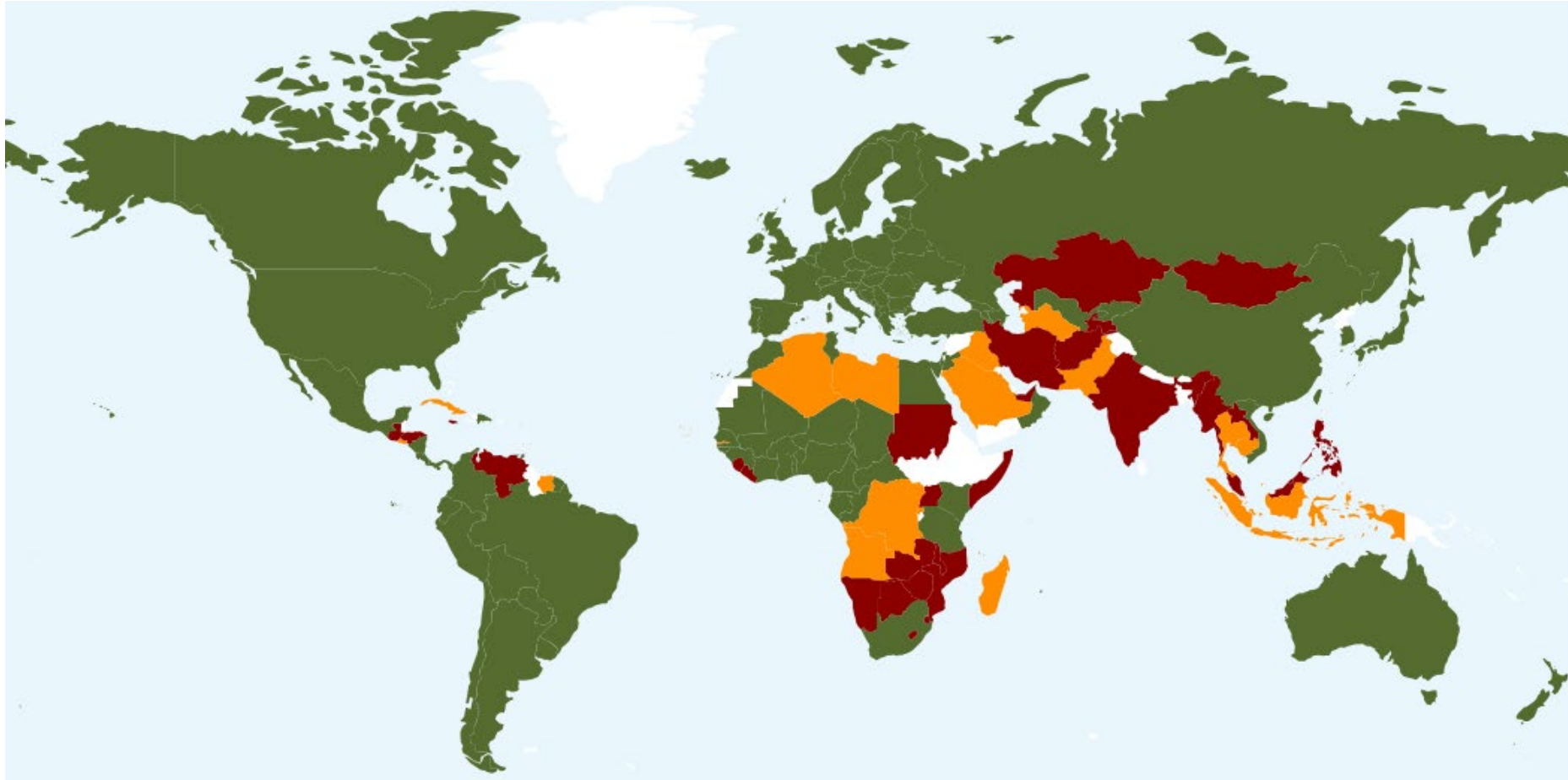
■ Applications ■ Growth rate (%)

Becoming a UPOV Member – Status of Lao PDR

- 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)

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)

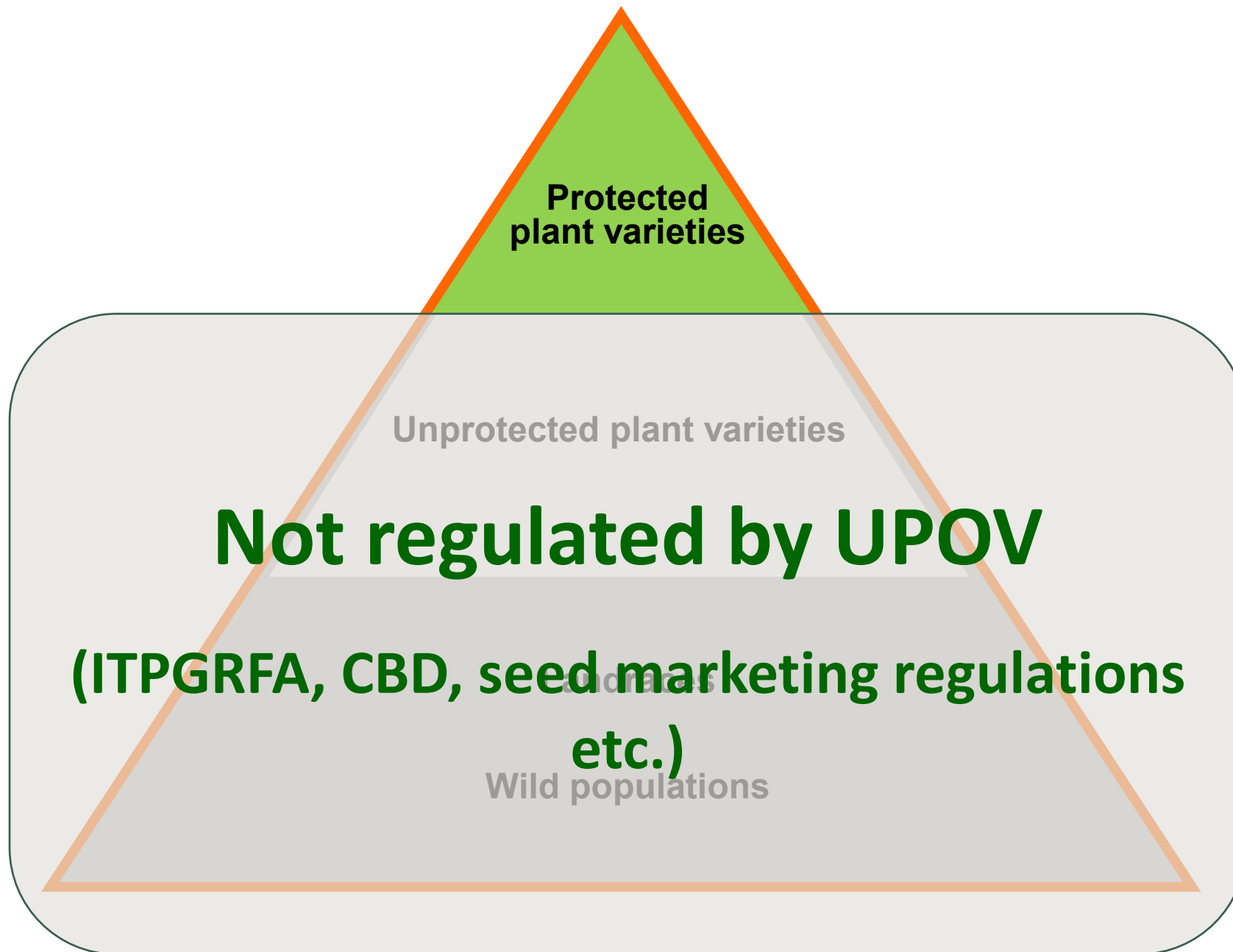
Cambodia, Indonesia, Thailand

OVERVIEW

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2. UPOV Convention

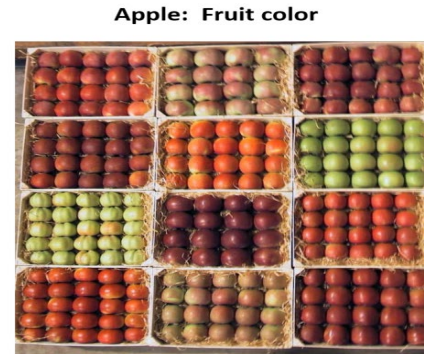
3. Socio-Economic Impact of the
UPOV Plant Variety Protection
System



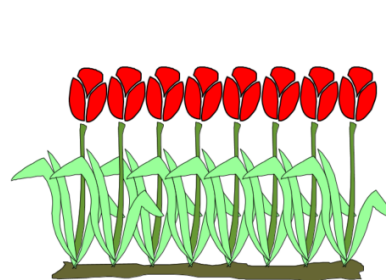
CONDITIONS FOR GRANTING A BREEDER'S RIGHT

- Novelty
- Distinctness
- Uniformity
- Stability
- Denomination

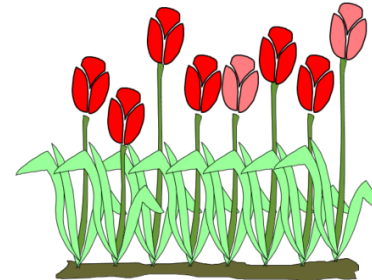
DISTINCTNESS



UNIFORMITY

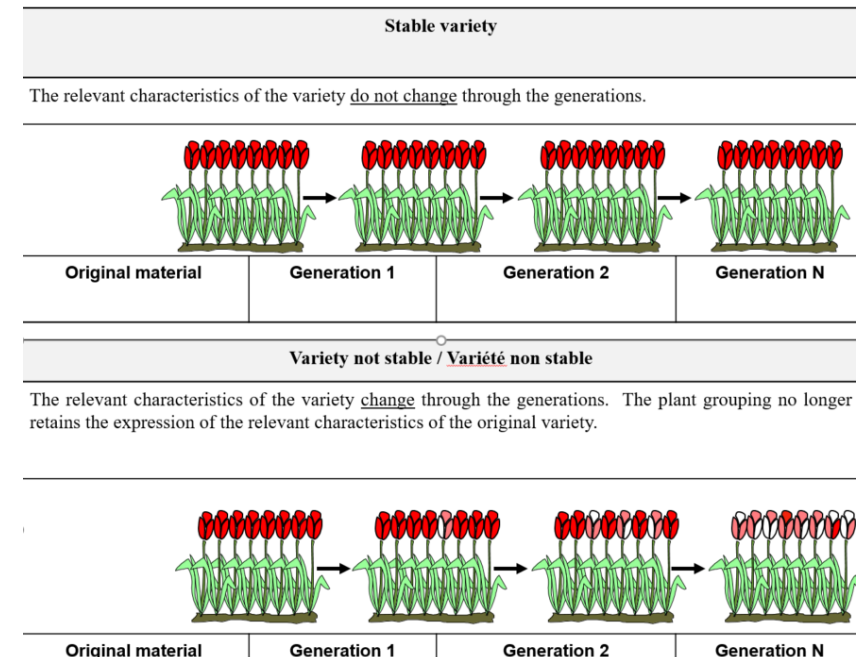


A uniform variety



A variety lacking uniformity

STABILITY



Scope of breeders' rights

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

Breeder's Right – Acts 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

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,

