

## **EAPVP** Forum

East Asia Plant Variety Protection Forum

**11th Annual Meeting**

**Muntinlupa, Philippines, 01 August 2018**

**EAPVPF/11/10**

**Date: 1 August 2018**

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### **REPORT**

*adopted by the East Asia Plant Variety Protection Forum Annual Meeting*

#### Opening of the meeting

1. East Asia Plant Variety Protection Forum held its 11th Annual Meeting in Alabang, Muntinlupa, Philippines on 1 August 2018, chaired by Mr. George Y. Culaste, OIC-Director, Bureau of Plant Industry and Acting Registrar, Plant Variety Protection Office, Philippines.
2. The list of participants is reproduced in Annex I to this report.
3. The meeting was opened by the chair who welcomed the participants.
4. The meeting received message by Mr. Yuichi Fujita, Director, Plant Variety Protection Office, MAFF, Japan
5. The meeting received message by Mr. Peter Button, Vice Secretary-General, UPOV

#### Adoption of the agenda

6. The Draft Agenda as presented in document EAPVPF/11/01 Draft 1 was adopted by the meeting.

#### Report on recent development of UPOV

7. The meeting noted the report on Recent development of UPOV reported by the UPOV Office

#### Adoption of the Draft Rule of Procedure of the EAPVP Forum

8. The meeting adopted the Draft Rule of Procedure of the EAPVP Forum as presented in document EAPVPF/11/02 Draft 1 proposed by the Forum Office as provided in Annex II with condition of further comments from China and Republic of Korea within 6 months. In the case of any proposed amendments, the documents will be circulated to all Forum members and discussed with a view to a revision of the documents by consensus.

#### Adoption of the Draft Common Direction of 10-Year Strategic Plan

9. The meeting adopted the Draft Common Direction of 10-Year Strategic Plan as presented in document EAPVPF/11/03 Draft 1 proposed by Japan as provided in Annex III with condition

of further comments from China and Republic of Korea within 6 months. In the case of any proposed amendments, the documents will be circulated to all Forum members and discussed with a view to a revision of the documents by consensus.

Presentations on the Individual Implementing Strategies of the 10-Year Strategic Plan and other related document

10. The meeting noted the Individual Implementing Strategies of the 10-Year Strategic Plan as appendixes to document EAPVPF/11/03, as presented by Brunei as in document EAPVPF/11/04\_01, Cambodia as in document EAPVPF/11/04\_02, China as in document EAPVPF/11/04\_03, Indonesia as in document EAPVPF/11/04\_04, Japan as in document EAPVPF/11/04\_05, Lao PDR as in document EAPVPF/11/04\_07, Malaysia as in document EAPVPF/11/04\_08, Myanmar as in document EAPVPF/11/04\_09, Philippines as in document EAPVPF/11/04\_10, Thailand as in document EAPVPF/11/04\_12, and Vietnam as in document EAPVPF/11/04\_13, as provided in Annex III.

The meeting noted the country report presented by Republic of Korea as presented in document EAPVPF/11/04\_06.

The meeting also noted the proposals of national-specific cooperation activities in 2018 presented by Lao PDR, Malaysia, Myanmar, Philippines and Vietnam.

Presentation on the Proposal(s) for the Regional Cooperation Activities

11. The meeting considered the Proposals for the Regional Cooperation Activities as presented in document EAPVP/11/05 presented by Vietnam.

Adoption of the list of the Cooperation Activities in 2018

12. The meeting adopted the list of the Cooperation Activities in 2018 as presented in document EAPVP/11/06 Draft 1 proposed by the Forum Office as provided in Annex IV.

Report of situation in AMAF Plus Three and AMAF

13. The meeting noted the Situation in the ASEAN Ministers Meeting on Agriculture and Forestry and the Ministers of Agriculture of the People's Republic of China, Japan, and the Republic of Korea (AMAF Plus Three) concerning the EAPVP Forum presented in document EAPVP/11/07 reported by JAPAN. ASEAN member countries expressed their positive support on the progress of adoption 10-YSP and will be reported in Special SOM AMAF+3 meetings as well as AMAF+3.

14. The meeting noted the Situation in the ASEAN Ministers Meeting on Agriculture and Forestry (AMAF) concerning the EAPVP Forum presented in document EAPVP/11/08 reported by Vietnam.

The Host country for the 12th EAPVP Forum Annual Meeting

15. The meeting agreed with the proposal by China to host the 12th EAPVP Forum Annual Meeting. It will be held on either of the date between April 23rd and 25th, 2019 in Beijing.

Other matters

16. The meeting agreed the EAPVP Forum Logo and usage guideline presented in document EAPVP/11/09 reported by the Forum Office as provided in Annex V.
17. The meeting adopted this report at the close of the 11<sup>th</sup> Annual meeting on August 1, 2018 and the documents will be shared with Singapore for their notation.

[Annexes follow]

**LIST OF PARTICIPANTS**

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[Annex II follows]



Annex II

**THE RULE OF PROCEDURE FOR THE EAST ASIA PLANT VARIETY PROTECTION FORUM**

The EAPVPF Forum adopted the Rule of the Procedure for the East Asia Plant Variety Protection Forum at its 11<sup>th</sup> EAPVP Forum Annual Meeting as follows:

**1. Purpose of this Document**

The “Guideline for Operation of the East Asia Plant Variety Protection Forum (hereinafter referred to as the “Guideline”)” approved by the 1st Meeting of the Forum on 23 July 2008 provides background, objectives, activities and framework of the East Asia Plant Variety Protection Forum (hereinafter referred to as the “Forum”). In order to promote plant variety protection in accordance with the UPOV Convention in the Forum based on the 10-Year Strategic Plan and to demarcate the objectives/activities of the Forum and the administrative procedure to operate the Forum, the Forum has revised the current Guideline and adopted as the “Rule of Procedure for the East Asia Plant Variety Protection Forum” (hereinafter referred to as the “ROP”).

The ROP is intended to assist all members and guests of the Forum to implement cooperation activities and other relative activities under the Forum as well as to operate annual Meetings of the Forum. The ROP is meant to apply generally to all future activities in the Forum. It is recognized, however, that different contexts and situations will require different responses and adaptations.

The Forum’s cooperation activities proposed by the members each year, which require financial support in particular, need to be in line with the Common Direction of the 10-Year Strategic Plan with a view to streamlining the Forum’s cooperation activities toward further harmonization and/or integrity of the PVP system in East Asian region.

**2. Framework of the Forum**

**2.1 Members and Guests**

- Members of the Forum are Brunei Darussalam, Cambodia, China, Indonesia, Japan, Lao People’s Democratic Republic, Malaysia, Myanmar, Philippines, Republic of Korea, Singapore, Thailand and Viet Nam.
- The UPOV Office ,the UPOV members and the ASEAN Secretariat willing to participate in the Forum are invited as the guests.
- Any guests are allowed to express their views and the comments with the consent of the all delegates of the participating member countries.

**2.2 The Meeting of the Forum**

- The Meeting of the Forum will be held annually. The annual Meeting of the Forum is chaired by the host country. The host country for the next annual Meeting of the Forum

will be decided from the willing member countries at the annual Meeting of the Forum.

- English is the official language of the Forum.
- The host country should set up the Secretariat which is responsible for organizing the annual Meeting of the Forum, dissemination and exchange of the information related to the Forum, and preparation of the Forum work report during its term.
- The Secretariat needs to succeed its responsibilities to the next host country. The responsibilities of the Secretariat will be taken over at the time of the end of the annual Meeting of the Forum.
- Each member country would set up a Liaison Office to be responsible for the communication on Forum affairs and information exchange.

### **2.3 Planning and Implementation of the Forum Activities**

- Member country is expected, on each country's initiative, to plan and implement activities based on Individual Implementing Strategy while placing priorities on those activities in line with the Common direction of the 10-Year Strategic Plan.
- Member countries can receive support from donor(s) in organizing the Forum and implementing relevant cooperative activities, which may be subject to the consultation with the donor(s) followed by the discussion and adoption at the annual Meetings of the Forum.
- It should be emphasized that any activities under the Forum will be carried out based on the autonomy of member countries, and will be promoted mutual contributions by member countries in each field where they possess an advantage.
- The official website of the Forum is technically supported by Japan and the content of the website is jointly managed by all member countries.
- The UPOV Office extends assistance to the Forum activities under the cooperative framework of the Government of Japan and in accordance with UPOV's priorities

### **3. Reporting and Communications**

- Member countries are encouraged to report their cooperative activities after their implementation as well as during the activities to share those experiences and expand those activities in the member countries in a synergistic manner.
- All members are encouraged to plan and implement their activities reflecting information shared by other countries under the Forum activities.

### **4. Revision of the ROP**

- The revision of the ROP may be raised by any member countries and should be adopted by consensus at the Meeting of the Forum.

[Annex III follows]

**10-YEAR STRATEGIC PLAN OF THE EAPVP FORUM (2018-2027)**

The EAPVPF Forum,

- *Recalling* the 10<sup>th</sup> EAPVP Forum annual Meeting held in Nay Pyi Taw on 11 September 2017 adopted to discuss and prepare the next 10 years plan at the 11<sup>th</sup> Forum annual Meeting.
- *Reaffirming* enhanced technical capacity of each country including the DUS examination during the past decade thanks to series of cooperation activities under the Forum. Also recognizing that DUS test stations have been newly established or strengthened in some member countries.
- *Recognizing* that the DUS test guideline for tropical plant discussed under the EAPVP activities, and was considered in the discussion in UPOV Technical Working Parties (TWPs) which have served to provide detailed practical guidance for the harmonized examination of DUS testing.
- *Considering* harmonization of the PVP systems in the region, although some positive movement/development towards becoming UPOV member in some EAPVP member countries appears, further harmonization or integrity of the PVP system in East Asian region should be considered.
- *Assessing* the result of consecutive activities of information exchanges and public awareness, further region-specific programs in East Asia region in consistent with UPOV Convention that has function to encourage non-UPOV members in EAPVP Forum to join to the UPOV membership should be encouraged.
- *Noting* different situation and concerns of each Forum member country surrounding PVP as ever discussion in the EAPVP Forum.

adopted at its 11<sup>th</sup> EAPVP Forum annual Meeting as follows:

## 1. Common Direction

Composition of the Common direction is as follows:

- (a) **“Long-term direction”** as the Forum’s long-term direction reflecting its interests

*Establish effective PVP systems consistent with the 1991 Act of the UPOV Convention (hereinafter referred to as the “UPOV Convention”) among Forum members towards achieving all Forum members’ membership of UPOV, as a foundation for building an efficient and cooperative regional PVP mechanism which encourages the development of new plant varieties in the East Asian region in order to contribute to developing sustainable agriculture and achieving food security*

- (b) **“Objectives”** as Forum’s direct goals to be achieved over the next 10 years in Common direction

- **Objective1:**

*Strengthen national PVP system consistent with the UPOV Convention to encourage investment in plant breeding*

- **Objective2:**

*Build a regionally harmonized mechanism for application and examination procedures under the UPOV Convention, encouraging mutual acceptance of DUS test reports towards an efficient and cooperative PVP system in the region for breeders*

- (c) **“Core activities”** as prioritized activities to achieve the Objective1 and Objective2, national-specific activities and regional cooperation activities, are given, respectively, as follows:

- **National-specific activities** to achieve Objective 1, which will be implemented according to development of each Forum member’s PVP system consistent with the UPOV Convention
- i. *Develop national PVP laws and regulations, with the assistance of the Office of UPOV<sup>1</sup>*
  - ii. *Establish/strengthen national administrative procedures for implementing PVP system from filing of application to granting rights*
  - iii. *Capacity building for examination of applications*
  - iv. *Develop DUS test guidelines*
  - v. *Awareness raising on UPOV system for relevant officers, policy makers and*

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<sup>1</sup> The Forum member who wishes to implement the activities requires an official request to the Office of UPOV for advice and assistance according to the 1991 Act of the UPOV Convention.

*stakeholders (better understanding of UPOV system and its benefits, etc.)*

vi. *Strengthen private-public partnership to foster effective PVP system*

- **Regional cooperation activities to achieve Objective 2**

i. *Elaborate common test guidelines consistent with the UPOV system*

ii. *Synthesize application form and examination procedure*

iii. *Cooperate on trainings and exchange of experience on PVP administration, DUS examination, etc.*

iv. *Share best practices for effective enforcement*

*The regional cooperation activities would be implemented by plural/whole of Forum members in a cooperative and effective manner*

## **2. Individual Implementing Strategy**

Each Forum member is requested to produce an Individual Implementing Strategic Plan as its national-level strategy which reflects the Common direction mentioned above in 1. The Individual Implementing Strategy includes national-specific activities taking into account each Forum member's individual circumstances. An Individual Implementing Strategy may also include regional cooperation activities. The Forum members can update its Individual Implementing Strategy on their accord periodically, and should share with the Forum member each time it happens.

The Plan includes:

i. *National goal (for next 10 years)*

ii. *Objectives (with analysis of challenges (for next 3 years)*

iii. *Planned activities (for next 3 years)*

iv. *Roadmap*

Each Individual Implementing Strategic Plans are presented in the Appendices to this document.

[Appendices follows]

**INDIVIDUAL IMPLEMENTING STRATEGIES OF THE 10-YEAR STRATEGIC PLAN**

**EAPVPF/11/04 01 INDIVIDUAL IMPLEMENTING STRATEGY OF BRUNEI DARUSSALAM**

1. National goal (for next 10 years: 2018 to 2027)

- 1-1. To create awareness on the PVP system and encourage greater breeding practice.
- 1-2. To strengthen cooperation with UPOV Members particularly in capacity building in DUS examination and developing Test Guidelines.
- 1-3. To promote greater self-sufficiency in rice production for the nation.
- 1-4 To develop local expertise in conducting DUS Examination.

2. Objectives with analysis of challenges (for next 3 years)

2-1. Challenges

- 2-1-1 Lack of awareness on importance of protection and utilisation of IP rights amongst breeders and relevant stakeholders.
- 2-1-2 Lack of technical expertise and facilities in conducting technical DUS examination.
- 2-1-3 With the shift in focus in the national agricultural policy that will now prioritise on rice production to achieve self-sustainability, less emphasis will be placed on R&D and development of new breeds.
- 2-1-4 Insufficient public-private partnership to facilitate greater breeding activities and development of new breeding technology.

2-2. Objectives

**2018**

National relations objectives:

- 2-2-1 To raise awareness on the advantages of the PVP system and facilitate application of PBR abroad to protect new plant varieties.
- 2-2-2 To facilitate the first PVP application for the registration of local rice variety developed by the Department of Agriculture and Agrifood, Ministry of Primary Resources and Tourism (MPRT).
- 2-2-3 To complete preparation for accession to UPOV by the target dateline within FY2018/9.

International relations objectives:

- 2-2-4 To strengthen cooperation with UPOV Members particularly in capacity building to improve capacity and capability of the PVP Office.
- 2-2-5 To establish partnership with foreign PVP Offices in relation to technical DUS Examination and developing Test Guidelines.

**2019 and 2020**

2-2-6 To participate in pilot project aimed at harmonising PVP mechanism in Asia under the EAPVPF's 10-YSP with the assistance of the UPOV members and the UPOV Office.

2-2-7 To undertake a Study Visit to a relevant UPOV Member Country as part of preparation for accession to UPOV.

2-2-8 To promote greater awareness on the PVP system through the development of publicity materials in cooperation with UPOV members.

3. Planned activities and Road map (for next 3 years)

3-1 To conduct public awareness activities in collaboration with EAPVP and/or UPOV member countries.

3-2 To engage with relevant stakeholders and explore potential new breeds for fruits and flowers.

3-3 Once a member of UPOV, to consider the feasibility of hosting the EAPVP Forum Meeting and Seminar in Brunei Darussalam.

**EAPVPF/11/04 02 INDIVIDUAL IMPLEMENTING STRATEGY OF CAMBODIA**

1. National goal (for next 10 years: 2018 to 2027)

1-1. Based on strategy of seed policy for Cambodia in 2016 described that the protection of new varieties of plants as a form of intellectual property is an important stimulus to private investment in plant breeding and the introduction of protected varieties for production and marketing. To comply with the requirements of WTO membership, this protection is provided under Chapter 2 of law on seed management and plant breeder's right. Breeders who wish to protect new varieties of plant must submit application to the competent authority.

1-2. Under law on seed management and plant breeder's right, the technical work for examining new varieties will be carry out by MAFF and administrative work with registration of Plant Breeder Right will be carry out by Ministry of Industry and Handicraft (MIH). Staff will require training on the procedures for DUS test and management of registration of PVP, these being the key criteria for granting protection. Prior to introducing a full plant variety protection system, GDA will prepare and implement technical guidelines for carrying out DUS test, initially on rice and corn, and on other crops as required. At the same time General Department of Industry (GDI), Department of Industrial Property (DIP) will prepare and implement administrative guidelines for Registration of PVP. Wherever possible, description of new varieties submitted for protection shall be exchanged with other countries in region to make the testing procedures more efficient. Such collaboration will be facilitated when Cambodia becomes a member of UPOV.

2. Objectives with analysis of challenges (for next 3 years)

**2018**

Both ministries will be jointed to fully complete the regulations under law related to the procedures of implementation of National PVP system this objective is a difficult issue with requirement of legal experts.

There will be a workshop/seminar on the procedure to obtain the PVP protection for the public especially for the PVP-related stakeholders

**2019**

MAFF will be established the Seed and variety management Unit under GDA to respond all activities related the seed and variety.

MIH will respond to the registration of plant breeder right in order to disseminate the law and regulation to breeders and stakeholders related to plant variety protection to understand the benefit of PVP.

MIH and MAFF will be jointed to study the Cambodia plant breeder right law that comply with the requirement of UPOV member.



## 2020

National level will be started to carry out the PVP system if the national breeders applied to protect new varieties with developing a test guideline.

MAFF & MIH will work together for considering amendment Cambodia plant breeder right law that comply with the requirement of UPOV member.

### 3. Planned activities and Road map (for next 3 years)

#### *Planned activities*

- 3-1-1. Establish a seed management and varieties unit with overall responsibility for all types of seeds and varieties.
- 3-1-2. Finalize regulations under law on protection for new varieties of plant.
- 3-1-3. Establish procedures for testing and registration of new varieties and criteria for inclusion in the list.
- 3-1-4. Disseminate the law and regulation to breeders and stakeholders related to plant variety protection to understand the benefit of PVP.
- 3-1-5. Continue to strengthen institutional capacity and human resources needed for research and development of new varieties.
- 3-1-6. MAFF & MIH will work together for considering amendment of Cambodia plant breeder right law that comply with the requirement of UPOV member.

#### *Road map*

An expansion to boost the PVP system in Cambodia relies on establishment of :

- 3-2-1. Seed and Variety management unit under GDA/MAFF and DIP/MIH is the executive body responsible for implementing the regulations made under law on seed management and plant breeder's right.
- 3-2-2. Improvement of station/centers facilities to conduct DUS test.
- 3-2-3. Making the all regulations under law and technical documents as tools to support PVP implement.
- 3-2-4 Disseminate the law and regulation to breeders and stakeholders related to plant variety protection to understand the benefit of PVP.
- 3-2-5. Specific technical and administrative training program of examiners to check the novelty, variety denominations and DUS test.
- 3-2-6. Starting steps of PVP system related potential crops as rice, corn, moonbeam, soybean and some vegetables.
- 3-2-7. New variety development program to support and promote the breeders.
- 3-2-8. Cooperation with donors and international organizations supporting to PVP system in Cambodia.
- 3-2-9. MAFF & MIH will work together for considering amendment of Cambodia plant breeder right law that comply with the requirement of UPOV member.

**EAPVPF/11/04 03 INDIVIDUAL IMPLEMENTING STRATEGY OF CHINA**

1. National goal (for next 10 years: 2018 to 2027)

To build an effective, efficient and efficient PVP system

2. Objectives with analysis of challenges (for next 3 years)

2-1. Challenges

2-1-1 Sharp increase of PBR applications

2-1-2 Increasing needs for cross-country PBR applications

2-2. Objectives

2-2-1 To strengthen international cooperation in DUS examination and testing

2-2-2 To further improve capacity building for PVP enforcement

3. Planned activities and Road map (for next 3 years)

3-1. Planned activities (for next 3 years)

3-1-1 Strengthening human resources supports

3-1-2 Promoting bilateral or multilateral cooperation

3-1-3 Enhancing PVP enforcement capacity building together with other EAPVP Forum members

3-2. Roadmap

3-2-1 Awareness raising

3-2-2 Technical enhancement

3-2-3 Administration strengthening

3-2-4 International cooperation

3-4-5 Policy and legislation improvement

**EAPVPF/11/04 04 INDIVIDUAL IMPLEMENTING STRATEGY OF INDONESIA**

## 1. National Goal (for next 10 years: 2018 – 2027)

Indonesia become one of the Main Agriculture seed industry in Asia

- 1-1. Enhance the Capacity of Breeders to Produce More varieties that suitable with Farmers Need, and excellent rate of PVP applications
- 1-2. More national variety choices for farmer and over seas consumer
- 1-3. Seed industry become Main national Income creating in Agriculture Sector

## 2. Objectives with analysis of challenges (for next 3 years)

	<b>Challenges</b>	<b>Objectives</b>
<b>2018</b>	Number PVP Rights application is quite low (in average 60 varieties per year)	<ul style="list-style-type: none"> <li>• Dissemination program on the benefit of PVP System</li> <li>• Cooperate with High Education Body for more benefits of researchers in developing varieties</li> <li>• Award for Breeders</li> <li>• Offers some convenience to applicant (online system, simplify the procedure and enhance capacity building)</li> <li>• Establish clear and transparent tariff for applicants. Low tariff for individual, breeder-farmers and National Research Center</li> <li>• Establishing DUS Testing Station for low land</li> </ul>
<b>2019</b>	Some breeder prefer to use release variety, because PVP system is optional	Harmonization of PVP System and Release system
<b>2020</b>	Low in International Collaboration in PVP and Seed Industry Development.	<ul style="list-style-type: none"> <li>• National Dialogue for Some International Convention</li> <li>• Policy Paper on UPOV membership</li> </ul>

## 3. Planned activities and road map (for next 3 years)

## 3-1 Regulation:

- 1) Developing (in progress) the Law for Sustainable Cultivation System (should be finish in 2019)  
→ SEED Regulation
- 2) Harmonization Regulation related with PVP and Seed Industry (2019)
- 3) Developing (in progress) the Law for Plant Genetic Resources use (should be finish in 2022)
- 4) Developing ministry regulation for simplify the PVP application, lower cost for DUS test, etc (2018 and 2019)

## 3-2 Facilities and Human Resources Development:

- 1) Developing DUS testing Station for Low Land commodities in East Java (2018 to 2019)
- 2) More DUS testing training for PVP examiner and technical staff to improve their capacity (2018 -2020)

## 3-3 Forum Group Discussion (FGD), Seminar / Workshop:

- 1) More FGD with International/National expert in agriculture and law science, national seed industry stake holder, farmer, NGO, local government for issue's The effective PVP system, and The benefit of UPOV membership (2018)
- 2) National Convention for Indonesian membership in UPOV (2019)

*Road map*

Short term	Medium term	Long term
Enhance the national Human Resources capacity for plant breeder's	More varieties produce that suitable with Farmers Need, and excellent rate of PVP applications	Indonesia Seed Industry become one of the Main Agriculture seed industry in Asia
Harmonized Regulation system between PVP and Seed Production system	Harmonized all International agreement related with PVP, Plant Genetic resources and Seed production	Indonesia will be an active participant in various international agreements in PVP and Seed Production
More FGD with International/National expert in the issue's The effective PVP system, and The benefit of UPOV membership	National Convention on the issue of Indonesian Membership of the UPOV	Indonesia as a UPOV Members

**EAPVPF/11/04 05 INDIVIDUAL IMPLEMENTING STRATEGY OF JAPAN**

1. National goal (for next 10 years: 2018 to 2027)
  - 1-1. To strengthen national PVP system with a reliable and solid Plant breeders' right (PBR) to support various types of breeders' breeding activities and their investment with a view to promotion of innovation and Japan's values as well as to food security
  - 1-2. To promote harmonization and cooperation of PVP system regionally/internationally to improve the protection of PBR in the third countries in order to provide breeders effective and efficient PVP system as well as to enhance Japan's innovation
  
2. Objectives with analysis of challenges (for next 3 years)
  - 2-1. Challenges
    - 2-1-1 Lack of awareness around importance of the protection and utilization of the IP rights, public research institutions, in particular
    - 2-1-2 Overseas' outflow of new varieties developed in Japan that cause production, selling, marketing abroad without authorization or consent of breeders, which may undermine competitiveness and export to overseas markets and even lose reliability of PVP system
    - 2-1-3 Stagnation in number of application for PBR in Japan that may result in reduce innovation of Japanese agriculture in the long term
    - 2-1-4 Insufficient public private partnership in breeding activities to produce new varieties to adapt to a changing environment, i.e., new needs of farmers, growers and consumers, adaption to climate change, and development of new breeding technology

2-2. Objectives

**2018**

National relations objectives:

- 2-2-1 To raise awareness of IPs and facilitate application of PBR abroad to protect new plant varieties
- 2-2-2 To review the Plant Variety Protection and Seed Act and its effective implementation in respect of:
  - prevent outflow of protected plant varieties without authorization or consent by breeders
  - improve PVP system so that PBR holders can enforce their breeder's rights more efficiently; clarification of scope of breeder's right, clarification of examination procedure for examination
  - review optional exceptions to the PBR with regard to farm-saved seed
  - foster implementation system of DUS testing
- 2-2-3 To improve administrative procedure for filing applications and granting PBR in a internationally harmonized manner with user-friendly tools including MAFF Electric Application System for Plant Variety Protection (EASPVP)

International relations objectives:

- 2-2-4 To encourage and support establishment of PVP laws in line with the 1991 Act of the UPOV Convention in Asian countries under the EAPVP's 10-Year Strategic Plan in collaboration with the UPOV and other authorities for economic development in the region and proper investment by the Japanese seed industry
- 2-2-5 To support capacity building for implementation of internationally harmonized PVP system, and to contribute to building a regional harmonized mechanism for application and examination procedures under the EAPVP's 10-Year Strategic Plan in collaboration with the UPOV and other authorities
- 2-2-6 To strengthen bilateral cooperation with partner countries/organizations for mutual supports and further harmonization to achieve reliable and robust PVP system both regionally and globally
- 2-2-7 To promote cooperation of examination between Japan and UPOV member to avoid repeated DUS testing and reduce time and resources for both breeders and PVP authorities.

### **2019 and 2020**

- 2-2-8 To launch pilot project to build regional harmonized PVP mechanism in Asia under the EAPVPF's 10-YSP with the assistance of the UPOV members and the UPOV Office
- 2-2-9 To increase mutual exchange DUS test report among UPOV member countries

### **3. Planned activities and Road map (for next 3 years)**

- 3-1 Examine effective control on distribution of seeds for effective protection of PBR, effective system for DUS testing and variety description, system for farm-saved seed, etc. (2018-2019)
- 3-2 Streamline application and examination proceedings, including enhanced use of national electric application system (2018-2020)
- 3-3 Explore revision of the Enforcement Regulations of the Plant Variety Protection and Seed Act to expand scope of breeder's right in relation to farm-saved seed (2019)
- 3-4 Expand bilateral/regional cooperation activities to improve and harmonize PVP system in Asian region (2018-2010)

Note: The above-mentioned road map may be revised reflecting situation surrounding PVP system.

**EAPVPF/11/04 07 INDIVIDUAL IMPLEMENTING STRATEGY OF LAO PDR**

1. National goal (for next 10 years: 2018 to 2027)

Development of plant variety legislation and seed quality control system based on the UPOV Convention

2. Objectives with analysis of challenges (for next 3 years)

**2018**

2-1-1. Developed of the legal framework such as Seed policy and seed Decree.

2-1-2. Setup the organization taking on variety testing of DUS protocols base on the UPOV guideline.

2-1-3. Seeking a cooperation in capacity building particularly in DUS examination and developing Test Guidelines.

2-1-4. Conduct workshops, seminars or training related to PVP and DUS Test and quality control system under UPOV convention.

**2019**

2-2-1. Develop a priority crops for evaluation of varieties

2-2-2. Setup the organization taking on variety testing of DUS protocols base on the UPOV guideline.

2-2-3. Seeking a cooperation in capacity building particularly in DUS examination and developing Test Guidelines.

2-2-4. Conduct workshops, seminars or training related to PVP and DUS Test and quality control system under UPOV convention.

**2020**

2-3-1. Dissemination of the plant variety legislation to the high level officer, staff and private sector.

2-3-2. Seeking a cooperation in capacity building particularly in DUS examination and developing Test Guidelines.

2-3-3. Conduct and Participate workshops, seminars or training related to PVP and DUS Test and quality control system.

3. Planned activities and Road map (for next 3 years)

3-1. Developed seed policy, seed decree and other handbook related plant variety legislation, plant breeding, seed control (2018)

3-2. Dissemination of seed policy, seed decree and other handbook related plant variety legislation, plant breeding, seed control to the staff, farmers and private sectors (2019)

3-3. Establish the station or section for plant and seed testing agency (2019)

3-4. Developed of Test Guidelines (2018-2020)

- 3-5. Conduct DUS test on rice and Maize (2019-2020)
- 3-6. Participate workshops, seminars or training related to PVP and DUS Test and quality control system (2018-2020)
- 3-7. Conduct workshop/training related to PVP and DUS Test on rice, maize and quality control system (2018-2019)



**EAPVPF/11/04 08 INDIVIDUAL IMPLEMENTING STRATEGY OF MALAYSIA**

1. National goal (for next 10 years: 2018 to 2027)

Malaysia has complied with TRIPS by enacting the Protection of New Plant Varieties Act 2004 (PNPV Act 2004) on 25th April 2004. The PNPV Act 2004 is a sui generis and has since come into operation on 20th October 2008.

The objectives of PNPV Act 2004 are:

- 1) to provide protection of the rights of breeders of new plant varieties;
- 2) to provide recognition and protection of the contribution made by farmers, local communities and indigenous people towards the creation of new plant varieties; and
- 3) to encourage investment and development of the breeding of new plant varieties in both public and private sectors.

A review of PNPV Act 2004 was conducted in 2014 and several shortcomings were identified such as:

- (a) inadequacies of PNPV Act 2004 especially when international cooperation is required;
- (b) lack of crop expertise especially temperate crops;
- (c) high turnover of secretariat staffs and staffs' technical competencies;
- (d) unforeseen administrative delay in grant of breeder rights; and
- (e) budgetary constraints.

A special task force was subsequently established by the PVP Board in 2015 to study and to propose amendments to PNPV Act 2004. At the same time, in lieu with development of TPPA/CTPPA, the Malaysian Cabinet had mandated that the PNPV Act 2004 be amended and to comply with UPOV 1991..

2. Objectives with analysis of challenges (for next 3 years)

The objectives of Malaysian PVP for the next three years (2018 - 2020) would be:

- (a) to re-draft new PVP Act in accordance with UPOV 1991;
- (b) to consult Legal Counsel of UPOV on compliance to UPOV 1991;
- (c) consultations with stakeholders such as government agencies, universities, Farmer Cooperatives, Crop Association, Seed Importers and NGOs;
- (d) final consultation with UPOV Legal Counsel;
- (e) submission of new PVP Act to Attorney General Office and tabling of Act in Parliament.

3. Planned activities and Road map (for next 3 years)

*Planned activities*

Advantages obtained from amendments of the current Act will definitely outweigh the disadvantages and weaknesses encountered throughout the implementation of the Plant Variety Protection System. If farmers are the contributor to the nation's food basket, breeders will be the starter source of the food basket. Without the seed creators, farmers will have nothing

superior to grow. Therefore, the Government has the role in ensuring farmers to get good seeds while not ignoring the breeders' contribution to our nation.

In order to strengthen Malaysia's Plant Variety Protection System and to ensure that it is in line with UPOV 1991 as well to obtain a win-win situation between the Malaysian Government and stakeholders, Malaysia would like to propose two (2) activities (details stated in the proposal) as stated below:

3-1-1. Legal Consultation on Harmonisation of the Protection of New Plant Varieties 20XX with UPOV Convention 1991 (16–17 August 2018)

3-1-2. Stakeholder Consultation with Malaysia's NGOs upon Malaysia Acceding as UPOV Member (4-5 April 2019)

#### *Road map*

The main challenge for Malaysian PVP in the next three years would be to implement the government's decision of realigning the current PNPV Act 2004 in accordance with UPOV 1991. In this regards, a dedicated Task Force has been established to undertake this task. The Road Map for the next three years (2018 - 2020) is as follows:

NO.	ACTION TAKEN	PROPOSED DATE	IMPLEMENTATION DATE
1	Submission of Regulatory Notification Form (RNF) to Malaysia Productivity Corporation (MPC).		Jun-18
2	Workshop to revise Protection of New Plant Varieties Act 20XX with Drafting Team.	January 2018	9 – 10 January 2018
3	Workshop to revise Protection of New Plant Varieties Act 20XX with Ministry of Agriculture and Agro-based Industry (MOA) Legal Advisor and Drafting Team, Session 1/2018.	January 2018	11-12 January 2018
4	Workshop to revise Protection of New Plant Varieties Act 20XX with Ministry of Agriculture and Agro-based Industry (MOA) Legal Advisor and Drafting Team, Session 2/2018.	March 2018	5 – 6 April 2018
5	Workshop to revise Protection of New Plant Varieties Act 20XX with Ministry of Agriculture and Agro-based Industry (MOA) Legal Advisor and Drafting Team, Session 3/2018.	April 2018	11 – 13 May 2018
6	Workshop to revise Protection of New Plant Varieties Act 20XX with Ministry of Agriculture and Agro-based Industry (MOA) Legal Advisor, UPOV Legal Advisor and Drafting Team, Session 4/2018.	15 – 17 August 2018	UPOV's involvement

7	Workshop to revise Protection of New Plant Varieties Act 20XX with Ministry of Agriculture and Agro-based Industry (MOA) Legal Advisor and Drafting Team, Session 5/2018.	September 2018	
8	Workshop to revise Protection of New Plant Varieties Act 20XX with Ministry of Agriculture and Agro-based Industry (MOA) Legal Advisor and Drafting Team, Session 6/2018.	October 2018	
9	Presentation of final draft of Protection of New Plant Varieties Act 20XX to Plant Variety Board.	November 2018	
10	Workshop on Regulatory Impact Analysis in conjunction with preparation for stakeholder consultation with MPC, Session 1/2019.	January 2019	
11	Stakeholder Consultation with related Ministries/Departments/Agencies	February 2019	
12	Stakeholder Consultation with PVP Breeders, Growers' Association, PVP Agents, Malaysian Genetic Association, Universities, seed companies.	March 2019	
13	Stakeholder Consultation with NGOs	April 2019	UPOV's involvement
14	Workshop to revise Protection of New Plant Varieties Act 20XX with Ministry of Agriculture and Agro-based Industry (MOA) Legal Advisor and Drafting Team, Session 1/2019 (amendment after stakeholders' consultation)	July 2019	
15	Circulation of final draft of Protection of New Plant Varieties Act 20XX to relevant Ministries, Departments and Agencies.	August 2019	
16	Presentation of final draft of Protection of New Plant Varieties Act 20XX to Plant Variety Board Final draft after circulation to relevant Ministries, Departments and Agencies.	September 2019	
17	Workshop on Regulatory Impact Analysis, Session 2/2019, with MPC in conjunction with preparation for Regulatory Impact Statement (RIS).	September 2019	
18	Workshop to revise Protection of New Plant Varieties Act 20XX with Ministry of Agriculture and Agro-based Industry (MOA) Legal Advisor	October 2019	

	and Drafting Team, Session 2/2019.		
19	Preparation of final version of Protection of New Plant Varieties Act 20XX (Secretariat).	November 2019	
20	Workshop to revise final version of Protection of New Plant Varieties Act 20XX with Ministry of Agriculture and Agro-based Industry (MOA) Legal Advisor and Drafting Team, Session 1/2020.	January 2020	
21	Submission of final version of Repeal of Protection of New Plant Varieties Act 20XX to UPOV for review.	February 2020	UPOV's involvement
22	Workshop to revise final version of Protection of New Plant Varieties Act 20XX with Ministry of Agriculture and Agro-based Industry (MOA) Legal Advisor and Drafting Team, Session 2/2020 (amendment based on UPOV's comments).	March 2020	
23	Special Plant Variety Board Meeting (Presentation of final version of Protection of New Plant Varieties Act 20XX)	April 2020	
24	Submission of final version to MOA's Legal Advisor and UPOV.	May 2020	UPOV's involvement
25	Preparation of Cabinet Notes.	May –	
26	Submission of Cabinet Notes to MOA.	August 2020	
27	Endorsement from Attorney General Council.	October 2020	
28	Presentation of final version of Protection of New Plant Varieties Act 20XX to Cabinet.	December 2020	
29	Presentation of final version of Protection of New Plant Varieties Act 20XX to Parliament.	March 2021	
30	Commencement of Protection of New Plant Varieties Act 20XX after endorsement by Parliament.	March/April 2021	

\*Updated: 20 July 2018

**EAPVPF/11/04 09 INDIVIDUAL IMPLEMENTING STRATEGY OF MYANMAR**

1. National goal (for next 10 years: 2018 to 2027)

- 1-1. To be enact and enforce the 2018 New Plant Variety Protection Law with articles which are in line with UPOV 1991 act.
- 1-2. To be become UPOV member as a foundation of encouraging the development of new plant varieties for all stakeholders of the regime to contribute for developing sustainable agriculture and achieving food security.
- 1-3. To promote regional harmonization on application, examination and granting procedures towards the effective and cooperative PVP system for the breeders in the region.

2. Objectives with analysis of challenges (for next 3 years)

**2018**

- 2-1-1. To enact the 2018 New Plant Variety Protection Law, is in line with UPOV 1991 act.
- 2-1-2. To promote regional harmonization on application, examination and granting procedures towards the effective and cooperative PVP system for the breeders in the region.

**2019**

- 2-2-1. To become UPOV member as a foundation of encouraging the development of new plant varieties for all stakeholders of the regime to contribute for developing sustainable agriculture and achieving food security.
- 2-2-2. To promote regional harmonization on application, examination and granting procedures towards the effective and cooperative PVP system for the breeders in the region.

**2020**

- 2-3-1. To promote regional harmonization on application, examination and granting procedures towards the effective and cooperative PVP system for the breeders in the world.

3. Planned activities and Road map (for next 3 years)

*Planned activities*

3-1-1. For 2018, objective (1)

- Preparation and battling to enact the New PVP law not too astray from showing of positive sign at UPOV Council Meeting 94th session of the Consultative Committee & 41st ordinary session of the Council through the formal way of Myanmar law enacting channel as much as quick. (only domestic) (from now to enact)
- If possible and necessary, it will be carry out the making round table meeting with the UPOV legal council with Myanmar lawyers, higher level of PVP administrative decision maker and agricultural policy men at September, 2018.

3-1-2. For 2018, objective(2)

Set up the specific website and preparing definite software to use for the application of new plant variety, DUS test examination and granting of breeder right of plant breeders and formulating the data base for reference varieties of main crops to assist regional harmonization procedure. (collaboration of domestic and Forum)

3-1-3. For 2019, objective(1)

Carry out set by set to become UPOV member by following formal procedures.

3-1-4. For 2020

- Adoption on knowledge sharing in case of DUS administrative and technical way through formulating the data base for reference varieties of main crops, establishing National DUS test stations and regional collaborations(training & implementation own stations).
- Developed of Test Guidelines (2018-2020)

*Road map*

3-2-1. For 2018

- The 2018 New Plant Variety Protection Law will be enacted by Parliament at the end of 2018.
- PVP website and specific software for utilization in PVP application and granting process will be set up during 2018

3-2-2. For 2019

- Become UPOV member.
- More and more moving towards the effective and cooperative harmonized PVP system for the breeders in the region at the end of 2020.

**EAPVPF/11/04 10 INDIVIDUAL IMPLEMENTING STRATEGY OF THE PHILIPPINES**

1. National Goal (for next 10 years: 2018 – 2027)

1-1. To have an effective plant variety protection system that is beneficial in attaining sustainable agriculture and achieving food security for the country.

1-2. To strengthen the cooperation endeavors within neighboring countries with PVP system that aims to contribute in the nourishment of plant breeding activities in the Philippines for the benefit of plant breeders and farmers.

2. Objectives with analysis of challenges (for next 3 years)

**OBJECTIVE 1**

2018:

Intensify the awareness campaign in regards with the importance of Plant Variety Protection through linking with other government institutions and non-government organizations.

**OBJECTIVE 2**

2019:

Strengthen the implementation of the PVP system in the country through cooperation with different government agencies, non-government institutions and neighboring countries that implement PVP.

Enhance the technical knowledge and capabilities of existing and prospected PVP examiners through workshop and trainings.

2020:

Encourage the different stakeholders to intensify their plant breeding activities.

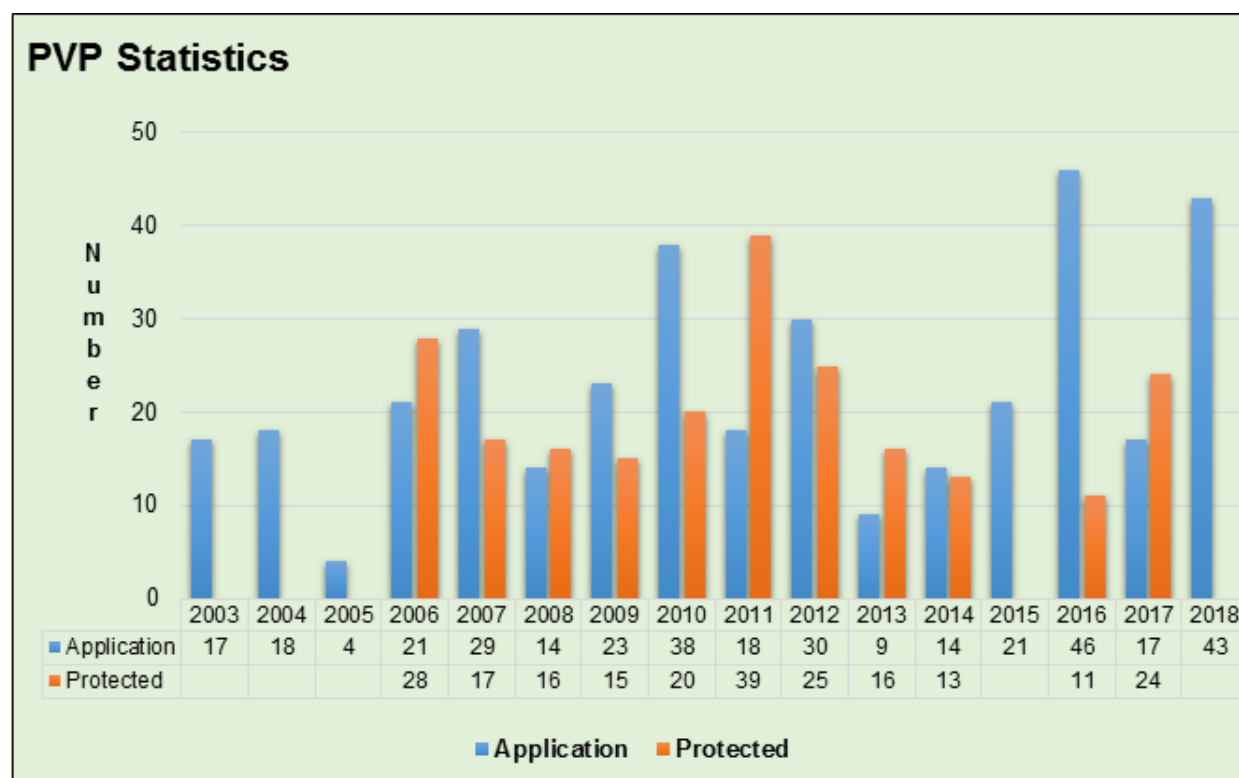
3. Planned activities and road map (for next 3 years)

<b>PLANNED ACTIVITIES</b>	
<b>ACTIVITIES TO ACHIEVE OBJECTIVE 1</b>	<b>TARGET GROUP</b>
Linkage/partnership with other government institutions and non - government organization	<ul style="list-style-type: none"> <li>▪ Philippine Seed Industry Association</li> <li>▪ Department of Science and Technology – Technology Application and Promotion Institute</li> <li>▪ Farmers Organization</li> <li>▪ Govt &amp; NGOs</li> </ul>
Extensive awareness and information campaign	Stakeholders <ul style="list-style-type: none"> <li>▪ Seed companies</li> <li>▪ Breeders</li> <li>▪ farmers</li> </ul>

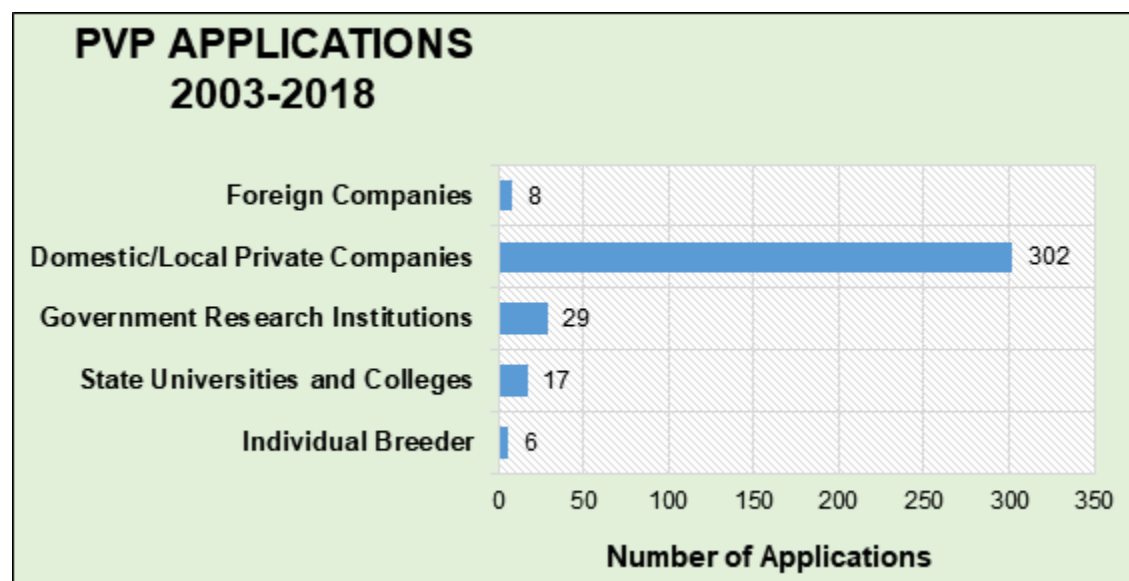
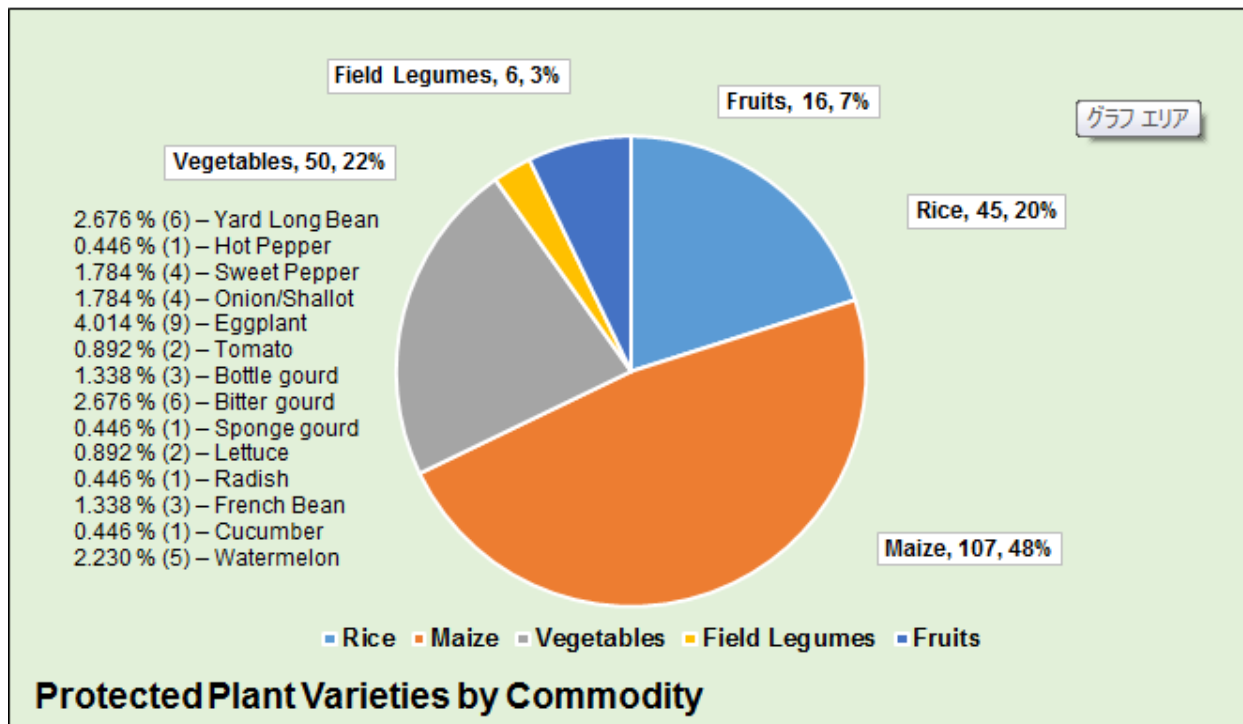
ACTIVITIES TO ACHIEVE OBJECTIVE 2	TARGET GROUP
Conduct series of technical trainings and workshop <ul style="list-style-type: none"> <li>▪ DUS evaluation and Photo Documentation</li> <li>▪ Review of DUS Test Guidelines</li> </ul>	PVP DUS Examiners
Revisit and amend Republic Act No. 9168  Identify means on how to encourage stakeholders to intensify their plant breeding activities (reward, incentives, subsidy, recognition)	Stakeholders <ul style="list-style-type: none"> <li>▪ Seed companies</li> <li>▪ Breeders</li> <li>▪ farmers</li> </ul>

### Road map

Situationer
<ul style="list-style-type: none"> <li>▪ The Philippines enacted into law its plant breeder's rights through Republic Act 9168 otherwise known as the "Plant Variety Protection Act of 2002".</li> <li>▪ The act shall protect and secure the exclusive rights of breeders with respect to their new plant variety.</li> <li>▪ The PVP office shall receive and conduct examination of applications for plant variety protection; receive petitions for compulsory license for transmittal to the Board; and maintain a systematic record of all Certificates of Plant Variety Protection.</li> <li>▪ To date, 224 crop varieties have been granted with Certificate of Plant Variety Protection out of 362 applications filed for the last 16 years.</li> </ul>







Problems in Plant Variety Protection System in the Philippines	Possible Solution	Expected Output	Responsible Agencies	Timeline
Fallacious impression of some farmers with regards to Plant Variety Protection System (Importance, royalty, procedures, benefits, etc.)	<ul style="list-style-type: none"> <li>• Intensify awareness campaign re: plant variety protection</li> <li>• Communication plan for PVP / dissemination program</li> </ul>	<ul style="list-style-type: none"> <li>• Good reputation of the PVP system in the country</li> <li>• Gain farmer's trust about the PVP system</li> <li>• Beneficial breeder-farmers relationship</li> </ul>	Bureau of Plant Industry – Plant Variety Protection Office, Department of Science and Technology – Technology Application and Promotion Institute & other Agriculture-related Government agencies and NGOs	2018-2020
Decreasing number of protected plant varieties for the last 5 years (2011-2016 PVP statistics)	<ul style="list-style-type: none"> <li>• Reward, incentives, subsidy or recognition for the plant breeders</li> <li>• Intensify awareness campaign re: plant variety protection</li> <li>• Linkage between different government agencies and NGO's that specializes in information-dissemination</li> </ul>	<ul style="list-style-type: none"> <li>• Intensified awareness and information dissemination</li> <li>• Increased number of protected crops</li> <li>• Increased variety choices for farmers (secondary to plant breeders right)</li> </ul>	Bureau of Plant Industry – Plant Variety Protection Office, Department of Science and Technology – Technology Application and Promotion Institute & other Agriculture-related Government agencies and NGOs	2018-2020

**EAPVPF/11/04 12 INDIVIDUAL IMPLEMENTING STRATEGY OF THAILAND**

1. National goal (for next 10 years: 2018 to 2027)

- 1-1. People acknowledge the right principle/fundamental rational of UPOV system.
- 1-2. Plant breeders effectively perform DUS test and produce the report properly.
- 1-3. PVP officers (competent officers) have high capability on technical and legal aspects as international standard level.
- 1-4. Thai varieties exploit the PBR in other countries expanding oversea market increasing exporting income.

2. Objectives with analysis of challenges (for next 3 years)

- 2018-2019 - Creating Intellectual Property (IP in plants) awareness and UPOV convention to the public
- 2020 - Transferring technology on conducting DUS, DUS examination and making DUS report to plant breeders and people (individual/organizations) involved

3. Planned activities and Road map (for next 3 years)

3-1. Planned activities

**[2018-2019]**

Providing correct information about the protection of new plants varieties under UPOV 1991 system by;

- Organizing meetings/seminars/forums
- Printing brochures in Thai language presenting information about the UPOV system and the benefits significantly occurred in its country members.

**[2020]**

- Organizing training courses/workshops on DUS examination and DUS report to plant breeders and interested people.

3-2. Roadmap

**[2018-2019]**

- Raising awareness on IP in plants and providing the actual information about the UPOV system to public in order to moderate miss and discrepant understanding of it.

**[2020]**

- Enhancing the ability of plant breeders to perform DUS tests and produce accurate and effective report.

**EAPVPF/11/04 13 INDIVIDUAL IMPLEMENTING STRATEGY OF VIET NAM**

1. National goal (for next 10 years: 2018 to 2027)

- 1-1. A PVP system (from PVPO and National DUS Test Center) is enough capacity for protection of all plant species in effectively.
- 1-2. All Plant Varieties will be protected before they are introduced to Agriculture Production in Vietnam.
- 1-3. There are some Vietnam's protected varieties are exploited the Right in oversea.
- 1-4. To make convenience for Applicant by reducing of administrative procedures for PVP from receiving of application to the grant of PVP Certificates.
- 1-5. Decreasing the cases of punish on infringement for PVP by administrative penalty
- 1-6. Revise the IP Law including PVP Part.

2. Objectives with analysis of challenges (for next 3 years)

**2018**

- Receiving of Application will be started by online system and it is completed in the end of 2018.
- Decreasing the time from filling to the grant of PVP Certificates.
- Reorganize the PVP system for more effective
- Continuing to improve the understandings of relevant persons on PVP

**2019**

- All applications for PVP will be received examined the validity of them by using online system.
- Improving human resource of the System
- Continuing to improve the understandings of relevant persons on PVP with focus on the mountainous and rural areas (North-West, North-East, South-West... Areas)

**2020**

- Strengthening the enforcement of PBR in the Market
- Finding the ability for a mechanism to protect new plant varieties in region through the closed cooperation with other Member of EAPVP.
- Improving capacity on examination of applications.

3. Planned activities and Road map (for next 3 years)

*Planned activities*

**2018**

- Strengthening capacity of the National System by: 1. Training courses (domestic and oversea if possible); 2. Cooperation on exchanging DUS Test Results with Members and Non Members of UPOV
- There are at least 15 Test Guidelines for the species which are absent in UPOV will be drafted.
- 3 Seminars for improving aware of relevant persons are organized in whole country (by the cooperation with Vietnam Seed Trade Association, EAPVP, UPOV and other Members if possible).

- Looking for the cooperation with other Member of UPOV and EAPVP on the ability to exchange of DUS test reports.

### **2019**

- Hosting some International Events on PVP (Seminar/workshops) in Vietnam
- Drafting at least 15 Test Guidelines for the species which are absent in UPOV.
- Organizing the training course in Vietnam (if possible) by the cooperation with EAPVP/UPOV's Members (if possible) and training course in overseas.
- Seminar on PVP in rural area for relevant persons.
- Looking for the cooperation with other Member of UPOV and EAPVP on the ability to exchange of DUS test reports

### **2020**

- Continuing the activities as 2019.
- Revise Part 4 of PVP in Intellectual Property Law.
- Workshop with the enforcement offices (Court, Market control, Customs Office, Economy Police...)
- Establishing 1 to 2 Demonstration Model on exploiting the PBR by licensing

### *Road map*

#### **2018**

- Completing the filing system by using online system.
- National IP strategy including PVP will be approved by the Government
- Seminars/ Workshops on PVP

#### **2019**

- Continuing the content from 2018
- Establishing the Cooperation Project with Members of EAPVP
- Seminars/ Workshops on PVP
- Improving International Cooperation in region

#### **2020**

- Building the Demonstration Model on exploiting PBR
- Seminars/ Workshops on PVP
- Strengthening the International Cooperation in region.
- Improving International Cooperation in region

[Annex IV follows]

**LIST OF THE COOPERATION ACTIVITIES IN 2018**

The Forum member countries proposed cooperation activities in 2018. In accordance with the Rule of Procedure for the EAPVP Forum (document EAPVPF/11/02), the cooperation activities need to be in line with the Common Direction of the 10-Year Strategic Plan of the EAPVP Forum (document EAPVPF/11/03) with a view to streamlining the Forum's cooperation activities toward further harmonization of the PVP system in the region. In this context, the 11th EAPVP Forum Meeting adopted the List of the Cooperation Activities in 2018, as follows:

1. Lao PDR

1-1. Activity: Workshop on Awareness of Protection of Plant Variety under UPOV convention

1-2. Expected outcome of the proposed program:

- Increasing PVP information and understanding among public and private institutions relating to Plant Variety Protection Under UPOV Convention
- Proposing clear implementing mechanism and process for carrying out existing policies relating to plant variety protection

1-3. Expected venue: Vientiane, Lao PDR

1-4. Expected participants: Expected target groups relating to PVP and seed include institutions for policy making, research, academic, promotion and production including public and private sector about 65 participants

2. Malaysia

2-1. Activity 1: Legal consultation on Harmonisation of the Protection of New Plant Varieties 20XX with UPOV Convention 1991

2-2. Proposed date & venue: 15-17 August, 2018 / Hotel Tenera, Bangi, Selangor

2-3. Expected participants: UPOV Legal Advisor, Ministerial Legal Advisor of the Malaysian Ministry of Agriculture and Agro Based Industry, Lead Negotiator for International Treaty: Intellectual Property Working Group – Ministry of Domestic Trade and Consumer Affairs, International Division – Ministry of Agriculture and Agro-Based Industry, International Division – Department of Agriculture, Malaysian Plant Variety Technical Committee Members, Secretariat – PVP Office

### 3. Myanmar

3-1. Activity: Workshop for formulating the data base for reference varieties of main crops (Rice, Maize and black gram) and Distinctness, Uniformity and Stability (DUS) Evaluation

3-2. Proposed date: 2018 December to 2019 February

3-3. Proposed venue: Department of Agricultural Research

3-4. Expected participants: PVP staffs, sub-technical committee member and Experts from EAPVP forum member country

### 4. Philippines

4-1. Activity: Follow-up of the international seminar on the benefits of plant variety protection under the UPOV system and technical training on Distinctness, Uniformity and Stability (DUS) Evaluation and photo documentation

4-2. Proposed date: May 1-5, 2019

4-3. Proposed venue:

Bureau of Plant Industry (BPI) Central Office -Malate, Manila, International Rice Research Institute (IRRI) -Los Baños, Laguna, Institute of Plant Breeding (IPB) -Los Baños, Laguna

4-4. Expected participants:

BPI-PVPO, BPI-CRPSD-PGR, UPLB-IPB-NPGRL, NGO's, SUC's, plant breeders, researchers

### 5. Vietnam and Japan

5.1 Activity: Pilot project for building regional harmonized PVP mechanism

5.2 Proposed date:

Phase 1 (2018 – 2021)

Develop a model procedure from filing to the grant of plant breeders' right as a foundation of regional harmonized mechanism in line the UPOV Convention.

The model procedure will be consisted of a unified application form, harmonized DUS test proceedings with Test Guidelines and mutual acceptance of the DUS Test results and administrative proceedings.

5.3. Proposed venue (Phase 1)

Vietnamese PVP Office and DUS Testing Agencies in Vietnam (for food crops and some other crops)

5.4. Expected participants

5.4.1 Participating countries will be selected by Vietnam and Japan from UPOV members of the EAPVP Forum.

5.4.2 The EAPVP member countries which have officially committed to join UPOV (Brunei Darussalam, Myanmar and Malaysia) can be selected, upon their request, to participate the Phase 1 of the pilot project as provisional participants.

5.4.3 The Progress of the project will be reported to the EAPVP Forum's Annual Meeting.

[Annex V follows]



## **EAPVP FORUM LOGO AND USAGE GUIDELINE**

The EAPVP Forum logo provided as below (hereinafter referred to as the “Logo”) and its usage guideline prepared by the EAPVP Forum Office were approved by the 11th Annual Forum Meeting as follows:



### **1. Basic policy**

The EAPVP Forum logo is intended to promote awareness and activities pertaining to the 10-Year Strategic Plan of the EAPVP Forum (document EAPVPF/11/03) in accordance with the Rule of Procedure for the EAPVP Forum (document EAPVPF/11/02).

### **2. Procedure for use of the Logo**

2-1 Permission to use the Logo is given by the EAPVP Forum Office, subject to compliance with the rules and regulations laid down in Section 3 of this Guideline. When requesting permission, any user must provide the EAPVP Forum Office with following information by email well in advance.

- User's name, contact information
- Objectives, explanation of how, when and where the Logo will be used
- Other information requested by the EAPVP Forum Office, if any

2-2 The EAPVP Forum Office will give the user permission to use the Logo along with the Logo design after examining the request.

### **3. Rules and regulations**

3-1 The Logo must appear in a size which makes all features of the mark clearly distinguishable without distortion of its dimensions.

3-2 The Logo mark may be embossed on paper or it may printed in the color green (as specified in C:88 M:0 K:90 K26), or black on a white or other clearly contrasting background, or in white on a black or clearly contrasting background.

3-3 Special effects applied electronically are not permitted. These include drop shadows, bevel and emboss, outlines, glow, etc.

3-4 The diversion and redistribution of Logo to other business entities is prohibited.

3-5 The Logo shall not be used to promote specific political, religious nor contrary to public order and morals.

3-6 The Logo shall not be used as a symbol, trademark or design of yourself.

3-7 In the cases where the EAPVP Forum Office finds it inappropriate, the use of the logo will be cancelled.

3-8 The organizer using the Logo shall assume full responsibility for any problems caused by using the Logo.

**4. For further information**

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[End of Annex V and of document]