



East Asia Plant Variety Protection Forum  
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## **INDIVIDUAL IMPLEMENTING STRATEGY OF JAPAN**

*prepared by 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 foreign 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**

**2019**

##### **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 for 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 facilitate the EAPVP Pilot Project for 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 in DUS examination between Japan and UPOV members to reduce time and resources for both breeders and PVP authorities.

#### **2020 and 2021**

2-2-8 To facilitate the EAPVP Pilot Project under the EAPVPP'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 Conduct a comprehensive review with a view to addressing issues provided in 2-2-2 (2019-2020)

3-2 Streamline application and examination proceedings, including enhanced use of national electric application system (2019-2021)

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 (2019-2021)

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

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