

EAPVP Forum

East Asia Plant Variety Protection Forum
14th Annual Meeting
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INDIVIDUAL IMPLEMENTING STRATEGY OF JAPAN

prepared by Japan

1. National goal (for next 10 years: 2021 to 2030)

To strengthen Japan's international competitiveness of agricultural and food industry by creating, protecting, and exercising intellectual property rights on the field of agriculture, forestry, fisheries and food system, such as, Plant Variety Protection, Genetic Resource of "Wagyu", Geographical Indication, in line with the "Ministry of Agriculture, Forestry and Fisheries' Intellectual Property Strategy 2025".

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 breeding innovation, to activation of agriculture in local region, to protection of Japan's brands in the foreign markets, 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.

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 PVR

2-1-2 Unintended outflow of plant varieties developed in Japan to overseas that cause production, selling, marketing abroad without authorization or consent of breeders, which may undermine competitiveness and may lose foreign markets

2-1-3 Stagnation in number of applications for PBR in Japan

2-1-4 To promote and enhance competitiveness of breeding on both public and private sector to develop new plant varieties adapting to changing environment, i.e., needs of farmers, growers and consumers, adaption to climate change, and development of new breeding technology

2-1-5 To enlarge UPOV system, and to develop, implement and maintain cooperation system of application and examination procedure in this region (e-PVP Asia)

2-1-6 Harmonization between MAFF's Electronic Application System for Plant Variety Protection and UPOV PRISMA

2-2. Objectives

2021

National relations:

2-2-1 In order to protect Japan's brands abroad effectively, the amended Plant Variety Protection and Seed Act took into effect (from 1st April 2021), enabling holders of plant breeder's right to restrict the export of their registered varieties outside Japan. It is expected that outflow of Japan's excellent varieties will be controlled, and that the export strategy of Japan's agricultural products by Japan's new varieties will be promoted in the future.

2-2-2 In order to raise awareness of PBR, MAFF keeps communicating with domestic stakeholders, such as, breeders, farmers, consumers not only about the importance of registration of Japan's new plant varieties abroad, but also about the concept and the importance of Japan's the amended PVP and Seed Act. Furthermore, MAFF facilitates application of PBR abroad to protect new plant varieties.

2-2-3 To improve administrative procedure for filing applications for PBR, MAFF Electronic Application System for Plant Variety Protection (EASPVP), and to harmonize with UPOV PRISMA.

International relations:

2-2-4 Under the EAPVP's 10-Year Strategic Plan;

- To encourage and support establishment of PVP laws in line with the 1991 Act of the UPOV Convention in Asian countries in collaboration with the UPOV and other authorities for economic development in the region and proper investment by the Japanese seed industry
- To support capacity building for implementation of internationally harmonized PVP system
- To facilitate the EAPVP Pilot Project to establish the "e-PVP Asia", which is internationally harmonized cooperation platform for simultaneous application and arrangement of DUS examination in collaboration with the UPOV and the EAPVP Pilot Project participating countries

2-2-5 To strengthen bilateral cooperation with partner countries/organizations for mutual supports and further harmonization to achieve reliable and robust PVP system

2-2-6 To promote cooperation in DUS examination between Japan and UPOV members to reduce time and resources for both breeders and PVP authorities.

2022 and 2023

2-2-7 To implement the "e-PVP Asia" and to enlarge participating countries of the "e-PVP Asia" under the EAPVPF's 10-YSP in collaboration with the UPOV and other authorities

2-2-8 To increase mutual exchange DUS test report among UPOV member countries

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

3-1 Conduct comprehensive topics with a view to addressing issues provided in 2

3-2 Streamline application and examination proceedings, including enhanced use of domestic electronic application system

3-3 Expand bilateral/regional cooperation activities to improve and harmonize PVP system in Asian region

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

4. Proposal of Cooperation Activity

4-1. Title:

4-1-1. Capacity Building Workshop1: Introduction of PVP & UPOV TG1/3

4-1-2. Capacity Building Workshop2: Technical Training for PVP Senior Staff

4-2. Expected outcome of the proposed programs:

Through our experience to hold DUS test training for several years, it was showed clearly that participants' level of knowledge about PVP system, DUS test, etc., are various from beginner level to expert level.

Capacity building for examination which meets the level of participants will contribute to improve understanding of PVP system under UPOV Convention and support the effective operation of PVP system.

4-3. Proposed Activities:

4-3-1. Workshop1

To give lectures about what is PVP, and explanatory notes of UPOV convention, DUS Test, explanatory notes of UPOV TG and how to evaluate DUS test reports to junior staffs or contractors just starting PVP related works.

4-3-2. Workshop2

To give lectures on technical matters which cannot be covered in the Seminar 1 by specialists from Japan, UPOV, related organizations (e.g. Procedure of Combined-Over-Years Uniformity (COYU), Combined-Over-Years Distinctness (COYD))

4-4. Proposed means: Online hosted by Japan

4-5. Expected target groups: PVP staff members, examiners, other related staff members and management persons of EAPVP Forum member countries (max 100 participants / one time)

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