

**REPORT**

***adopted by the 14th East Asia Plant Variety Protection Forum Annual Meeting***

Opening of the meeting

1. East Asia Plant Variety Protection Forum held its 14th Annual Meeting hosted by Japan on 31 August 2021 via online, chaired by Mr. Teruhisa Miyamoto, Deputy Director, Intellectual Property Division, Export and International Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries, Japan.
2. The list of participants is reproduced in Annex I to this report.
3. The meeting was opened by the Chair and received welcome remarks by Mr. Hayato Fukui, Director, Intellectual Property Division, Export and International Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries, Japan.
4. The meeting received opening remarks by Mr. Peter Button, Vice Secretary-General, UPOV.

Adoption of the agenda

5. The draft agenda as presented in document EAPVPF/14/01 Draft 1 was adopted by the meeting.

Report on recent development in UPOV

6. The meeting noted the report on recent development in UPOV reported by the UPOV Office.

Presentation on updated Individual Implementing Strategies and the proposal of the national-specific Cooperation Activities in 2021-2022 under the 10-Year Strategic Plan

7. The meeting noted the updated Individual Implementing Strategies of the 10-Year Strategic Plan as appendices to document EAPVPF/14/02, as presented by Brunei Darussalam as in

document EAPVPP/14/02\_01, Cambodia as in document EAPVPP/14/02\_02, China as in document EAPVPP/14/02\_03, Indonesia as in document EAPVPP/14/02\_04, Japan as in document EAPVPP/14/02\_05, Lao People's Democratic Republic as in document EAPVPP/14/02\_07, Malaysia as in document EAPVPP/14/02\_08, Myanmar as in document EAPVPP/14/02\_09, Philippines as in document EAPVPP/14/02\_10, Singapore as in document EAPVPP/14/02\_11, Thailand as in document EAPVPP/14/02\_12, and Viet Nam as in document EAPVPP/14/02\_13, as provided in Annex II.

The meeting noted the country report and IIS presented by Republic of Korea as in document EAPVPP/14/02\_06a and 06b .

8. The meeting also noted the proposals of national-specific Cooperation Activities in 2021-2022 presented by Cambodia, Indonesia, Japan, Thailand and Viet Nam.

#### Report of the EAPVP Pilot Project Meeting

9. The meeting noted the report of the EAPVP Pilot Project as provided in document EAPVPP/14/03, as provided in Annex III to this report.

#### Report of the Cooperation Activities in 2020-2021

10. The meeting noted the report of the Cooperation Activities in 2020-2021 as provided in document EAPVPP/14/06 Draft presented by the Forum Office as provided in Annex IV to this report.

#### The list of the Cooperation Activities in 2021-2022

11. The meeting adopted the list of the Cooperation Activities in 2021-2022 as provided in document EAPVPP/14/04 Draft presented by the Forum Office, as provided in Annex V to this report.

#### Host country for the 15th EAPVP Forum Annual Meeting

12. The meeting agreed that the host country for the 15th EAPVP Forum Annual Meeting will be decided by the end of this year after inviting candidates from member countries.

#### Other matters

13. The meeting adopted this report at the close of the 14th Annual Meeting on 31 August 2021.

[Annexes follow]

**Annex I**

**LIST OF PARTICIPANTS**

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[Annex II follows]

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

**EAPVPP/14/02 01 INDIVIDUAL IMPLEMENTING STRATEGY OF BRUNEI DARUSSALAM**

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

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 utilization 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 Insufficient public-private partnership to facilitate greater breeding activities and development of new breeding technology.

**2021**

**National relation objectives:**

2-2-1 To raise awareness on the advantage of the PVP system and facilitate application to our potential stakeholders.

**International relation objectives:**

2-2-2 To strengthen cooperation with UPOV Members particularly in capacity building to improve the general management of our PVP office, knowledge sharing and technology transfer.

2-2-3 To establish partnership with foreign PVP Offices in relation to technical DUS Examination and developing Test Guidelines.

**2022**

2-2-4 To establish a registry for PVP in our IP Office

2-2-5 To undertake a Study Visit to a relevant UPOV Member Country as part of preparation for accession to UPOV.

**2-2-6** To raise awareness with relevant stakeholders and explore potential new breeds for fruits and flowers.

**2-2-7** To participate in pilot project aimed at harmonizing PVP Mechanism in Asia under EAPVPF with the assistance of the UPOV members and the UPOV Office.

**2-2-8** To finalise preparation for accession to UPOV by the target dateline within FY2022/2023

## **2023**

**2-2-9** To promote greater awareness on the PVP system through the development of publicity material 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 the relevant stakeholder and promote potential new breeds for fruits and flowers.

**3-3** Once a member of UPOV, to actively participate in UPOV's meetings and seminars.

**EAPVPP/14/02 02 INDIVIDUAL IMPLEMENTING STRATEGY OF CAMBODIA**

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

- The protection of new variety of plants as a form of Intellectual property (IP) is an important stimulus to private investment in plant breeding and the introduction of protected varieties for production and marketing.
- The introduction of plant variety protection, companies or their local agents are encouraged to conduct trials of new varieties in the main production areas or in the research stations.
- The regional cooperation and harmonization on application, examination and granting procedures towards the effective PVP system for the breeders in the region should be promoted and strengthened.

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

**Main activity 2021**

- Translating and publishing the General Introduction of the Examination of Distinctness, Uniformity and Stability and the Development of Harmonized Descriptions of the New Variety of Plants in Cambodian Language. Printing the Manual Guide for taking photograph for DUS test.
- Internal meeting in Ministry of Agriculture, Forestry and Fisheries (MAFF) for revising the joint-declaration on New Plant Variety Protection between MAFF and Ministry of Industry, Technology, Science and Innovation (MITSI).
- Coordinating with Department of Industry Crop under General Directorate of Agriculture for registration the 4 varieties of cashew such as cashew H-09, cashew IM4, cashew M-23 and cashew M-10 in the National Variety List of Cambodia.
- Coordinating with Department of Horticulture and Cash Crop under General Directorate of Agriculture for registration of two mango varieties in the National Variety List of Cambodia.
- Participating the online DUS test training on bitter melon by Zoom from 19-20 January 2021, which was organized by the host of Vietnam.
- Participating the online DUS test training on Maize by Zoom from 24-25 February 2021 which was organized by the host of Indonesia.

**Main activity 2022**

- Strengthening the capacity building of relevant institution and human resource related legal, administrative and technical in line with regional and international practices as PVP system,
- Developing the PVP procedure and examination guideline for testing the new varieties of some potential crops,
- Raising awareness on the role and responsibilities of government regulatory bodies and endorsed law, regulation and declaration related to New Plant Variety Protection,

- Improving facilities in stations/experiment farms related the seed quality control and DUS testing.

### **Main activity 2023**

- Extending the workshop, seminars or training related to PVP, DUS test and quality control system to relevant stakeholder at national and sub-national level,
- Seeking the technical support and cooperation in capacity building in DUS examination and development of test guideline,
- Participating workshop, seminars and training relating PVP, DUS test and quality control system in the region and the world.
- Installing the databased system for maintain the statistic data on the Plant Variety Protection of existing and new variety of plants.

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

- Develop the PVP procedure and DUS test guideline for some potential crops (rice, corn, soybean, mungbean and vegetables) aligned with UPOV guideline (2022-2023),
- Capacity building of relevant institution (MAFF, MTIS) and human resource related legal, administrative and technical aspects of PVP system (2022-2023),
- Raise awareness on the role and responsibilities of government regulatory bodies and endorsed law, regulation and declaration related to New Plant Variety Protection (2022-2023),
- Conduct workshop, seminars or training related to PVP, DUS test and quality control system to relevant stakeholder at national and sub-national level (2022-2023),
- Participate workshop, seminars and training relating PVP, DUS test and quality control system in the region and the world (2022-2023),
- Seek the technical support and cooperation in capacity building in DUS examination and development of test guideline (2022-2023),
- Conduct the study visit of government regulatory bodies to gain hand-on experience and knowledge on PVP system, DUS test and seed quality control system in the region (2022-2023),
- Improve facilities in stations/experiment farms related the seed quality control and DUS testing (2022-2022).

### **4. Proposal of Cooperation Activity (Members who submitted proposals ONLY. The proposals will be presented with explanation of relevance to its 10Y)**

- Dissemination workshop on the role and responsibilities of government regulatory bodies and endorsed law, regulation and declaration related to New Plant Variety Protection
- Developing the PVP procedure and examination guideline for DUS testing of some potential crops.

**EAPVPF/14/02\_03 INDIVIDUAL IMPLEMENTING STRATEGY OF CHINA**

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

I. On one hand, to enhance of China's PVP system and to provide a stronger and more effective protection of PBR.

--Legislation: China will push forward the revision of PVP Regulations to provide a stronger and more effective protection of PBR.

--DUS examination: China will establish more DUS test sub-centers/stations to improve technical capacity and efficiency of DUS testing and examination.

--Test Guidelines: China will develop more Test Guidelines for covering more plant genera or species and to harmonize Test Guidelines and other relevant protocols regionally as well as internationally.

--Enforcement: China will take measures to raise awareness of PBR protection and respectation of intellectual property rights, intensify law enforcement, to build a good business environment.

II. On another hand, to provide the assistance for EAPVP Forum member to establish and implementation of their PVP system. With supports of EAPVP Forum, if possible, China is willing to host technical training courses, technical seminars or workshops for the participants from the EAPVP members in China. If invited, China could send our experts to the inviting country/organization to share our experience in the field of PVP and DUS and take part in seminar or workshop for discussion on the technical aspects of them, aiming to enhance PVP capability and enhance PVP system together.

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

**2021**

Any cooperation activities are hard to be held, under the circumstances of COVID-19 epidemic, except that we communicated with EAPVP Forum Office and finished its tasks, for example, confirming the contact information.

**2022**

In the year of 2022, if possible, China is willing to host technical training courses, technical seminars or workshops for the participants from the EAPVP members in China, with supports of EAPVP Forum or China. If invited, China could send our experts to the inviting country/organization to share our experience in the field of PVP and DUS and take part in



seminar or workshop for discussion on the technical aspects of them, aiming to enhance PVP capability and enhance PVP system together.

## **2023**

In the year of 2023, if possible, China is willing to host technical training courses, technical seminars or workshops for the participants from the EAPVP members in China, with supports of EAPVP Forum. If invited, China could send our experts to the inviting country/organization to share our experience in the field of PVP and DUS and take part in seminar or workshop for discussion on the technical aspects of them, aiming to enhance PVP capability and enhance PVP system together.

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

- I. To host technical training course in the field of PVP and DUS in China, if all resources are met
- II. If invited, China is willing to send our experts to share experience to the inviting country/organization, if all resources are met
- III. To host technical seminar or workshop on PVP or DUS for the EAPVP Forum members in China, if all resources are met
- IV. If invited, China is willing to send our experts to take part in seminar or workshop for discussion on the technical aspects in the field of PVP and DUS, if all resources are met

### **4. Proposal of Cooperation Activity (Members who submitted proposals ONLY. The proposals will be presented with explanation of relevance to its 10-YSP.)**

Since China hosted seminars or training courses on PVP or DUS for the EAPVP Forum members successfully, several times, supported by the Forum, it has some experience on organization the regional activities and have a good relations with stakeholders. Therefore, China would like to host the above events in the future with the supports of EAPVP Forum.

**EAPVPP/14/02 04 INDIVIDUAL IMPLEMENTING STRATEGY OF INDONESIA****1. National goal (for next 10 years: 2021 to 2030)**

- Improvement of the PVP system
- To increase number of granted varieties.
- To enhance the capacity of breeders and increase number of breeders
- To increase national quality seed with competitive values in both domestic and international market
- Seed industry become primary national income for agricultural sector

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

Year	Challenges	Objectives	Remarks
2021	1 Number of PVP Application steady in small number.	1 Dissemination program on the benefit of PVP System. 2 Awards for plant breeders. 3 Developing electronic system.	Webinar.  Pending due to pandemic Always on going.
	2 Impact of Omnibus Law to PVP Law.	Developing Regulation related to PVP a) license b) Transfer of Right	First draft started from 2021-2022.
	3 There are still rules about local variety registration on PVP Law.	Active participate on legal drafting in Plant Genetic Resources regulation.	Local variety article still on discussion.
2022	1 Granted varieties need to be released before can be marketed.	1 Combine and simplify a plant variety release and plant variety protection system. 2 Policy paper on UPOV membership.	2022  2019-2022
	2 An aspiration to create one Law to regulate a protection for livestock and plant.	Formulating a concept in one regulation which arrange a protection system for livestock and plant varieties.	Need a lot discussion.
2023	1 Finishing first draft accessing as UPOV member.	1 Academic paper on UPOV membership. 2 Consultation with parliament.	*Nov 2021  Not yet.
	2 Full electronic system on PVP application.	Integrated with Indonesia plant varieties database management.	Consolidation with working unit which have responsibility with seeds and plant varieties.

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

#### **Regulation**

- Revision on tariff regulation (finalization)
- Socialization of the new regulation of PVP application (Ministerial decree No 25 year 2021)

#### **Human Resources and infra structure**

- Upgrading and maintenance the PVP integrated electronic system
- Recruit new PVP Examiner
- Construct new DUS Test facilities (medium land)

#### **Seminar/Workshop**

- Dissemination awareness program to Universities (2021-2023)
- Research and policy studies on seed and UPOV (2021-2023)
- FGD related to the policy studies on seed and UPOV (2021-2023)

<b>Short term [2018-2020]</b>	<b>Medium term [2021-2022]</b>	<b>Long term [2023-2024]</b>
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 South East 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

### 4. **Proposal of Cooperation Activity (Members who submitted proposals ONLY. The proposals will be presented with explanation of relevance to its 10-YSP.**

Seminar/FGD on Breeder's Exemption in PVP to Acknowledge Farmer's Rights.

**EAPVPF/14/02 05 INDIVIDUAL IMPLEMENTING STRATEGY OF 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 1<sup>st</sup> 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)

**EAPVPF/14/02 06a COUNTRY REPORT ON PROGRESS OF PVP SYSTEM IN KOREA**

**1. 3 National organizations for PVP in Republic of Korea**

- Agricultural plants : Korea Seed and Variety Service, Ministry of Agriculture, Food and Rural Affairs
- Forestry plants : National Forest Seed Variety Center, Korea Forest Service
- Aquatic plants : Aquatic Plant Variety Center, Ministry of Oceans and Fisheries

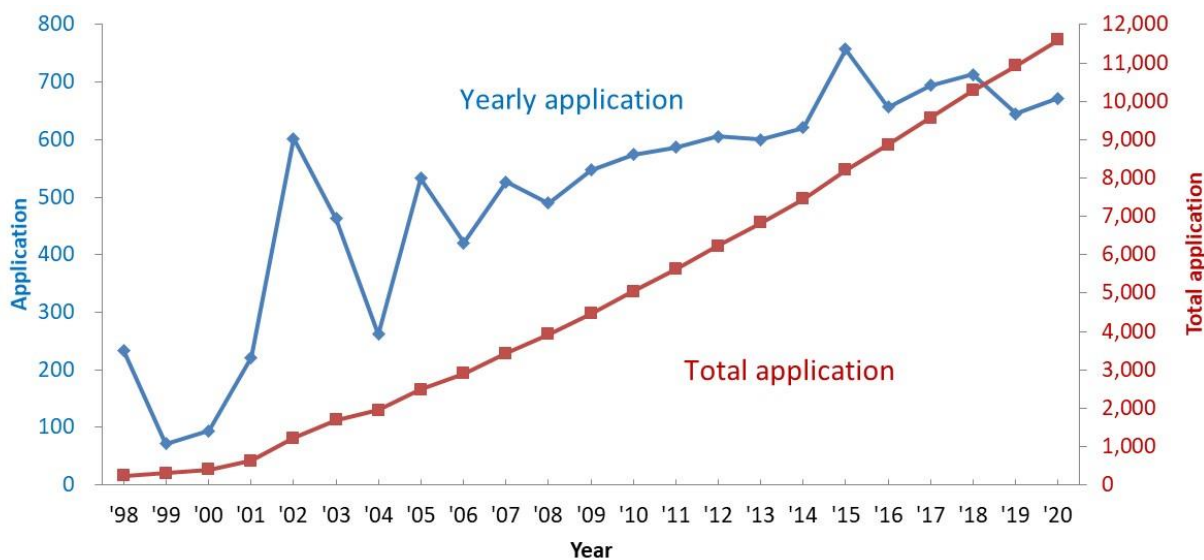
**2. Statistics**

2-1. Total applications & granted PBRs (by 31 Dec. 2020)

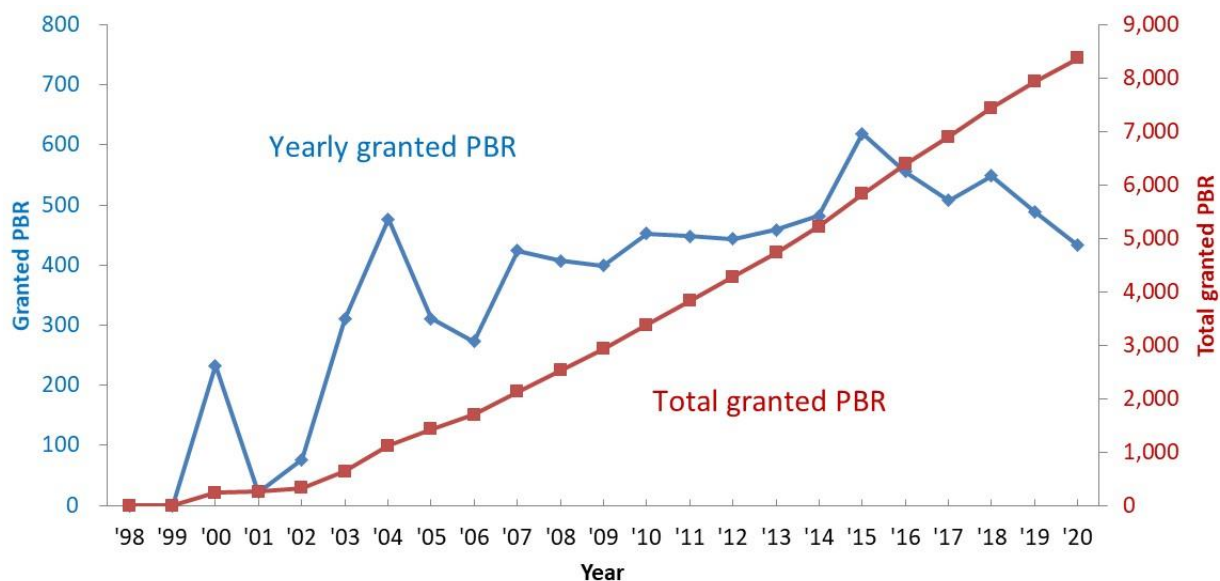
- Total number of applications: 12,151  
(11,593 Agricultural, 515 Forestry, and 43 Aquatic plants)
- Total number of granted PBRs: 8,620  
(8,372 Agricultural, 228 Forestry, and 20 Aquatic plants)

2-2. Statistical data in agricultural plants (by 31 Dec., 2020)

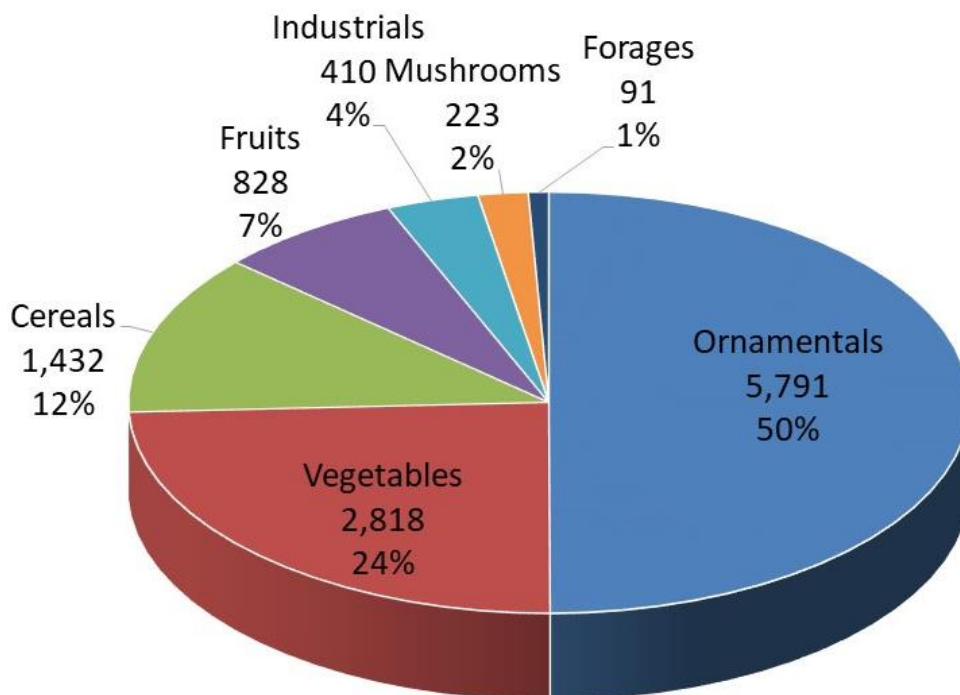
- Applications by Year : 672 in 2020



- Granted PBR by Year : 433 in 2020

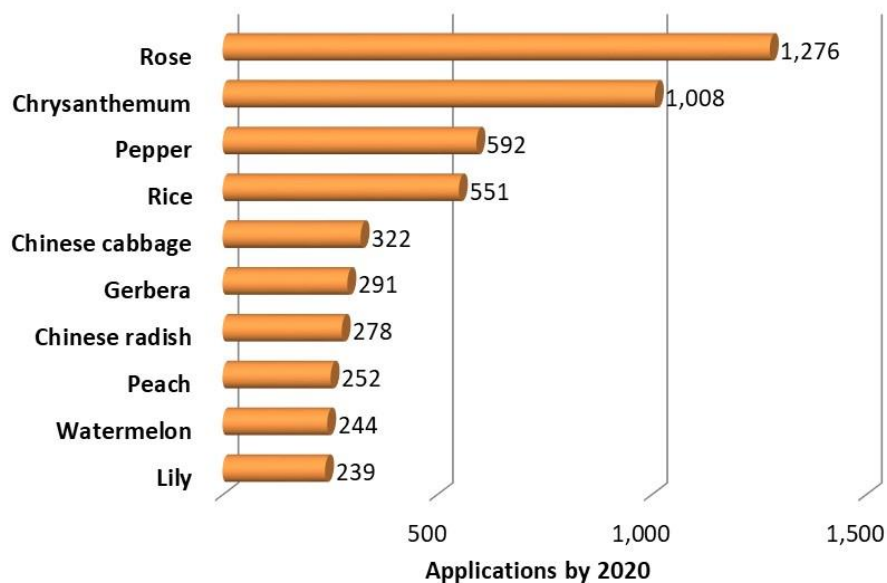


- Applications by Usage

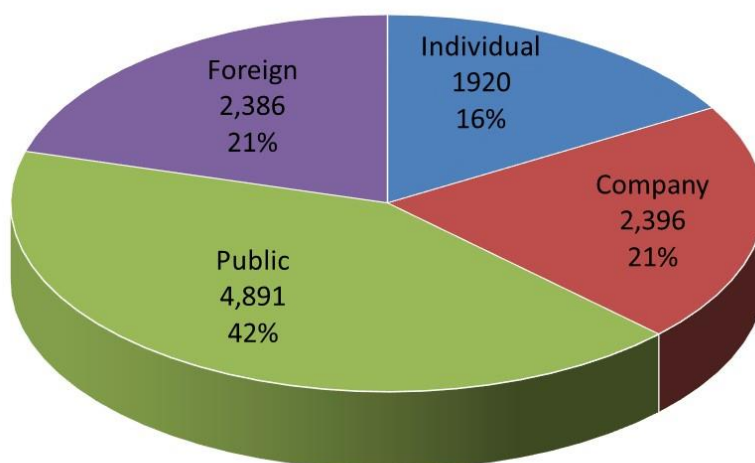




- Applications of top 10 plants



- Ratios by applicants : domestic 79%, foreign 21%



### 3. International cooperation of KSVS in 2020

#### 3-1 DUS growing trial for Singapore

- Trial: Rice (1 variety), Kiwi (2 varieties)
- Newly accepted: Kiwi, Strawberry, Marguerite (1 variety each)

### 4. Announcement

#### 4-1 International workshop on the Use of Image Analysis will be held on early December, 2021

- Interesting member country will be welcomed

**EAPVPP/14/02 06b INDIVIDUAL IMPLEMENTING STRATEGY OF KOREA**

*prepared by NFSV(National Forest Seed Variety Center in Korea)*

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

- 1-1. To strengthen PVP system to raise awareness of Plant breeder' right (PBR) and to promote breeding activities of new varieties
- 1-2. To establish the new national TG in more forest plants for fast DUS test of variety from new species
- 1-3. To support breeders by education etc. for encouraging application of new varieties and their plant breeding activities
- 1-4. To facilitate expanded industrial use of the granted varieties for forestry

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

**2-1. Challenges**

- Low PVP applications in forest plants when compared with agricultural crop
- Low awareness on the PVP system among breeder and customer in forestry
- Lack of technical expertise and facilities in conducting DUS examination

**2-2. Objectives**

**2021 - 2023**

- To increase the number of application and grant of new varieties
- To establish foundation for examination of new varieties by regional consideration with climate change
- To prevent infringement though strengthening the management of the production and distribution of varieties granted for PBR
- To improve international cooperation and harmonization in PVP

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

- To develop or revise national TG for 50 species of forest plants in accordance with the TGP document
- To establish the south branch for DUS test of subtropical forest plant
- To held seminar and workshop related to PVP system for breeder and stakeholder

**EAPVPP/14/02 07 INDIVIDUAL IMPLEMENTING STRATEGY OF LAO PDR**

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

- Revise Intellectual Property Law and Ministerial Decision in Plant Variety Protection field to be in line with the UPOV Convention
- Accession to UPOV Convention

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

**2021**

- Conduct and participate workshops, seminars or training related to PVP and DUS Test
- Seeking a cooperation in capacity building particularly in PVP, DUS and Seed quality control.
- Developed of the legal framework such as Seed policy, Plant Variety Legislation and Develop Decree Plant Variety to guideline, handbooks.
- Setup the organization taking on variety testing of DUS protocols base on the UPOV guideline.

**2022**

- Development/Establishment the DUS test Center
- Preparing for amendment of IP Law in PVP field
- Seeking a cooperation in capacity building particularly in PVP, DUS examination and developing Test Guidelines.
- Dissemination of seed policy, development Decree plant variety to guideline, handbooks, related plant variety legislation to the staff, farmers and private sectors.
- Develop a priority crops for evaluation of varieties.
- Setup the organization taking on variety testing of DUS protocols base on the UPOV guideline.
- Conduct seminars related to PVP, DUS Test and quality control system under UPOV convention.

**2023**

- Amendment of IP Law in PVP field
- Amendment of Ministerial Decision on PVP
- Dissemination of the Decree plant variety legislation to the high-level officer, staff and private sector.

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

- Preparation for signing the MOU between Ministry of Industry and Commerce and Ministry of Agriculture and Forestry and relevant organizations on PVP protection and Development/Establishment of DUS testing center. (2021-2023)
- Amendment of IP Law and Ministerial Decision in PVP Protection field. (2023)
- Seeking support for accession to UPOV Convention. (2021-2023)
- Developed seed policy, seed decree and other handbook related plant variety legislation, plant breeding, seed control. (2021)
- Dissemination of seed policy, seed decree and other handbook related plant variety legislation, plant breeding, seed control to the staff, farmers and private sectors. (2022 –2023)
- Establish the station or section for plant and seed testing agency. (2021)
- Developed of Test Guidelines. (2022 –2023)
- Conduct DUS test on rice and Maize. (2022 –2023)
- Participate workshops, seminars or training related to PVP, DUS Test and quality control system. (2021–2023)
- Conduct Seminar on UPOV and Legal consultation. (2022)

**4. Proposal of Cooperation Activity ( Members who submitted proposals ONLY. The proposals will be presented with explanation of relevance to its 10-YSP. )**

*Title: Workshop on UPOV Convention and Legal Consultation*

**Expectation:** DIP and Relevant Agencies to be able to understand the overview of the UPOV Convention, the best practices of implementation, information sharing and lesson learnt and the Legal Aspect of the UPOV for preparing Lao's legal system to be in line with UPOV and accession to the convention in the future.

**Propose Activities:**

1. Dissemination Workshop on UPOV Convention
  - Pre-Accession
  - Post-Accession
  - Best Practise from the members
2. Legal Consultation Workshop on UPOV Convention
  - Seeking support for advice and the gap analysis between national legislation and UPOV Convention to prepare the national legislation to be in line with UPOV Convention

**Proposed Venue:** Online

**Expected target groups:** MAF, MOIC, MOH, MOJ and relevant authorities

**EAPVPF/14/02 08 INDIVIDUAL IMPLEMENTING STRATEGY OF MALAYSIA**

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

**Malaysia will be implementing national initiatives including the national Plant Varieties Protection programs in lined with a few policies that will soon / have come into force starting year 2021.**

**(i) National Agrofood Policy of Malaysia 2.0 (2030 Goal)** which comprises of economic, social and environment will be the primary target set to be achieved by 2030. *A total of 5 policy thrust has been identified to support the overall policy framework and agrofood industry development for the next 10 years.*

1) *Embrace Modernisation and Smart Agriculture* - modernisation of agrofood industry to be in parallel with the standard of IR 4.0 (Industrial Revolution 4.0);

2) *Strengthen Domestic Market & Create/Produce Export-Oriented Products* - enhance agrofood industry market resilience by building strength on our domestic abilities and stronger position on global food trade;

3) *Build Talent that Meets Demand of the Industry* - shifting towards a highly skilled local labour force, increases worker's productivity and employment opportunity;

4) *Advance towards Sustainable Agriculture Practices & Food Systems* - strive for better balanced development and growth that looks to safeguard the interest of food consumers and the natural environment; and

5) *Create Conducive Business Ecosystem & Robust Institutional Framework* - an enabling business environment that facilitates greater entry and investment from business entities onto agrofood industry, as well as governance structure that is effective in promoting collaborative efforts, coordination, industry regulation, and support amongst all stakeholders.

**(ii) National Intellectual Property Policy (NIPP) of Malaysia** is to harness intellectual property (IP) as a new engine of growth for the enhancement of economic and social prosperity. *The following main objectives are stipulated as for:*

a. *Highest Standard of Intellectual Property Protection System*  
– *to develop an efficient and effective IP protection system to ensure fast and easy acquisition of protection and rights as well as competent and practical enforcement mechanism, not to least legally fulfill the local requirements and meet the standards set by international treaties and conventions that Malaysia is a party to.*

b. *Promotion of Intellectual Property-generated Activities*  
- *by focusing on managing research innovation as well as research and development more effectively and necessitating the creation of a conducive environment that provides incentives, grants, management, finance, business transactions, enforcement and dispute settlement.*

c. *Promotion of Commercial Exploitation of Intellectual Property*  
- *aim to develop a vibrant IP industry that is crucial to sustain Malaysia's economic growth in the new millennium.*

d. *Development of Intellectual Property Management Capabilities*  
- *to cover the whole IP chain of activities from creation to protection, exploitation, valuation, licensing, acquisition, enforcement and dispute settlement.*

e. *Development of Infrastructure for Intellectual Property Transaction*

- spelt out the need to look into the business, banking and financial infrastructure in relation to the present and future IP-based transactions particularly trading, licensing, mortgages and securities.

- f. *Protection of Malaysian Intellectual Property Interest*  
- Ensure that Malaysian IP interest is safeguarded at the international level by monitoring the developments in IP in the international arena.
- g. *Human Resource Development and Public Awareness*  
- with an aim of creating a large pool of experts for the management of IP at all levels of the chain of activities and to increase the level of public awareness relating to the purpose of having an IP protection system, the important role of IP in the socio-economic and technological development of the nation and the need to give recognition and respect to the exclusive rights of the owners of IP as conferred by the law.
- h. *Promotion of Foreign Investment and Technology Transfer*  
- Encourage greater foreign investment and technology transfer by guaranteeing the highest standard of IP protection for IP brought into Malaysia, the opportunity to acquire returns from their investment and the availability of legal channels to seek redress and solution in cases of infringement.

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

### **2.1 Challenges**

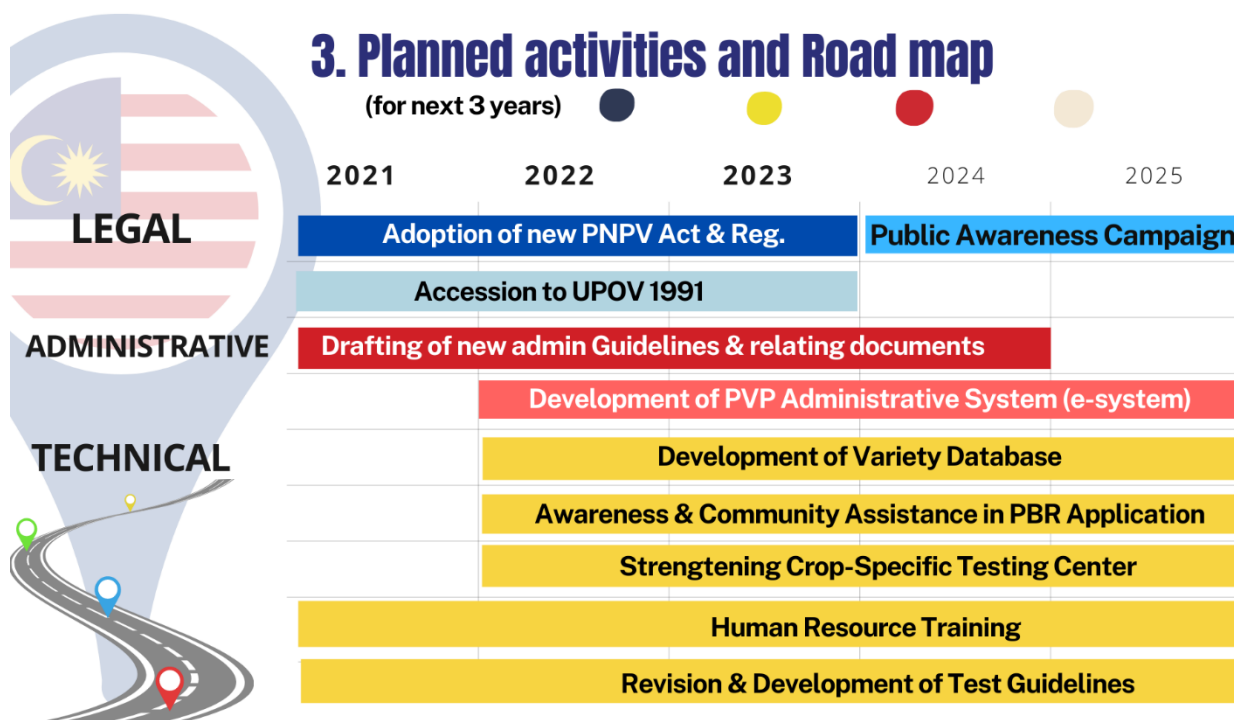
- (i) Legal procedure establishment for UPOV Membership.
- (ii) Applications for protection of local plant varieties are still low.
- (iii) Local breeders of protected varieties have not able to gain profit from the protection.
- (iv) Farmer breeders have not fully exercised the scopes given under breeder's right.
- (v) Protected varieties fail to meet market demand.
- (vi) Duration from Application to Granting is time consuming.

### **2.2 Objectives**

- (i) To expedite the process of Act amendment and to accede to UPOV 1991.
  - To finalize the Risk Impact Analysis (RIA) on the new drafted PVP act in order to fulfilling the policy requirements of Good Regulatory Practices before enabling for the table to the parliament.
  - To complete any legal requirement for the parliament approval of the new PVP act and the instrument deposit to UPOV 1991 membership.
  - To establish the accession of UPOV 1991.
  - To conduct continuous and regular public awareness programs, which focus on specific target groups as well as the public in general on The New Plant Variety Protection 20XX.
  - To constantly update of laws and regulations to keep abreast with international, new challenges and new issues.
- (ii) To shorten the duration from filing of an application to granting.

- To expedite DUS Examination for PVP registration.
  - To develop sufficient and effective administrative- and technical- database for better management of PBR application and examination.
- (iii) To promote the benefits of PVP and the know-how in utilising the scope provided under the rights among local applicants.
- To promote the use of local protected varieties such as in public agricultural projects or private-based agricultural projects.
  - To promote commercial exploitation of plant breeder’s right among local PBR holders.
  - To stimulate the involvement of local R&D entities to further improve protected local varieties.

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



**2021**

**LEGAL**

- (1) Engagement of consultative sessions with Department of Agriculture of State Sabah and Sarawak relating to the PVP Bill.
- (2) Conduct of workshop on completing the consultative session report regarding RIA.
- (3) Submission of Regulatory Impact Statement (RIS).

**TECHNICAL**

- (4) Development of varietal database on vegetables and fruits capturing data for Variety of common knowledge and example varieties.
- (5) Strengthening technical elements of PBR e.g. technical guidelines and technical trainings.
- (6) Provide technical assistance to public relating to plant breeding and PBR.
- (7) Strengthening specific crop testing centers.

## **2022**

### **LEGAL**

- (1) To have engagement sessions between Attorney General of Malaysia Office with UPOV about seeking harmonization on Malaysia's New Draft PVP Act and UPOV 1991.
- (2) Submission of The New Plant Variety Protection 20XX Bill to Department of Agriculture and Ministry of Agriculture and Food Industry (MAFI) and Legal Advisor's Office for final checking.
- (3) Table of The New Plant Variety Protection 20XX Bill to the parliament.
- (4) To develop regulations for The New Plant Variety Protection 20XX.

### **ADMINISTRATIVE**

- (1) Development administrative database for better management of PBR application.

### **TECHNICAL**

- (5) Development of varietal database on vegetables and fruits capturing data for Variety of common knowledge and example varieties.
- (6) Strengthening technical elements of PBR e.g. technical guidelines and technical trainings.
- (7) Provide technical assistance to public relating to plant breeding and PBR.
- (8) Strengthening specific crop testing centers.

## **2023**

### **LEGAL**

- (1) Confirmation on UPOV membership status.

### **ADMINISTRATIVE**

- (1) Development administrative database for better management of PBR application.



**TECHNICAL**

- (2) Development of varietal database on vegetables and fruits (Variety of common knowledge and example varieties).
- (3) Development of varietal database on vegetables and fruits capturing data for Variety of common knowledge and example varieties.
- (4) Strengthening technical elements of PBR e.g. technical guidelines and technical trainings.
- (5) Provide technical assistance to public relating to plant breeding and PBR.
- (6) Strengthening specific crop testing centers.

**4. Proposal of Cooperation Activity (Members who submitted proposals ONLY. The proposals will be presented with explanation of relevance to its 10-YSP.)**

Not applicable.

**EAPVPP/14/02 09 INDIVIDUAL IMPLEMENTING STRATEGY OF MYANMAR**

**1. National goal (for next 10 years: )**

- i. Intend to enforce the 2019 New Plant Variety Protection Law with articles which are in line with UPOV 1991 act.
- ii. Intend 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.
- iii. To promote regional harmonization on application, examination and granting procedures towards the effective and cooperative PVP system for the breeders in the region and globally in future.

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

**2021**

- i. To raise enforcement of the 2019 New Plant Variety Protection Law, is in line with UPOV 1991 act.
- ii. To promote regional harmonization on application, examination and granting procedures towards the effective and cooperative PVP system for the breeders in the region.

**2022**

- i. 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.
- ii. To promote regional harmonization on application, examination and granting procedures towards the effective and cooperative PVP system for the breeders in the region

**2023**

- i. 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)**

**“For 2021, objective ”**

- Enforcement of New PVP law
- Carry out the require internal procedure to become UPOV member after COVID crisis.

**“For 2022, objective ”**

Adoption on knowledge sharing in case of DUS administrative and technical way through formation of data base for reference varieties of main crops, establishing National DUS test stations and regional collaborations. (training & implementation own stations )

**“For 2023, objective”**

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 )

**EAPVPP/14/02 10 INDIVIDUAL IMPLEMENTING STRATEGY OF THE PHILIPPINES****1. National goal (for next 10 years: 2021 to 2030)**

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

	<b>OBJECTIVES</b>	<b>CHALLENGES</b>
<b>2021</b>	<b>Objective 1</b> Development and harmonization of DUS Test Guidelines	<ul style="list-style-type: none"> <li>▪ Foreign applications without existing DUS Test guidelines</li> </ul>
<b>2022</b>	<b>Objective 2</b> Strengthen the implementation of the Plant Variety Protection (PVP) by establishing a DUS Testing Site	<ul style="list-style-type: none"> <li>▪ Limited personnel of the PVPO</li> <li>▪ No established DUS Testing Site especially for foreign applications</li> </ul>
<b>2023</b>	Capacitate the PVP Examiners and PVPO staff through seminars and trainings in cooperation with local and international organizations	<ul style="list-style-type: none"> <li>▪ Philippines is not a UPOV member</li> <li>▪ Restricted face to face training due to pandemic e.g. Covid-19</li> </ul>

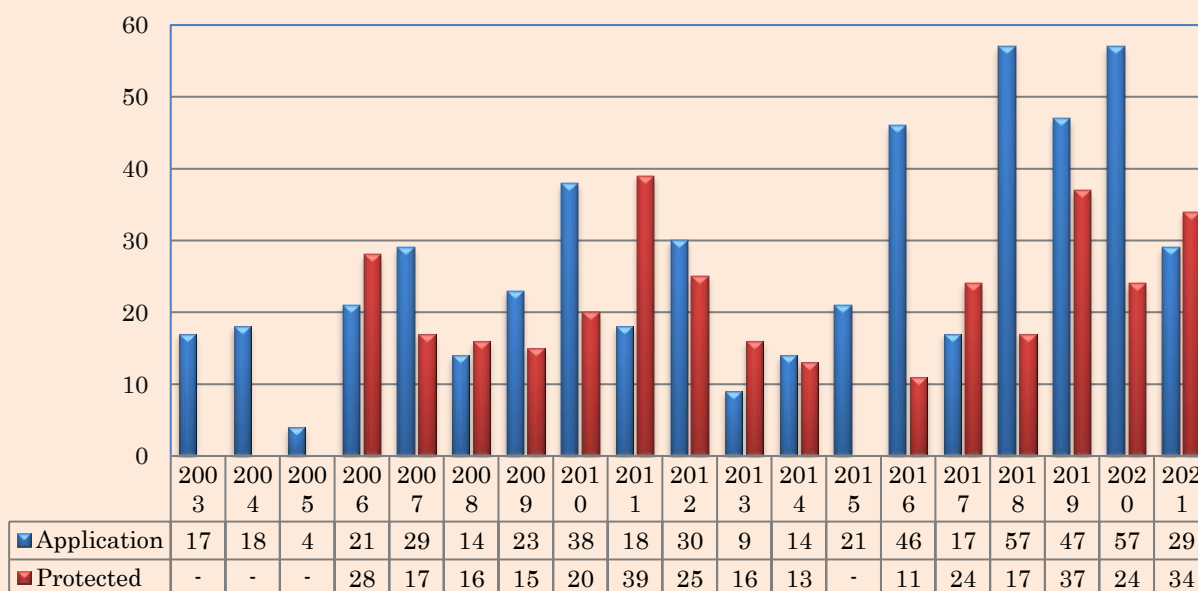
### 3. Planned activities and Road map (for next 3 years)

PLANNED ACTIVITIES	
<b>ACTIVITIES TO ACHIEVE OBJECTIVE 1</b>	<b>TARGET GROUP</b>
Conduct workshop for the different Examination Groups to develop, update and harmonize DUS Test guidelines	<ul style="list-style-type: none"> <li>▪ PVP DUS Examiners</li> <li>▪ PVP applicants</li> <li>▪ Other stakeholders</li> </ul>
<b>ACTIVITIES TO ACHIEVE OBJECTIVE 2</b>	<b>TARGET GROUP</b>
Coordination and cooperation (local and international) for the establishment of the National Seed Technology Park (NSTP) as a possible DUS Testing Site	<ul style="list-style-type: none"> <li>▪ Government agencies and private institutions involved in NSTP</li> <li>▪ Breeders</li> <li>▪ Farmers</li> <li>▪ Other stakeholders</li> </ul>
Approval of the proposed capacity building activities that will be implemented by the Dutch Government through the Naktuinbouw in partnership with the Department of Agriculture, Philippines	<ul style="list-style-type: none"> <li>▪ PVP DUS Examiners</li> <li>▪ PVPO Staff</li> </ul>

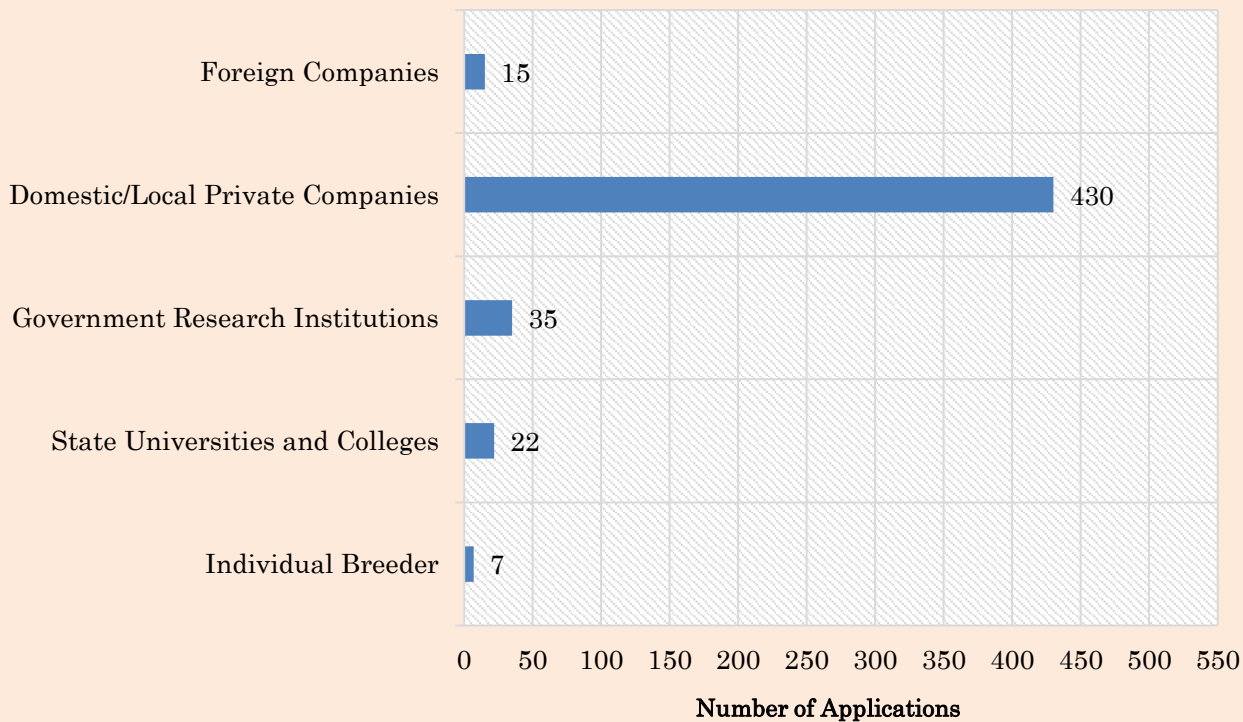
#### Situationer

- The Philippines enacted into law its plant breeder's rights through Republic Act 9168 otherwise known as the "Plant Variety Protection Act of 2002".
- The act shall protect and secure the exclusive rights of breeders with respect to their new plant variety.
- 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.
- To date, 336 crop varieties have been granted with Certificate of Plant Variety Protection out of 509 applications filed since the start of the PVP in the country.

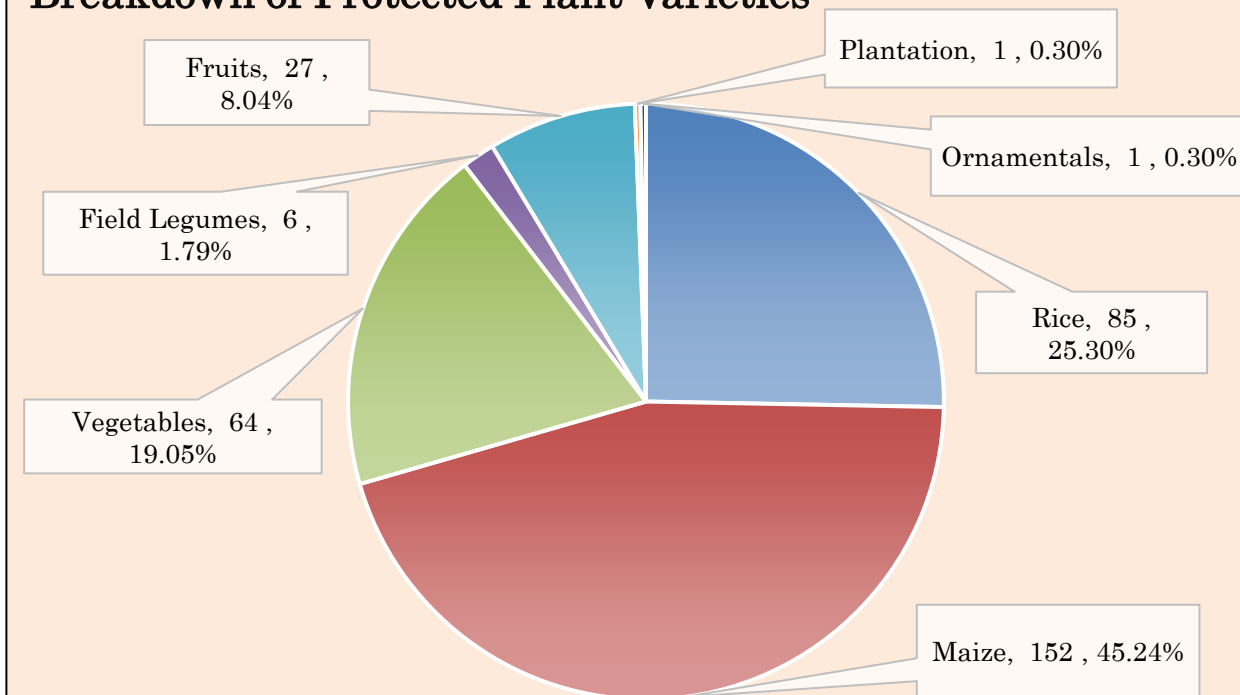
## PVP Statistics as of July 2021



### Breakdown of Applications by Type of Applicant



### Breakdown of Protected Plant Varieties



Problems in Plant Variety Protection System in the Philippines	Possible Solution	Expected Output	Responsible Agencies	Timeline
Fallacious impression of some farmers with regard to Plant Variety Protection ( <i>Importance, royalty, procedures, benefits, etc.</i> )	<ul style="list-style-type: none"> <li>Intensify awareness campaign re: plant variety protection</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-farmer relationship</li> </ul>	Bureau of Plant Industry – Plant Variety Protection Office	Continuing program / activity of the PVP Office
Restricted on-site DUS Evaluation due to Covid-19 crisis and existing quarantine protocols in different areas of the country	<ul style="list-style-type: none"> <li>Online trainings and seminars to equip the applicants with technical knowledge on how to conduct morphological characterization based on the crop-specific DUS Test Guidelines. (<i>data gathered by the applicant are still subject for validation by the PVP Examiners</i>)</li> </ul>	<ul style="list-style-type: none"> <li>Accurate characterization data</li> <li>Unhampered delivery of service of the PVP Office</li> </ul>	Bureau of Plant Industry – Plant Variety Protection Office	2021
Absence of accredited DUS testing site, especially for foreign applications with no counterpart in the Philippines	<ul style="list-style-type: none"> <li>Establishment of the National Seed Technology Park (NSTP) as a possible DUS Testing Site</li> <li>BPI Centers as DUS testing site</li> <li>Purchase of DUS test results in other countries where the applied variety is already protected</li> <li>Capacity building for potential DUS Examiners</li> </ul>	<ul style="list-style-type: none"> <li>No delays in the issuance of Plant Variety Protection Certificate</li> <li>Enhanced capability of the DUS Examiners</li> </ul>	Department of Agriculture, Bureau of Plant Industry – Plant Variety Protection Office, private institutions, The Netherlands and Naktuinbouw	2022-2024

**EAPVPF/14/02 11 INDIVIDUAL IMPLEMENTING STRATEGY OF SINGAPORE**

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

- 1-1 To review the PVP legislation to support breeders, improve business-friendliness and operational efficiency.
- 1-2 To build an electronic system for PVP application and processing to bring convenience for applicants and improve efficiency of PVP office. This is aligned with the government's commitment to create a SmartNation i.e. harnessing technology to create better solutions.
- 1-3 To promote regional harmonization and cooperation of the PVP system to facilitate application, examination and granting procedures for the breeders.
- 1-4 To support national effort in developing Agri-tech sector through collaborations with relevant stakeholders (government agencies, private companies and research institutions).

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

**Objectives**

**2021**

- a. To stay abreast of PVP developments in the region and UPOV members.
- b. To review the PVP legislation to support breeders, improve business-friendliness and operational efficiency.
- c. To build an electronic system for receiving and processing PVP applications to bring convenience for applicants and improve efficiency of PVP office.

**2022**

- a. To stay abreast of PVP developments in the region and UPOV members.
- b. To implement the proposed amendments to the PVP legislation.
- c. To prepare for the launch of an electronic system for PVP application and processing.

**2023**

- a. To stay abreast of PVP developments in the region and UPOV members.
- b. To monitor the effectiveness and outcome of the amendments to the PVP legislation on the regime.
- c. To launch and monitor the effectiveness of the new electronic system for PVP application and processing.

**Challenges**

- a. Low amount of local agricultural activity due to limited land resources.



- b. Low volume of PVP applications due to low agricultural activity or lack of awareness on the PVP system.
- c. Maintaining a cost-effective PVP system, while bringing convenience to the applicants and improving the efficiency of PVP office with the introduction of electronic system.
- d. Lack of an efficient and consistent platform to engage external examination authorities.
- e. Lack of technical expertise and facilities to conduct technical DUS examination.

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

#### **Planned Activities**

- a. To participate in PVP workshops, seminars or trainings annually to stay abreast of PVP developments.
- b. To review, consult and implement the PVP legislative amendments by 2022.
- c. To build, test and launch the new electronic system for PVP application and processing by 2023.

**EAPVPP/14/02 12 INDIVIDUAL IMPLEMENTING STRATEGY OF THAILAND**

**1. National goal (for next 7 years: 2021 to 2027)**

- 1.1 People acknowledge the right principle/fundamental rationale 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)**

2021-2023 Creating Intellectual Property (IP in plants) awareness and UPOV convention to the public

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

Planned activities

2021-2023 Providing correct information about the protection of new plants varieties under UPOV 1991 system by;

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

Roadmap

2021-2023 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.

**4. Proposal of Cooperation Activity (Members who submitted proposals ONLY. The proposals will be presented with explanation of relevance to its 10-YSP.)**

1. Title of program: Raising Awareness on Protection of New Plant Variety System under the UPOV Convention.
2. Expected outcome of the proposed program  
People gain actual information about the UPOV system
3. Proposed Activities
  - 3.1 Organizing online meeting/seminar/information to introduce the actual information about the UPOV system to public.
  - (ア) Printing brochures in Thai language presenting information about the UPOV system and the benefits significantly occurred in its country members.
4. Duration  
2021-2022
5. Proposed venue

- a province in the Central region
- a province in the North-Eastern region
- a province in the Northern region
- a province in the Southern region

6. Expected Participants

- Farmers
- Private organization
- Public and academic organization
- Philosopher of agriculture sufficient economy
- Journalist/Media

7. Budget

7.1 Borne by the organizer

7.2 Borne by Donors

**EAPVPP/14/02 13 INDIVIDUAL IMPLEMENTING STRATEGY OF VIET NAM**

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

- *Number of Vietnamese Applications is increased 10 – 14%/year*
- *10% - 12% in the total of Vietnamese Applications will be filed in abroad*
- *There are at least 1 – 2 Vietnamese variety is exploit the Right in oversea*
- *Make effort for the establishment of PVP Region for ASEAN +*

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

**2021**

- *To adopted of Circular on PVP*
- *Submit the Draft of revised PVP Part in IP Law to National Parliament for examination*
- *Having mutually signed the MOU on cooperation in the field on PVP among VN – Lao/PDR*
- *Draft some TG of the species which absent in UPOV: 10 species*
- *Drafting project under scope of IP Strategy*
- *Organize the PVP events (Seminar/Workshop) to improve aware on PVP for the relevant persons by the cooperation with other partner.*
- *Test camping for e- PVP Asia Platform and draf MOC*

**2022**

- *Operating the Region PVP Platform by submit some application from Vietnam to over sea.*
- *Implementing the content of the Project in the scope of IP Strategy.*
- *Workshops on DUS Testing for the DUS Testing agencies*

**2023**

- *To promote the Vietnam's applicant applied to over sea through e – PVP*
- *Trainings IP Agents*
- *Seminars/Workshop on PVP*
- *Draft TG of the species which absent in UPOV: 10 species*

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

- *Seminars/Workshop on PVP*
- *Technical meeting for the DUS Tester*
- *Trainings on the Technical or legal issues for the IP Agent in Vietnam*

**4. Proposal of Cooperation Activity (Members who submitted proposals ONLY. The proposals will be presented with explanation of relevance to its 10-YSP.)**

- *Seminar/Workshop on PVP*
- *Exchanging experts on PVP*
- *Technical visit among Members of EAPVP.*

[Annex III follows]

**REPORT OF THE EAPVP PILOT PROJECT MEETING**

**EAPVP** Forum

East Asia Plant Variety Protection Forum  
14th Annual Meeting  
Japan, 31 August 2021

EAPVPF/14/ 03  
Date: 31 August 2021

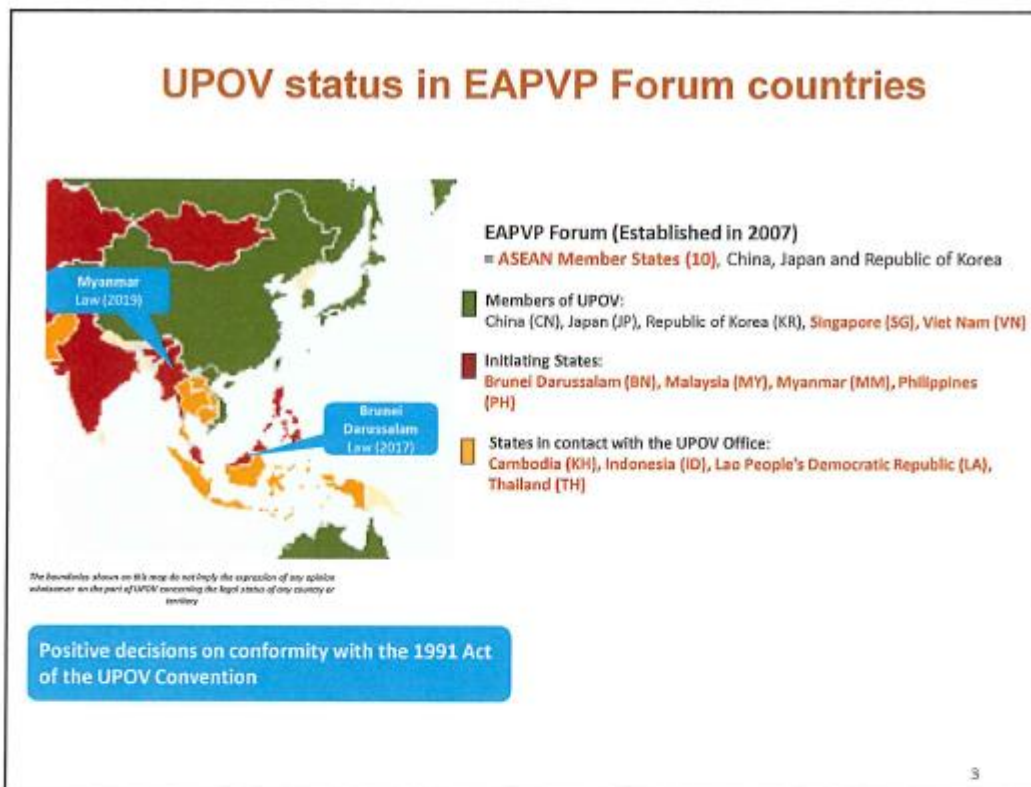
# Report of the EAPVP PILOT PROJECT

1

## CONTENTS

- Overview of EAPVP Pilot Project
- Developments of EAPVP Pilot Project
- Timeline for next steps

2



## 10-Year Strategic Plan

- adopted at the 11<sup>th</sup> EAPVPF annual meeting -

**Long-term Direction**

*Establish effective PVP systems consistent with the UPOV Convention among Forum members towards **achieving all Forum members' membership of UPOV**, as a basis for **further PVP harmonization and cooperation in the region** in order to contribute to developing sustainable agriculture and achieving food security*

**Objective 1:**

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

**Objective 2:**

*Contribute to support achievement of UPOV membership, to facilitate harmonization of application and examination procedures, and to enhance efficient PVP cooperation in the region*

11th EAPVPF Meeting (2018): [http://eapvp.org/report-data/philippines/20180801\\_104800/](http://eapvp.org/report-data/philippines/20180801_104800/)

## Overview of EAPVP Pilot Project

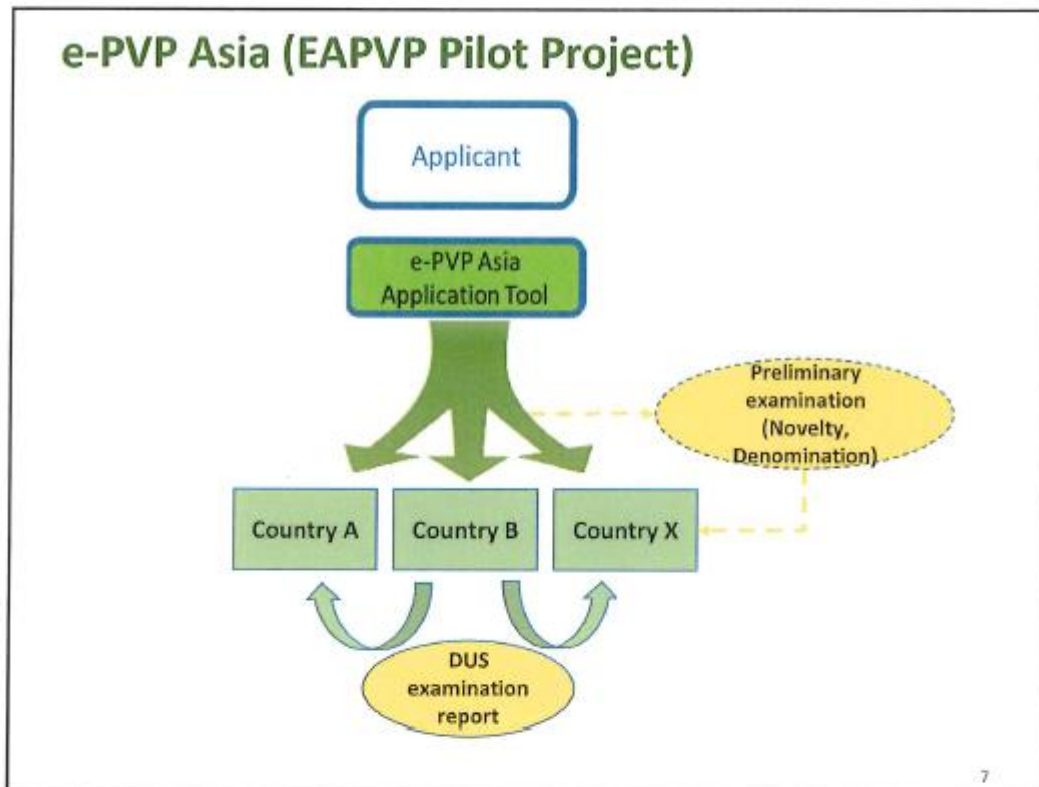
- ✓ Proposal by Japan and Viet Nam adopted at the 11<sup>th</sup> EAPVP Forum (2018)
  - “Pilot project for building regional harmonized PVP mechanism”***
    - “Develop a model procedure from filing to the grant of plant breeders’ right as a foundation of regional harmonized mechanism in line with the UPOV Convention”*
    - a unified application form
    - harmonized DUS test proceedings with Test Guidelines
    - mutual acceptance of the DUS Test results and administrative proceedings
- ✓ Timeline of the PP
  - Phase 1 (2018 – 2021): Develop and test a model platform (e-PVP Asia)
  - Phase 2 (from 2022): Operational (officially receive applications)

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## Who can participate in e-PVP Asia and the Pilot Project?

- ✓ **E-PVP Asia Participating countries** must be a UPOV member
- ✓ **PP Participating countries** must be UPOV members:
  - Japan and Viet Nam
- ✓ **PP Provisional Participating countries:**
  - EAPVPF countries which have initiated the procedure to become a UPOV member
  - Brunei Darussalam, Malaysia, Myanmar
- ✓ **PP Observer countries:**
  - Other EAPVPF countries
- ✓ **PP Resource partner:**
  - UPOV Office

6



7

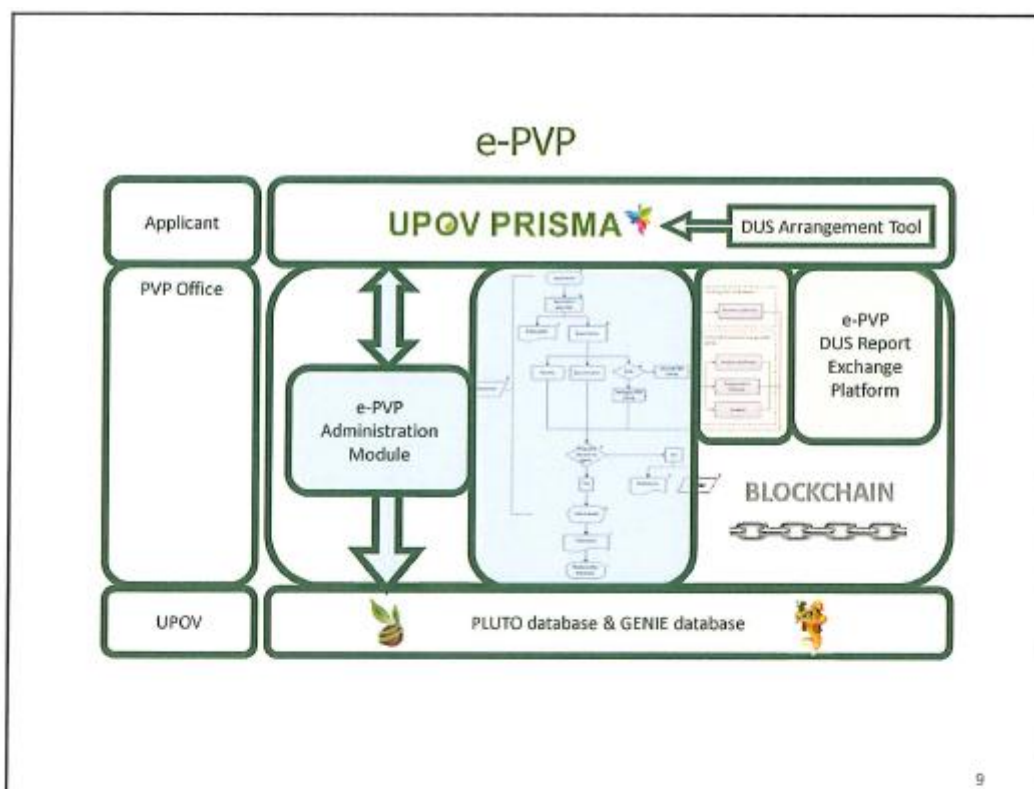
## Benefits of e-PVP Asia

### For breeders/agents:

- ✓ A single online platform for submitting application data and enhanced cooperation in DUS examination
  - Easy to apply to participating countries
  - Save time and costs for application/examination (minimizing number of DUS examinations)
- ✓ A functionality of “DUS Arrangement Tool” (DART) enables applicants to arrange DUS examinations in the most efficient way

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## Benefits of e-PVP Asia

### For e-PVP Asia participating countries:

- **An online application system and electronic application management system**
- Provide protection to **all plant genera and species** in an efficient way
- **Enhance DUS cooperation among PVP Offices** of participating countries to **address capacity gaps in DUS examination** (e.g. human resources, infrastructure, agro-climatic conditions for growing trials)
- **Increase the number of PVP applications** as a result of efficient application and examination procedures

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- Overview of EAPVP Pilot Project
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## Developments of EAPVP Pilot Project

	Time/Venue	Participants
1 <sup>st</sup> Meeting	Oct 2018 in Viet Nam	Japan, Malaysia, Myanmar, Viet Nam
2 <sup>nd</sup> Meeting	Feb 2019 in Viet Nam	Japan, Malaysia, Myanmar, Viet Nam
3 <sup>rd</sup> Meeting	Sep 2019 in Viet Nam	Japan, Malaysia, Myanmar, Viet Nam Observers: Thailand, Philippines
4 <sup>th</sup> Meeting	7 - 27 July, 2020 by correspondence	Brunei Darussalam, Japan, Malaysia, Myanmar, Viet Nam
5 <sup>th</sup> Meeting	Nov 23 - 24, 2020 via electronic means	Brunei Darussalam, Japan, Malaysia, Myanmar, Viet Nam Observers: Cambodia, China, Philippines
6 <sup>th</sup> Meeting	March 8 to 10, 2021 via electronic means	Brunei Darussalam, Japan, Malaysia, Myanmar, Viet Nam Observers: Cambodia, Indonesia
7 <sup>th</sup> Meeting	July 8 - 9, 2021 via electronic means	Brunei Darussalam, Japan, Malaysia, Myanmar, Viet Nam Observers: Cambodia, Indonesia, Thailand

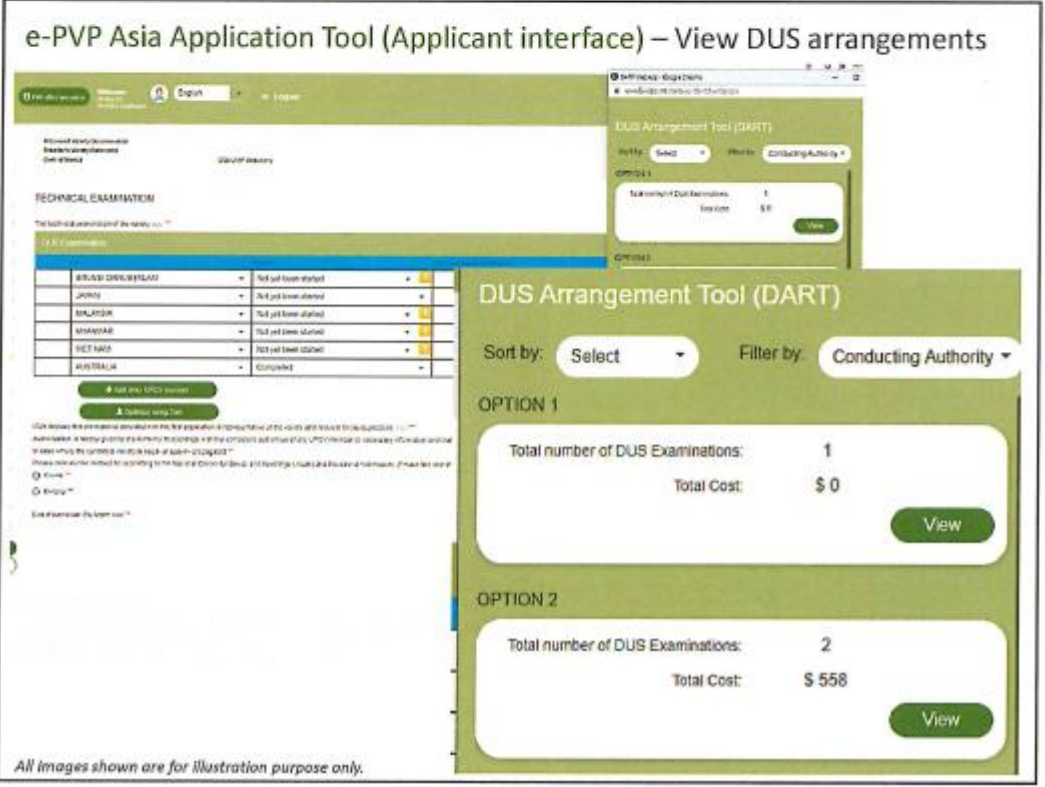
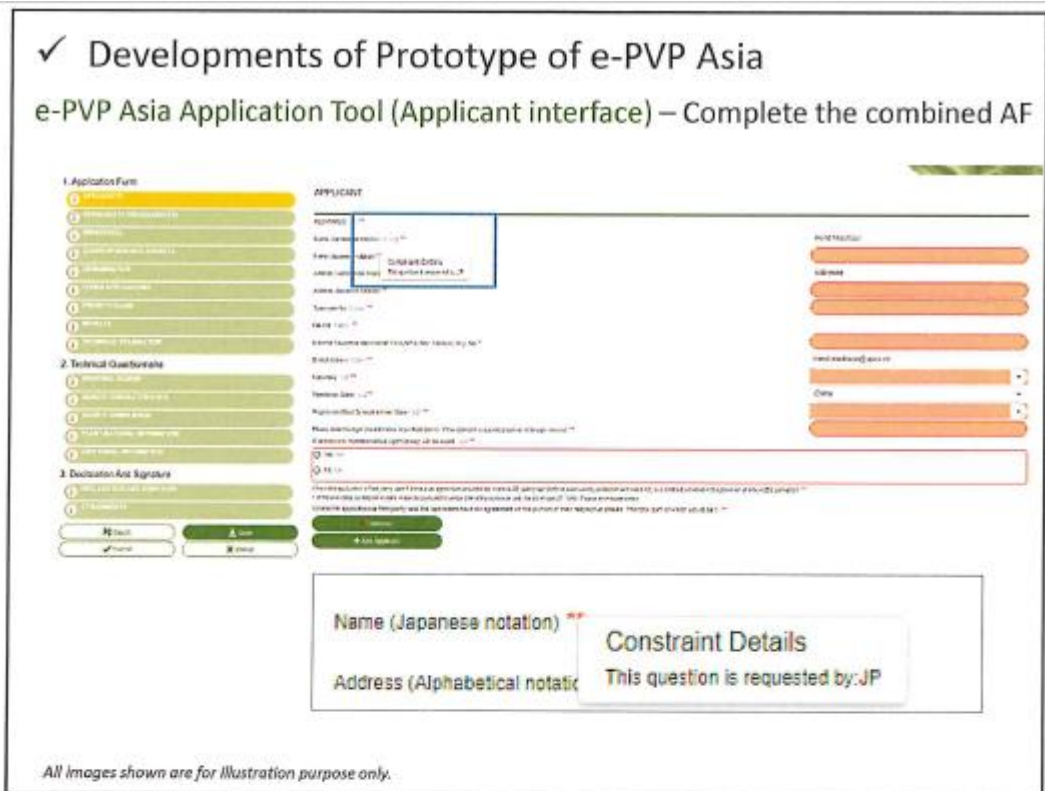
### Main items considered at the PP meetings (1)

Items	Contents	Developments
Memorandum of Cooperation (MOC) between e-PVP Asia participating countries and UPOV	Main elements of the MOC: <ul style="list-style-type: none"> <li>✓ Steering Committee to make decisions in relation to e-PVP Asia administration/financing</li> <li>✓ Roles and responsibilities of e-PVP Asia participating countries and UPOV</li> <li>✓ E-PVP Asia implementing agency</li> </ul>	To be considered at the 8th PP meeting
Terms of use (ToU) of e-PVP Asia	Main items included in the ToU <ul style="list-style-type: none"> <li>✓ PVP Offices – provide updated Application Form and fees, accept application data via e-PVP Asia, accept DUS test reports as agreed, update information on the status of application etc.</li> <li>✓ Applicants – availability of e-PVP Asia, use in accordance with the ToU and User Guides etc.</li> <li>✓ The payment of the UPOV PRISMA fee and e-PVP Asia fee should be done online by credit card or bank transfer (in CHF)</li> </ul>	Agreed at the 7th PP meeting
Combined Application Form (AF) of e-PVP Asia	<ul style="list-style-type: none"> <li>✓ A single combined Application Form (AF) that contains the questions requested by all countries</li> </ul>	Agreed at the 7th PP meeting
Technical Questionnaires (TQs)	<ul style="list-style-type: none"> <li>✓ Procedure to identify appropriate TQs for e-PVP Asia applications</li> </ul>	Agreed at the 7th PP meeting

### Main items considered at the PP meetings (2)

Items	Contents	Developments
Examination of Novelty	<ul style="list-style-type: none"> <li>✓ Preliminary check of Novelty by e-PVP Asia upon request by e-PVP Asia participating countries</li> <li>✓ List of the species classified as trees/vines for the purpose of Novelty under e-PVP Asia</li> </ul>	Agreed at the 7th PP meeting
Examination of denomination	<ul style="list-style-type: none"> <li>✓ Preliminary check of variety denominations by e-PVP Asia: upon request by e-PVP Asia participating countries</li> </ul>	Agreed at the 7th PP meeting
DUS cooperation	<ul style="list-style-type: none"> <li>✓ List of genera/species for which e-PVP Asia countries would be willing to conduct DUS tests on behalf of other e-PVP Asia participating countries/ provide DUS test reports</li> </ul>	Agreed at the 7th PP meeting (to be updated, if necessary)
Payment by applicants	<ul style="list-style-type: none"> <li>✓ National application fees to be paid directly to e-PVP Asia participating countries</li> <li>✓ DUS test fee to be paid directly to the country responsible for DUS test report</li> <li>✓ UPOV PRISMA fee and e-PVP Asia fee would be required at the time of data submission</li> </ul>	To discuss at the 8th meeting: DUS report take-over fee, e-PVP Asia fee, etc. including promotion
Test campaign of e-PVP Asia Prototype	For PVP offices and applicants (Sept. - Nov. 2021 ) Purpose: <ul style="list-style-type: none"> <li>✓ test and check the operation of e-PVP modules;</li> <li>✓ feedback for practical use</li> </ul>	Identified testers in cooperation with the PP participating countries, APSA and UPOV





e-PVP Administration module (PVP Office interface)

**PVP Office Dashboard**

Search

Application Number	Applicant Name	PVP Office	Proposed Examination	Application Number	Date of Test	Submission Date	Application Status	Actions
PL030200001242	Lactuca salvia L.	TEST 178	Arabic		22/06/2020	05/07/2021	✗	View
XL020200001242	Fragaria L.	1st 2nd	ARABIC		22/06/2020	05/07/2021	✗	View
XL020200001500	Lactuca sativa L.	SCDF 1507	Arabic	ARABIC	22/06/2020	05/07/2021	✗	View
XL020200001507	Cucumis sativus L.	REF 000333	ARABIC		22/06/2020	05/07/2021	✗	View

**XL020200001242** | Applicant: Fragaria L. | PVP Office: 1st 2nd | Exam: ARABIC | Date of Test: 22/06/2020 | Submission Date: 05/07/2021 | Status: ✗ | Action: View

- A request for revision was submitted. [Download](#)
- The validity requirements were checked. [Download](#)
- The application was received. [Download](#)

[Follow applicant](#) [Contact applicant](#) [Enter received checklist](#)

*All images shown are for illustration purpose only.*

## Timeline for next steps

Time	Activity
September - October	Test campaign for PVP Offices
October - November	Test campaign for Applicants
December	Pilot Project 8th meeting
First half of 2022	Signing of the Memorandum of Cooperation Launch of e-PVP Asia

[Annex IV follows]

## **REPORT OF THE COOPERATION ACTIVITIES IN 2020-2021**

The following cooperation activities were adopted at the 13<sup>th</sup> EAPVP Forum Meeting which was held online on 25 November 2020, however, due to the COVID-19 pandemic, the activities involving overseas trip could not be executed.

01. Examination of DUS Testing for Cross-Pollinated Varieties (proposed by Indonesia)
02. Formulating Best Practice of Database on Plant Variety Protection (proposed by Indonesia)
03. 3rd Legal Consultation on Harmonisation of Protection of New Plant Varieties 20XX with UPOV Convention 1991 (proposed by Malaysia)
04. Development of National Test Guideline of Rice and Green gram (proposed by Myanmar)
05. Database Setting Training To Support Official DUS Test in Myanmar (proposed by Myanmar)
06. In Country Training on Establishment of Test Guidelines and DUS Testing (proposed by Thailand)
07. Seminar for Improving Aware on PVP for the Vietnamese Participants in Hanoi and Other Place in the Souths (proposed by Viet Nam)
08. Workshop on the Implementation of DUS Testing (proposed by Viet Nam)
09. Sharing the experience on DUS Testing among the Members of PP in Viet Nam (proposed by Viet Nam)
10. Meetings of EAPVP Pilot project

Instead of dispatching some experts, the online DUS training workshops and meetings were held. In addition, support for translation and printing of the DUS test related materials was provided upon request of the member countries.

### **1. Online DUS Test Training for Bitter Gourd (hosted by Viet Nam)**

- 1-1. Date: 19 to 20 January 2021
- 1-2. Participants: 74 participants from 8 EAPVPP Member countries, namely, Brunei Darussalam, Cambodia, Indonesia, Malaysia, Myanmar, Philippines, Thailand, and Vietnam.
- 1-3. Lecturers: Experts from Viet Nam and Japan

### **2. Online DUS Test Training for Maize (hosted by Indonesia)**

- 2-1. Date: 24 to 25 February 2021
- 2-2. Participants: 73 participants from 6 EAPVPP Member countries, namely, Brunei Darussalam, Cambodia, Indonesia, Malaysia, Philippines, and Vietnam.
- 2-3. Lecturers: Experts from CPVO, Indonesia and Viet Nam

**3. Support for Translation and Printing of “UPOV TG 1/3” and “How to Take Photos (produced by MAFF Japan)”**

**4. The 4th Meeting of the EAPVP Pilot Project**

4-1. Date: Web meeting in May 2020 and circulation of documents on 27 July 2020

4-2. Participants: Brunei Darussalam, Japan, Malaysia, Myanmar, Viet Nam and UPOV

**5. The 5th Meeting of the EAPVP Pilot Project**

5-1. Date: Web meeting on 23-24 November 2020

5-2. Participants: Brunei Darussalam, Japan, Malaysia, Myanmar, Viet Nam and UPOV

Observer: Cambodia

**6. The 6th Meeting of the EAPVP Pilot Project**

6-1. Date: Web meeting on 8-10 March 2021

6-2. Participants: Brunei Darussalam, Japan, Malaysia, Myanmar, Viet Nam and UPOV

Observer: Cambodia

**7. The 7th Meeting of the EAPVP Pilot Project**

7-1. Date: Web meeting on 8-9 July 2021

7-2. Participants: Brunei Darussalam, Japan, Malaysia, Myanmar, Viet Nam and UPOV

Observer: Cambodia, Indonesia, Thailand

[Annex V follows]

## **LIST OF COOPERATION ACTIVITIES IN 2021-2022**

The cooperation activities in 2021-2022 were proposed by Forum members. The cooperation activities need to be in line with the Common Direction of the 10-Year Strategic Plan of the EAPVP Forum with a view to streamlining the Forum's cooperation activities toward further harmonization of the PVP system in the region.

The Forum is invited to consider and adopt following cooperation activities.

### **1. Cambodia**

1-1-1. Title of program: **Developing the PVP procedure and examination guideline for DUS testing of some potential crops**

1-1-2. Proposed date: October 2021 (tentative)

1-1-3. Proposed venue: General Directorate of Agriculture, Phnom Penh, Cambodia

1-1-4. Expected participants: PVP Staffs (about 20 persons)

1-1-5. Note: Activities include making a kind of manual of PVP procedure and translation of UPOV DUS test guidelines in Cambodian language.

1-2-1. Title of program: **Dissemination workshop on the role and responsibilities of government regulatory bodies and endorsed law, regulation and declaration related to New Plant Variety Protection**

1-2-2. Proposed date: November 2021 (tentative)

1-2-3. Proposed venue: General Directorate of Agriculture, Phnom Penh, Cambodia

1-2-4. Expected participants: Around 90 persons from the relevant stakeholders

### **2. Indonesia**

2-1. Title of program: **Seminar/FGD on Breeder's Exemption in PVP to Acknowledge Farmer's Rights**

2-2. Proposed date: To be confirmed

2-3. Proposed venue: Online

2-4. Expected participants: PVP officers, PVP examiners, stakeholders of PVP, NGO, breeder farmers, farmers group, universities

### **3. Japan**

3-1-1. Title of program: **Capacity Building Workshop1: Introduction of PVP & UPOV TG1/3**

3-1-2. Proposed date: To be confirmed

3-1-3. Proposed venue: Online



3-1-4. Expected participants: PVP staff members, examiners, other related staff members and management persons of EAPVP Forum member countries (max 100 participants / one time)

3-1-5. Note: Basic lectures for junior staffs or contractors just starting PVP related works

3-2-1. Title of program: **Capacity Building Workshop2: Technical Training for PVP Senior Staff**

3-2-2. Proposed date: To be confirmed

3-2-3. Proposed venue: Online

3-2-4. Expected participants: PVP staff members, examiners, other related staff members and management persons of EAPVP Forum member countries (max 100 participants / one time)

3-2-5. Note: Lectures on technical matters which cannot be covered in the Workshop 1

#### **4. Thailand**

4-1. Title of program: **In Country Training on DUS Testing and Taking Photos**

4-2. Proposed date: January 2022 (two days)

4-3. Proposed venue: Bangkok

4-4. Expected participants: Plant breeders/applicants from public-private sectors and individual(15-20 persons)

4-5. Note: Some examiners from other member countries may participate in this activity according to budget.

#### **5. Viet Nam**

5-1-1. Title of Program: **Workshop with the enforcement offices to enhance the Awareness on PVP**

5-1-2. Proposed date: To be confirmed

5-1-3. Expected venue: Mekong delta provinces, Viet Nam

5-1-4. Expected participants: Relevant persons of Court, Market control, Customs Office, Economy Police

5-2-1. Title of Program: **PVP Awareness Seminars**

5-2-2. Proposed date: To be confirmed

5-2-3. Expected venue: North and South of Viet Nam

5-2-4. Expected participants: Stakeholders of PVP from Viet Nam and EAPVPF Member countries

5-3-1. Title of Program: **Cooperation on exchanging DUS Test Results through e-PVP Asia**

5-3-2. Proposed date: To be confirmed

5-3-3. Expected venue: TBD

5-3-4. Expected participants: Members and Non-members of UPOV(plan: Lao PDR, Brunei Darussalam)

5-4-1. Title of Program: **DUS Test Training Course**

5-4-2. Proposed date: To be confirmed

5-4-3. Expected venue: Viet Nam

5-4-4. Expected participants: Technical staffs from DUS Testing agencies of Viet Nam

## **6. EAPVP Pilot project**

6-1. Title of Program: **Meetings of EAPVP Pilot project**

6-2. The seventh meeting / the eighth meeting

6-3. Proposed date: The seventh meeting (online meeting): 8-9 July 2021  
The eighth meeting: December 2021

6-4. Proposed venue: Online meeting

6-5. Expected participants: Brunei Darussalam, Japan, Malaysia, Myanmar, Viet Nam and the UPOV Office

Observers for the seventh meeting: Cambodia, Indonesia, Thailand

[End of Annex V and of document]