

EAPVP Forum

East Asia Plant Variety Protection Forum

15th Annual Meeting

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EAPVPF/15/02_05

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INDIVIDUAL IMPLEMENTING STRATEGY OF JAPAN

prepared by MAFF, Japan

1. National goal (under 10-year strategic plan 2018-2027)

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, Geographical Indication, in line with the "Ministry of Agriculture, Forestry and Fisheries' Intellectual Property Strategy 2025".

1-1. Based on the amended Plant Variety Protection and Seed Act, to strengthen national PVP system with a reliable and solid Plant breeders' right (PBR) to support various types of breeding activities 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 UPOV PVP system regionally/internationally to protect Japan's brand 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 PBR

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., preferences of farmers, growers and consumers, adaption to climate change, and development of new breeding technology

2-1-5 To establish cooperation system of common application and examination procedure ("e-PVP Asia"), and to enlarge participating countries to "e-PVP Asia".

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

2-2. Objectives

2022

National relations:

2-2-1 In order to protect Japan's superior varieties effectively, holders of Plant Breeder's Right will exercise their right by themselves in line with the amended Plant Variety Protection and Seed Act (in effect from 1st April 2022), such as;

- To restrict their protected varieties to be brought to foreign countries, in order to stop "unintended outflows" and to protect foreign markets for Japanese genuine products
- To restrict to repropagate their protected varieties for next growing cycle on farmers' own fields (including use of "farm saved seed")

2-2-2 In order to protect Japan's brand abroad effectively, Japan PVP office encourage Japanese breeders to apply for their varieties abroad, especially to east Asian countries, and to promote IP business abroad.

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 for proper investment by the Japanese seed industry
- To support capacity building for administration and DUS examination skills
- To launch "e-PVP Asia" officially, which is international cooperation platform for simultaneous common application and could arrange DUS examination between participating countries, in collaboration with the UPOV
- To organize the Steering Committee of "e-PVP Asia" with Vietnam
- To support cooperation activities related with above mentioned topics conducted by EAPVP Forum member 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.

2023 and 2024

2-2-7 To implement the "e-PVP Asia" and to enlarge participating countries to the "e-PVP Asia"

2-2-8 To support cooperation activities conducted by EAPVP Forum member countries, in line with 10 years strategic plan

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 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 with case studies of specified species
- 4-1-2. Capacity Building Workshop2: Technical Training for PVP Senior Staff

4-2. Expected outcome of the proposed programs:

Continuing from last year, capacity building workshops which meets the level and needs of participants are planned to 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 with case studies of specified species 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 (including explanatory notes on national TG).

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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