

EAPVP Forum

East Asia Plant Variety Protection Forum
17th Annual Meeting
Phnom Penh, Kingdom of Cambodia, 2024

EAPVPF/17/03_05
Date:22 August, 2024

INDIVIDUAL IMPLEMENTING STRATEGY OF JAPAN

prepared by Japan

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

2024

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. Furthermore, Japan PVP office supports the effective management of PBR both in Japan and overseas by Japanese breeders, through various activities by PBR administration organization and guidance on licensing.
- 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.
- 2-2-4 To raise awareness about IP management among various industry stakeholders, including the effective management of PBR.

International relations:

2-2-4 Under the EAPVPF'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 in prospective UPOV member countries.
- To promote UPOV e-PVP in the region and arrange DUS examination between participating countries, in collaboration with UPOV.
- 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.

2025 and 2026

2-2-7 To support cooperation activities conducted by EAPVP Forum member countries, in line with 10 years strategic plan.

2-2-8 To increase mutual exchange DUS test reports among UPOV member countries, including new signing of MOC for DUS cooperation with 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, such as cooperation for DUS examinations.

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

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