



**18th Annual Meeting  
Republic of Singapore, 4 August 2025**

**EAPVPF/18/05 Draft 1**

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**REPORT**

***adopted by the 18th East Asia Plant Variety Protection Forum Annual Meeting***

Opening of the meeting

1. East Asia Plant Variety Protection Forum held its 18th Annual Meeting hosted by Republic of Singapore on 4 August 2025 chaired by Ms. Sharmaine Wu, Director, Registries of Patents, Designs & Plant Varieties, Intellectual Property Office of Singapore, Republic of Singapore and co-chaired by Mr. Hiroyuki Tanaka, Director of Plant Variety Protection Office, 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 and received welcome remarks by, Mr. Woo Yew Chung, Assistant Chief Executive, Corporate, Intellectual Property Office of Singapore, Republic of Singapore
4. The meeting received opening remarks by Mr. Hiroyuki Tanaka, Director of Plant Variety Protection Office, Intellectual Property Division, Export and International Affairs Bureau, Ministry of Agriculture, Forestry and Fisheries, Japan
5. The meeting received opening remarks by Ms. Yolanda Huerta Casado, Vice Secretary-General, UPOV

Adoption of the agenda

6. The draft agenda as presented in document EAPVPF/18/01 Draft 1 was adopted by the meeting.

Report on recent developments in UPOV

7. The meeting noted the report on recent developments in UPOV reported by the UPOV Office.

Report of the Cooperation Activities in 2024-2025

8. The meeting noted the report of the Cooperation Activities in 2024-2025 as provided in document EAPVPF/18/02 presented by the Forum Office as provided in Annex II to this report.

Presentation on Country Report

9. The meeting noted the country report as presented by Brunei Darussalam, Kingdom of Cambodia, People's Republic of China, Republic of Indonesia, Japan, Republic of Korea, Lao People's Democratic Republic, Malaysia, Union of Myanmar, Republic of the Philippines, Republic of Singapore, Kingdom of Thailand, and Socialist Republic of Viet Nam as provided in Annex III.

Adoption of the list of the Cooperation Activities in 2025-2026

10. The meeting adopted the list of the Cooperation Activities in 2025-2026 as provided in document EAPVPF/18/04 Draft 1 presented by the Forum Office as provided in Annex IV to this report.
11. The meeting noted that implementation of the adopted Cooperation Activities in 2025-2026 will be subject to the availability of the financial resources and experts provided that the conditions described in the note are met.
12. The meeting noted that the implementation of the adopted Cooperation Activities in 2025-2026 should consider efficiency and synergy in the region.

Host country for the 19th EAPVP Forum Annual Meeting

13. The meeting welcomed the consideration by People's Republic of China to host the 19th EAPVP Forum Annual Meeting in Sanya of China in 2026.

Discussion Session in Groups

14. The participants of the meeting discussed the topic "Challenges and opportunities of PVP harmonization and cooperation" in five groups. Results of the discussions are included as Annex V.

Closing of the meeting

15. The meeting adopted this report at the close of the 18th Annual Meeting on 4 August 2025.

[Annexes follow]

**Annex I**

**LIST OF PARTICIPANTS**

**1. Members**

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[Annex II follows]



## REPORT OF THE COOPERATION ACTIVITIES IN 2024-2025

The following cooperation activities were adopted at the 17th EAPVP Forum Meeting which was held in Phnom Penh, Kingdom of Cambodia on 27 August 2024.

01. Dissemination Workshop on Law enforcement on Seed Management and Plant Breeder's Right conform with the Act.1991 of UPOV Convention (proposed by Cambodia)
02. Translation and publishing the DUS examination on major crops and development of harmonization description of new variety of plants in Cambodia language (proposed by Cambodia)
03. Technical consultation meeting on Amendment of the Law on Seed Management and Plant Breeder's Right conform with the Act.1991 of UPOV Convention (proposed by Cambodia)
04. Establish a database and gathering the DUS testing guidelines of new plant Variety protection (proposed by Lao PDR)
05. Raising awareness of Laos's PVP, update on legislation and introduction of e-PVP Asia (proposed by Lao PDR)
06. Training on PVP administration, DUS examination for mulberry, rice and corn (proposed by Lao PDR)
07. Regional Cooperation on Test Guidelines Development Workshop for Black Pepper (*Piper nigrum*) Project 1 (proposed by Malaysia)
08. Awareness Raising Workshop on UPOV PVP System among the relevant policy makers and stakeholders with the assistance of the experts from UPOV and EAPVP forum members (proposed by Myanmar)
09. Participating of Myanmar PVP examiners in DUS test trainings development of national TG training and Database training to be held among the region (proposed by Myanmar)
10. Awareness Seminar on the Importance of Plant Variety Protection (PVP) System and the International Union for the Protection of New Varieties of Plants (UPOV) (proposed by the Philippines)

Because conditions and/or schedule were not met, or budget were restricted, some activities were carried over to the next fiscal year or later or cancelled.

Cooperation activities which were carried out during the fiscal year 2024 (April 2024- March 2025) were as follows:

### **1. Workshop on Proposed Amendment of the Law on Plant Breeder's Right in accordance with the UPOV Convention and the Benefits of UPOV Membership for National Development Goals (proposed by Cambodia)**

1-1. Date: 10 February 2025

1-2. Participants: 80 participants from MAFF, MISTI, MOC, IP related companies, plant

breeders, NGOs, research institutes, farmer's associations of Cambodia

1-3. Speakers: Experts from UPOV and Japan

**2. Support for Translation and Printing of UPOV TGs for Pineapple, Black Radish (proposed by Cambodia)**

**3. Test Guidelines Development Workshop for Black Pepper (*Piper nigrum*) Project 1 (proposed by Malaysia)**

Through investigation for existing Black Pepper TGs, TGs were gathered from several countries, and preparations are underway for the next steps

**4. e-PVP Regional Meeting (Asia)**

Discussion and lectures on DUS test and PVP database were given at the e-PVP Regional Meeting (Asia) in response to proposals for cooperation activities for training on databases (No. 04 and 09 of the above proposals).

1-1. Date: 12-13 February 2025

1-2. Venue : Kuala Lumpur and Selangor in Malaysia (hybrid)

1-3. Participants: Representatives from Brunei, Cambodia, Japan, Lao PDR, Malaysia, Myanmar, Vietnam and UPOV

[Annex III follows]

## Annex III

## COUNTRY REPORT

**BRUNEI DARUSSALAM**

## Recent Developments in PVP

- 1) movement toward UPOV membership (for non-UPOV member)

**ACCESSION** : By or before August 2026

- BruiPO and DOAA is focusing on building awareness of the system with potential breeders and farmers so that locals can benefit from the system rather than just benefiting foreign companies and nationals
- These awareness programs are also to assess the readiness and prepare local breeders and farmers in the use of the system and to also first assess any issues which local breeders and farmers on the ground may raise before committing to the obligations of the UPOV Convention.

- 2) revision of PVP-related Laws and Regulations

**No current revision**

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## Recent Developments in PVP

- 3) challenges and countermeasures

Challenges	Countermeasures
Lack of awareness on importance of protection and utilization of IP rights amongst breeders and relevant stakeholders.	To raise awareness of the PVP system with potential stakeholders.
Lack of technical expertise and facilities in conducting technical DUS examination.	To plan and conduct capacity building activities on DUS testing guidelines and facilities requirements.  Viable training programs and training partners for DUS Examinations to build up local capacity and expertise.  To standby temporary outsourcing of DUS examinations.
Insufficient public-private partnership to facilitate greater breeding activities and development of new breeding technology.	Viable training programs and training potential private-partners to build up local capacity and expertise in breeding.
Lack of technical knowledge of farmers and breeders.	Viable training programs and training partners on plant breeding.
Lack of IT infrastructure for national PVP registry	To prepare IT infrastructure for national PVP registry.  To have IT infrastructure for national PVP registry in place.

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# PVP Management Structure

- ❑ Ministry and intra-ministry including DUS test
  - **PVP Registry only conducts formality checks whilst substantive examination work is outsourced to foreign examining offices. Not yet accepting applications.**
- ❑ Number of persons in charge of each department, including the number of examiners
  - (i) **No personnel and facilities to carry out technical examinations of Plant Varieties**
  - (ii) **BrulPO and DOAA are in discussion and collaborating on putting the registry in place.**
  - (iii) **Short term to mid term: BrulPO and DOAA are sourcing for an external examiner**
  - (iv) **Long term plan : For DOAA to have the personnel and facilities to carry out examinations locally**
- ❑ Full time or Concurrent positions
  - **Concurrent positions**

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## Proposal of Cooperation Activity

1. DUS test Outsourcing  
Tentatively: Vietnam and South Korea
2. Awareness building program(s) with regards the uses, applications and benefits of PVP to locals with any interested Forum members
3. Training in relation to DUS test procedures, facilities, equipment and required personnel specifically for rice varieties with any interested Forum members.
4. Capacity Building for Plant Breeders through workshops, seminars or personnel exchanges that are applicable to public and private sectors with any interested Forum members.

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### CAMBODIA

#### 1) movement toward UPOV membership (for non-UPOV member)

- Intra-Ministry Meeting to discuss the law on seed management and plant breeder's right.
- Policy decisions at Internal MAFF meeting to make decision on some articles are not consistency to UPOV act. 1991
- UPOV 's delegation have curtesy to the MAFF's Minister and MISTI's Minister
- Organized the Workshop on Drafting Legislation in Accordance with the UPOV Convention and the Benefit of Plant Variety Protection under UPOV Convention.

## 1) movement toward UPOV membership (for non-UPOV member)

- Organized the Consultation Meeting to Amendment the Law on Seed Management and Plant Breeder's Right in accordance to the UPOV act.1991.
- MAFF will lead to amendment the Law on Seed Management and Plant Breeder's Right.
- MAFF established the member committee to revise and check the consistency of the law on seed management and plant breeder in accordance to the UPOV act.1991.

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## 2- Road Map to amendment of the PVP law

- Decision by Ministers (MAFF and MISTI) to the proposed amendments to the Law (Draft Law)
- Translation of the Draft Law into Khmer language/ Checked the English version
- Workshop to raise awareness of benefits of PVP/Legal
- Review Translation
- Law Council for review

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## 2- Road Map to amendment of the PVP law

- Council of Minister for approval
- Decision by the UPOV Council on conformity of a Draft Law
- Parliament adoption
- Senate adoption
- King signature
- Submission of draft law for adoption

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## 3- Challenges and Countermeasures

1. There is no clear coordination mechanism or legal clarity on which ministry leads on PVP (Plant Variety Protection) under UPOV.
2. UPOV 1991 requires stronger exclusive breeder's rights, including:
  - Protection of harvested material and essentially derived varieties (EDVs)
  - Stronger enforcement measures and
  - Cambodia's current law provides exceptions for small farmers and less enforcement power, creating legal inconsistencies.

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### 3- Challenges and Countermeasures

3- Inter-ministerial Coordination Breakdown: 4–5 rounds of meeting discussion have not reached consensus due to:

- Different priorities (MAFF: farmer protection; MISTI: innovation/IPR),
- Lack of trust and joint ownership,
- No third-party arbitrator or high-level directive.

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### 3- Challenges and Countermeasures

4. Capacity Gaps and Understanding of UPOV 1991

- Technical understanding of UPOV 1991's full implications is not uniform across ministries.
- Concerns about impact on farmers' rights, local variety use, and breeding innovation from public institutions (e.g., CARDI).

5. Stakeholder Concerns and Political Sensitivity

- Local breeders and NGOs express concerns that UPOV 1991 will limit farmers' seed-saving rights.
- Political caution exists around appearing to favor multinational breeders or reduce national seed sovereignty.

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## 4- How to address the challenges

### A. Establish a High-Level Inter-Ministerial Taskforce

- Formally mandated by the Prime Minister's Office or the Council of Ministers.
- Include MAFF, MISTI, MoC (Commerce), Ministry of Justice, and legal advisors.
- Develop a Joint Implementation Roadmap.

### B. Develop a Unified Legal Framework or Dual Decree Model

- Option 1: Create a single amended law with clear division of roles (e.g., MAFF handles seed management; MISTI handles breeder rights/IP).
- Option 2: Issue two complementary legal instruments:
  - A Seed Management Law under MAFF
  - A Plant Breeder's Right Law under MISTI (linked to IP framework)

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## 4- How to address the challenges

### C. Conduct Joint Capacity-Building and Policy Dialogues

Train key officials from both ministries on:

- UPOV 1991 requirements
- Farmer exemptions and flexibilities under UPOV
- Models from similar ASEAN countries (e.g., Thailand, Vietnam)
- Use neutral third-party facilitators (e.g., WIPO, UPOV Office, FAO, APSA)

### D. Engage Stakeholders through Consultative Process

Conduct national consultations with:

- Farmers' organizations
- National breeders (CARDI, universities)
- Seed companies (local and international)
- Civil society organizations (CSOs)
- Share case studies

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## 5- Ministry and intra-ministry including DUS test

### ➤ Ministry of Agriculture Forestry and Fisheries (MAFF):

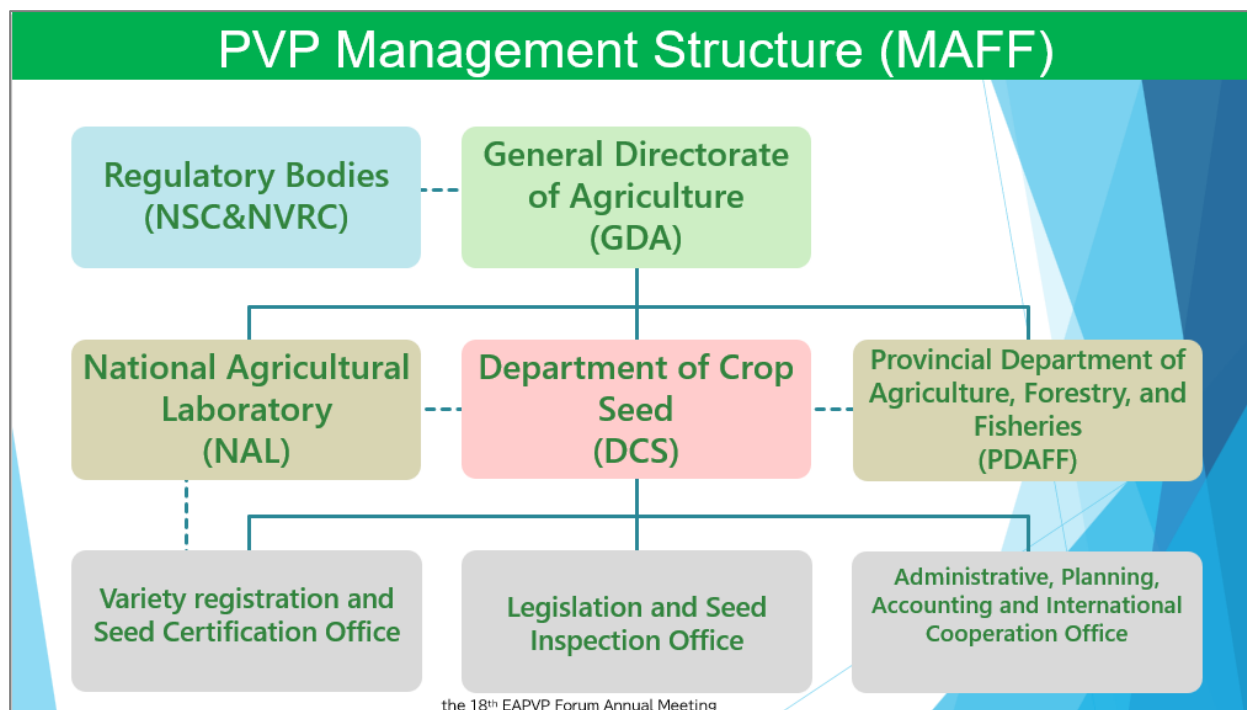
- Determine the variety description or passport data from origins
- Determine the field experiment data for a new plant varieties from origins
- Conduct DUS test and VCU trials for verification the reference data from the applicants
- Facilitate the NVRC meeting for evaluation and decision making to include in the national variety lists
- Issue the official approval letter to provide the result of technical tests to MISTI
- 10 Examiners in charge and they are full time or government staff at National Level.

## 5-Ministry and intra-ministry including DUS test

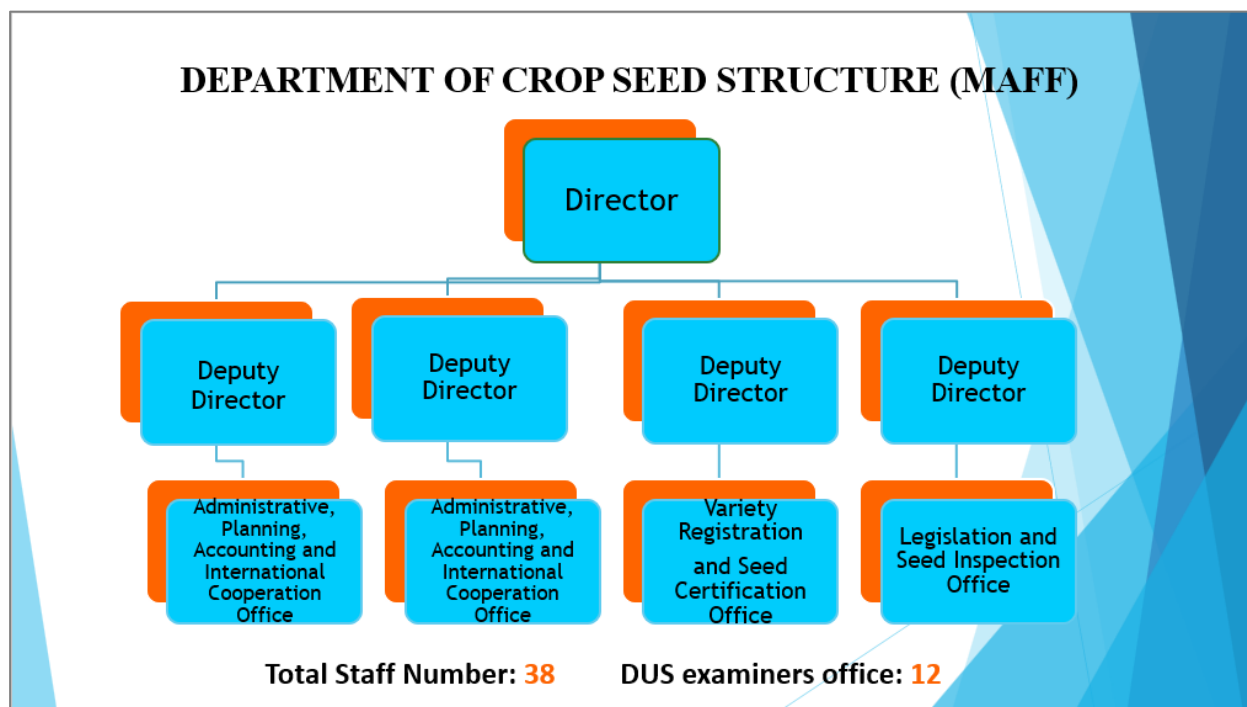
### ➤ Ministry of Science, Technology and Innovation(MSTI):

- Grant protection in the form of plant breeder's right
- Change right owners
- Declare nullity and cancellation
- Receive application and change or cancel variety denominations
- Issue compulsory license
- Record licensing contracts

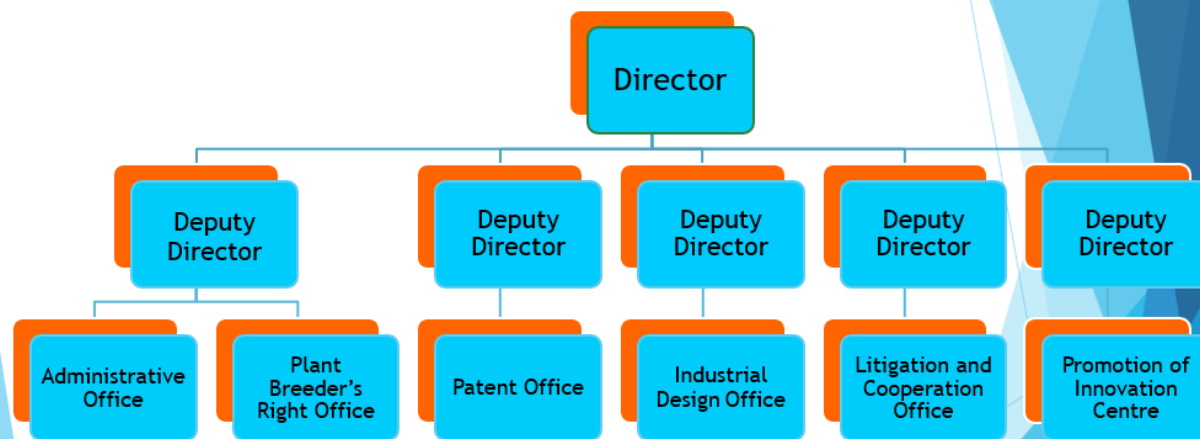
## PVP Management Structure (MAFF)



## DEPARTMENT OF CROP SEED STRUCTURE (MAFF)



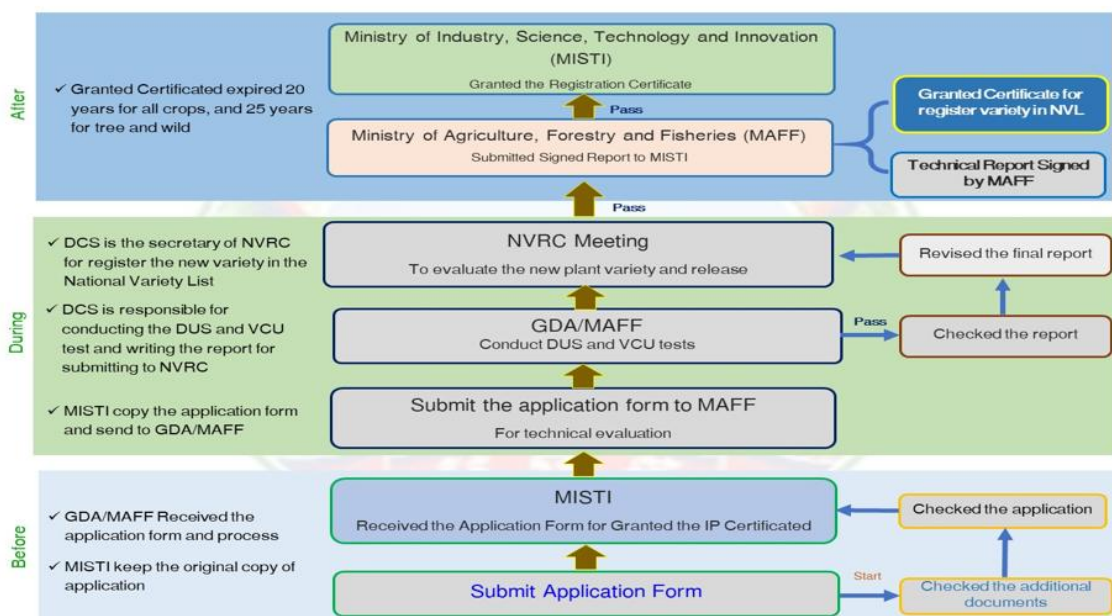
## DEPARTMENT OF INTELLECTUAL PROPERTY STRUCTURE (MISTI)



Total Staff Number: 19

Plant Breeder's Right Office: 2

### Flow of New Plant Variety Protection and Registration



## Proposal of Cooperation Activities -1

- **Title of program:** Translating and publishing the DUS guideline on major crops and development of harmonization description of new variety of plants in Cambodia language.
- **Objectives:** Provide clear and accessible guidelines in the local language to help breeders, examiner and researcher, agriculture professionals accurately assess the DUS critical for conducting the growing test.
- **Proposed Date:** January to March, 2026
- **Proposed activities:**
  - Searching the document from the UPOV web site relevance to the major crop propose for developing the DUS guideline.
  - Communicate and contracting with the company for the translation the DUS examination guideline on major crop align with the UPOV guideline.
  - Translation DUS examination guideline on **Ginger, Bottle Gourd, Papaya and Tobacco** aligns with the UPOV guideline.
  - Final review the DUS examination guideline on major crop above align with the UPOV guideline.

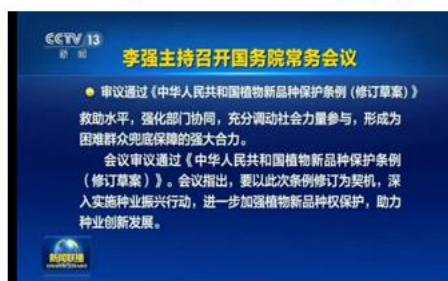
## CHINA

### Recent Developments in PVP

#### 1) revision of PVP-related Laws and Regulations

"The Regulations of the People's Republic of China on the Protection of New Plant Varieties" was revised and adopted in at the 57th executive meeting of The State Council on April 18, 2025 and has officially implemented on June 1, 2025.

-----Make full preparations for the implementation of the **1991 Act**.



- ① **EDV System**
- ② **Enlarge Scope**
- ③ **Enforcement**
- ④ **Term of rights**

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## Recent Developments in PVP

### 2) challenges and countermeasures

#### 挑战与对策

- challenges

- **The amount** of PVP applications is expected to continuously raise
- The number of plant genera and species applying for new plant variety rights and the demand for PBR rights applications of **new species** will continue to increase.
- relevant technologies and methods to support the EDV System
- The intelligence and informatization of testing equipments
- With the application of new technologies, more **new types** varieties have emerged
- A more efficient **testing mode**

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## Recent Developments in PVP

### 2) challenges and countermeasures

#### 挑战与对策

- countermeasures

- continue push forward the revision of PVP Regulations and their supporting regulations to **provide a stronger and more effective** protection of PBR, explore the possibility of join the 1991 act of UPOV convention
- establish more DUS test sub-centers and DUS test stations
- continue to develop more Test Guidelines for covering more plant genera or species
- continue to improve our domestic PVP databases and online application system
- take measures to raise awareness of PBR protection and resection of intellectual property rights
- training and Promotion of Plant New Varieties

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## Recent Developments in PVP

### 2) challenges and countermeasures

#### 挑战与对策

#### ● Activities for public awareness



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## Recent Developments in PVP

### 2) challenges and countermeasures

#### 挑战与对策

#### ● International cooperation and exchange

- Formulate or revise the **UPOV test guidelines**
- Participate in or host UPOV technical working group meetings
- Training and Promotion



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## Recent Developments in PVP

### 3) IP Protection and Innovation

#### 知识产权保护与种业创新发展

The "Several Supportive Measures for the Construction of the Intellectual Property Special Zone in Sanya Yazhou Bay Science and Technology City" was issued to encourage the cultivation of new plant varieties.

出台《建设三亚崖州湾科技城知识产权特区的若干扶持措施》，鼓励植物新品种培育。



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## Recent Developments in PVP

### 3) IP Protection and Innovation

#### 知识产权保护与种业创新发展

Establish a new review collaboration center and a "one-stop" comprehensive testing institution to enhance the efficiency of plant variety review.

新建审查协作中心、“一站式”综合测试机构，提高植物新品种审查效率。



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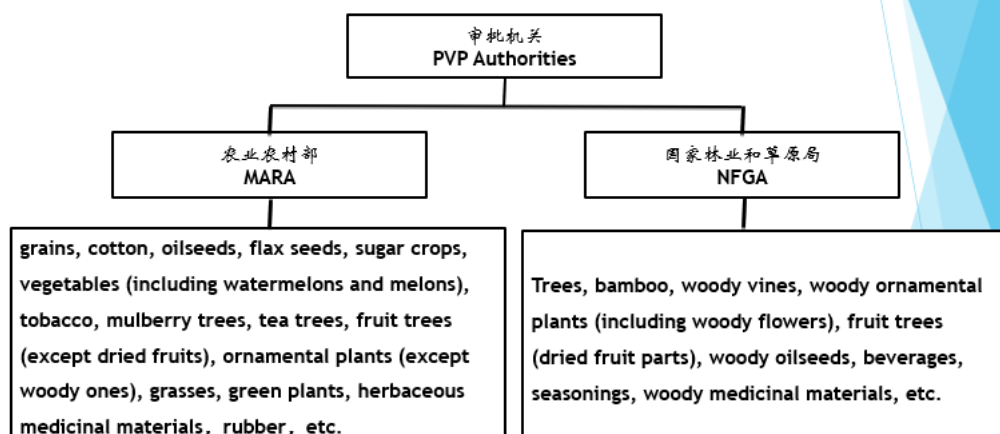
## PVP Management Structure

- ▶ Planting Management Department (PVP Office of MARA) and the Department Centre of Science and Technology (DCST) are PVP administration departments of MARA, and there are **1** Testing Central Center, **27** Testing Sub-Centers, and **6** Testing Stations.
- ▶ Science and Technology Development Centre (STDC, PVP Office of NFGA) are PVP administration departments of NFGA, and there are **1** Testing Central Center, **6** Testing Sub-Centers, **6** Testing Stations, and **2** Molecular assay laboratories.



## PVP Management Structure

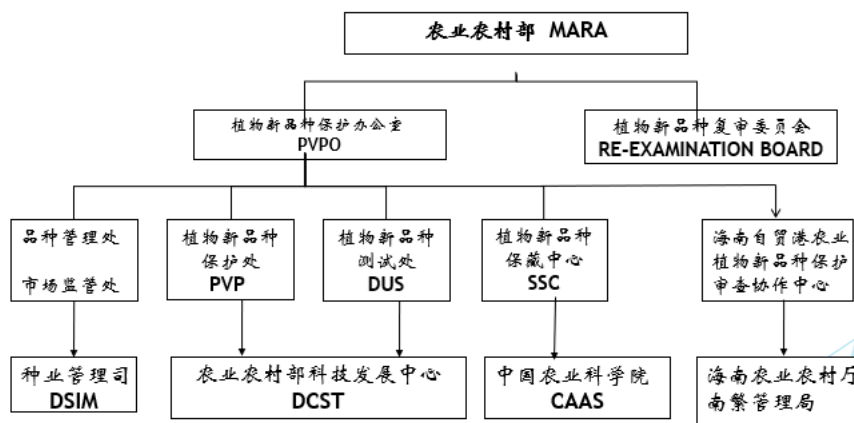
---PVP Authorities in China



the 18<sup>th</sup> EAPVP Forum Annual Meeting

## PVP Management Structure

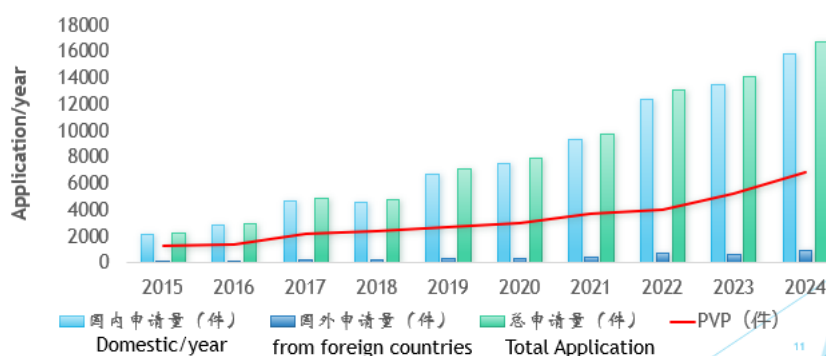
--- the organizational chart of PVP in MARA



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## Data and Statistics (Graphs are desirable)

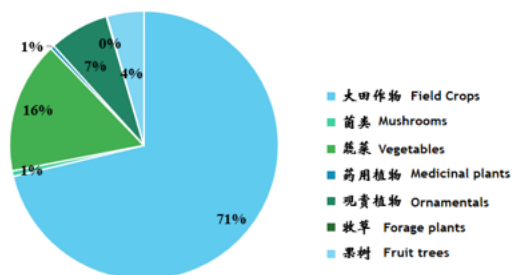
► Number of Application (Domestic/foreign & PVP Variety)  
(Recent 10 years)



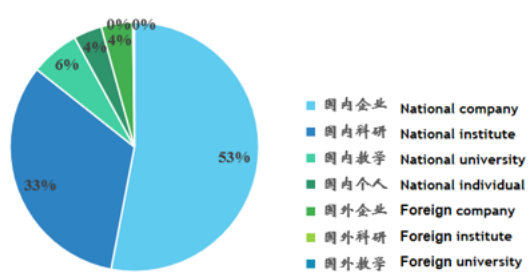
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## Data and Statistics (Graphs are desirable)

### ▶ Data on application by plant category



### ▶ Data on application by applicant category

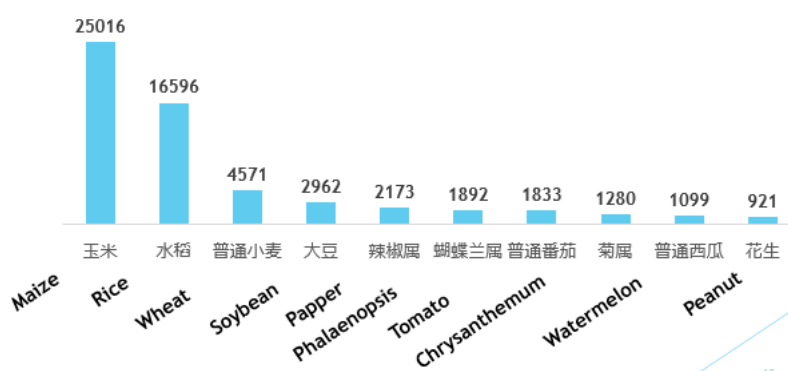


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## Data and Statistics (Graphs are desirable)

### ▶ Data on application by plant (top 10 plants, 2015-2024)



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**INDONESIA**

## Recent Developments in PVP

### Movement toward UPOV membership (for non-UPOV member)

1. UPOV's review on Indonesian Law No. 29 of 2000 on Plant Variety Protection in 2009.
2. Study Analysis on "Benefit and cost UPOV membership" conducted by IPB University in 2021.
3. Review by the Ministry of Law and Human Rights in 2022, lead to recommendations for legal amendments.
4. Established cooperation with IPKEY South East Asia conducting Seminar on PVP and UPOV 1991 act in 2023
5. The amendment to Law No. 29 of 2000 has been proposed by Commission IV of the House of Representatives to be included as a medium-term priority for the 2025-2029 period.

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## Recent Developments in PVP

### UPOV review on PVP law no 29/2000

Subject	Suggestion
Definition : variety, breeder, PVP Rights	Needs to be aligned with the definition in the 1991 UPOV Convention.
Further/different requirements for the protection of PVT rights, exercise PVP rights in Indonesia, the determination of deadlines to grant/reject application, repetition for <u>other</u> article	Consider to be deleted
Royalty, DUS test period, <u>confidentiality</u> , breeders exemption	Need adjustment sentences/texts in line with the UPOV 1991 Convention
Article about local varieties	To be separated from PVP law
Article on the application procedure, detailed provisions for substantive examination, and compulsory licensing.	To be included in the implementing regulations

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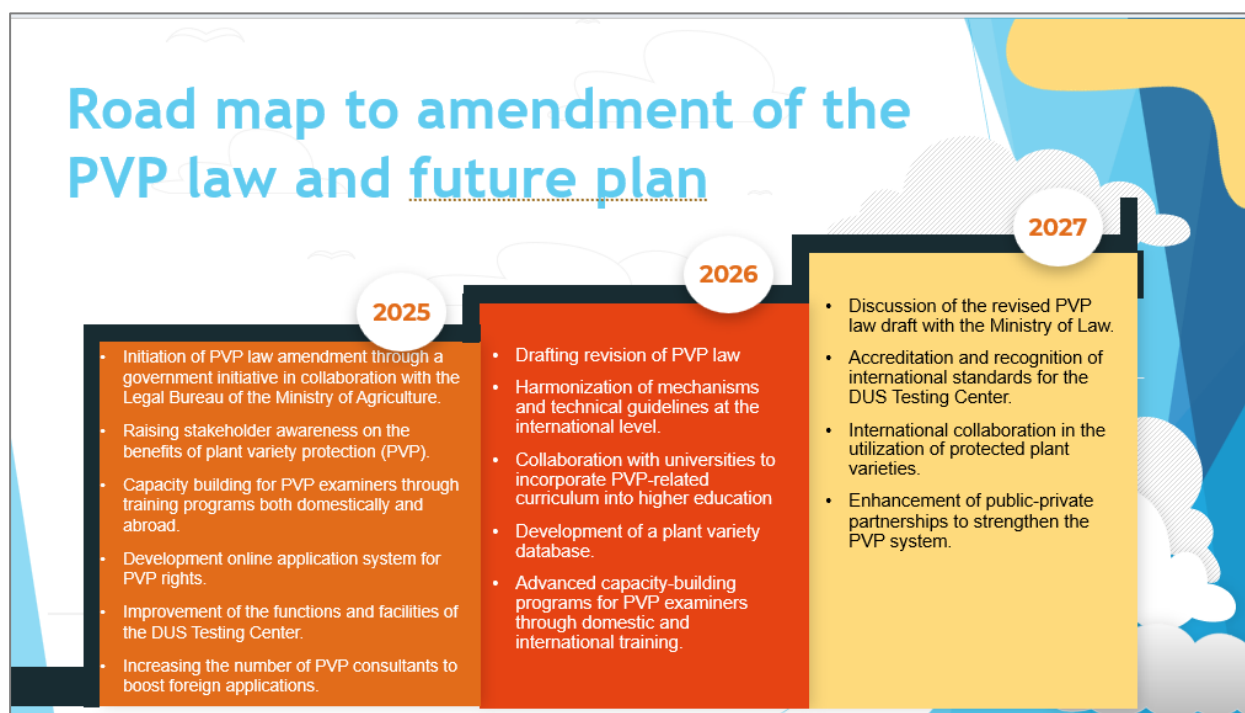
## Recent Developments in PVP

### Challenges and Solutions

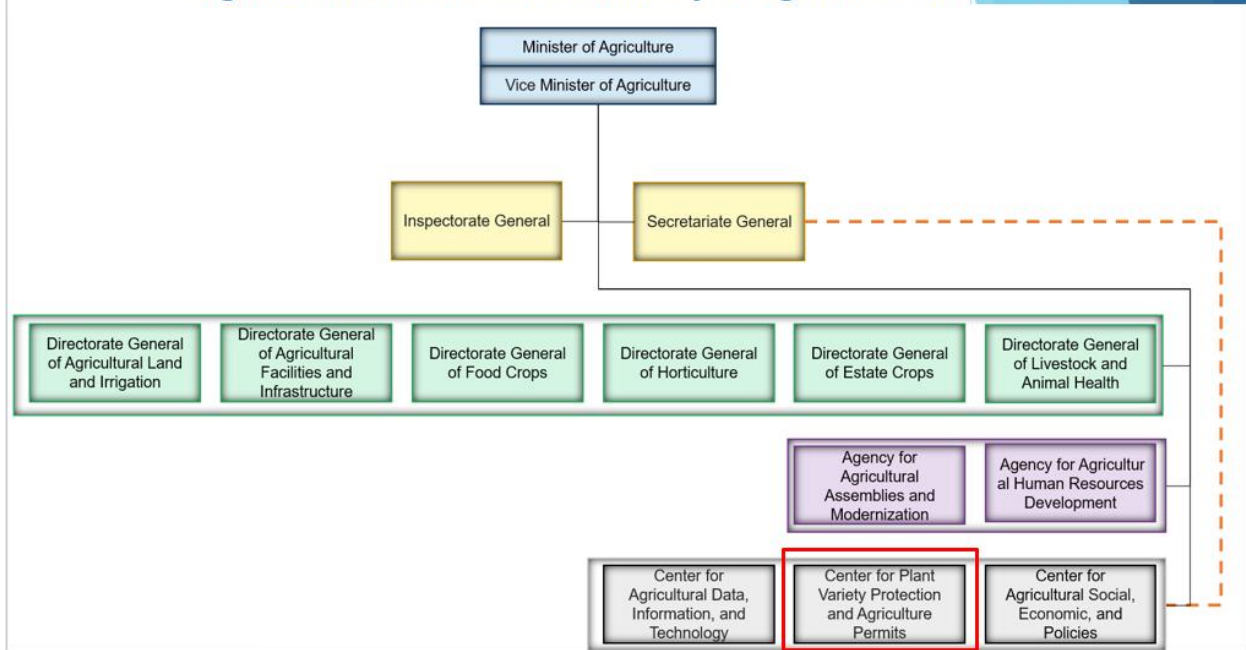
Challenges	Solution
Low level coordination with other cross-sector entity (Ministry of Law, Ministry of Foreign Affairs, Ministry of Forestry, Ministry of National Development Planning) on Intellectual Property Rights and Genetic Resources	Enhancing coordination and cooperation with other ministries for implementation of PVP, management of genetic resources, and the development of breeding varieties.
Lack of awareness of plant breeders on the importance of plant variety protection (PVP) rights	Massive dissemination information related on benefits of PVP, and law enforcement of PVP rights infringements via social media and other communication channels.
The registration process is perceived as complicated and time-consuming by applicants	Development of an online application for PVP rights submission (APPLY PVT)
Lack of well-documented data on superior national varieties	Development of plant variety database

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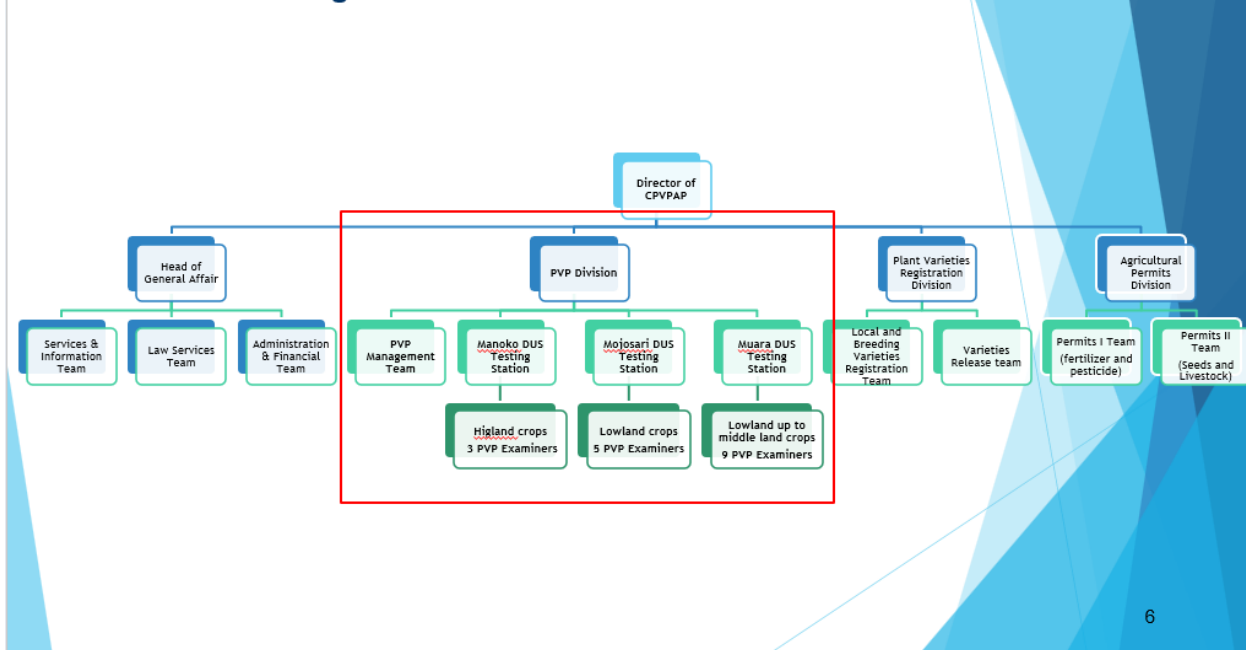
## Road map to amendment of the PVP law and future plan



## Organizational Structure of Ministry of Agriculture Indonesia




## Organizational Structure of Center for PVPAP





**DUS TESTING FACILITY**

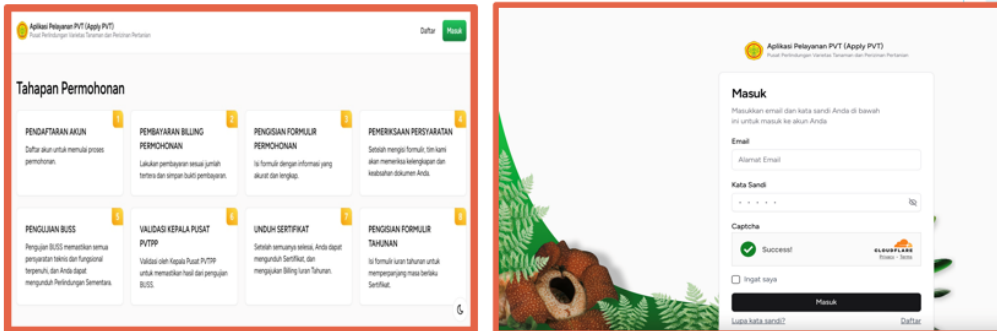


<b>KPS PVT I MANOKO</b> Established 2014 Lembang - Jawa Barat	<b>KPS PVT II MOJOSARI</b> Established 2018 Mojosari - Jawa Timur	<b>KPS PVT III MUARA</b> Established 2023 Bogor - Jawa Barat
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**APPLICATION ONLINE**  
**Per January 1<sup>st</sup> 2025**

**APPLY PVT**  
<https://applypvt.pertanian.go.id/>



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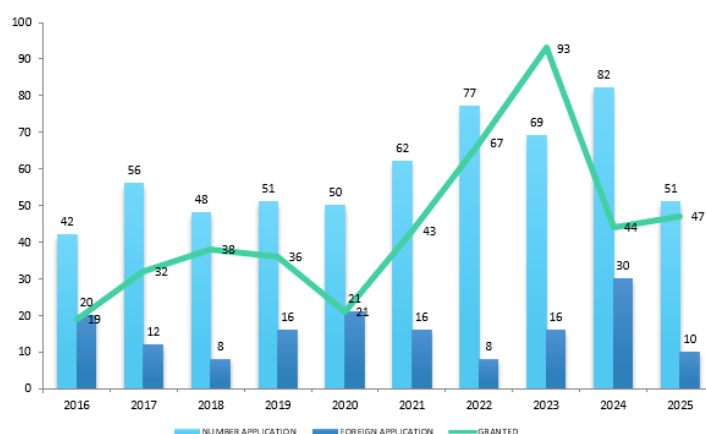
## PVP Consultants

To facilitate the submission of Plant Variety Protection (PVP) applications, particularly from foreign applicants while also accommodating domestic applicants, and to improve accessibility for those unfamiliar with the legal and technical requirements involved

Existing : 25 PVP consultant  
will be inaugurated in 2025 : 24 PVP consultant



**Statistic of Indonesia PVP application and granted  
(for the last 10 years)**

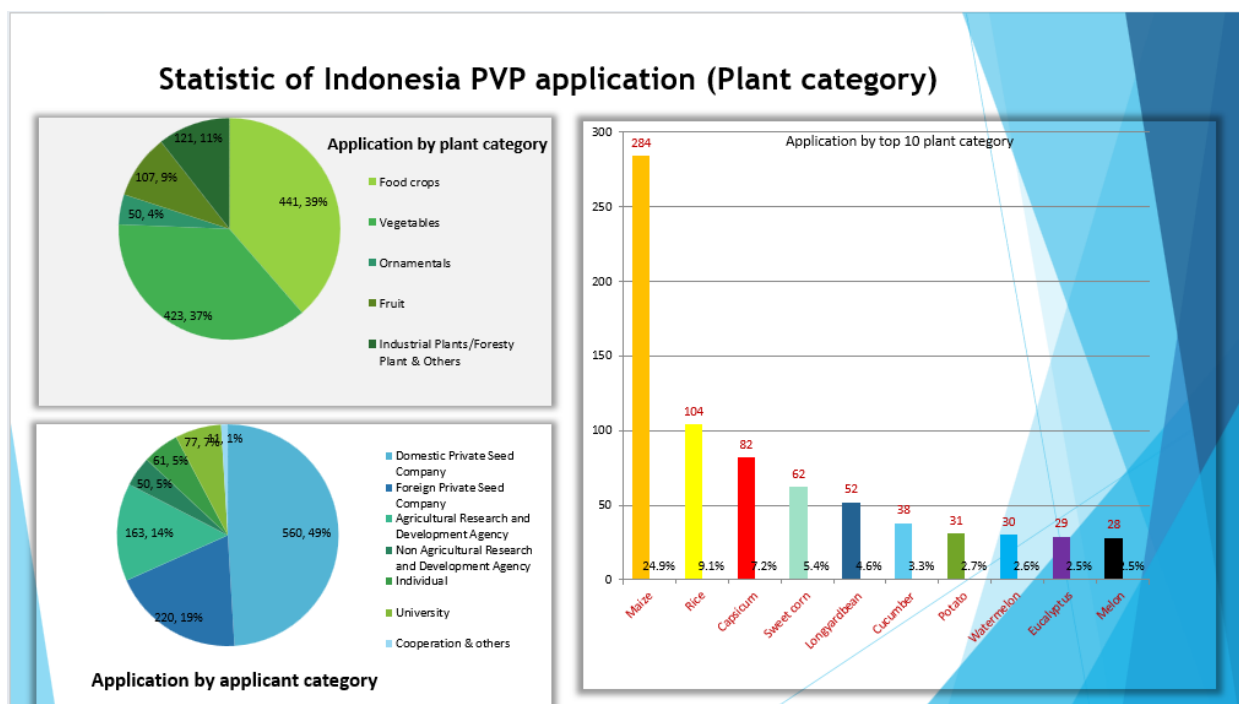


Number of application since 2004 : 1.156 application

Number of application since 2016 : 588 application

Number of foreign application since 2016 : 157 application (26,7% of total since 2016)





## JAPAN

### Contents

#### 1) PVP system in Japan:

the organizational structure and the status of new plant varieties

#### 2) Activities to support the member countries to establish effective PVP system

#### 3) Challenges

## Contents

### 1) PVP system in Japan:

the organizational structure and the status of new plant varieties

## Organization for Plant Variety Protection



### MAFF PVP Office (Examination Team)

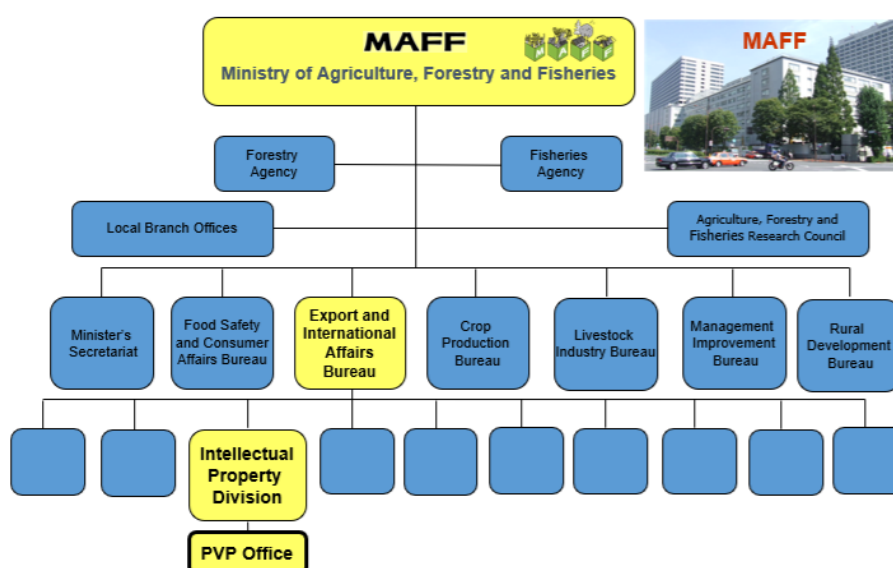
- Filling and granting rights
- Examination (On-site inspection)
- Development National Test Guidelines
- International harmonization on technical matters
- Policy
- International Affair

### Center for Seeds and Seedlings, NARO (NCSS)

- DUS Growing Test and On-site inspection
- PVP advisories
- Seed Inspection
- Production of Foundation Seeds and Seedlings
- Genetic Resources (Sub bank)

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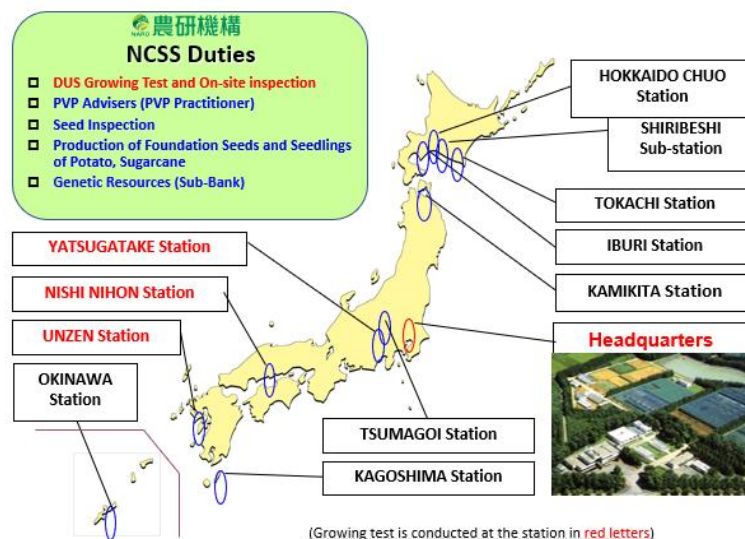
## Organization Structure - MAFF



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## Center for Seeds and Seedlings, NARO (NCSS)

Headquarters in Tsukuba and 11 Domestic Stations

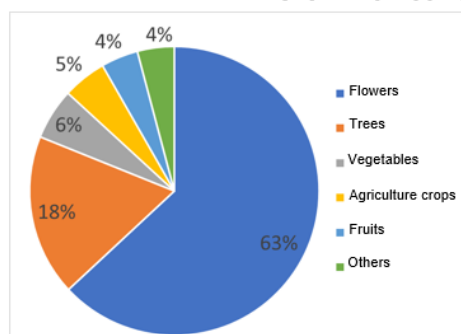


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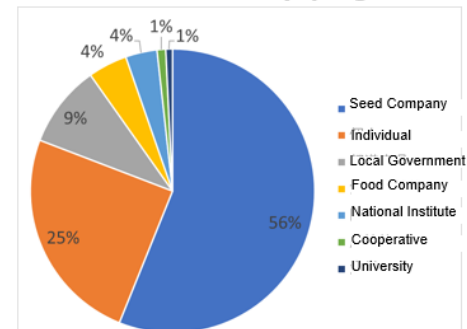
## Protected varieties (by crop type, right holder type)

- Total protected varieties **7,130** (as of the end of March 2023)

Protected varieties (by crop type)



Protected varieties (by right holder type)



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