

**Council for Trade-Related Aspects  
of Intellectual Property Rights**

Original: English

TECHNICAL COOPERATION ACTIVITIES: INFORMATION FROM  
OTHER INTERGOVERNMENTAL ORGANIZATIONS

Addendum

International Union for the Protection of New Varieties of Plants (UPOV)

The present document reproduces the updated information on technical and financial cooperation activities relevant to the implementation of the TRIPS Agreement, which has been received from the UPOV by means of a communication dated 8 September 1997.

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I refer to your letter dated 16 July 1997 concerning the meeting of the Council for TRIPS which is to be held on 19 September 1997 and your request for updated information concerning programmes of technical and financial cooperation of UPOV in the field of intellectual property. I have pleasure in enclosing herewith the updated statement.

UPOV operates on the basis of a biennial programme and budget. Since 1997 is the second year of the current biennium, the activities which are described in the attachment are necessarily very similar to those of 1996. We do anticipate some further development of UPOV's technical assistance activities in the programme for 1998/99.

Technical and Financial Cooperation Programme with Developing Countries of the International Union for the Protection of New Varieties of Plants ("UPOV")

1. UPOV is not a specialized agency of the United Nations. Consequently, its constitution does not embody a specific obligation to provide development assistance to developing countries, as such.

2. The objectives of the programme and budget of UPOV for the current 1996-97 biennium include the following:

"(i) to propagate the idea of plant variety protection, particularly in countries that do not yet afford such protection, and to advise them (if they so desire) on the introduction of such protection;

"(ii) to promote accession of States to the 1991 Act of the UPOV Convention or, until the 1991 Act enters into force, to the 1978 Act;

"(iii) to assist States in taking those measures, in particular legislative measures, which will enable them to accede to the 1978 or 1991 Act of the UPOV Convention;

"(iv) to identify sources of extra-budgetary funding for programmes of training and education and for new projects in the field of plant variety protection, and propose appropriate programmes;

...

"(vii) to explain, where appropriate in cooperation with national governments, with intergovernmental and with international non-governmental organizations, the need for and the modalities of the protection of plant breeders' rights; to publish information for that purpose; ..."

3. Pursuant to the above-mentioned objectives, UPOV has the following technical assistance activities, which are carried out for the benefit of developing countries as well as other countries, since the policy is that such assistance is provided without regard to the developmental status of the countries which are involved:

(i) UPOV provides advice to States on plant variety protection laws, comments on draft texts and when requested to do so, prepares drafts of national laws and regulations. During recent years, it has provided assistance or advice on these matters to numerous developing countries.

(ii) the Office of UPOV has published model laws for the protection of new plant varieties which conform either with the requirements of the 1978 or the 1991 Act of the UPOV Convention. These model laws are available free of charge to developing countries.

(iii) UPOV publications are made available free of charge to the governments of developing countries. Current UPOV publications are listed in the Annex to this note.

(iv) Subject to the limitations of its budgetary resources, the UPOV Office is prepared to cooperate in the organization of national seminars and symposia on the subject of plant variety protection and, on request, to provide speakers for other meetings. Over

recent times, UPOV has participated in the organization of many such national meetings in developing countries.

- (v) Where extra-budgetary resources have been made available, UPOV has organized, and is ready to organize in the future, international seminars for developing countries on subjects related to plant variety protection.
- (vi) Member States of UPOV have expressed their willingness to cooperate with UPOV in the organization of on-job training for individuals or courses for groups, subject to funding made available for the travel and subsistence expenses of trainees. An example is a two-week course for persons appointed with responsibility for plant variety protection administration, which is to be held in Cambridge in the United Kingdom in June 1998, and a one-day Workshop on the exercise of plant variety protection rights for persons from the Asia Pacific region, which is to be held in Brisbane, Australia, on 22 September 1997.
- (vii) UPOV is prepared, in principle, subject to the availability of adequate funding, to participate in or to execute segments of seed industry or intellectual property development projects which call for the establishment of national plant variety protection systems. A number of such projects have been proposed.

4. UPOV has no independent activity involving the provision of direct financial support for the establishment or reinforcement of domestic offices and agencies relevant to plant variety protection.

ANNEX

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**LIST OF UPOV PUBLICATIONS\***  
(as of July 1996)

The following UPOV publications are available on request:

Abbreviations: A = Arabic, C = Chinese, D = Dutch, E = English, F = French, G = German,  
I = Italian, J = Japanese, P = Portuguese, R = Russian, S = Spanish

- |     |  |   |
|-----|--|---|
| 221 | (A)<br>(C)<br>(D)<br>(E)<br>(F)<br>(G)<br>(I)<br>(P)<br>(R)<br>(S) | International Convention for the Protection of New Varieties of Plants,<br>text of 1991 only            |
| 293 | (D)<br>(F)<br>(G)<br>(I)<br>(R)                                    | International Convention for the Protection of New Varieties of Plants,<br>texts of 1961, 1972 and 1978 |
| 273 | (S)  | International Convention for the Protection of New Varieties of Plants,<br>texts of 1961 and 1972 only  |
| 295 | (A)<br>(C)<br>(E)<br>(J)<br>(P)<br>(S)<br>(FEG)                    | International Convention for the Protection of New Varieties of Plants,<br>text of 1978 only            |

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\* Unless otherwise indicated, copies are available on request at the price of 10 Swiss francs each, including surface mail, from the Office of UPOV, 34, chemin des Colombettes, POB 18, CH-1211 Geneva 20, Switzerland.

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- |               |     |   |
|---------------|-----|---|
| INF/7         | (E) | Rules of Procedure of the Council, as of October 15, 1982   |
|               | (F) |   |
| INF/7 Corr.   | (G) |   |
|               | (S) |   |
| INF/8         | (E) | Agreement between the World Intellectual Property Organization and the International Union for the Protection of New Varieties of Plants, signed on November 26, 1982                                     |
|               | (F) |   |
| INF/8 Corr.   | (G) |   |
|               | (S) |   |
| INF/9         | (E) | Agreement between the International Union for the Protection of New Varieties of Plants and the Swiss Federal Council to determine the legal status in Switzerland of that Union (Headquarters Agreement) |
|               | (F) |   |
|               | (G) |   |
|               | (S) |   |
| INF/11        | (E) | The Protection of Plant Varieties and the Debate on Varieties of Plants, Biotechnological Inventions  |
|               | (F) |   |
|               | (G) |   |
|               | (S) |   |
| INF/12 Rev.   | (E) | UPOV Recommendations on Variety Denominations   |
|               | (F) |   |
| INF/12 Rev. 2 | (G) |   |
| INF/12 Rev.   | (S) |   |
| 316           | (F) | Actes des Conférences Internationales pour la Protection des Obtentions Végétales 1957-1961, 1972 (Records of Conferences of 1957-1961, 1972)<br>Price: 60 Swiss francs per copy                          |
| 337           | (E) | Records of the Geneva Diplomatic Conference of 1978   |
|               | (F) | Price: 90 Swiss francs per copy   |
|               | (G) |   |
| 346           | (E) | Records of the Geneva Diplomatic Conference of 1991   |
|               | (F) | Price: 60 Swiss francs per copy   |
|               | (G) |   |
| 336           | (E) | The Use of Genetic Resources in the Plant Kingdom   |
|               | (F) | Records of a Symposium held at Geneva in October 1980   |
|               | (G) | (free)  |
|               | (S) |   |

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- 339 (E) Plant Breeding Activities of Government Institutes, International  
(F) Centers and the Private Sector  
(G) Records of a Symposium held at Geneva in November 1981  
(S) (free)
- 340 (E) Genetic Engineering and Plant Breeding  
(F) Records of a Symposium held at Geneva in October 1982  
(G) (free)  
(S)
- 341 (E) Nomenclature  
(F) Records of a Symposium held at Geneva in October 1983  
(G) (free)  
(S)
- 342 (E) Industrial Patents and Plant Breeders' Rights - Their Proper Fields  
(F) and Possibilities for Their Demarcation  
(G) Records of a Symposium held at Geneva in October 1984  
(S) (free)
- 408 (E) General Information Brochure  
(F) (free)  
(G)  
(S)
- 437 (A) UPOV, What it is, What it Does (Information leaflet)  
(C) (free)  
(E)  
(F)  
(G)  
(R)  
(S)
- 438 (E) Plant Variety Protection (Gazette and Newsletter of the International  
Union for the Protection of New Varieties of Plants)  
(free)

## UPOV Publication No. 644(E), Section 28 - page 4

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Collection of the Texts of the UPOV Convention and other Important Documents Established by UPOV, in specially designed loose-leaf binders

- 644 (E) Part I (1 Volume per language) Texts and Documents  
 (F) Except Test Guidelines  
 (G) Price: 50 Swiss francs per language for first copy, including loose-leaf  
 (S) binder, plus subscription of 20 Swiss francs per year and per language  
 for updated texts and documents
- 645 (EFG) Part II (6 Volumes) Test Guidelines  
 Price: 150 Swiss francs for first copies of the 6 Volumes including  
 loose-leaf binders, plus subscription of 30 Swiss francs per year for  
 updated Test Guidelines
- Subscription for Part II plus one language of Part I together, 40 Swiss  
 Francs per year
- Selected Test Guidelines are also available in Spanish.
- 651 (E) Collection of Plant Variety Protection Laws and Treaties Established by  
 UPOV, in two specially designed loose-leaf binders  
 Price: 100 Swiss francs for first copy including loose-leaf binders, plus  
 subscription of 30 Swiss francs per year for updated texts
- 697 (E) Records of the Seminar on the Nature of and Rationale for the  
 Protection of Plant Varieties Under the UPOV Convention, held in  
 Budapest in September 1990  
 Price: 20 Swiss francs per copy
- 717 (E) Records of the Seminar on the Nature of and Rationale for the  
 Protection of Plant Varieties Under the UPOV Convention, held in  
 Tsukuba (Japan) in November 1991  
 Price: 20 Swiss francs per copy
- 722 (E) Records of the Regional Seminar on the Nature of and Rationale for the  
 Protection of Plant Varieties Under the UPOV Convention, held in  
 Suweon (Republic of Korea) in November 1992  
 Price: 20 Swiss francs per copy
- 727 (E) Records of the Seminar on the Nature of and Rationale for the  
 (S) Protection of Plant Varieties Under the UPOV Convention, held in  
 Buenos Aires in November 1991  
 Price: 20 Swiss francs per copy

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- 730 (C) Records of the Seminar on the Nature of and Rationale for the  
(E) Protection of Plant Varieties Under the UPOV Convention, held in  
Beijing in September 1993  
Price: 20 Swiss francs per copy
- 733 (F) Compte rendu d'un séminaire sur la nature et la raison d'être de la  
protection des obtentions végétales en vertu de la Convention UPOV,  
tenu à Rabat en juin 1993 (Records of the Seminar on the Nature of and  
Rationale for the Protection of Plant Varieties under the UPOV  
Convention, held in Rabat in June 1993)  
Price: 20 Swiss francs per copy
- 737 (E) Records of the Seminar on the Nature of and Rationale for the  
Protection of Plant Varieties Under the UPOV Convention, held in  
Nairobi in May 1993  
Price: 20 Swiss francs per copy
- 742 (E) Records of the Seminar on the Nature of and Rationale for the  
Protection of Plant Varieties Under the UPOV Convention, held in  
Islamabad in November 1994  
Price: 20 Swiss francs per copy
- 743 (E) Records of the Seminar on the Nature of and Rationale for the  
Protection of Plant Varieties Under the UPOV Convention, held in  
Kuala Lumpur in December 1994  
Price: 20 Swiss francs per copy
- 745 (E) Records of the Seminar on the Nature of and Rationale for the  
Protection of Plant Varieties Under the UPOV Convention, held in  
Manila in December 1994  
Price: 20 Swiss francs per copy
- 748 (E) Records of the Regional Seminar on Variety Testing for Tropical and  
Subtropical Crops Under the UPOV Convention, held in Medan in  
December 1995  
Price: 20 Swiss francs per copy
- 842 (E) Model Law on the Protection of New Varieties of Plants  
(F) Price: 20 Swiss francs per copy  
(S)
- 879 (E) The First Twenty-Five Years of the International Convention for the  
(F) Protection of New Varieties of Plants  
(G) Price: 50 Swiss francs per copy



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 Publicación UPOV N° 644(S)  
 Section 28, page 6 / texte 28, page 6 / Sektion 28, Seite 6 / Sección 28, página 6

Test Guidelines or Draft Test Guidelines for the Conduct of Tests for Distinctness, Uniformity and Stability  
 (the documents in this series are trilingual (English, French and German = Tril.)  
 and/or in separate versions in English (E), French (F), German (G) or Spanish (S))  
 (as of October 18, 1996)

Principes directeurs pour la conduite de l'examen des caractères  
 distinctifs, de l'homogénéité et de la stabilité ou leurs projets  
 (les documents de cette série sont trilingues (anglais, français et allemand = Tril.)  
 et/ou en versions séparées en anglais (E), français (F), espagnol (S) ou allemand (G))  
 (état au 18 octobre 1996)

Richtlinien und Entwürfe für Richtlinien für die Durchführung der Prüfung auf  
 Unterscheidbarkeit, Homogenität und Beständigkeit  
 (Die Dokumente dieser Serie sind dreisprachig (englisch, französisch und deutsch = Tril.) und/oder in getrennten Fassungen  
 in englischer (E), französischer (F), deutscher (G) oder spanischer (S) Sprache abgefaßt)  
 (Stand vom 18. Oktober 1996)

Directrices o directrices provisionales para la ejecución del examen  
 de la distinción, la homogeneidad y la estabilidad  
 (los documentos de esta serie existen en versión trilingüe (inglés, francés y alemán = Tril.)  
 y/o en versiones separadas en inglés (E), francés (F), alemán (G) o español (S))  
 (al 18 de octubre de 1996)

Numerical Order of Test Guidelines<sup>#</sup>/  
 Principes directeurs dans l'ordre numérique<sup>#</sup>/  
 Numerische Anordnung der Prüfungsrichtlinien<sup>#</sup>/  
 Directrices de examen por orden numérico<sup>#</sup>

Doc. No. No du doc. Dok.-Nr. N° del doc.	Year/Language Année/Langue Jahr/Sprache Año/Idioma	English	Français	Deutsch	Español	Latin
TG/01/2	1979 E, F, G, S	General Introduction	Introduction générale	Allgemeine Ein- führung	Introducción general	
TG/02/6	1994 Tril.	Maize	Maïs	Mais	Maíz	Zea mays L.
TG/03/11 +Add	1994 1996 Tril. + S	Wheat	Blé	Weizen	Trigo	Triticum aestivum L.
TG/04/7	1990 Tril. + S	Ryegrass	Ray-grass	Weidelgras	Ray-grass	Lolium multiflorum Lam., L. perenne L. & hybrids/ hybrides/ Hybriden/ híbridos
TG/05/4	1985 Tril.	Red Clover	Trèfle violet	Rotklee	Trébol rojo	Trifolium pratense L.
TG/06/4	1988 Tril.	Lucerne	Luzerne	Luzerne	Alfalfa	Medicago sativa L., Medicago X varia Martyn
TG/07/9	1994 Tril.	Peas	Pois	Erbsen	Guisante, Arveja	Pisum sativum L. sensu lato
TG/08/4 + Corr.	1984 1985 Tril.	Broad Bean, Field Bean	Fève, Féverole	Dicke Bohne, Ackerbohne	Haba, Haboncillo	Vicia faba L.
TG/09/4	1988 Tril.	Runner Bean	Haricot d'Espagne	Prunkbohne	Judía escafiata	Phaseolus coccineus L.
TG/10/7	1988 Tril.	Euphorbia Fulgens	Euphorbia fulgens	Korallenranke	Euforbia	Euphorbia fulgens Karw. ex Klotzsch
TG/11/7	1990 Tril.	Rose	Rosier	Rose	Rosal	Rosa L.
TG/12/8 + Corr.	1994 1995 Tril.	French Bean	Haricot	Bohne	Judía común, Frijol, Poroto	Phaseolus vulgaris L.

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Publicación UPOV N° 644(S)  
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Doc. No. No du doc. Dok.-Nr. N° del doc.	Year/Language Année/Langue Jahr/Sprache Año/Idioma	English	Français	Deutsch	Español	Latin
TG/13/7	1993 Tril.	Lettuce	Laitue	Salat	Lechuga	Lactuca sativa L.
TG/14/5	1986 Tril.	Apple (only for ornamental and rootstock varieties)	Pommier (seulement pour variétés ornementales et porte-greffes)	Apfel (nur für Zier- sorten und Unterla- gen)	Manzano (únicamente para variedades ornamentales y portainjertos)	Malus Mill.
TG/14/8	1995 Tril.	Apple (fruit varieties)	Pommier (variétés fruitières)	Apfel (Fruchtsorten)	Manzano (variedades frutales)	Malus Mill.
TG/15/1 + Corr.	1974 1977 Tril.	Pear	Poirier	Birne	Peral	Pyrus communis L.
TG/16/4	1985 Tril.	Rice	Riz	Reis	Arroz	Oryza sativa L.
TG/17/5 + Corr.	1994 1996 Tril.	African Violet	Saintpaulia	Usambarveilchen	Saintpaulia	Saintpaulia ionantha H. Wendl.
TG/18/4	1986 Tril.	Elatior Begonia	Bégonia elatior	Elatior-Begonie	Begonia elatior	Begonia- Elatiorhybrids/ hybrides/ Hybriden/ híbridos, Syn.: Begonia X hiemalis Fotsch
TG/19/10 +Add.	1994 1996 Tril.	Barley	Orge	Gerste	Cebada	Hordeum vulgare L. sensu lato
TG/20/10	1994 Tril.	Oats	Avoine	Hafer	Avena	Avena sativa L. & Avena nuda L.
TG/21/7	1981 Tril.	Poplar	Peuplier	Pappel	Alamo	Populus L.
TG/22/9	1995 Tril.	Strawberry	Fraisier	Erdbeere	Fresa, Frutilla	Fragaria L.
TG/23/5	1986 Tril. + S	Potato	Pomme de terre	Kartoffel	Patata, Papa	Solanum tuberosum L.
TG/24/5	1981 Tril.	Poinsettia	Poinsettia	Poinsettie	Flor de Pascua	Euphorbia pulcherrima Willd. ex Klotzsch
TG/25/8	1990 Tril.	Carnation (vegetatively propa- gated varieties)	Ocillet (variétés à multipli- cation végétative)	Nelke (vegetativ vermehrte Sorten)	Clavel (variedades de mul- tiplicación vegeta- tiva)	Dianthus L.
TG/26/4	1979 Tril.	Chrysanthemum (Perennial)	Chrysanthème (vivace)	Chrysantheme (mehnjährig)	Crisantemo (perenne)	Chrysanthemum spec.
TG/27/6	1984 Tril.	Freesia (vegetatively propa- gated varieties)	Freesia (variétés à multi- plication végétative)	Freesie (vegetativ vermehrte Sorten)	Fresia (variedades de mul- tiplicación vegeta- tiva)	Freesia Eckl. ex Klatt
TG/28/8	1987 Tril.	Zonal Pelargonium, Ivy-leaved Pelar- gonium	Pélarгонium zonale, Géranium-lierre	Zonalpelargonie, Efeupelargonie	Geranio	Pelargonium zonale hort. non (L.) L. Hérit. ex Ait., P. peltatum hort. non (L.) L. Hérit. ex Ait.
TG/29/6	1987 Tril.	Alstroemeria	Alstroemère	Inkalilie	Alstroemeria	Alstroemeria L.
TG/30/6	1990 Tril.	Bent	Agrostide	Straußgras	Agrostis	Agrostis spp.