



**TECHNICAL COOPERATION ACTIVITIES: INFORMATION FROM  
OTHER INTERGOVERNMENTAL ORGANIZATIONS**

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS (UPOV)

*Addendum*

At its meeting of 6 June 2019, the Council for TRIPS agreed to invite intergovernmental organization observers to the Council to update the information on their technical and financial cooperation programmes relating to the implementation of the TRIPS Agreement.

The present document reproduces the information which has been received from the International Union for The Protection of New Varieties of Plants (UPOV) by means of a communication dated 5 February 2020.

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1. UPOV's mission is to provide and promote an effective system of plant variety protection, with the aim of encouraging the development of new varieties of plants, for the benefit of society.
  2. Information on membership of UPOV can be found at: <http://www.upov.int/members/en>.
  3. The main objectives of UPOV are, in accordance with the UPOV Convention, to:
    - a. provide and develop the legal, administrative and technical basis for international cooperation in plant variety protection;
    - b. assist States and organizations in the development of legislation and the implementation of an effective plant variety protection system; and
    - c. enhance public awareness and understanding of the UPOV system of plant variety protection.
  4. Information on the technical and financial cooperation programmes of UPOV in relation to UPOV's objectives is provided as follows:

Assistance to States and Organizations in the development of legislation and the implementation of an effective plant variety protection system

Annex I to this report provides information on UPOV's activities in relation to the development of legislation and the implementation of an effective plant variety protection system for the period October 2018 – September 2019.

International Cooperation

Annex II to this report provides information on international cooperation facilitated by UPOV.

Annex III contains a list of acronyms and abbreviations used in this report.

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## ANNEX I<sup>1</sup>

### UPOV'S ACTIVITIES IN RELATION TO THE DEVELOPMENT OF LEGISLATION AND THE IMPLEMENTATION OF AN EFFECTIVE PLANT VARIETY PROTECTION SYSTEM FOR THE PERIOD OCTOBER 2018 - SEPTEMBER 2019

- Objectives:**
- To raise awareness of the role of plant variety protection according to the UPOV Convention.
  - To assist States and organizations, particularly governments of developing countries and countries in transition to a market economy, in the development of legislation in accordance with the 1991 Act of the UPOV Convention.
  - To assist States and organizations in their accession to the 1991 Act of the UPOV Convention.
  - To assist States and organizations in implementing an effective plant variety protection system in accordance with the UPOV Convention.

#### 1 ADVICE AND ASSISTANCE IN THE DEVELOPMENT OF LEGISLATION

1. UPOV provided assistance on plant variety protection legislation to the following UPOV members: Bosnia and Herzegovina; Colombia; Georgia; Japan; Mexico; New Zealand; Trinidad and Tobago; Uzbekistan and Viet Nam.

2. UPOV provided advice and assistance on the development of plant variety protection legislation according to the 1991 Act of the UPOV Convention and/or on the procedure to accede to the UPOV Convention to: ARIPO; Afghanistan; Algeria; Brunei Darussalam; Cambodia; Egypt; Ghana; Guatemala; Iraq; Iran; Jamaica; Kazakhstan; Lao People's Democratic Republic; Liechtenstein; Malaysia; Mongolia; Myanmar; Nigeria; Saint Vincent and the Grenadines; United Arab Emirates; Zambia and Zimbabwe.

#### 2 UPOV AWARENESS-RAISING ACTIVITIES, OR ACTIVITIES INVOLVING UPOV STAFF OR UPOV TRAINERS ON BEHALF OF UPOV STAFF

##### 2.1 Activities organized by, or with, UPOV:

- Workshop on "Strengthening the knowledge of effective implementation of the Plant Breeders' Rights system in the Sultanate of Oman", Muscat, Oman (October 2018)
- Master of Laws (LL.M.) in Intellectual Property (WIPO/University of Turin/ITC-ILO), Geneva, Switzerland (October 2018)
- Contribution with ARIPO via videoconferencing to presentations on plant variety protection at Master's Degree in Intellectual Property Programme at Africa University, Mutare, Zimbabwe (October 2018)
- AFSTA Plant Variety Protection Workshop, Nairobi, Kenya (October 2018)
- WIPO Forum on Strengthening IP Management in African Universities, Nairobi, Kenya (October 2018)
- Workshop on UPOV PRISMA, Nairobi, Kenya (October 2018)
- National Stakeholder Consultation on South Africa's approval of the 1991 Act of the UPOV Convention, Pretoria, South Africa (October 2018)
- Workshop on UPOV PRISMA, Pretoria, South Africa (October 2018)

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<sup>1</sup> In English only.

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- IP Key SEA Study Visit on Plant Variety Protection, Hanoi, Viet Nam (November 2018)
  - Meetings with Working Group responsible for drafting the Plant Variety and Seed Act, Ulaanbaatar, Mongolia (November 2018)
  - IP Key SEA Conference on the benefits of membership in the International Union for the Protection of New Varieties of Plants, Yogyakarta, Indonesia (November 2018)
  - WIPO/Tongji University Master's Degree in Intellectual Property with specialization in Design (MIP in Design), Shanghai, China, Shanghai, China (November 2018)
  - Master in Intellectual Property of the University of Alicante (Magister Lvcentinvs), Alicante, Spain (November 2018)
  - Open session of the ARIPO Administrative Council , Windhoek, Namibia (November 2018)
  - Seminar on Plant Variety Protection for ARIPO Member States, Windhoek, Namibia (November 2018)
  - Meeting on UPOV PRISMA PBR Application Tool with the Development Center of Science and Technology (DCST), Ministry of Agriculture and Rural Affairs of China, Beijing, China (December 2018)
  - Workshop on Awareness of Protection of Plant Variety under the UPOV Convention, Vientiane, Lao People's Democratic Republic (December 2018)
  - Advanced Masters on Intellectual Property Law and Knowledge Management, Maastricht, Netherlands (January 2019)
  - Meeting with OAPI and IP Master's Programme Ceremony, Yaoundé, Cameroon (January 2019)
  - Twentieth EIPIN Congress on Intellectual Property and Innovation, Alicante, Spain (January 2019)
  - Workshop on drafting legislation in accordance with the UPOV Convention, Geneva, Switzerland (January 2019)
  - Meeting with the Intellectual Property Office of Singapore, Singapore, Singapore (March 2019)
  - Seminar on Plant Variety Protection , Can Tho, Viet Nam (March 2019)
  - Workshops on Plant Variety Protection, Sarajevo and Banja Luka, Bosnia and Herzegovina (March 2019)
  - WIPO-WTO Advanced Course on Intellectual Property for Government Officials, Geneva, Switzerland (March 2019)
  - Workshop on the benefits of UPOV membership and the procedure to become a UPOV member, Nur-Sultan, Kazakhstan (March 2019)
  - Legal Consultation with government officials, Nur-Sultan, Kazakhstan (March 2019)
  - Advanced International Training Programme on "Intellectual Property and Genetic Resources - in Support of Innovation", Stockholm, Sweden (March 2019)
  - Lecture at Institut Polytechnique La Salle as part of the MSc in Plant Breeding Course, Beauvais, France (April 2019)

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- Advanced International Training Programme on "Intellectual Property and Genetic Resources - in Support of Innovation", Geneva, Switzerland (April 2019)
  - Seedconnect Conference and Expo 2019, Abuja, Nigeria (April 2019)
  - IP Key Seminar on EDV and FSS: China-EU Seminar on PVP, Beijing, China (April 2019)
  - Celebration Conference of China's 20th Anniversary of Accession to the International Convention on the Protection of New Plant Varieties, Beijing, China (April 2019)
  - International Seminar on PVP, Beijing, China (April 2019)
  - 12<sup>th</sup> meeting of the East Asia Plant Variety Protection Forum, Beijing, China (April 2019)
  - Meeting on PVP cooperation in the Asian region, Beijing, China (April 2019)
  - Programme Master II en propriété intellectuelle, Yaoundé, Cameroon (April 2019)
  - Meeting of Experts on Formulation and Implementation of National Intellectual Property Strategies: Updating and Improving the Methodology and Tools of the World Intellectual Property Organization, Geneva, Switzerland (May 2019)
  - WFO General Assembly meeting, Luxembourg, Luxembourg (May 2019)
  - Food Systems Dialogues (FSDs) event, Luxembourg, Luxembourg (May 2019)
  - Second meeting of the Ad Hoc Technical Expert Group (AHTEG) on Farmers' Rights of the ITPGRFA, Rome, Italy (May 2019)
  - ALTIUS 9th edition of the annual agri-food law seminar, Brussels, Belgium (June 2019)
  - Study visit for a Chinese delegation to CPVO and UPOV, Geneva, Switzerland (June 2019)
  - International Course on Plant Variety Protection, Wageningen, Netherlands (June 2019)
  - JICA Training Course "Plant Variety Protection and Quality Control System of Seeds to Facilitate Distribution of High Quality Seeds", Tsukuba, Japan (June 2019)
  - WIPO-WTO Colloquium for Teachers of Intellectual Property, Geneva, Switzerland (June 2019)
  - Joint ISTA/OECD/UPOV Workshop on Molecular Techniques, Hyderabad, India (June 2019)
  - Kick-off meeting on "Innovation in Plant Variety Testing in Europe" (INVITE project), Angers, France (July 2019)
  - OAPI kick-off meeting on the reinforcement and promotion of the PVP system in OAPI and its member States, Brussels, Belgium (July 2019)
  - IP Delegation Network meeting at the Directorate-General for Trade of the European Commission, Brussels, Belgium (July 2019)
  - Study Visit for Senior Lebanese Officials at WIPO headquarters, Geneva, Switzerland (July 2019)
  - Meeting with the Plant Variety Rights Office, Intellectual Property Office of New Zealand, Wellington, New Zealand (July 2019)
  - WIPO-QUT Master of Laws (LL.M) in Intellectual Property, Brisbane, Australia (July 2019)

- Meeting on "Building capacity and raising awareness of the OAPI PVP System", Yaoundé, Cameroon (August 2019)
- JICA Training - Q&A session, Tsukuba, Japan (August 2019)
- Seminar on Plant Variety Protection, Da Nang, Viet Nam (September 2019)
- CORAF training course on plant variety protection, Abidjan, Côte d'Ivoire (September 2019)
- Meeting with the Ministry of Agriculture and Rural Development of Côte d'Ivoire, Abidjan, Côte d'Ivoire (September 2019)
- Legal consultation in the SNICS, Mexico city, Mexico (September 2019)
- Seminar on breeders' rights, Mexico city, Mexico (September 2019)
- OAPI training course on plant variety protection, Lomé, Togo (September 2019)
- IP Kea SEA "Study Visit on Plant Variety Protection and UPOV 1991", Angers, The Hague, Bleiswijk, De Lier, Brussels, France, Netherlands, Belgium (September 2019).

### **3 PARTICIPATION IN UPOV DISTANCE LEARNING COURSES DL-205 "INTRODUCTION TO THE UPOV SYSTEM OF PLANT VARIETY PROTECTION UNDER THE UPOV CONVENTION" AND DL-305 "EXAMINATION OF APPLICATIONS FOR PLANT BREEDERS' RIGHTS" (INCLUDING DL-305, DL-305A AND DL-305B)**

#### **3.1 Countries from which there were participants in the UPOV distance learning courses (Session II, 2018 and Session I, 2019)**

Afghanistan; Argentina; Australia; Barbados; Bolivia, Plurinational State of; Bosnia and Herzegovina; Brazil; Canada; Chile; China; Croatia; Czech Republic; Denmark; Dominican Republic; Ecuador; Egypt; France; Georgia; Germany; Ghana; Greece; Guatemala; Hungary; India; Indonesia; Iran; Ireland; Israel; Italy; Jamaica; Japan; Kazakhstan; Kenya; Lao People's Democratic Republic; Latvia; Lithuania; Madagascar; Malaysia; Mexico; Mongolia; Netherlands; New Zealand; Nigeria; Norway; Paraguay; Peru; Poland; Republic of Korea; Republic of Moldova; Russian Federation; Saudi Arabia, Kingdom of; Senegal; South Africa; Spain; Sweden; Switzerland; Turkey; Uganda; Ukraine; United Kingdom; Tanzania; United States of America; Uruguay; Zambia; ARIPO; European Union; FAO; OAPI (64 countries and 4 organizations).

#### **3.2 Total number of participants in UPOV distance learning courses (Session II, 2017 and Session I, 2018)**

Category	Number of participants			
	DL-205	DL-305	DL-305A	DL-305B
Government officials of members of the Union	460	140	89	77
Officials of observer States / intergovernmental organizations	67	8	5	4
Total:	527	148	94	81

### 3.3 Special sessions of the DL-205 course "Introduction to the UPOV System of Plant Variety Protection under the UPOV Convention" (September 2018 - September 2019)

Month/Year	Name of Course	Number of participants
November 2018	Master in Intellectual Property of the University of Alicante (Magister Lvcentinvs), Alicante, Spain (November 2018)	32
January 2019	Advanced Masters on Intellectual Property Law and Knowledge Management of the University of Maastricht	19
January 2019	Workshop on drafting legislation in accordance with the UPOV Convention	3
March 2019	WIPO Advanced Training Programme on Intellectual Property and Genetic Resources in Support of Innovation : PRV-Sida	3
April 2019	La Salle Beauvais University - IP Plant Breeding Master Programme	23
April 2019	OAPI Masters IP Training Course	27
June 2019	Naktuinbouw International Course on Plant Variety Protection Course (Netherlands)	23
June 2019	JICA Training Course "Internationally Harmonized Plant Variety Protection System"	6

**ANNEX II<sup>1</sup>**

## INTERNATIONAL COOPERATION FACILITATED BY UPOV

## 1. UPOV facilitates cooperation in the examination of plant varieties as follows:

- a. Document C/53/INF/5 "Cooperation in Examination" contains a synopsis of offers for cooperation in examination made by authorities, of cooperation already established between authorities and of any envisaged cooperation.

(see [https://www.upov.int/edocs/mdocs/upov/en/c\\_53/c\\_53\\_inf\\_5.pdf](https://www.upov.int/edocs/mdocs/upov/en/c_53/c_53_inf_5.pdf)).

- b. Document TC/55/INF/4 "List of Genera and Species for which Authorities have Practical Experience in the Examination of Distinctness, Uniformity and Stability" provides information on plant genera and species for which authorities have practical experience in the examination of Distinctness, Uniformity and Stability (DUS).

(see [https://www.upov.int/edocs/mdocs/upov/en/tc\\_55/tc\\_55\\_inf\\_4.pdf](https://www.upov.int/edocs/mdocs/upov/en/tc_55/tc_55_inf_4.pdf)).

- c. UPOV has developed "Guidelines for the Conduct of Tests for Distinctness, Uniformity and Stability," or "Test Guidelines", for many individual species or other variety groupings (see [https://www.upov.int/test\\_guidelines/en](https://www.upov.int/test_guidelines/en)). The purpose of these Test Guidelines is to provide practical guidance for the harmonized examination of DUS and, in particular, to identify appropriate characteristics for the examination of DUS and production of harmonized variety descriptions. In 2018, the adopted Test Guidelines covered 94% of all entries concerning plant variety protection in the PLUTO Plant Variety Database (299,064 of 319,547).

- d. The GENIE database provides a dynamic source of information on the cooperation explained above. (see <https://www.upov.int/genie/en>).

- e. The PLUTO Plant Variety Database provides information concerning plant breeders' rights.

(see <https://www.upov.int/pluto/en>).

UPOV PRISMA is an online, multi-lingual tool for making plant breeders' rights' applications in participating UPOV members. UPOV PRISMA currently has 35 participating UPOV members, covering 74 countries (see <http://www.upov.int/upovprisma/en/index.html>).

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<sup>1</sup> In English only.

**ANNEX III<sup>1</sup>****ACRONYMS AND ABBREVIATIONS**

<b>UPOV terms</b>	
DL-205	UPOV distance learning course "Introduction to the UPOV System of Plant Variety Protection under the UPOV Convention"
DL-305	UPOV distance learning course "Examination of Applications for Plant Breeders' Rights"
DL-305A	UPOV distance learning course "Administration of Plant Breeders' Rights" (part A of DL-305)
DL-305B	UPOV distance learning course "DUS Examination" (part B of DL-305)
DUS	Distinctness, Uniformity and Stability
PBR	Plant Breeder's Right
TC	Technical Committee
UPOV PRISMA	UPOV PRISMA PBR Application Tool

<b>Acronyms</b>	
AFSTA	African Seed Trade Association
ALTIUS	Belgian law firm
ARIPO	African Regional Intellectual Property Organization
CORAF (WECARD)	<i>Conseil Ouest et Centre Africain pour la Recherche et le Développement Agricoles</i> (West and Central African Council for Agricultural Research and Development)
CPVO	Community Plant Variety Office of the European Union
EUIPO	European Intellectual Property Office
FAO	Food and Agriculture Organization of the United Nations
IP Key	IP Key is co-financed by the European Union and the European Intellectual Property Office (EUIPO). It is implemented by EUIPO in cooperation with EPO
IP Key SEA	IP Key South-East Asia
ISTA	International Seed Testing Association
ITC-ILO	International Training Centre of the International Labour Organization
JICA	Japan International Cooperation Agency
Naktuinbouw	The Netherlands Inspection Service for Horticulture
OAPI	African Intellectual Property Organization
OECD	Organisation for Economic Co-Operation and Development
PRV of Sweden	Swedish Patent and Registration Office
QUT of Australia	Queensland University of Technology of Australia
Sida	Swedish International Development Cooperation Agency
WFO	World Farmers' Organization
WIPO	World Intellectual Property Organization
WTO	World Trade Organization

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