

WJO Webinar

UPOV

Manabu Suzuki, Technical/Regional Officer (Asia), UPOV

February 22, 2020 (Geneva, by virtual means)

Preview

1. UPOVとUPOV制度
 - UPOV
 - UPOV制度
2. UPOV制度の進展
 - 加盟、出願数の推移
 - UPOV制度の理解拡大
3. UPOVの新たな取組み
 - UPOV PRISMA
 - e-PVP Asia



The International **Convention** for the
Protection of New Varieties of Plants
established in 1961

The International **Union** for the Protection of
New Varieties of Plants

*Union internationale pour la
protection des **ob**tentions **v**égétales*

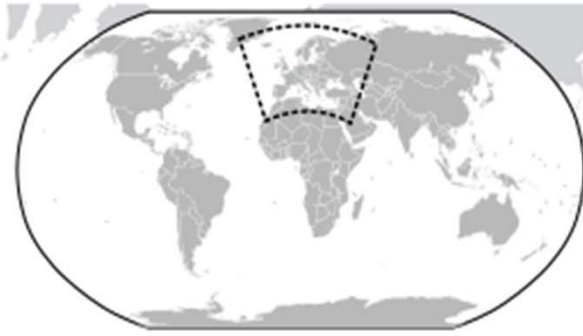
UPOV 条約

Adopted on December 2, 1961, by a Diplomatic Conference held in Paris

Came into force on August 10, 1968, having been ratified by the United Kingdom, the Netherlands and Germany.
(1961 Act)

Revised on November 10, 1972

on October 23, 1978 **(1978 Act)**
and on March 19, 1991 **(1991 Act)**

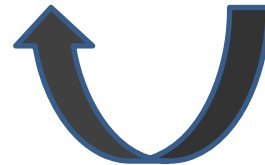


UPOV ⇔ WIPO (Agreement)



WIPO SHALL SATISFY THE
REQUIREMENTS OF UPOV

UPOV SHALL INDEMNIFY
WIPO
FOR ANY
SERVICE/EXPENDITURE

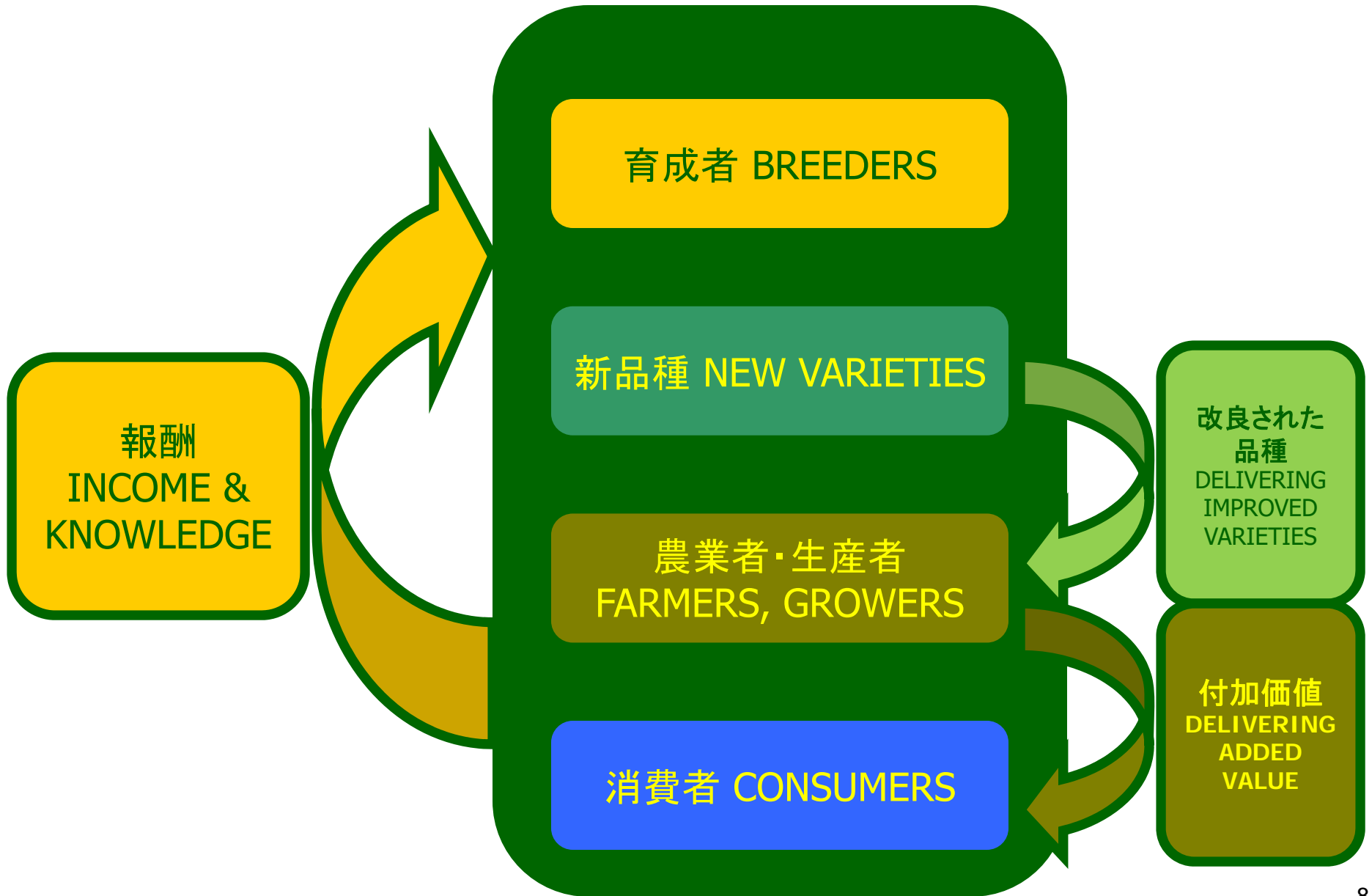




UPOV MISSION STATEMENT

“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”

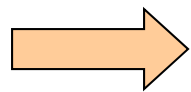
植物新品種保護の効果



UPOV

UPOV MISSION STATEMENT

“To provide and promote an effective system of plant variety protection (PVP), [...]”



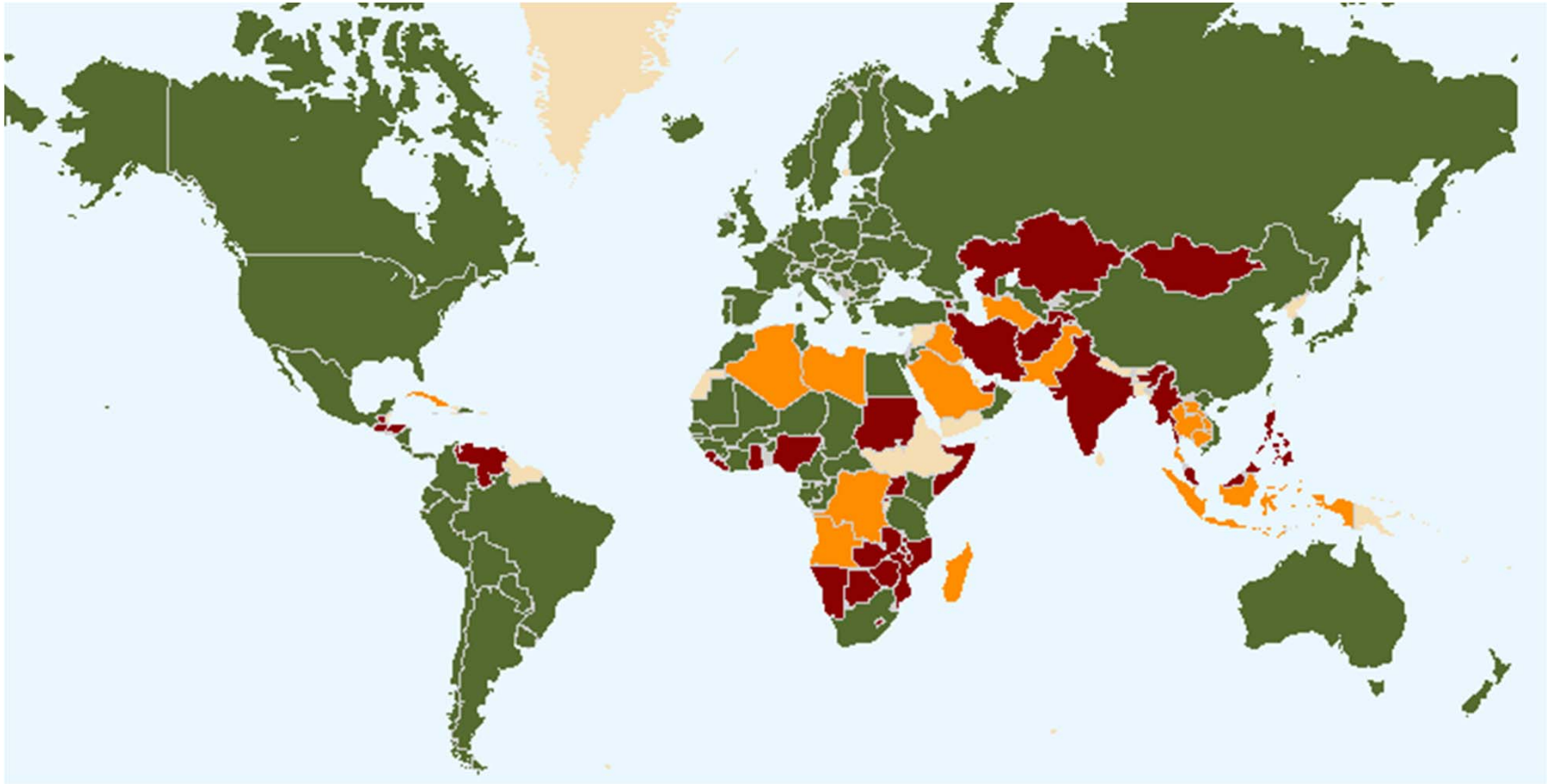
UPOV加盟の手順

State/Intergovernmental Organization must:




- 法令とUPOV条約との適合性
Have a law which conforms to the UPOV Convention
- UPOV理事会の判断を求める
Ask advice of the Council of UPOV
- 加入書を寄託
If advice positive: deposit instrument of accession

UPOV加盟国(緑色)

on December 3, 2020



The boundaries shown on this map do not imply the expression of any opinion whatsoever on the part of UPOV concerning the legal status of any country or territory

-  **Members of UPOV (76) (covering 95 States)**
-  **Initiating States (20) and Organization (1)**
-  **States (23) and Organization (1) in contact with the UPOV Office**

Preview

1. UPOVとUPOV制度

- UPOV
- UPOV制度

2. UPOV制度の進展

- 加盟、出願数の推移
- UPOV制度の理解拡大

3. UPOVの新たな取組み

- UPOV PRISMA
- e-PVP Asia

Who can be a breeder?

BREEDER

The person who bred, or discovered and developed, a variety

CONDITIONS FOR GRANTING A BREEDER'S RIGHT

育成者権の付与のための条件

- NOVELTY (新規性)
 - **D**ISTINCTNESS (区別性)
 - **U**NIFORMITY (均一性)
 - **S**TABILITY (安定性)
- 
- "DUS"**
- VARIETY DENOMINATION (品種名称)
 - FORMALITIES (法令に定める手続き)
 - PAYMENT OF FEES (料金支払い)

NO OTHER CONDITIONS!

育成者権の範囲(許諾を要する行為)

- 種苗
 - (i)生産又は再生産
 - (ii)増殖のための調整
 - (iii)販売の申出
 - (iv)販売その他の商業目的による譲渡
 - (v)輸出
 - (vi)輸入
 - (vii) (i)から(vi)までに掲げる行為を目的とする保管
- 収穫物(一定条件)
- 特定の加工品

育成者権の例外

EXCEPTIONS TO THE BREEDER'S RIGHT

義務的例外 Compulsory

Acts done:

- for experimental purposes
- breeding other varieties
(breeder's exemption")
- privately and for non-commercial purposes

任意的例外 Optional

Farm-saved seed

育成者権の例外

EXCEPTIONS TO THE BREEDER'S RIGHT

義務的例外 Compulsory

Acts done:

- for experimental purposes
- breeding other varieties (breeder's exemption")
- privately and for non-commercial purposes

任意的例外 Optional

Farm-saved seed

任意的例外

OPTIONAL EXCEPTION TO THE BREEDER'S RIGHT (Farm-saved seed)

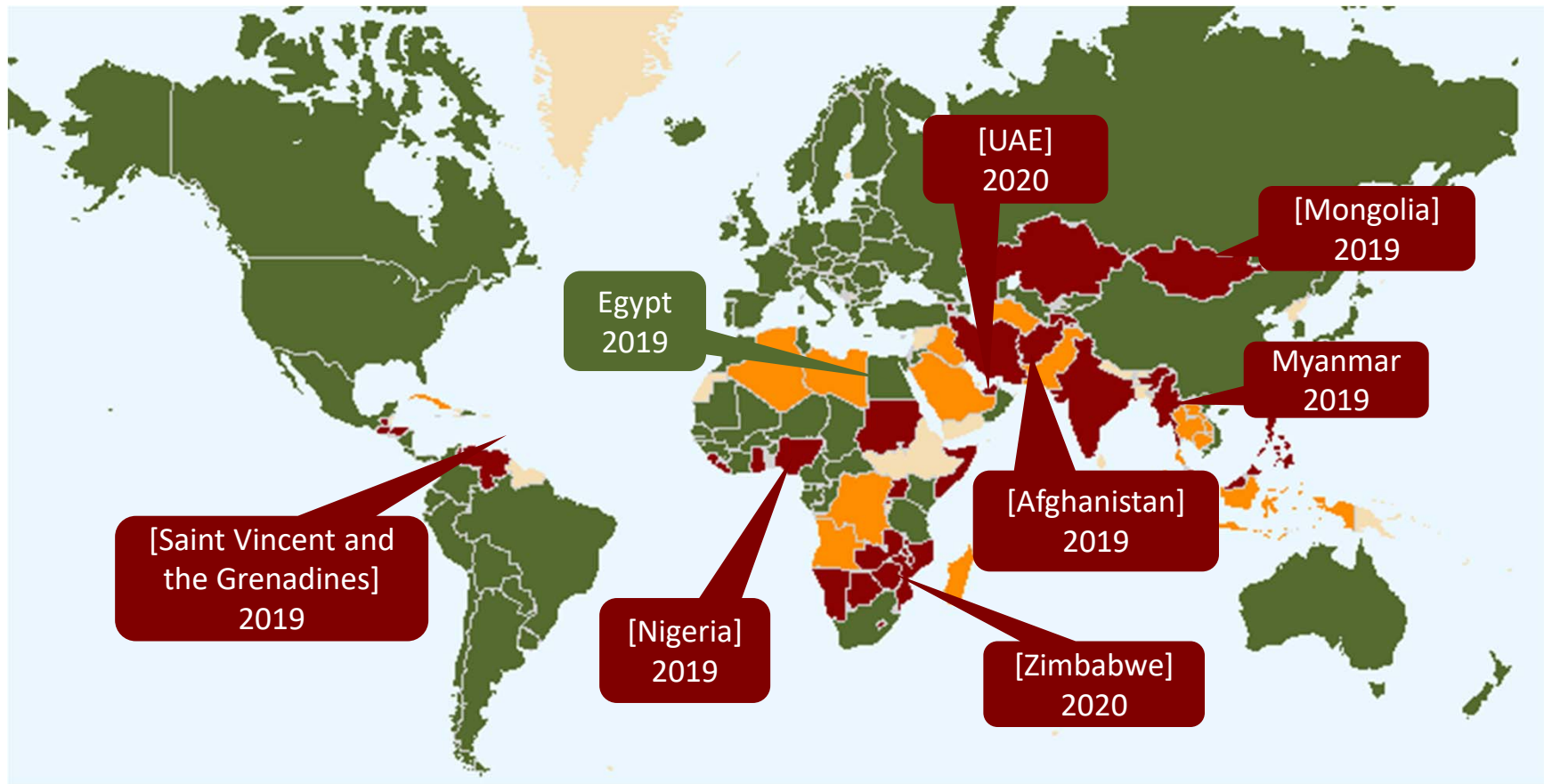
A Contracting Party may restrict the breeder's rights in order to permit farmers to use (農業者による利用):

- for propagating purposes **on their own holdings**
the product of the harvest (自己の経営地において増殖目的で収穫物を使用)
- **obtained on their own holdings** from the protected variety (自己の経営地において栽培して得た収穫物を)
- **within reasonable limits subject to safeguarding legitimate interests of the breeder** (合理的な範囲内で、かつ、育成者の正当な利益を保護することを条件として)

Preview

1. UPOVとUPOV制度
 - UPOV
 - UPOV制度
2. UPOV制度の進展
 - 加盟、出願数の推移
 - UPOV制度の理解拡大
3. UPOVの新たな取組み
 - UPOV PRISMA
 - e-PVP Asia

加盟に係る法令の審査 (2019-2020年)



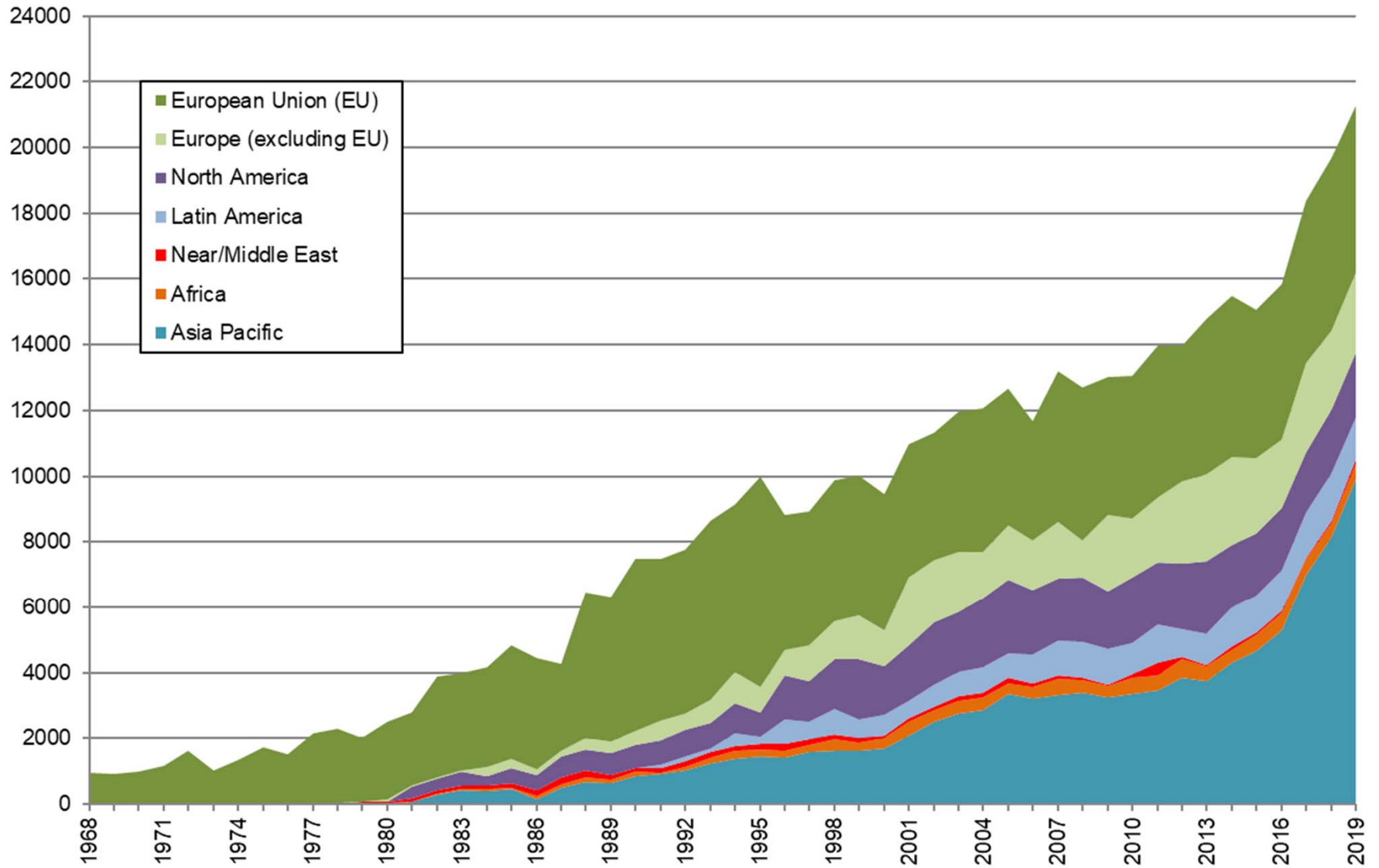
The boundaries shown on this map do not imply the expression of any opinion whatsoever on the part of UPOV concerning the legal status of any country or territory

■ Members of UPOV (76) (covering 95 States)

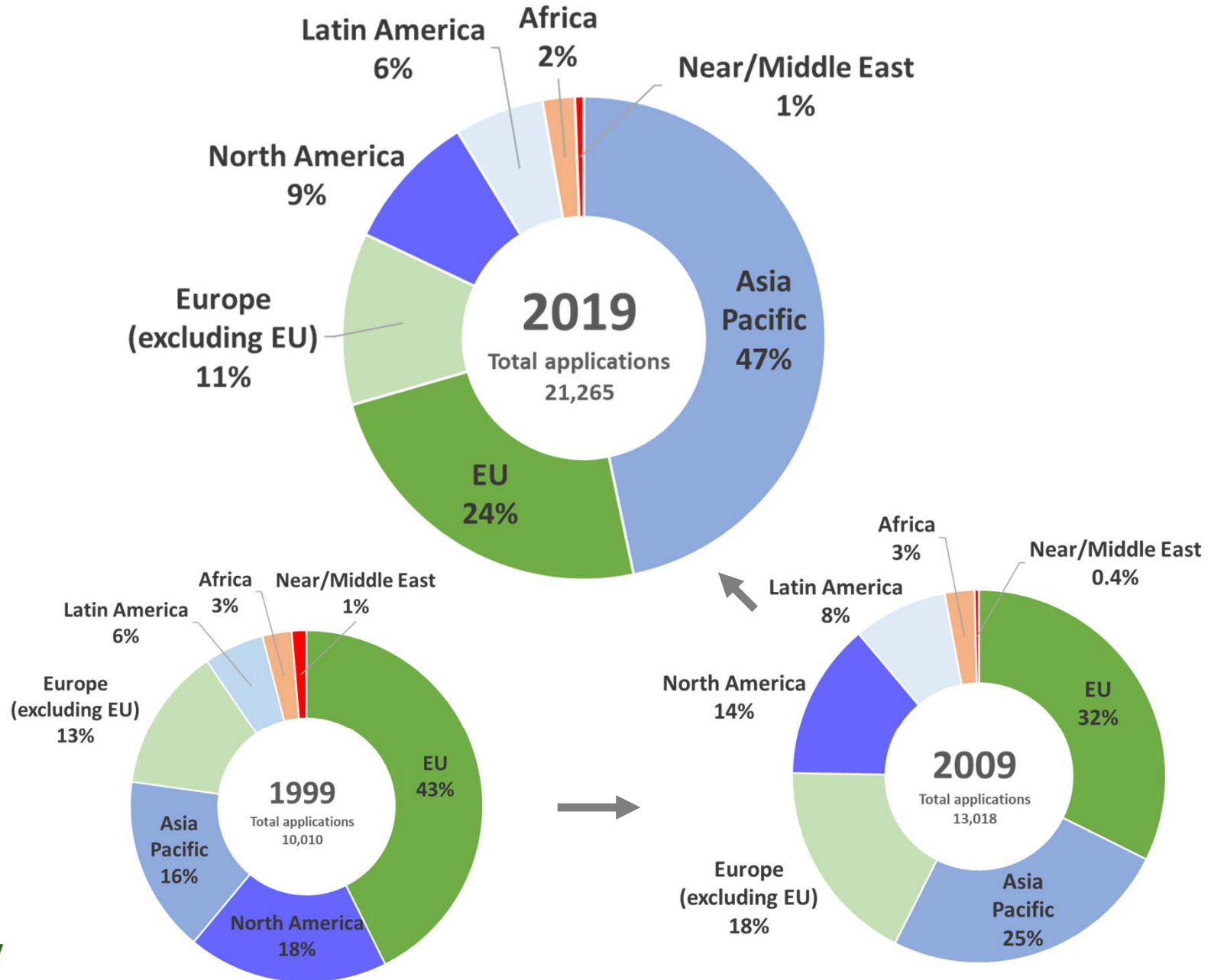
■ Initiating States (20) and Organization (1)

■ States (23) and Organization (1) in contact with the UPOV Office

UPOV加盟国における出願件数の推移

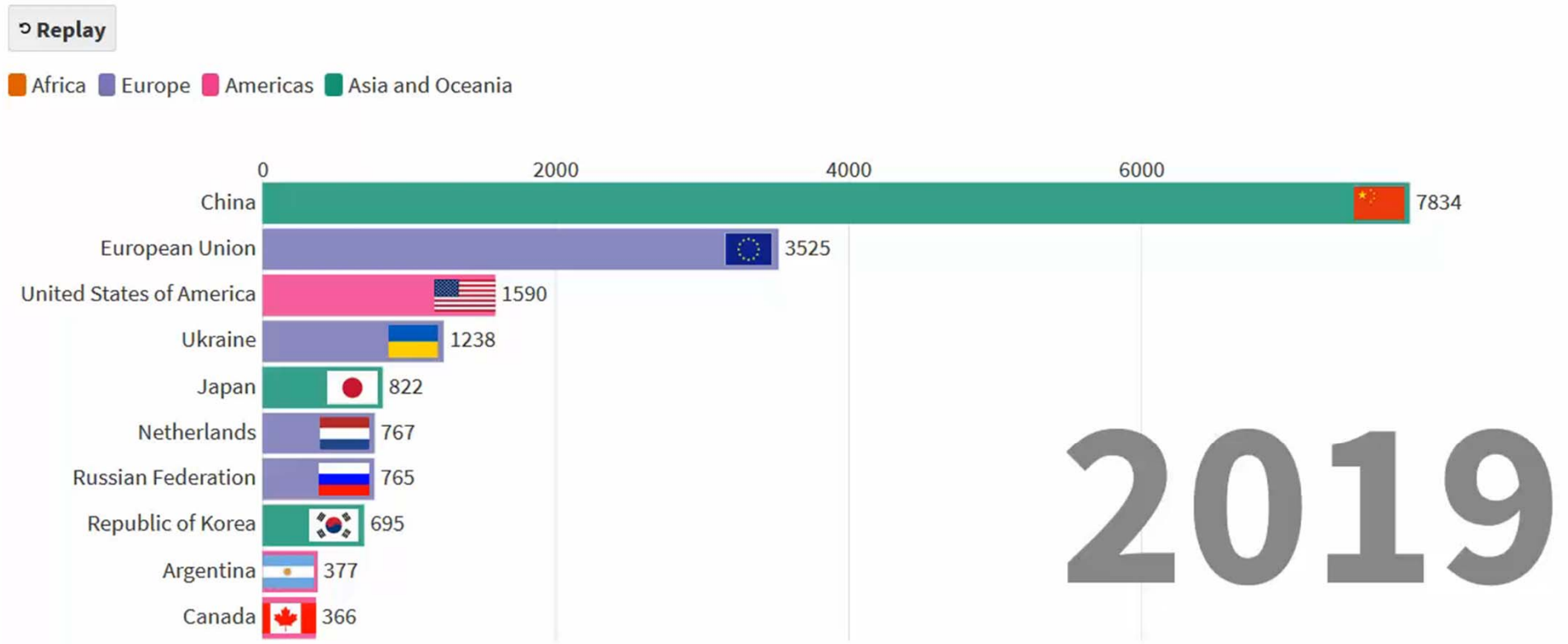


地域ごとの出願件数の推移



UPOV加盟国の出願数の推移

Graphic 1: Top 10 UPOV members by number of PBR applications received (1998–2019)



Source: [UPOV](#)

Preview

1. UPOVとUPOV制度

- UPOV
- UPOV制度

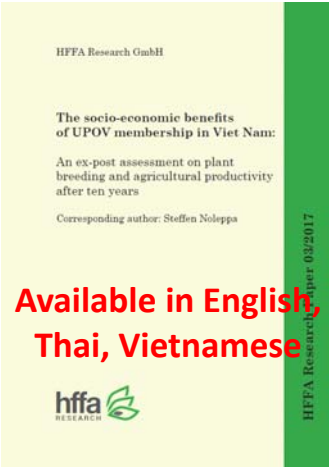
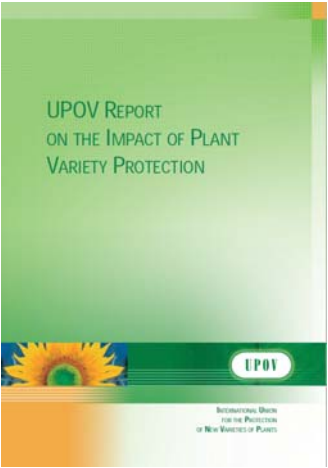
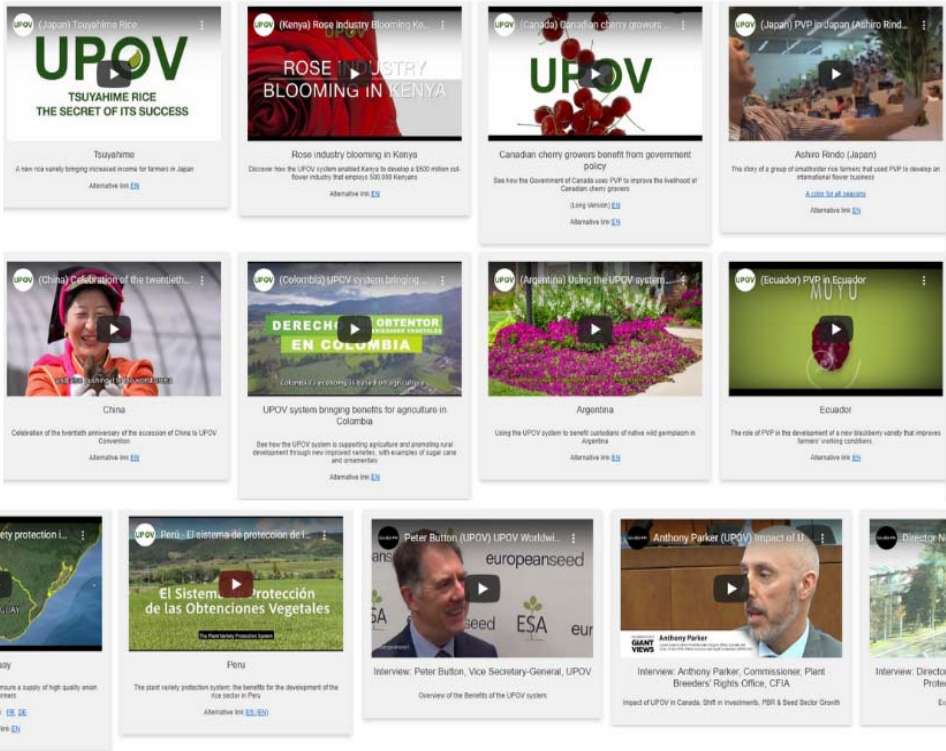
2. UPOV制度の進展

- 加盟、出願数の推移
- UPOV制度の理解拡大

3. UPOVの新たな取組み

- UPOV PRISMA
- e-PVP Asia

UPOV制度の効果メリット(ビデオクリップ、出版物)



Available in English, Thai, Vietnamese



UPOV

(Japan) Tsuyahime Rice



**TSUYAHIME RICE
THE SECRET OF ITS SUCCESS**

Tsuyahime

A new rice variety bringing increased income for farmers in Japan

Alternative link [EN](#)



Rose industry blooming in Kenya

Discover how the UPOV system enabled Kenya to develop a \$500 million cut-flower industry that employs 500,000 Kenyans

Alternative link [EN](#)



Argentina

Using the UPOV system to benefit custodians of native wild germplasm in Argentina

Alternative link [EN](#)

Preview

1. UPOVとUPOV制度
 - UPOV
 - UPOV制度
2. UPOV制度の進展
 - 加盟、出願数の推移
 - UPOV制度の理解拡大
3. UPOVの新たな取組み
 - UPOV PRISMA
 - e-PVP Asia

UPOV PRISMA

Online PBR Application Tool

育成者権出願ツール
(出願データ作成・送信)

A tool to facilitate submission of
Plant Breeders' Rights application data

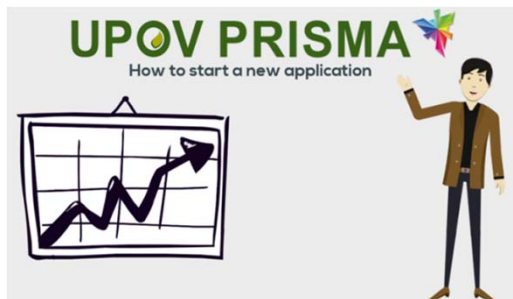


UPOV PRISMA

UPOV PRISMA PBR Application Tool

Quick and easy online tool for
transmission of application data
for Plant Breeders' Rights

www.upov.int/upovprisma



UPOV PRISMA

1. 作物・植物種の選択
2. 出願先国の選択
3. 言語の選択

UPOV PRISMA + Applications Edit Agent Profile Manage user role FVP office procedure Welcome Hand Mailbox English Logout

New Application Settings

Fill in the new application for a new species or crop, or search for existing species or crop

1. Select Crop/Species
 Crop/species with previous applications Search all crop/species
Rosa L. (Rose: TG/11) [Dropdown] [Search] [Text: Rosa]

2. Select Authority
KENYA [Dropdown] [Text: Submitter's Own Reference]

3. Select Language for answers
Application Form: English [Dropdown] Technical Questionnaire: English [Dropdown]

4. Upload Existing Data (ZIP)
[Browse] [Cancel] [Start]



4. 願書、技術質問の記入
5. データ提出(審査当局へ)

UPOV PRISMA + Applications Edit Agent Profile Manage user role FVP office procedure Welcome Hand Mailbox English Logout

Authority	KENYA	Proposed Variety Denomination	
Crop/Species	Rosa L.	Breeder's Variety Reference	
Language for answers	English	Own reference	DEMO ROSE

1. Application Form

- 1 APPLICANTS
- 1 BREEDER(S)
- 1 DENOMINATION
- 1 OTHER APPLICATIONS
- 1 PRIORITY CLAIM
- 1 NOVELTY

2. Technical Questionnaire

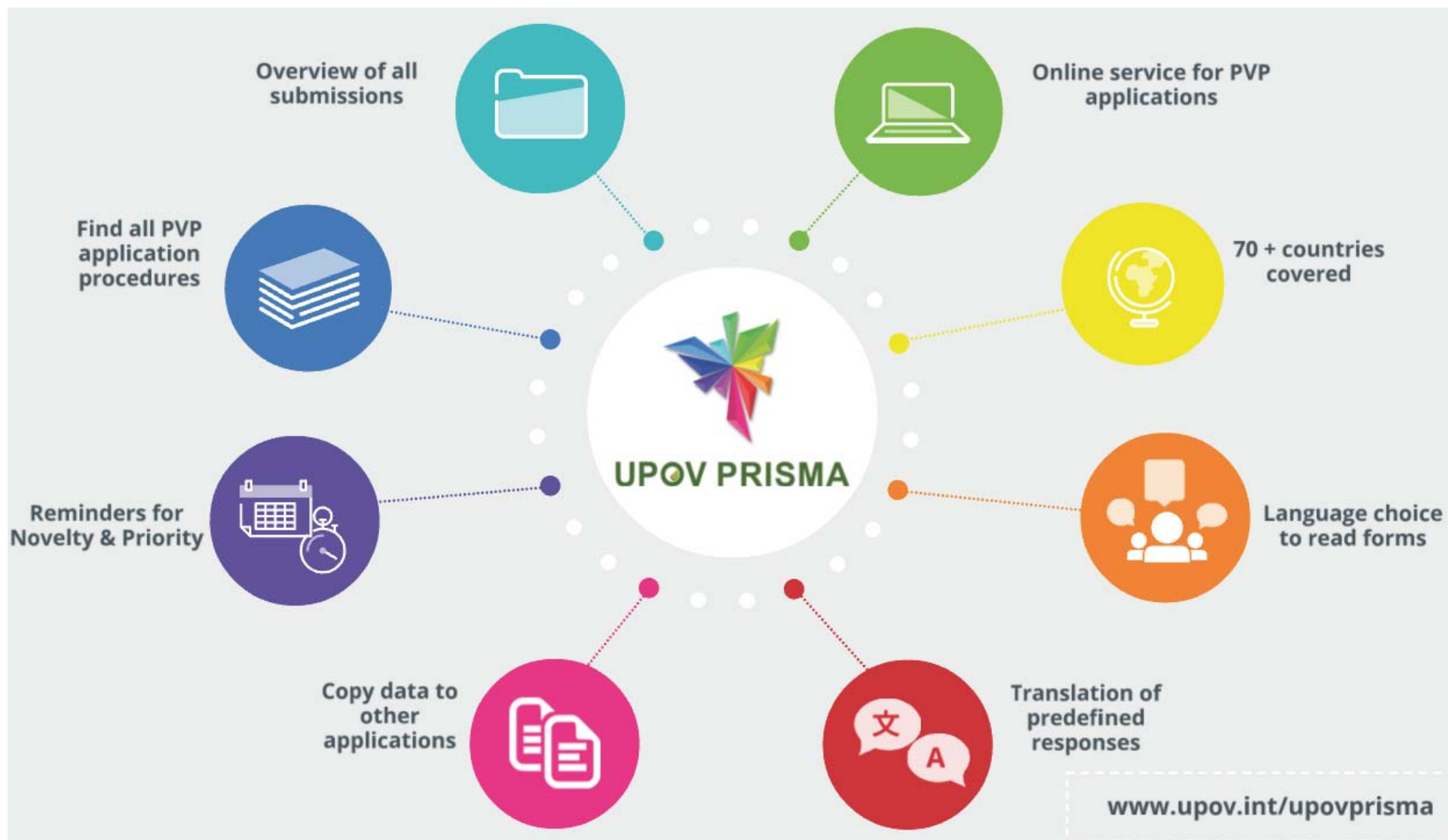
- 1 BREEDING SCHEME
- 1 VARIETY CHARACTERISTICS
- 1 VARIETY COMPARISON
- 1 PLANT MATERIAL INFORMATION
- 1 ADDITIONAL INFORMATION

3. Declaration And Signature

- 1 DECLARATION AND SIGNATURE
- 1 ATTACHMENTS

[Export] [Save] [Submit] [Cancel]

UPOV PRISMA



UPOV PRISMA 料金

From February
24, 2020

UPOV PRISMA 

CHF 90
/submission

+

各国への出願費用
PVP application fee(s)
for the UPOV member
concerned (according to
the selected authority and
selected crop)

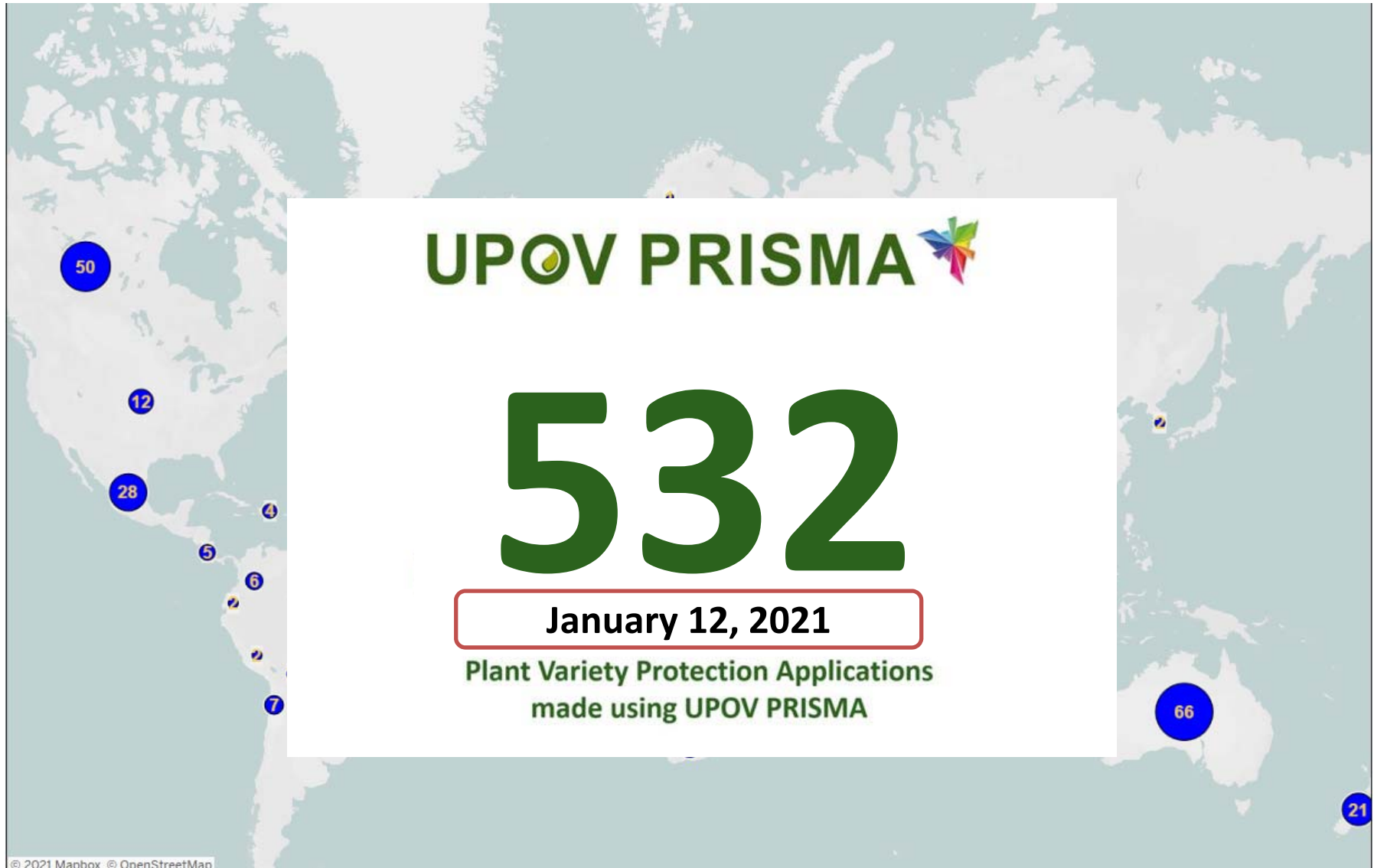
Payment of the UPOV PRISMA fee:

is made via the e-pay system (by credit card or bank transfer) at the time of making a submission to a PVP Office



Status on the use of UPOV PRISMA

Number of submitted applications by participating authority



UPOV PRISMA

参加国



The boundaries shown on this map do not imply the expression of any opinion whatsoever on the part of UPOV concerning the legal status of any country or territory.

**35 UPOV
members**

**74
countries***

*including European Union (CPVO) and African Intellectual Property Organization (OAPI)

African Intellectual Property Organization (OAPI)
Argentina
Australia
Bolivia (Plurinational State of)
Canada
Chile
China
Colombia
Costa Rica
Dominican Republic
Ecuador
European Union (CPVO)
France
Georgia
Kenya
Mexico
Morocco
Netherlands
New Zealand
Norway
Paraguay
Peru
Republic of Moldova
Republic of Korea
Serbia
South Africa
Sweden
Switzerland
Trinidad and Tobago
Tunisia
Turkey
United Kingdom
United States of America
Uruguay
Viet Nam



500th application made using UPOV PRISMA

Welcome

The International Union for the Protection of New Varieties of Plants (UPOV) is an intergovernmental organization with headquarters in Geneva (Switzerland).

UPOV was established by the International Convention for the Protection of New Varieties of Plants. The Convention was adopted in Paris in 1961 and it was revised in 1972, 1978 and 1991.

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.

UPOV PRISMA



Stakeholder features

- Breeders
- Farmers and Growers
- Policy makers
- General Public



UPOV PRISMA
PBR Application Tool

GENIE Database



UPOV Lex



Plant Variety Database (PLUTO)

Quick Links

- COVID-19 measures for breeders
- Introduction to UPOV
- Benefits of UPOV
- UPOV Collection
- **UPOV PRISMA (Information)**
- Test Guidelines
- Distance Learning Courses
- Seminars & Symposia
- FAQs

▲ Top of page

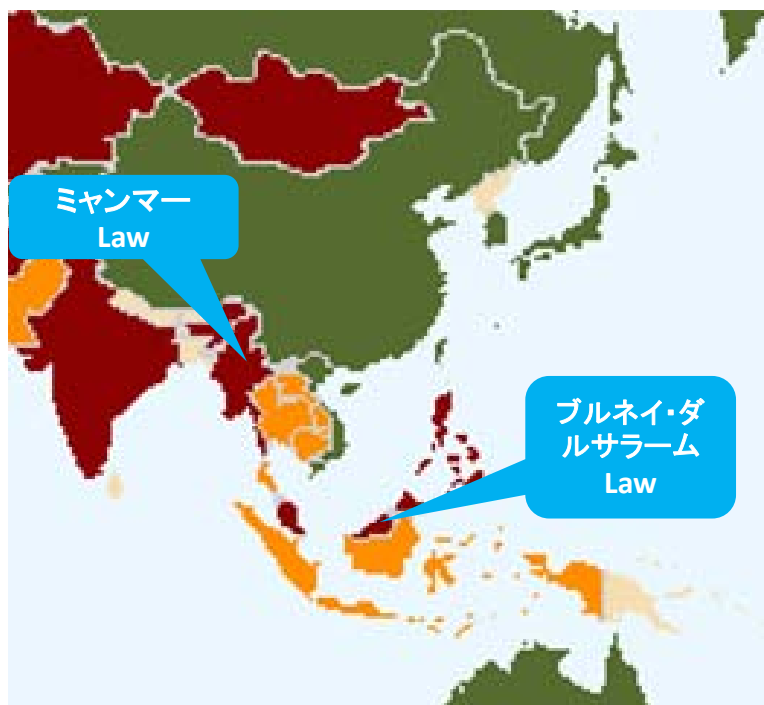
CONTACT US!

<https://www.upov.int/upovprisma/en/index.html>
prisma@upov.int

Preview

1. UPOVとUPOV制度
 - UPOV
 - UPOV制度
2. UPOV制度の進展
 - 加盟、出願数の推移
 - UPOV制度の理解拡大
3. UPOVの新たな取組み
 - UPOV PRISMA
 - e-PVP Asia

東アジア植物品種保護フォーラム (EAPVP Forum) と UPOV加盟国



The boundaries shown on this map do not imply the expression of any opinion whatsoever on the part of UPOV concerning the legal status of any country or territory

EAPVP Forum (Established in 2007)

= ASEAN Member States (10), China, Japan and Republic of Korea

Members of UPOV:

China (CN), Japan (JP), Republic of Korea (KR), Singapore (SG), Viet Nam (VN)

Initiating States:

Brunei Darussalam (BN), Malaysia (MY), Myanmar (MM), Philippines (PH)

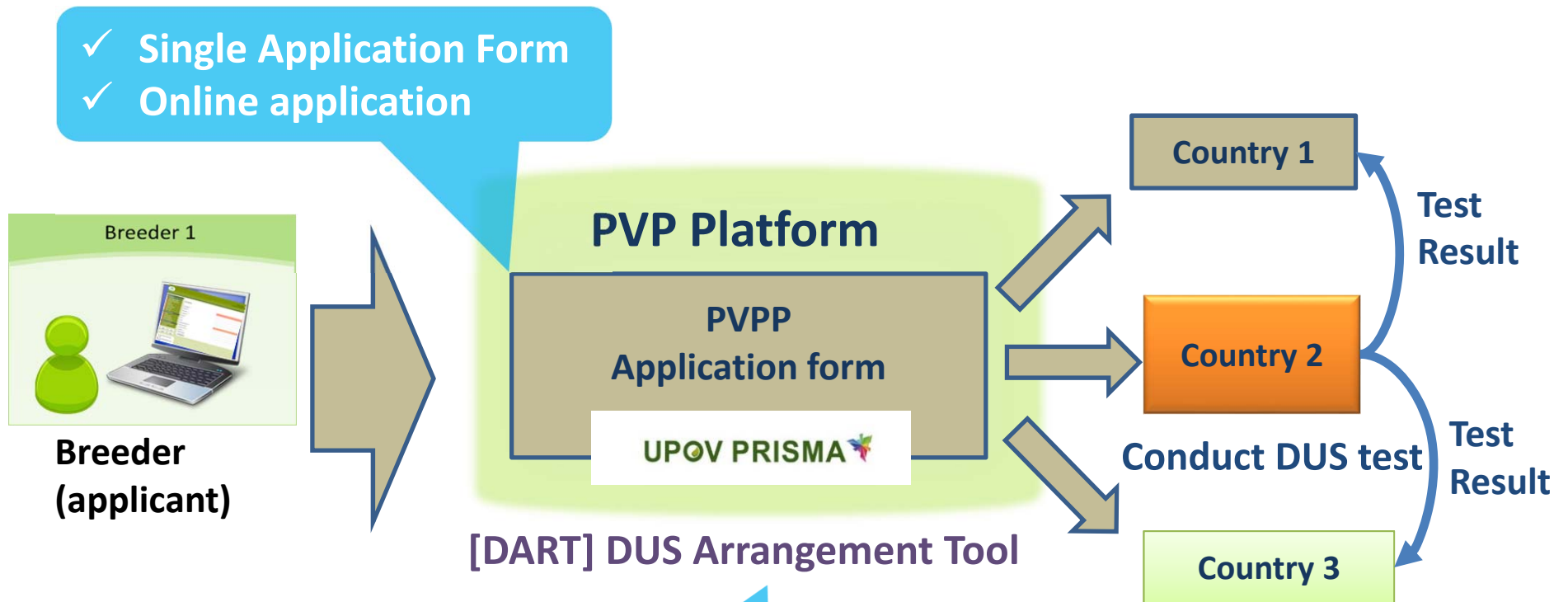
States in contact with the UPOV Office:

Cambodia (KH), Indonesia (ID), Lao People's Democratic Republic (LA), Thailand (TH)

Positive decisions on conformity with the 1991 Act of the UPOV Convention

e-PVP Asia

- EAPVP ForumでのPVPプラットフォーム-



✓ Minimize the number of DUS examination

Participating countries: JP, VN, (BN, MM, MY)

e-PVP Asia

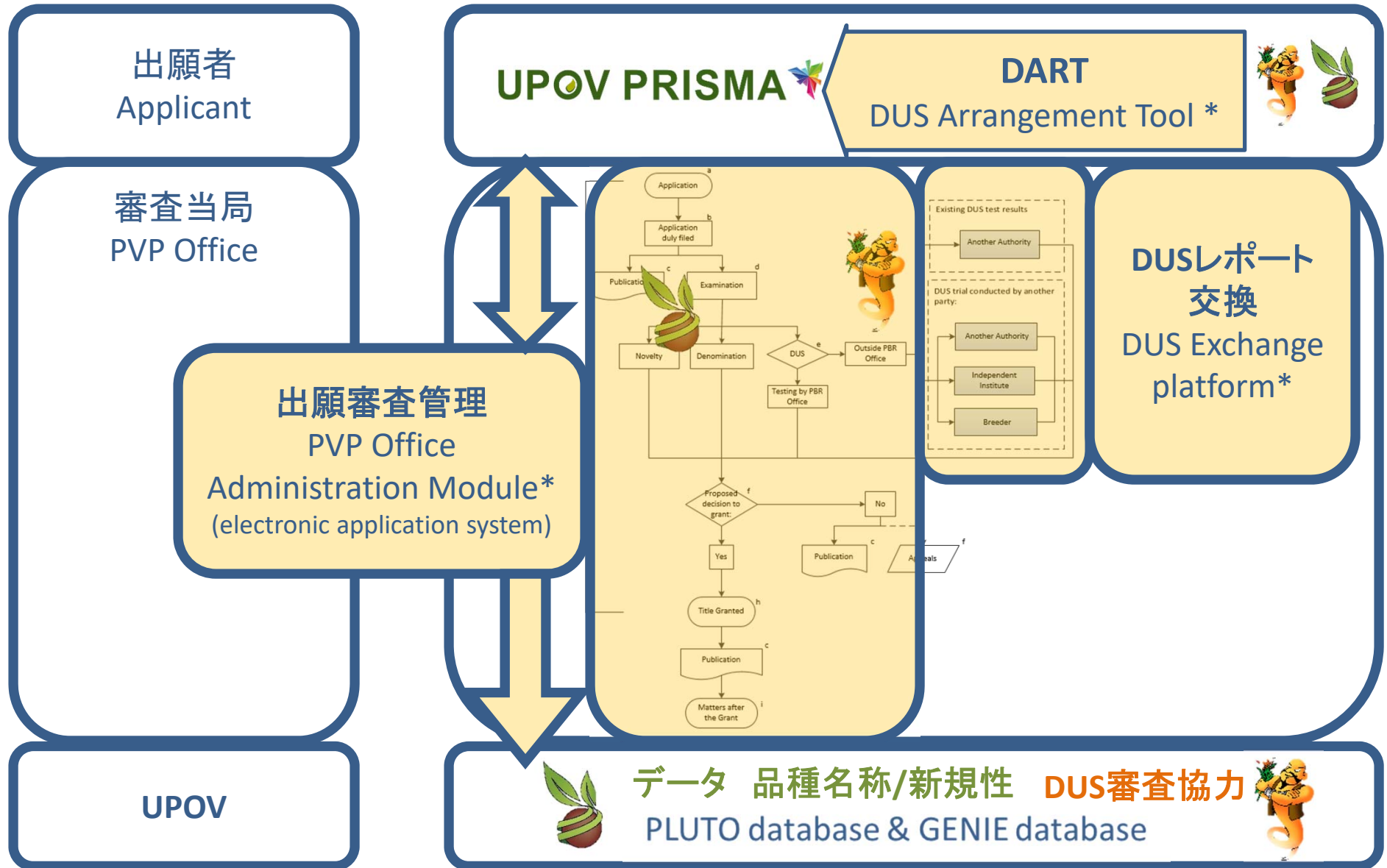
出願者/育成者:

- ✓ 出願しやすく、DUS審査数の最小化で費用などの低減が期待
(単一のオンライン出願プラットフォーム、DUS審査協力)

参加国:

- ✓ オンライン出願、電子出願管理が可能
- ✓ 新加盟国の支援(DUS審査協力でキャパシティギャップに対応、
全植物種を保護)
- ✓ 出願数の増加

UPOV resources – future?



* EAPVP Forum Pilot Projectの下で開発中



ご清聴ありがとうございました。



UPOV

www.upov.int



UPOV on Twitter
[@UPOVint](https://twitter.com/UPOVint)

upov.mail@upov.int

manabu.suzuki@upov.int