



**CPVO**

Community Plant Variety Office

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# Regional cooperation in the European Union

Francesco Mattina, CPVO President *ad interim*

*28 September 2021, CarlPI*



# The role of the CPVO

The system is run by the  
**Community Plant Variety  
Office (CPVO)**

Agency of the EU operational  
since 1995 and currently based  
in Angers, France.

Mission Statement:

*'To deliver and promote an  
efficient Intellectual Property  
Rights system that supports the  
creation of new plant varieties  
for the benefit of Society'*





# Advantages of cooperation

- **Technical cooperation with Member States**
  - Drafting of technical protocols
  - DUS tests
- **IT cooperation**
  - Online applications
  - Databases
  - Sharing documents
- **Variety denominations**
  - Common database
  - CPVO provides advisory service on suitability of denominations to EU National Offices



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## DUS Examination Offices in the EU



The red dots represent entrusted Examination Offices carrying out DUS technical examinations on behalf of the CPVO



# Examination offices

- When the EU PVR system was created it has been decided to use the testing facilities already existing in the MS, for the assessment of the DUS criteria of candidate varieties
- Where no examination office within the EU is available for testing a particular species, the Office may collaborate with offices outside the EU



# Examination offices

- The DUS examinations are carried out by entrusted Examination Offices
- The Examination Offices must fulfil quality requirements (audits)
- The entrustment is made by the Administrative Council



# Take-over of technical reports

- If a technical examination has been or is being carried out by an entrusted EO on a variety benefiting from national PVRs or entered for EU national listing, the CPVO may consider such examination report as sufficient basis for a decision.

# Cooperation with non-EU Examination Offices (EO)



The CPVO may under certain circumstances make use of DUS reports established by a non-EU EO after having received the consent of the Administrative Council (AC). This applies to cases where:

- There is no EO available to perform DUS test for the species in question in the EU
- An EO in the EU is entrusted for the species in question, but the candidate variety has already undergone, or is in the process to undergo, a DUS examination at a non EU EO



# Take-over of DUS reports Legal Framework



## UPOV 1991 – Article 12

*...In the course of the examination, the authority may grow the variety or carry out other necessary tests, cause the growing of the variety or the carrying out of other necessary tests, or take into account the results of growing tests or other trials which have already been carried out. For the purposes of examination, the authority may require the breeder to furnish all the necessary information, documents or material.*

## Proceedings Regulation (EU) 874/2009.

- Take-over of DUS reports from **EU Examination Offices**
  - Entrustment required
- Take-over of DUS reports from **outside the European Union**
  - Written agreement

# Cooperation with non-EU examination offices (EO)



Contact person

Independence, impartiality and integrity

Facilities and equipment

Experience with the species concerned (number of tests, since when);

Existing technical guidelines and the way how the technical examination is conducted

Requirements as regards the submission of plant material

The agreement from the non EU EO to visit the trial in case of need

The agreement from the non EU EO to provide preliminary, interim and final reports

Existing reference variety collection

Procedure on how reference varieties to be grown in the growing trial are selected

# Cooperation with non-EU examination offices (EO)



The CPVO drafts a report on its assessment on the technical capacities of the non EU EO to establish DUS tests for the species concerned.



The report includes opinion of the CPVO Quality Audit Service (QAS).



Based on the report, the AC takes a decision.



If the decision is positive, the CPVO enters into an Agreement with the non EU EO pursuant to Article 27 of the Proceedings Regulation.



# Agreement on take over and technical examination between Mexico (SNICS) and the CPVO

Signed on 21 December 2020 for 5 years

Concerned species:



*Carica papaya* L.



*Hylocereus guatemalensis* (Eichlam)  
Britton & Rose x *H. undatus* (Haw.) Britton & Rose



*Jatropha curcas* L.



*Persea americana* Mill.

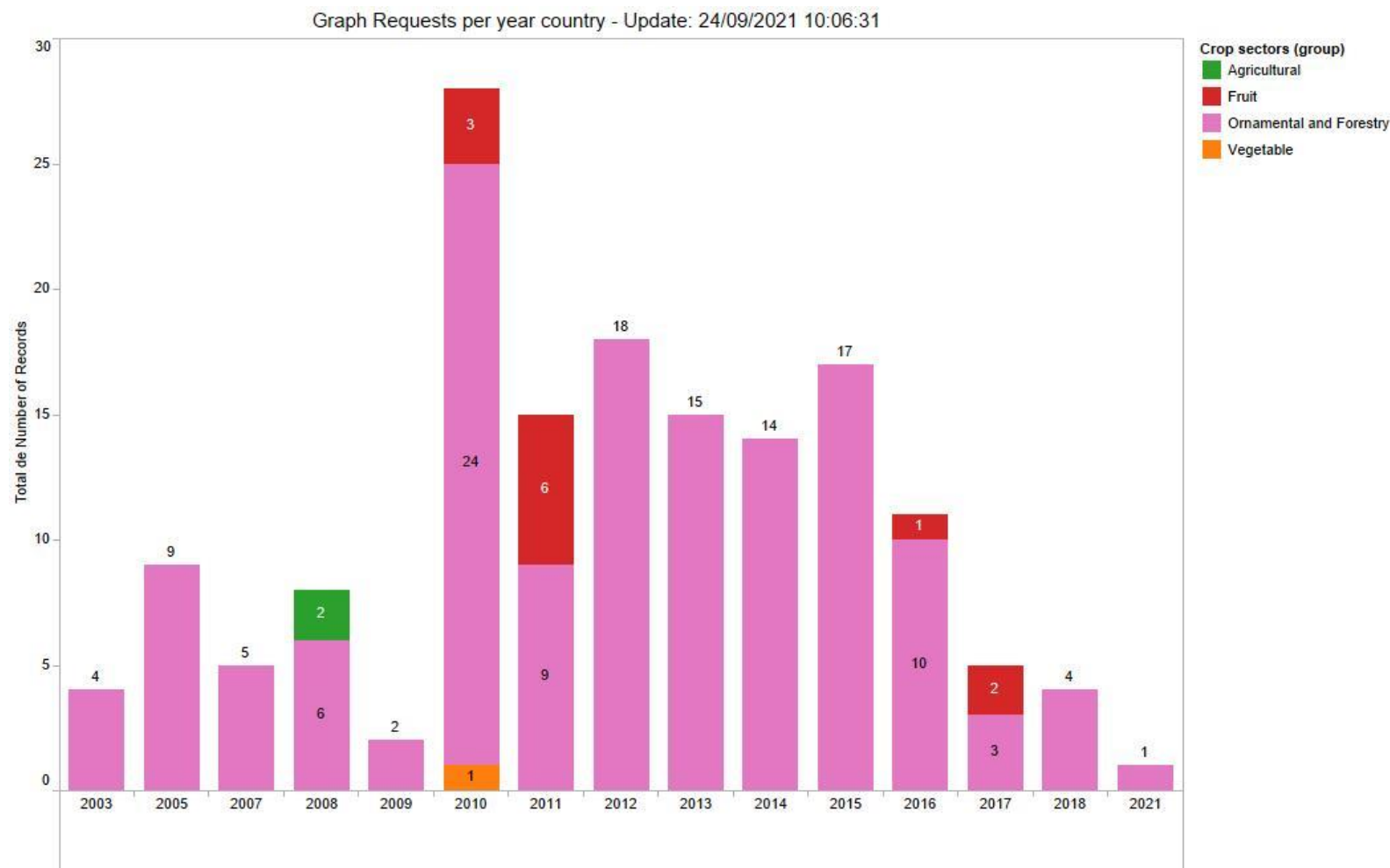


*Psidium guajava* L.





# Number of requests for DUS reports from Mexico received per year



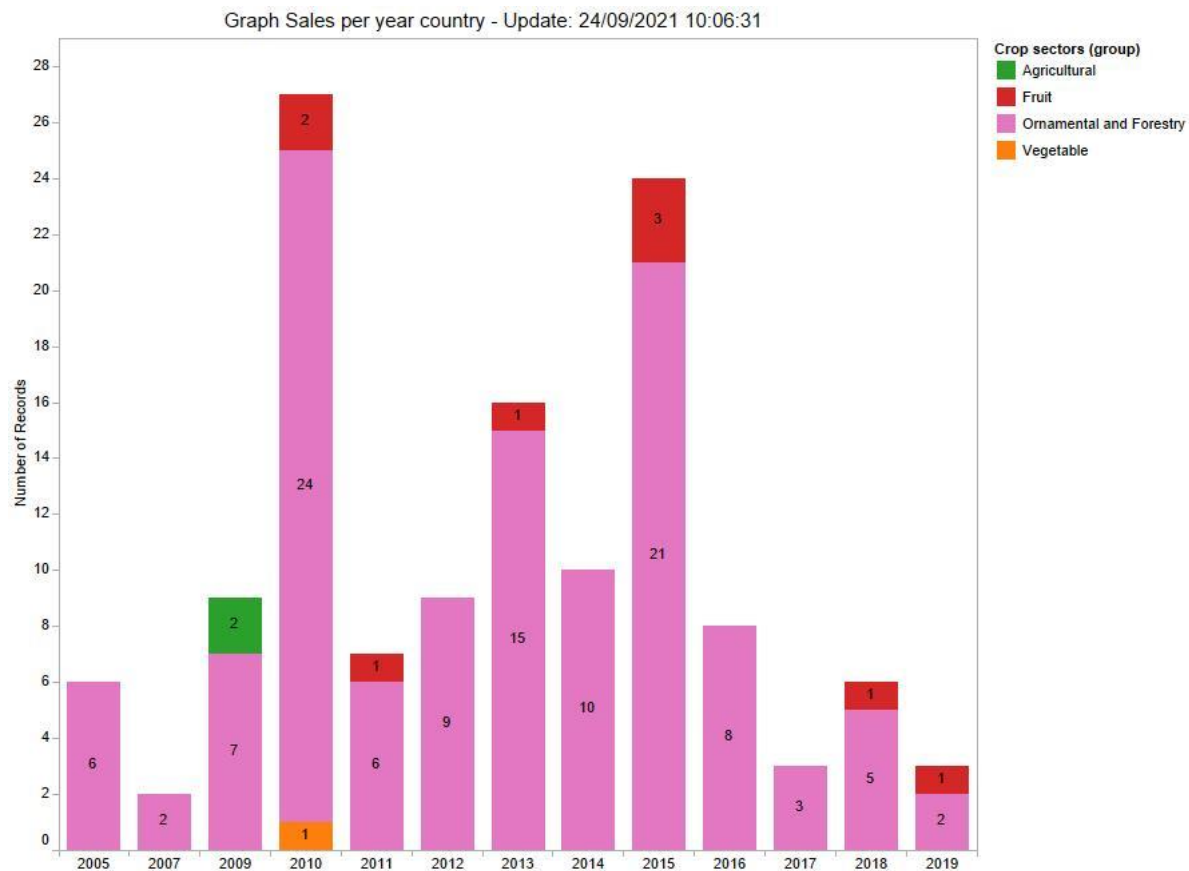
# Mexico requests for CPVO DUS reports per species



Requests per sector and species - Update: 24/09/2021 10:06:31

| Crop sectors (gr..      | Species names  |                         |
|-------------------------|--|-------------------------|
| Ornamental and Forestry | Rosa L.  | 42                      |
|                         | Anthurium andraeanum Linden ex Andre                 | 34                      |
|                         | Chrysanthemum L.                                     | 26                      |
|                         | Phalaenopsis Blume (syn. x Doritaenopsis hort.)      | 12                      |
|                         | Dianthus caryophyllus L.                             | 11                      |
|                         | Gerbera L.   | 5                       |
|                         | Anthurium Schott                                     | 4                       |
|                         | Solidago L.  | 2                       |
|                         | Alstroemeria L.                                      | 1                       |
|                         | Craspedia globosa (F. L. Bauer ex Benth.) Benth. ... | 1                       |
|                         | Dianthus L.  | 1                       |
|                         | Dianthus barbatus L.                                 | 1                       |
|                         | Gypsophila paniculata L.                             | 1                       |
|                         | <b>Total</b>   | <b>141</b>              |
|                         | Fruit  | Vaccinium corymbosum L. |
| Rubus idaeus L.         |  | 3                       |
| Malus domestica Borkh.  |  | 2                       |
| Punica granatum L.      |  | 1                       |
| Vaccinium L.            |  | 1                       |
| <b>Total</b>            |  | <b>12</b>               |
| Agricultural            | Poa arachnifera Torr. x Poa pratensis L.             | 1                       |
|                         | Zoysia matrella                                      | 1                       |
|                         | <b>Total</b>   | <b>2</b>                |
| Vegetable               | Allium fistulosum L.                                 | 1                       |
|                         | <b>Total</b>   | <b>1</b>                |
| <b>Grand Total</b>      |  | <b>156</b>              |

# Number of CPVO sales of DUS reports to Mexico per crop sector



# Sales of DUS reports to MX listed per species



Sales per species and countries - Update: 24/09/2021 10:06:31

| Crop sectors (group)    | Species names   |                         |
|-------------------------|---|-------------------------|
| Ornamental and Forestry | Anthurium andraeanum Linden ex Andre  | 32                      |
|                         | Rosa L.   | 29                      |
|                         | Chrysanthemum L.  | 20                      |
|                         | Dianthus caryophyllus L.  | 11                      |
|                         | Phalaenopsis Blume (syn. x Doritaenopsis hort.)   | 11                      |
|                         | Gerbera L.  | 5                       |
|                         | Anthurium Schott  | 4                       |
|                         | Solidago L.   | 2                       |
|                         | Alstroemeria L.   | 1                       |
|                         | Craspedia globosa (F. L. Bauer ex Benth.) Benth. (syn. Pycnosorus globosus F. L. Bauer ex Benth.) | 1                       |
|                         | Dianthus barbatus L.  | 1                       |
|                         | Gypsophila paniculata L.  | 1                       |
|                         | Fruit   | Vaccinium corymbosum L. |
| Rubus idaeus L.         |   | 3                       |
| Malus domestica Borkh.  |   | 2                       |
| Agricultural            | Poa arachnifera Torr. x Poa pratensis L.  | 1                       |
|                         | Zoysia matrella   | 1                       |
| Vegetable               | Allium fistulosum L.  | 1                       |
| <b>Grand Total</b>      |   | <b>130</b>              |



# CPVO applications from Applicants located in Latin America from 1995 to 23 September 2021



Applications by origin for the application status selected- Update:24/09/2021 11:32:30

|                     |             | APPLICATIONSTATUS |         |          |            |           | Grand Total |
|---------------------|-------------|-------------------|---------|----------|------------|-----------|-------------|
|                     |             | Active            | Granted | Rejected | Terminated | Withdrawn |             |
| Agricultural        | Argentina   | 6                 |         | 5        |            | 4         | 15          |
|                     | Chile       |                   | 2       |          |            |           | 2           |
|                     | Peru        | 1                 |         |          |            |           | 1           |
| Forest & Ornamental | Argentina   |                   | 1       |          |            |           | 1           |
|                     | Colombia    | 10                | 10      |          | 8          | 6         | 34          |
|                     | Costa Rica  |                   | 27      |          | 32         | 12        | 71          |
|                     | Ecuador     |                   | 11      | 2        | 5          | 2         | 20          |
|                     | Mexico      |                   | 1       |          |            |           | 1           |
|                     | Peru        |                   | 2       |          |            |           | 2           |
|                     | Puerto Rico |                   |         | 2        |            | 1         | 1           |
| Fruit               | Chile       | 4                 | 6       | 1        | 2          | 1         | 14          |
|                     | Colombia    |                   | 2       |          |            |           | 2           |
|                     | Mexico      | 10                | 1       |          |            | 1         | 12          |
|                     | Panama      |                   | 2       |          | 1          | 3         | 6           |
|                     | Uruguay     | 1                 |         |          |            | 1         | 2           |
| <b>Grand Total</b>  |             | 32                | 67      | 8        | 49         | 31        | 187         |

# Economic benefits of regional cooperation



- A better coordination and harmonized practices mean reduction of costs for national authorities
- Development of common tools (e.g. database and other IT tools)
- Access to information
- Training costs

# Final Remarks





# CPVO

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