

Supporting plant breeding initiatives through technical assistance on PVP

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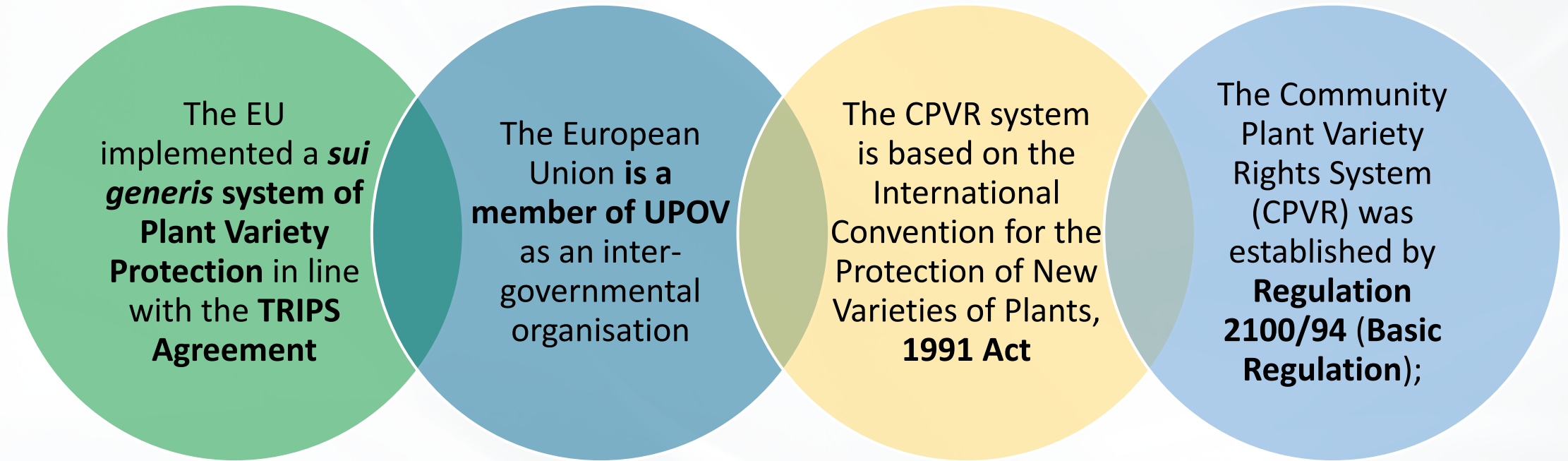
Outline

- The Community Plant Variety Rights (CPVR) system
- Processing applications
- Take-over of examination reports
- International cooperation in DUS testing
- GENIE Database (UPOV)
- CPVO agreements
- The socio-economic benefits of the CPVR system

The Community Plant Variety Rights system



The Community Plant Variety Protection System





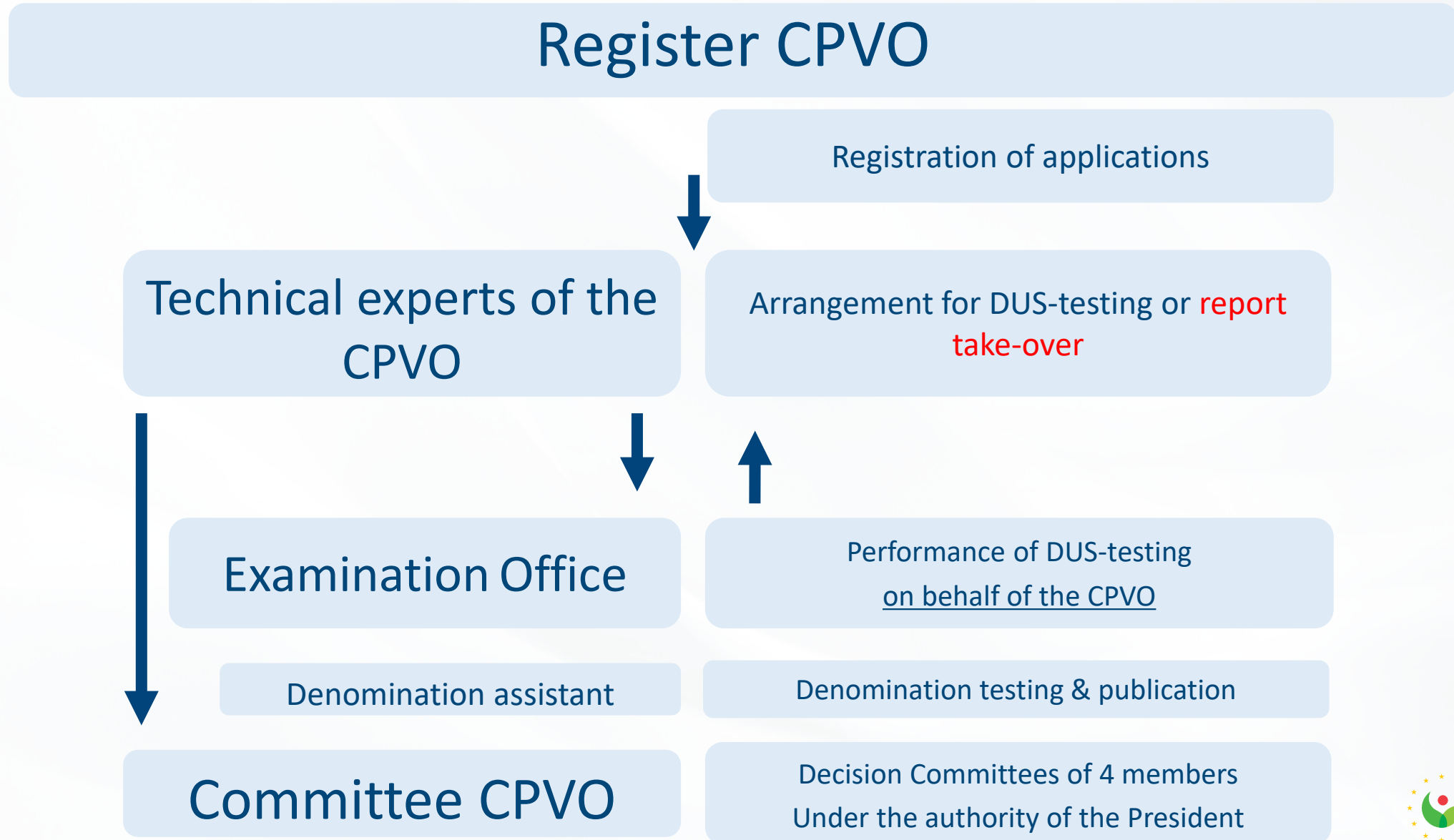
Main features of the CPVR system

- Varieties of **all botanical genera and species** may be protected.
- The CPVO has received up to today applications for more than 2000 different plant species
- **Duration of the Community right:** 25 years (30 for vines, trees, potato varieties woody small fruits, woody ornamentals and flower bulbs)
- **Provisional protection** covering the time from publication of the application until the grant of the Community right

Processing applications



Processing applications at CPVO



Take-over of Technical Examination reports



Legal basis

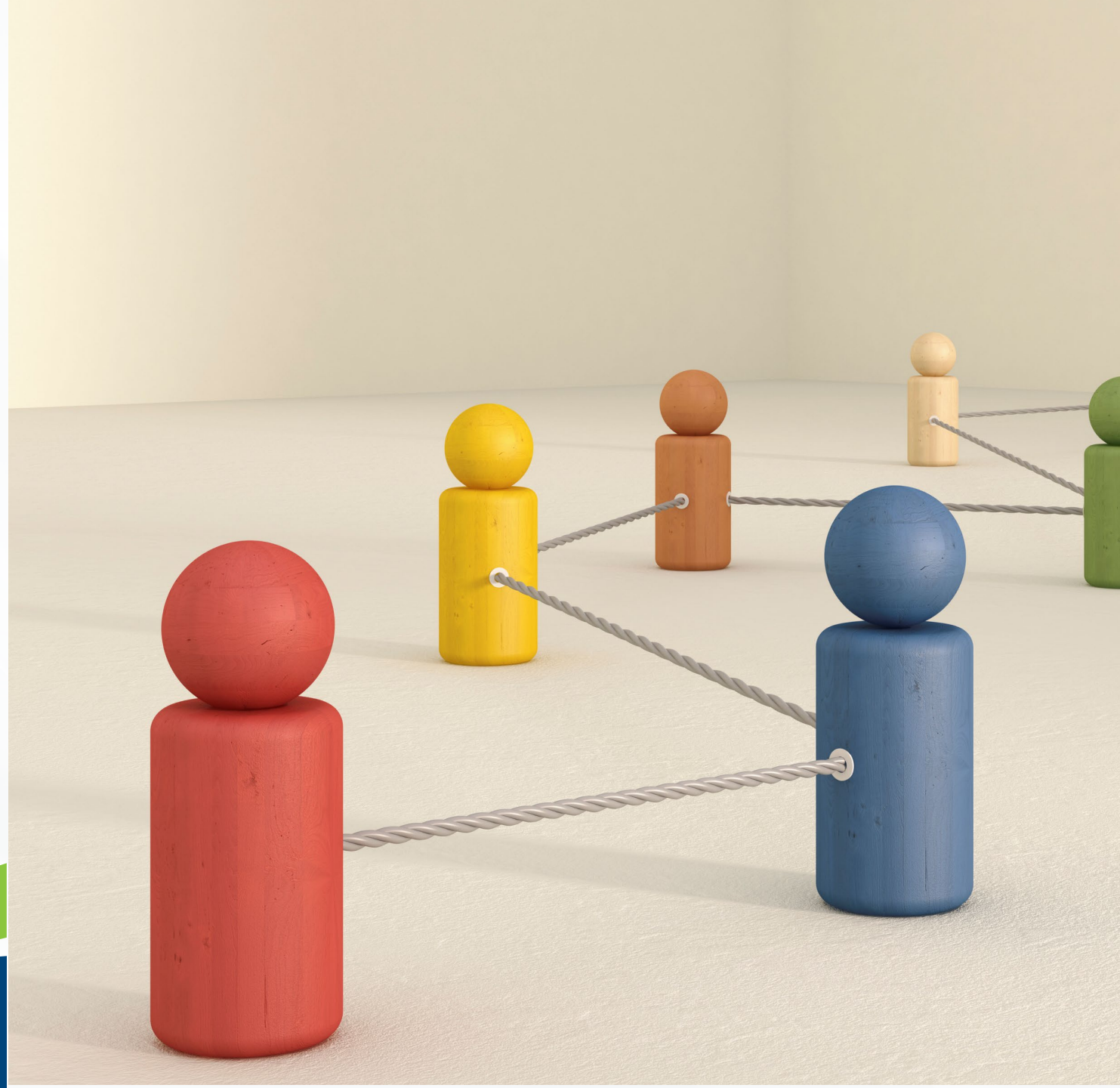
Take-over of examination reports

- **UPOV convention (1991 Act), Article 12:**
 - “the authority may grow the variety or ... or **take into account the results of growing tests** ... which have already been carried out. ...”
- **At the CPVO- Art. 27 Reg (EC) 874/2009 (Proceedings regulation)**
 - Report take-over from EU Member states
 - Entrustment required
 - Report take over from non-EU authorities
 - Special written agreement required



Setting up the system:

- No obligation of having infrastructures for technical examination of varieties
- Cooperation with UPOV Members
- Take over procedure and/or agreements



Costs for taking over of reports

- Where the CPVO makes use of a report on the result of a technical examination of a variety carried out previously for **official purposes in an EU Member State** a fee for taking over reports is due by the applicant and amounts to **320 Euros**
- The Technical Examination fees vary from 1.980€ up to 4.130€, depending on the crop (12 different fee groups)



International cooperation in DUS testing



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

Procedure

Report

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

QAS

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

Decision

- Based on the report, the AC takes a decision

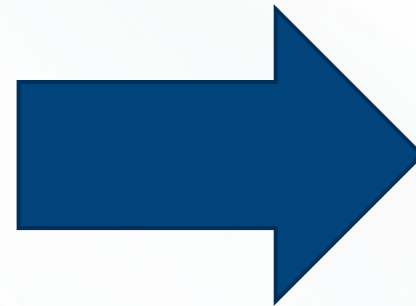
Agreement

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

Independence, impartiality and integrity

The EO staff shall not:

- engage in any activities that may conflict with their independence of judgement and integrity in relation to their examination activities;
- become directly involved in breeding, marketing, commercial multiplication of the type of species they examine.



If the organisation or a part of it is involved in such activities there should be **effective separation of responsibilities.**

Historic and current cooperation with examination offices in non-EU countries

- Colombia (coffee)
- Australia (mango)
- Mexico (papaya, guava)
- Japan (wasabi)
- Taiwan (orchids)



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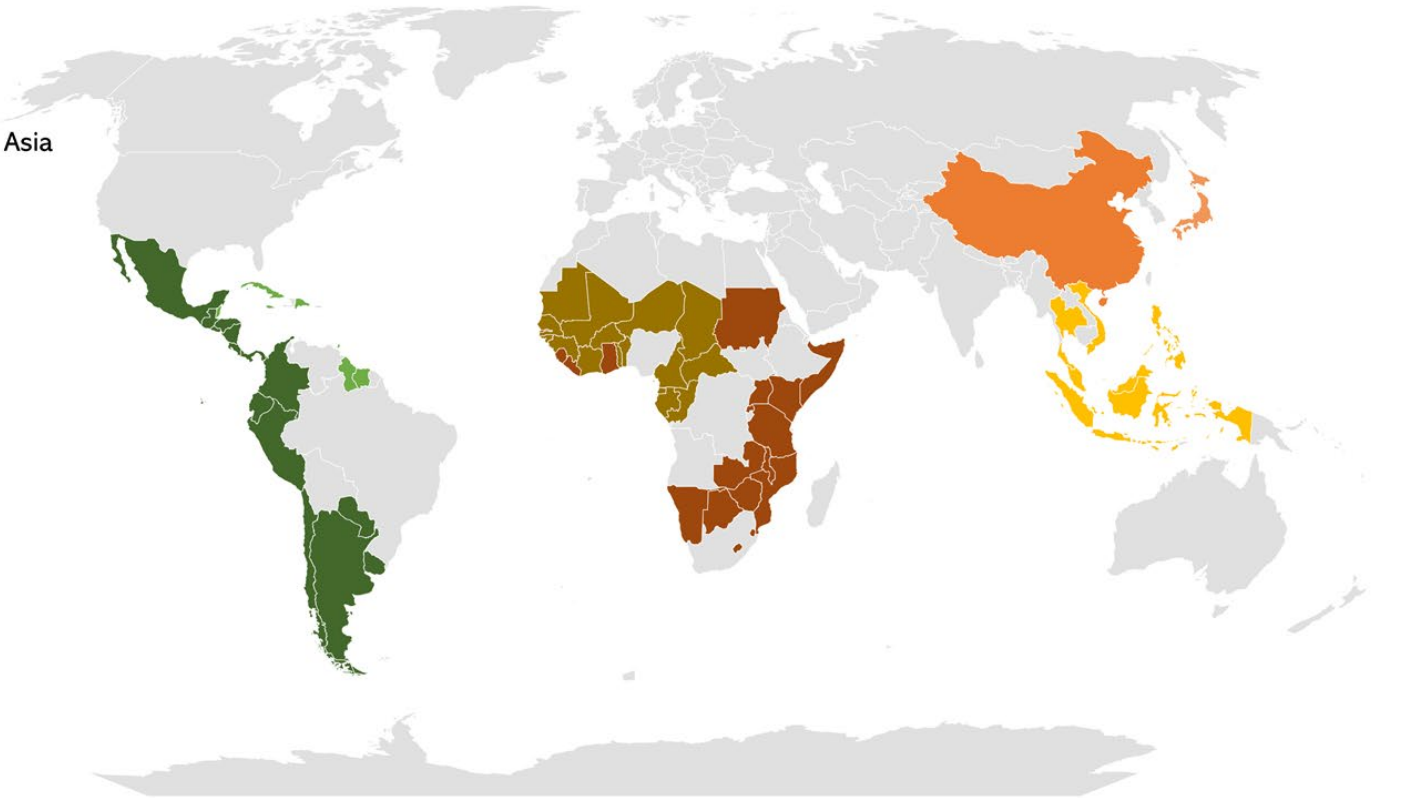
New agreements

- On 5 October 2023 the Administrative Council agreed that the CPVO signs an agreement with Japan for taking over DUS reports for the technical examination of mushroom varieties
- No EOs were available at EU level
- The CPVO will now enter into an agreement with Japan for 5 species of edible mushrooms.

International Cooperation projects

International Cooperation activities

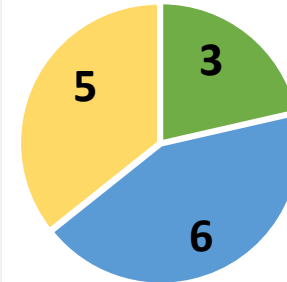
- IPKey Latin America / AL INVEST Verde
- CarlPI
- IPKey China
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- TAIEX
- OAPI
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Capacity building

DUS



QAS

GENIE Database (UPOV)



GENIE Database (UPOV)

GENIE Database

GENIE Database

Simple Search Multiple Search Report

Search
Crop /
Species:

ALL
Botanical Name
Common Name in English
Common Name in French
Common Name in Spanish
Common Name in German

UPOV
Code:

Search
Authority
(by Name):

by 2-letter ISO Code:

The GENIE database has been developed to provide online information on GENera and specIEs (hence GENIE) in relation to:

- protection offered by members of the Union
- cooperation in examination
- experience in DUS testing and
- the existence of UPOV Test Guidelines

In addition, the GENIE database is the repository of the UPOV codes and provides information concerning alternative botanical and common names.

Source: [GENIE Database \(upov.int\)](http://upov.int)



The socio-economic benefits of the CPVR system

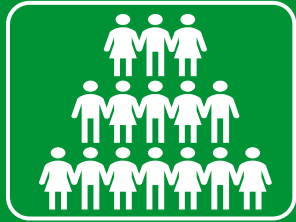


The study

- The European Observatory on Infringements of Intellectual Property Rights ('the Observatory'), in cooperation with the CPVO has drafted the European study '**Contribution of the Community Plant Variety Rights System to the EU economy and the environment**'
- [The study](#) was released on the occasion of the CPVO policy seminar organized on 28 April under the French Presidency of the Council of the European Union



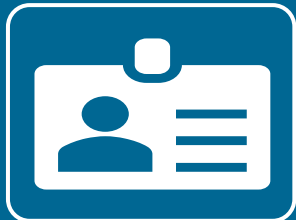
Key findings: economic contribution



The additional production brought about by plant variety innovations supported by the CPVR is sufficient to **feed an additional 57 million people world-wide** (arable crops), **38 million in the case of fruit**, and **28 million for vegetables**



The additional value added (that is, contribution to GDP) generated by CPVR-protected crops amounts to **13 billion EUR**



Additional production resulted in **higher employment in the EU agriculture**, and **better remunerated**

Key findings: farmers, breeders, SMEs



The farmers/growers across the EU **benefit from the innovations** supported by the CPVR system



The breeders which carry out the R&D leading to those innovations also **generate employment and economic activity**



Small and medium-sized enterprises (SMEs) account for more than **90%** of the **applicants** of CPVRs and **hold 60%** of all CPVRs currently in force

Key findings: environmental objectives



The annual greenhouse gas (GHG) emissions from agriculture and horticulture are reduced by 62 million tons per year. This corresponds to the total GHG footprint of Hungary, **Ireland** or Portugal.



Water use in agriculture and horticulture is reduced by more than **14 billion m3**, an amount of water equivalent to 1/3 of the volume of **Lake Constance**



By reducing the environment impact, increasing farm incomes and keeping prices lower for consumers, the CPVR system also contributes to the **UN's Sustainable Development Goals**





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