



C/46/13

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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

COUNCIL

Forty-Sixth Ordinary Session Geneva, November 1, 2012

ADOPTION OF DOCUMENTS

Document prepared by the Office of the Union

1. The purpose of this document is to provide information concerning the following documents that the Council will be invited to adopt at its forty-sixth ordinary session, to be held in Geneva on November 1, 2012:

TGP documents

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| TGP/12/2 | Guidance on Certain Physiological Characteristics (Revision)
(document TGP/12/2 Draft 3) |
| TGP/0/5 | List of TGP Documents and Latest Issue Dates (Revision)
(document TGP/0/5 Draft 1) |

Information documents

- | | |
|----------------|---|
| UPOV/INF/12/4 | Explanatory Notes on Variety Denominations under the UPOV Convention
(Revision) (document C/46/13, Annex) |
| UPOV/INF/19/1 | Rules governing the granting of observer status to States, intergovernmental organizations and international non-governmental organizations in UPOV bodies
(Revision) (document UPOV/INF/19/1 Draft 2) |
| UPOV/INF/20/1 | Rules governing access to UPOV documents (Revision)
(document UPOV/INF/20/1 Draft 2) |
| UPOV/INF/21/1 | Alternative Dispute Settlement Mechanisms
(document UPOV/INF/21/1 Draft 1) |
| UPOV/INF-EXN/3 | List of UPOV/INF-EXN Documents and Latest Issue Dates (Revision)
(document UPOV/INF-EXN/3 Draft 1) |

TGP DOCUMENTS

TGP/12/2 Guidance on Certain Physiological Characteristics (Revision)

2. The Technical Committee (TC), at its forty-eighth session, held in Geneva from March 26 to 28, 2012, and the Administrative and Legal Committee (CAJ), at sixty-fifth session, held in Geneva on March 29, 2012, agreed on changes to the text of document TGP/12/2 Draft 2 and, on that basis, agreed that document TGP/12/2 should be put forward for adoption by the Council at its forty-sixth ordinary session.

3. The CAJ noted that the editing of the original English text and the French, German and Spanish translations would be checked by the relevant members of the Editorial Committee prior to submission of the draft of document TGP/12/2 to the Council. Document TGP/12/2 Draft 3 incorporates the editorial changes proposed by the relevant members of the Editorial Committee.

4. The Council is invited to adopt the revision of document TGP/12/2 "Guidance on Certain Physiological Characteristics" on the basis of document TGP/12/2 Draft 3.

TGP/0/5 List of TGP Documents and Latest Issue Dates (Revision)

5. In conjunction with the revision of document TGP/12/2 "Guidance on Certain Physiological Characteristics", which the Council will be invited to adopt at its forty-sixth ordinary session, it is proposed to adopt a revision of document TGP/0 on the basis of document TGP/0/5 Draft 1.

6. The Council is invited to adopt document TGP/0/5 "List of TGP Documents and Latest Issue Dates", on the basis of document TGP/0/5 Draft 1.

INFORMATION DOCUMENTS

UPOV/INF/12/4 Explanatory Notes on Variety Denominations under the UPOV Convention (Revision)

7. The TC, at its forty-eighth session, and the CAJ, at its sixty-fifth session, agreed to propose the creation of a new denomination class (Class 213) in document UPOV/INF/12/3 "Explanatory notes on variety denominations under the UPOV Convention", Annex I: Part II "Classes encompassing more than one genus", as set out in the Annex to this document, and in accordance with the procedure for updating documents previously adopted by the Council.¹

8. The Council is invited to adopt the revision of document UPOV/INF/12 "Explanatory Notes on Variety Denominations under the UPOV Convention" (document UPOV/INF/12/4), on the basis of the proposed amendments to document UPOV/INF/12/3, as presented in the Annex to this document.

¹ The Consultative Committee, at its eighty-first session, held in Geneva on April 8, 2011, endorsed the following approach, if appropriate, for updating documents previously adopted by the Council (see document C(Extr.)/28/4, "Report", paragraph 11):

"(i) to present a Council document proposing specific amendments to the document being updated without presenting a complete revised draft document to the Council. The Council would be invited to adopt the revised version of the document on the basis of the specific amendments and the Office of the Union would prepare and publish the revised document on that basis;

"(ii) to present to the Council for adoption, in conjunction with the Council document containing the specific amendments to the document being updated, an information document, similar to document "List of TGP Documents and Latest Issue Dates" (document TGP/0/3) containing the latest references and dates of information documents (for instance, INF and EXN series of documents)."

UPOV/INF/19/1 Rules governing the granting of observer status to States, intergovernmental organizations and international non-governmental organizations in UPOV bodies (Revision)

9. At its thirty-ninth ordinary session, on October 27, 2005, the Council adopted the “Rules Governing the Granting of Observer Status to States, Intergovernmental Organizations and International Non-Governmental Organizations in UPOV Bodies and Access to UPOV Documents”, as contained in the Annex to document C/39/13. The Consultative Committee, at its eighty-third session, held in Geneva on March 30, 2012, agreed to propose a revision to the rules governing the granting of observer status to States, intergovernmental organizations and international non governmental organizations in UPOV bodies, as set out in the Annex to document C/39/13. On that basis, the Consultative Committee agreed that document UPOV/INF/19/1 “Rules governing the granting of observer status to States, intergovernmental organizations and international non-governmental organizations in UPOV bodies” should be put forward for adoption by the Council at its forty-sixth ordinary session.

10. Subject to adoption by the Council, document UPOV/INF/19/1 would replace the rules governing the granting of observer status to States, intergovernmental organizations and international non-governmental organizations in UPOV bodies, as set out in the Annex to document C/39/13.

11. *The Council is invited to:*

(a) *adopt the revision of the rules governing the granting of observer status to States, intergovernmental organizations and international non governmental organizations in UPOV bodies, on the basis of document UPOV/INF/19/1 Draft 2; and*

(b) *note that document UPOV/INF/19/1 would replace the rules governing the granting of observer status to States, intergovernmental organizations and international non governmental organizations in UPOV bodies, as set out in the Annex to document C/39/13.*

UPOV/INF/20/1 Rules governing access to UPOV documents (Revision)

12. At its thirty-ninth ordinary session, the Council adopted the “Rules Governing the Granting of Observer Status to States, Intergovernmental Organizations and International Non-Governmental Organizations in UPOV Bodies and Access to UPOV Documents”, as contained in the Annex to document C/39/13. The Consultative Committee, at its eighty-third session, agreed to propose a revision to the rules governing access to UPOV documents, as set out in the Annex to document C/39/13. On that basis, the Consultative Committee agreed that document UPOV/INF/20/1 “Rules governing access to UPOV documents” should be put forward for adoption by the Council at its forty-sixth ordinary session.

13. Subject to adoption by the Council, document UPOV/INF/20/1 would replace the rules governing access to UPOV documents, as set out in the Annex to document C/39/13.

14. *The Council is invited to:*

(a) *adopt the revision of the rules governing access to UPOV documents, on the basis of document UPOV/INF/20/1 Draft 2; and*

(b) *note that document UPOV/INF/20/1 would replace the rules governing access to UPOV documents, as set out in the Annex to document C/39/13.*

UPOV/INF/21/1 Alternative Dispute Settlement Mechanisms

15. The CAJ, at its sixty-fifth session, agreed a change to the text of document UPOV/INF/ADS "Alternative Dispute Settlement Mechanisms" and, on that basis, agreed that a document should be put forward for adoption by the Council at its forty-sixth ordinary session (see document UPOV/INF/21/1 Draft 1 "Alternative Dispute Settlement Mechanisms").²

16. The Council is invited to adopt document UPOV/INF/21/1 "Alternative Dispute Settlement Mechanisms", on the basis of document UPOV/INF/21/1 Draft 1.

UPOV/INF-EXN/3 List of UPOV/INF-EXN Documents and Latest Issue Dates (Revision)

17. In conjunction with the information documents that the Council will be invited to adopt at its forty-sixth ordinary session, and in accordance with the approach for updating documents previously adopted by the Council,³ it is proposed to adopt document UPOV/INF-EXN/3 "List of UPOV/INF-EXN Documents and Latest Issue Dates" on the basis of document UPOV/INF-EXN/3 Draft 1.

18. The Council is invited to adopt the revision of document UPOV/INF-EXN "List of INF-EXN Documents and Latest Issue Dates" (document UPOV/INF-EXN/3) on the basis of document UPOV/INF-EXN/3 Draft 1.

[Annex follows]

² In order to maintain a sequential numbering for information materials, the code for document "Alternative Dispute Settlement Mechanisms" has been changed from "UPOV/INF/ADS" to "UPOV/INF/21/1".

³ The Consultative Committee, at its eighty-first session, endorsed the following approach, if appropriate, for updating documents previously adopted by the Council (see document C(Extr.)/28/4, "Report", paragraph 11):

"(i) to present a Council document proposing specific amendments to the document being updated without presenting a complete revised draft document to the Council. The Council would be invited to adopt the revised version of the document on the basis of the specific amendments and the Office of the Union would prepare and publish the revised document on that basis;

"(ii) to present to the Council for adoption, in conjunction with the Council document containing the specific amendments to the document being updated, an information document, similar to document "List of TGP Documents and Latest Issue Dates" (document TGP/0/3) containing the latest references and dates of information documents (for instance, INF and EXN series of documents)."

DOCUMENT UPOV/INF/12/4

"EXPLANATORY NOTES ON VARIETY DENOMINATIONS UNDER THE UPOV CONVENTION"
(REVISION)

PROPOSED AMENDMENTS

NEW CLASS (CLASS 213) IN ANNEX I, PART II:
CLASSES ENCOMPASSING MORE THAN ONE GENUS

	<u>Botanical names</u>	<u>UPOV codes</u>
Class 213	Eupatorium L. Acanthostyles R. M. King & H. Rob. Ageratina Spach Asplundianthus R. M. King & H. Rob. Bartlettina R. M. King & H. Rob. Campuloclinium DC. Chromolaena DC. Conoclinium DC. Cronquistianthus R. M. King & H. Rob. Eutrochium Raf. Fleischmannia Sch. Bip. Praxelis Cass. Vioreckia R. M. King & H. Rob.	EUPAT - AGERT - - - - - - EUTRO - - -

[End of Annex and of document]