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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

CONSULTATIVE COMMITTEE**Eighty-Seventh Session
Geneva, April 11, 2014**

ACCESS TO UPOV DOCUMENTS AND PUBLICATION OF INFORMATION

*Document prepared by the Office of the Union**Disclaimer: this document does not represent UPOV policies or guidance*

1. The purpose of this document is to report on developments with regard to access to UPOV documents and publication of information.

I. UPOV DOCUMENTS

Documents on the UPOV Website

2. Currently, a number of important documents are only available in paper format and are, therefore, not available on the UPOV website. The Consultative Committee, at its eighty-second session, held in Geneva on October 19, 2011, noted that important documents that were only available in paper format and that had not been published on the UPOV website would be scanned and posted on the UPOV website as the resources of the Office of the Union allowed (see document CC/82/15 "Report", paragraph 30). As a first step, the bound versions of relevant documents have been de-assembled, sized and individually indexed, in order that the scanning of the documents into electronic format (Word and pdf) can be completed in 2014.

3. The documents that have been prepared include the following:

- (a) UPOV session documents;
- (b) Records of the diplomatic conferences on the revisions of the UPOV Convention;
- (c) Documents of meetings of UPOV with international organizations (IOM documents);
- (d) Issues of the Plant Variety Protection Gazette and Newsletter; and
- (e) UPOV seminars.

4. A suitable disclaimer will be included for all scanned documents to reflect their status and the method by which they have been reproduced. In that regard, it is recalled that the following disclaimer is used for new UPOV session documents:

"This document does not represent UPOV policies or guidance"

However, the above disclaimer could not be added to the scanned documents without a detailed and historical check of each document to establish whether it would be applicable. Therefore, the following disclaimer text included on the meeting section of the UPOV website, approved by the Consultative Committee at its eighty-fifth session, held in Geneva on March 22, 2013 (see document CC/85/11 "Report", paragraph 46), will be added to all scanned documents:

“Unless otherwise agreed by the Council of UPOV, only documents that have been adopted by the Council of UPOV and that have not been superseded can represent UPOV policies or guidance.

“This document has been scanned from a paper copy and may have some discrepancies from the original document.”

5. A report on the progress of the scanning work and the anticipated date to complete the uploading of the documents on the UPOV website will be made to the Consultative Committee at its eighty-seventh session.

6. The Consultative Committee is invited to note the plans for the scanning and posting on the UPOV website of important documents that have not been published on the UPOV website, as set out in paragraphs 2 to 4 of this document.

Translation of UPOV documents

7. The Consultative Committee, at its eightieth session, held in Geneva on October 20, 2010, approved proposals for the checking of translations before posting on the UPOV website, as set out in paragraphs 18 and 19 of document CC/80/4 “Access to UPOV Documents and Publication of Information” (see document CC/80/11 “Report”, paragraph 113). Paragraphs 18 and 19 of document CC/80/4 are reproduced below for ease of reference:

“Languages

“UPOV languages

‘17. At its sixty-seventh session, held in Geneva on April 2, 2004, the Consultative Committee endorsed the proposal for placing meeting documents on the UPOV Website, as set out in paragraph 19 of document CC/67/2 (see document CC/67/8 “ report, paragraph 21. Document CC/67/2 explained as follows:

‘17. The current procedure with regard to placing UPOV Council, Consultative Committee, CAJ and TC meeting documents on the Website is, wherever possible, to place those documents on the Website in all UPOV languages simultaneously. This procedure reflects the equal importance of all UPOV languages and also ensures that linguistic problems discovered in translation, which may require an amendment to the document in the original language, can be resolved before the document is finalized.

‘18. However, it is recognized that, for some members of the Union, the national language is not one of the UPOV languages and, in such cases, it is beneficial to make documents available in at least one UPOV language as soon as possible, in order to maximize the time for translation into the national language concerned.

‘19. It is, therefore, proposed that meeting documents for the Council, Consultative Committee, CAJ and TC should be placed on the UPOV Website in at least two UPOV languages six weeks before the meeting concerned, followed by other UPOV languages as soon as the translations are available.’

‘18. With regard to the timely posting of documents on the UPOV website, a significant delay in the posting of documents arises from the detailed checking of translations by the staff of the Office of the Union, with particular regard to the use of appropriate UPOV-specific terms. Delays in the posting of those documents result from the substantial time required for the checking of the documents, but also because the checking of those documents needs to be scheduled at the same time as other preparatory work associated with the sessions concerned. In order to improve the timeliness of the posting of documents, it is proposed that, starting with the documents to be prepared for the UPOV sessions to be held in October 2011, the staff of the Office of the Union would make detailed checks of only the following types of documents:

- (a) Council documents concerning the examination of laws;
- (b) documents adopted by the Council;

(c) Council, Consultative Committee, Administrative and Legal Committee and Technical Committee documents at the final stage, prior to submission to the Council for adoption; and

(d) other documents as considered appropriate by the Office of the Union, or so requested by the UPOV body concerned.

“19. In order to minimize any reduction in the quality of translations arising from such an approach, the Office of the Union has started an intensive program to provide the Language Division of the World Intellectual Property Organization (WIPO) with detailed feedback on translated documents in order that the quality of translations can be further improved. Such feedback was provided for most of the documents translated for the UPOV sessions held in March 2010 and will be repeated for the documents translated for the UPOV sessions to be held in October 2010. Delegations are encouraged to inform the Office of the Union of any inaccuracies in the translation of documents prepared for the UPOV sessions in October 2010 and April 2011. In the absence of substantial concerns, starting with the documents to be prepared for the UPOV sessions to be held in October 2011, the staff of the Office of the Union would make detailed checks of only the types of documents indicated in paragraph 18.”

8. Since October 2010, the checking of the types of documents set out in document CC/80/4, paragraphs 18 (a) to (d), has revealed an ever-diminishing, small number of corrections to be made to the translations. The ongoing improvement in the quality of translations will also be further enhanced by the introduction of a quality control program by WIPO Language Division, which will include an accreditation process for external translators.

9. On the above basis, it is proposed to discontinue routine detailed checking of the types of documents set out in document CC/80/4, paragraphs 18 (a) to (d), and to make a detailed check of documents, or parts of documents, only in particular cases, as considered appropriate by the Office of the Union.

10. The Consultative Committee is invited to consider the procedure for the checking of translations before posting on the UPOV website, as set out in paragraph 9.

II. PUBLICATION OF THE LIST OF OBSERVERS IN UPOV BODIES

11. The Consultative Committee, at its eighty-sixth session, held in Geneva on October 23, 2013, noted that the resources of the Office of the Union had not allowed the posting on the UPOV website of the date of granting of observer status in the list of observers in UPOV bodies (see document CC/86/14 “Report on the Conclusions”, paragraph 43). There have been no developments with regard to the posting on the UPOV website of the date of granting of observer status in the list of observers in UPOV bodies, since the eighty-sixth session of the Consultative Committee.

12. The Consultative Committee is invited to note that, to date, the resources of the Office of the Union have not allowed the posting on the UPOV website of the date of granting of observer status in the list of observers in UPOV bodies.

III. DATABASE OF CONSULTANTS

13. The Consultative Committee, at its eighty-fifth session, held in Geneva on March 22, 2013, agreed that the Office of the Union should investigate the feasibility of using a database of consultants in order to produce a list of consultants and their activities (document CC/85/10 “Report on the Conclusions”, paragraph 19).

14. In that regard, at the eighty-fifth session of the Consultative Committee, the Delegation of Bolivia reported on the creation of a WIPO database that provided a list or roster of consultants used by WIPO for the provision of technical assistance. It was explained that the database included information on the qualifications and experience of the consultants and the purposes for which they had been used. The Secretary-General suggested a study of the cost implications of adjusting for UPOV purposes the software architecture of the WIPO database of consultants.

15. At the eighty-sixth session of the Consultative Committee, the Office of the Union reported on its initial investigation of the WIPO Roster of Consultants (see <http://www.wipo.int/roc/en/>) in document CC/86/4 "Access to UPOV Documents and Publication of Information". It was reported that the WIPO Roster of Consultants was based on the same database as that used for the WIPO IP Development Matchmaking Database (see <http://www.wipo.int/dmd/en/>) and Technical Assistance Database (see <http://www.wipo.int/tad/en/>). The Development Matchmaking Database and Technical Assistance Database perform very similar functions to the UPOV "Assistance" Webpage (see documents CC/84/4 "Assistance' Webpage on the UPOV Website" and CC/84/14 "Report", paragraphs 51 to 54). In that regard, the adaptation of the WIPO databases for UPOV purposes would have the advantage of enabling UPOV mission data to be uploaded into the database in order to enable the efficient generation of reports (e.g. graphs, maps, etc.) for purposes such as the preparation of reports to the Council (see document CC/86/3 "Preparation of reports to the Council"). The Office of the Union is currently investigating the scope for the WIPO database to incorporate data from other UPOV databases before deciding how best to proceed.

16. At the eighty-sixth session of the Consultative Committee, the Office of the Union explained that, if it was not possible to use the WIPO database for UPOV purposes, the Office of the Union would provide a list of consultants in a different way (see document CC/86/14 "Report on the Conclusions", paragraph 45). Pending the outcome of the discussions on the use of the WIPO Roster of Consultants, the Annex to this document provides a summary of information concerning consultants that were used by UPOV in 2013 and which have given their authorization to be included in the list. One consultant has not yet given his authorization to be included in the list.

17. For the purposes of this document, consultants are the following:

- (a) speakers whose travel expenses have been covered, partly or wholly, by UPOV or a Fund-in-Trust; and
- (b) distance learning tutors who have received payment from UPOV.

18. The Consultative Committee is invited to note the information on consultants that were used by UPOV in 2013, as set out in paragraphs 16 and 17 and the Annex to this document.

[Annex follows]

ANNEX

Summary of information concerning consultants used by UPOV in 2013

				Activity					
Family name(s)	First name(s)	Employer	Nationality	Title	Language	City	Country	Month(s)	Year
Barrientos-Priego	Alejandro	Universidad Autónoma Chapingo (UACH), Mexico	MX	Regional Seminar on New Plant Variety Protection under the UPOV Convention	English	Port of Spain	TT	July	2013
Barrientos-Priego	Alejandro	Universidad Autónoma Chapingo (UACH), Mexico	MX	Seminar on Plant Variety Protection	Spanish	Quito	EC	November	2013
Boreham	David	retired	GB	UPOV Distance Learning Course (DL-205) 2013 Session 2	English			November-December	2013
Carriere	Michael D.	UC Davis InnovationAccess, United States of America	US	Seminar on Benefit of PVP System in line with UPOV Convention	English	Kandy	LK	November	2013
Elena	José	retired	ES	UPOV Distance Learning Course (DL-205) 2013 Session 1	Spanish			May-June	2013
Fikkert	Krieno	retired	NL	UPOV Distance Learning Course (DL-205) 2013 Session 1	English			May-June	2013
Gazaro	Were Regine	Organisation africaine de la propriété intellectuelle (OAPI), Cameroon	TG	Regional Workshop on the ARIPO Legal Framework for the Protection of New Varieties of Plants	English	Lilongwe	MW	July	2013
Gennatas	Jacques	retired	FR	UPOV Distance Learning Course (DL-205) 2013 Session 2	French			November-December	2013
Guiard	Joel	retired	FR	UPOV Seminar on Essential Derived Varieties (EDV)	French	Geneva	CH	October	2013
Ignacio	Normita Gumasing	Southeast Asia Regional Initiatives for Community Empowerment (SEARICE), Philippines	PH	UPOV Seminar on Essential Derived Varieties (EDV)	English	Geneva	CH	October	2013
Kabare	John Ndirangu	African Regional Intellectual Property Organization (ARIPO), Zimbabwe	KE	Seminar on Benefit of PVP System in line with UPOV Convention	English	Kandy	LK	November	2013
Kochhar	Sudhir	Indian Council of Agricultural Research (ICAR), India	IN	Seminar on Benefit of PVP System in line with UPOV Convention	English	Kandy	LK	November	2013
Lavignolle	Raimundo	Instituto Nacional de Semillas (INASE), Argentina	AR	Regional Seminar on New Plant Variety Protection under the UPOV Convention	English	Port of Spain	TT	July	2013
Marshall	Sandy	retired	CA	Regional Seminar on New Plant Variety Protection under the UPOV Convention	English	Port of Spain	TT	July	2013
Mauria	Shashank	Indian Council of Agricultural Research (ICAR), India	IN	Seminar on Benefit of PVP System in line with UPOV Convention	English	Kandy	LK	November	2013
Narita	Tomoaki	National Center for Seeds and Seedlings (NCSS), Japan	JP	Joint Workshop on DUS Testing and Molecular Techniques	English	Beijing	CN	September	2013

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				Activity					
Family name(s)	First name(s)	Employer	Nationality	Title	Language	City	Country	Month(s)	Year
Ngwediagi	Sirael Patrick	Ministry of Agriculture, Food Security and Cooperatives, United Republic of Tanzania	TZ	UPOV-USPTO Train the Trainer 2013	English	Geneva	CH	September	2013
Sackey	Emmanuel Kofi-Agyir	African Regional Intellectual Property Organization (ARIPO), Zimbabwe	GH	UPOV-USPTO Train the Trainer 2013	English	Geneva	CH	September	2013
Salaices	Luis	Ministerio de Agricultura, Alimentación y Medio Ambiente (MAGRAMA), Spain	ES	XII Training Course for Ibero-American Countries on the Protection of New Varieties of Plants	Spanish	Montevideo	UY	November	2013
Sikinyi	Evans Olonyi	The Seed Trade Association of Kenya (STAK), Kenya	KE	Regional Workshop on the ARIPO Legal Framework for the Protection of New Varieties of Plants	English	Lilongwe	MW	July	2013
Sikinyi	Evans Olonyi	The Seed Trade Association of Kenya (STAK), Kenya	KE	UPOV-USPTO Train the Trainer 2013	English	Geneva	CH	September	2013
Takemori	Sanji	National Center for Seeds and Seedlings (NCSS), Japan	JP	Seminar on Benefit of PVP System in line with UPOV Convention	English	Kandy	LK	November	2013
Tejan-Cole	Alhaji Abubakarr	African Agricultural Technology Foundation (AATF), Kenya	SL	Regional Workshop on the ARIPO Legal Framework for the Protection of New Varieties of Plants	English	Lilongwe	MW	July	2013
Toro Ugalde	Manuel	Servicio Agrícola y Ganadero (SAG), Chile	CL	XII Training Course for Ibero-American Countries on the Protection of New Varieties of Plants	Spanish	Montevideo	UY	November	2013
Toro Ugalde	Manuel	Servicio Agrícola y Ganadero (SAG), Chile	CL	Seminar on Plant Variety Protection	Spanish	Lima	PE	November	2013
Toro Ugalde	Manuel	Servicio Agrícola y Ganadero (SAG), Chile	CL	Seminar on Plant Variety Protection	Spanish	Quito	EC	November	2013
Whitmore	Bill	retired	NZ	UPOV Distance Learning Course (DL-205) 2013 Session 2	English			November-December	2013

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