

**Working Group on a Possible International System  
of Cooperation**

UPOV/WG-ISC/2/2

**Second Meeting  
Geneva, April 5, 2017****Original:** English  
**Date:** February 6, 2017**ANALYSIS OF ISSUES IN RELATION TO NEEDS OF PVP OFFICES***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 provide an analysis of the issues in document CC/92/10 “International system of cooperation”, paragraph 10, in relation to the needs of the PVP Offices of the members of the Union, as identified by the Working Group on a possible International System of Cooperation (WG-ISC) at its first meeting, held in Geneva on October 27, 2016.

**INTRODUCTION**

2. At its first meeting, held in Geneva on October 27, 2016, the Working Group on a possible International System of Cooperation (WG-ISC) agreed that the WG-ISC should, in the first instance, identify the needs of the PVP Offices of the members of the Union (see document UPOV/WG-ISC/1/2 “Report”, paragraph 10).

3. The WG-ISC agreed that, having identified needs of PVP Offices, the next step would be to analyze the issues in document CC/92/10, paragraph 10, in relation to those needs. The document should be structured on the basis of the following elements, within which the specific needs would be presented and the issues related to those needs identified (see document UPOV/WG-ISC/1/2 “Report”, paragraph 27):

- (i) DUS Examination
- (ii) Novelty
- (iii) Priority
- (iv) Denomination
- (v) Cooperation in administrative matters
- (vi) Facilitating applications.

4. The WG-ISC noted that a number of issues in document CC/92/10, paragraph 10, were already addressed in the WG-ISC terms of reference, e.g. Issue 1 (a) “to clarify that an ISC would not affect the responsibility of the members of the Union in relation to the grant and protection of breeders’ rights” was covered by the WG-ISC terms of reference, Purpose 1. “To prepare proposals for consideration by the Consultative Committee concerning a possible ISC that would: (a) not affect the responsibility of the members of the Union in relation to the grant and protection of breeders’ rights, or other international obligations; [...]”. On that basis, the WG-ISC agreed that the document should not include issues that were specifically addressed in the WG-ISC terms of reference. For transparency purposes, it was agreed that the issues that had been omitted would be reported in an annex to the document (see document UPOV/WG-ISC/1/2 “Report”, paragraph 28).

ANALYSIS OF ISSUES IN RELATION TO NEEDS OF PVP OFFICES

5. Annex I to this document proposes a list of issues that might be considered relevant for the needs of the PVP Offices, as identified at the first meeting of the WG-ISC, structured on the basis of the following elements:

- (i) DUS Examination
- (ii) Novelty
- (iii) Priority
- (iv) Denomination
- (v) Cooperation in administrative matters
- (vi) Facilitating applications.

6. Annex II to this document provides an analysis of all issues contained in document CC/92/10 in relation to the mandate and terms of reference of the WG-ISC and the needs of the PVP Offices as identified at the first meeting of the WG-ISC. A copy of the mandate and terms of reference of the WG-ISC is provided in Annex III to this document.

*7. The WG-ISC may wish to consider the following approach at its second meeting:*

*(a) consider whether the issues identified in Annex I are relevant for the needs of PVP Offices;*

*(b) identify additional measures that might be relevant for the needs of PVP Offices; and*

*(c) specify further information that would be required in relation to the agreed measures in (a) and (b) for the WG-ISC to be able to start work on developing proposals in accordance with the mandate and terms of reference of the WG-ISC.*

[Annexes follow]

## ANNEX I

POSSIBLE ISSUES RELEVANT FOR THE NEEDS OF THE PVP OFFICES AS IDENTIFIED  
AT THE FIRST MEETING OF THE WORKING GROUP ON A POSSIBLE  
INTERNATIONAL SYSTEM OF COOPERATION (WG-ISC)

## DUS EXAMINATION

Needs of PVP Offices

- (i) to improve cooperation in order to improve the quality and completeness of variety collections;
- (ii) to accept DUS reports from any member of the Union without further consideration;
- (iii) information on varieties that were considered by members of the Union to be a matter of common knowledge;
- (iv) information on varieties that had been included in the DUS examination; and
- (v) centralized database(s) of variety descriptions, particularly for molecular data.

Relevant issues in document CC/92/10

<u>CC/92/10 Reference</u>	<u>CC/92/10 Item</u>	<u>Relevant Need</u>
Issue 8	(a) to consider whether the establishment of an accreditation system, or other means of conveying objective information on DUS examination capacity, might facilitate cooperation in DUS examination and the features of such a system.	DUS examination (i)-(v)
	(b) to consider the functioning of an accreditation system including: <ul style="list-style-type: none"> <li>• the accrediting entity, the accreditation period, the costs associated with the Offices and the entity that determines the examination rates</li> <li>• how the system would function for native varieties of each country and what would happen if these varieties need to be registered with the ISC and the Office is not accredited</li> </ul>	DUS examination (i)-(v)
Issue 9	(a) to consider other measures that might facilitate cooperation in DUS examination between members of the Union.	DUS examination (i)-(v)
	(b) to consider how plant material would be obtained in cases where the DUS examination was conducted by another member of the Union	DUS examination (i)
	(c) to consider differences of geographic conditions and test conditions in terms of agricultural practices	DUS examination (ii)
Issue 10	to consider how an ISC could be used to support capacity in DUS examination with a view to facilitating cooperation, including the development of capacity that would facilitate cooperation.	DUS examination (i)-(v)
Issue 22	[part] (a) to consider whether information in Issue 22 (v) and (vi) should be monitored and maintained by members of the Union and made available at a general level via the PLUTO database  [(v) maintain standard UPOV variety descriptions, information on varieties of common knowledge included in the DUS examination, status and disposition of any propagating material provided by the breeder and information relating to pedigree and parental lines of hybrids (to be maintained as confidential); and (vi) include a search for relevant varieties of common knowledge against which the application variety may be compared.]	DUS Examination (i)-(v)
	[part] (b) to consider whether information in Issue 22 (v) and (vi) should be monitored and maintained by members of the Union and made available at a general level via the PLUTO database	DUS Examination (i)-(v)

## NOVELTY

### Needs of PVP Offices

- (i) to have access to more timely and accurate information on novelty from members of the Union;
- (ii) to have more information on novelty-breaking criteria for individual members of the Union; and
- (iii) to have more information on novelty-breaking acts, rather than just dates, from applicants.

### Relevant issues in document CC/92/10

Issue 11	(b) to consider the basis on which a preliminary observation office(s) would be selected to conduct the preliminary observation.	Novelty (i) Denomination (i), (ii), (iii)
Issue 12	(a) to clarify that that a preliminary observation should, as far as possible, aim to assess the acceptability of a proposed variety denomination for all members of the Union.	Novelty (i) Denomination (iii)
	(c) to consider how to take into consideration members of the Union that do not have national catalogs and those that do not file their data in the PLUTO database.	Novelty (i) Denomination (i), (ii), (iv), (v)
Issue 16	to recall that the UPOV Model Form for the Application for Plant Breeders' Rights (document TGP/5 "Experience and Cooperation in DUS Testing" Section 2), Item 8, provides a request for relevant information concerning novelty.	Novelty (i)
Issue 17	(a) to recall that the PLUTO database includes an item to allow for information to be provided on dates on which a variety was commercialized for the first time in the territory of application and other territories.	Novelty (i)
	(b) to take into account that the concept of "first commercialization" differs among the UPOV members	Novelty (ii), (iii)

## RIGHT OF PRIORITY

### Needs of PVP Offices

- (i) to improve the timeliness and quality of data available within UPOV in relation to priority, particularly dates of applications.

### Relevant issues in document CC/92/10

[none]

## DENOMINATION

### Needs of PVP Offices

- (i) easier access to variety denomination information;
- (ii) access to complete and up-to-date information on variety denominations;
- (iii) a common tool/service to facilitate harmonized decisions on variety denominations;
- (iv) information on reasons for rejection of denominations by members of the Union that had previously been proposed to, or registered by, another member of the Union; and
- (v) a network of denomination contact persons.

### Relevant issues in document CC/92/10

Issue 11	(b) to consider the basis on which a preliminary observation office(s) would be selected to conduct the preliminary observation.	Novelty (i) Denomination (i), (ii), (iii)
Issue 12	(a) to clarify that that a preliminary observation should, as far as possible, aim to assess the acceptability of a proposed variety denomination for all members of the Union.	Novelty (i) Denomination (iii)
	(b) to consider how to take into consideration marks, geographical indications and designations of origin	Denomination (iv)
	(c) to consider how to take into consideration members of the Union that do not have national catalogs and those that do not file their data in the PLUTO database.	Novelty (i) Denomination (i), (ii), (iv), (v)
Issue 13	to consider, in the case that a member of the Union subsequently considered the proposed denomination unsuitable within its territory, the procedure for the breeder to submit another denomination.	Denomination (iii)
Issue 14	to note the value of a UPOV similarity search tool for variety denomination purposes and to consider extending such a tool [to] include words or elements that are considered to be unsuitable by members of the Union.	Denomination (iii)
Issue 15	to consider the need to extend consideration beyond the denominations currently included in the PLUTO database, to other denominations considered by members of the Union.	Denomination (i), (ii), (v)

## COOPERATION IN ADMINISTRATIVE MATTERS

### Needs of PVP Offices

- (i) a means of mutually recognizing documents produced by other members of the Union, e.g. a digital signature; and
- (ii) a mechanism to receive payments for the take-over of DUS reports from other members of the Union.

### Relevant issues in document CC/92/10

Issue 24	to consider whether the examination by members of the Union using the ISC would be resourced by the members of the Union under their current arrangements for examination of applications and whether the collection of fees to cover that work might be organized as a part of the international system of administration of an ISC.	Cooperation in administrative matters (ii)
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## FACILITATING APPLICATIONS

### Needs of PVP Offices

- (i) to facilitate applications by residents and non-residents, including in particular applications by individuals and small- and medium-sized enterprises/organizations, in order to increase the number of varieties available in members of the Union; and
- (ii) to have a more efficient arrangement for processing applications in order to avoid delays resulting from an increased number of applications.

### Relevant issues in document CC/92/10

Issue 2	(b) to utilize software and technical specifications that would make it possible for all members of the Union to participate in an ISC without prejudice to national standards	Facilitating applications (i)
Issue 19	to consider that the EAF Project, and/or ISC, might provide a basis for members of the Union to move towards greater harmonization in their application forms, thereby creating possibilities at a later stage for an ISC to include the checking of the completeness of the application, preparation for publication and inserting the relevant information about the application in a centralized application database.	Facilitating applications (ii)

[Annex II follows]

## ANNEX II

ANALYSIS OF ISSUES IN DOCUMENT CC/92/10 IN RELATION TO: THE MANDATE AND TERMS OF REFERENCE OF THE WORKING GROUP ON A POSSIBLE INTERNATIONAL SYSTEM OF COOPERATION (WG-ISC); AND THE NEEDS OF THE PVP OFFICES AS IDENTIFIED AT THE FIRST MEETING OF THE WG-ISC

<u>CC/92/10 Reference</u>	<u>CC/92/10 Item</u>	<u>Proposed action</u>
Issue 1	(a) to clarify that the an ISC would not affect the responsibility of the members of the Union in relation to the grant and protection of breeders' rights.	Covered by TOR and Mandate
	(b) to clarify that: <ul style="list-style-type: none"> <li>i. applications would not be filed with the Office of the Union;</li> <li>ii. applications would continue to be filed with individual members of the Union</li> <li>iii. examination of applications would not be conducted by the Office of the Union;</li> <li>iv. an ISC would be based on existing forms of voluntary cooperation in examination between members of the Union;</li> <li>v. non-participation in an ISC would not affect cooperation in examination between members of the Union</li> <li>vi. that an ISC would not affect the sovereign decision of the members of the Union in relation to the grant and protection of breeders' rights, including decisions on the conditions for the grant of breeders' rights</li> </ul>	Covered by TOR and Mandate
	(c) to clarify that an ISC would not affect leeway of members of the Union to formulate policy and to address their own specific needs and circumstances according to the relevant Act of the UPOV Convention.	Covered by TOR and Mandate
	(d) to take into account the standards and legislation of the various members of the Union in order to devise a framework that would benefit all members	Covered by TOR and Mandate
	(e) to clarify that members of the Union could choose to participate in selected elements of an ISC	Covered by TOR and Mandate
	(f) to analyze: <ul style="list-style-type: none"> <li>i. the representation of breeders in each member of the Union;</li> <li>ii. online / face-to-face payments;</li> <li>iii. publication in newspapers or the official gazette;</li> <li>iv. committees established by law, which decide on the registration of a variety;</li> <li>v. termination of a breeder's right if it occurred in another territory (availability of information);</li> <li>vi. obligation to submit representative samples, even if the DUS testing is not conducted; and</li> <li>vii. obligation to present legalized documents (powers of attorney, assignments, etc.).</li> </ul>	Covered by TOR and Mandate
Issue 2	(a) to clarify that it would be a matter for each member of the Union to decide whether to participate in an ISC and, if appropriate, what measures it would need to take in order to participate.	Covered by TOR and Mandate
	(b) to utilize software and technical specifications that would make it possible for all members of the Union to participate in an ISC without prejudice to national standards	Facilitating applications (i)
Issue 3	(a) to consider the possible impact on the number of PBR applications as a result of an ISC.	Covered by TOR and Mandate

<u>CC/92/10 Reference</u>	<u>CC/92/10 Item</u>	<u>Proposed action</u>
	(b) to consider whether an increase in PBR applications would translate into benefits for UPOV members.	Covered by TOR and Mandate
	(c) to explore the demand from breeders for an ISC through a set of dedicated questions in order to obtain more reliable data on the benefits and the potential use of such system by breeders	Covered by TOR and Mandate
Issue 4	(a) to clarify that that it would remain a matter for each member of the Union to decide on its arrangements for DUS examination, including cooperation with other members of the Union.	Covered by TOR and Mandate
	(b) to clarify that UPOV members would continue to be responsible for determining their own fees.	Covered by TOR and Mandate
	(c) to consider the consequences of an ISC for DUS testing in individual UPOV members and for impact on breeders, particularly small and medium-sized enterprises (SME's)	Covered by TOR and Mandate
Issue 5	to clarify that an ISC should not be expected to result in a single DUS examination being sufficient for all members of the Union for all species, whilst recognizing the benefits of facilitating greater cooperation between members of the Union.	Covered by TOR and Mandate
Issue 6	to consider whether arrangements between members of the Union for DUS examination might be integrated in an ISC.	Covered by TOR and Mandate
Issue 7	to note that information on arrangements between members of the Union for DUS examination is already included in the GENIE database.	Covered by TOR and Mandate
Issue 8	(a) to consider whether the establishment of an accreditation system, or other means of conveying objective information on DUS examination capacity, might facilitate cooperation in DUS examination and the features of such a system.	DUS examination (i)-(v)
	(b) to consider the functioning of an accreditation system including: <ul style="list-style-type: none"> <li>• the accrediting entity, the accreditation period, the costs associated with the offices and the entity that determines the examination rates</li> <li>• how the system would function for native varieties of each country and what would happen if these varieties need to be registered with the ISC and the Office is not accredited</li> </ul>	DUS examination (i)-(v)
Issue 9	(a) to consider other measures that might facilitate cooperation in DUS examination between members of the Union.	DUS examination (i)-(v)
	(b) to consider how plant material would be obtained in cases where the DUS examination was conducted by another member of the Union	DUS examination (i)
	(c) to consider differences of geographic conditions and test conditions in terms of agricultural practices	DUS examination (ii)
Issue 10	to consider how an ISC could be used to support capacity in DUS examination with a view to facilitating cooperation, including the development of capacity that would facilitate cooperation.	DUS examination (i)-(v)
Issue 11	(a) to clarify that preliminary observations on novelty and denomination would not affect the sovereign decision of the members of the Union in relation to the grant and protection of breeders' rights	Covered by TOR and Mandate



<u>CC/92/10 Reference</u>	<u>CC/92/10 Item</u>	<u>Proposed action</u>
	(b) to consider the basis on which a preliminary observation office(s) would be selected to conduct the preliminary observation.	Novelty (i) Denomination (i), (ii), (iii)
Issue 12	(a) to clarify that that a preliminary observation should, as far as possible, aim to assess the acceptability of a proposed variety denomination for all members of the Union.	Novelty (i) Denomination (iii)
	(b) to consider how to take into consideration marks, geographical indications and designations of origin	Denomination (iv)
	(c) to consider how to take into consideration members of the Union that do not have national catalogs and those that do not file their data in the PLUTO database.	Novelty (i) Denomination (i), (ii), (iv), (v)
	(d) to consider how to address variety denominations in different alphabets	Not identified as a need of PVP Offices at WG-ISC/1
Issue 13	to consider, in the case that a member of the Union subsequently considered the proposed denomination unsuitable within its territory, the procedure for the breeder to submit another denomination.	Denomination (iii)
Issue 14	to note the value of a UPOV similarity search tool for variety denomination purposes and to consider extending such a tool [to] include words or elements that are considered to be unsuitable by members of the Union.	Denomination (iii)
Issue 15	to consider the need to extend consideration beyond the denominations currently included in the PLUTO database, to other denominations considered by members of the Union.	Denomination (i), (ii), (v)
Issue 16	to recall that the UPOV Model Form for the Application for Plant Breeders' Rights (document TGP/5 "Experience and Cooperation in DUS Testing" Section 2), Item 8, provides a request for relevant information concerning novelty.	Novelty (i)
Issue 17	(a) to recall that the PLUTO database includes an item to allow for information to be provided on dates on which a variety was commercialized for the first time in the territory of application and other territories.	Novelty (i)
	(b) to take into account that the concept of "first commercialization" differs among the UPOV members	Novelty (ii), (iii)
Issue 18	to clarify that it would not be appropriate to include the checking of the completeness of the application, preparation for publication and inserting the relevant information about the application in a centralized application database.	Covered by TOR and Mandate
Issue 19	to consider that the EAF Project, and/or ISC, might provide a basis for members of the Union to move towards greater harmonization in their application forms, thereby creating possibilities at a later stage for an ISC to include the checking of the completeness of the application, preparation for publication and inserting the relevant information about the application in a centralized application database.	Facilitating applications (ii)
Issue 20	(a) to clarify that, in addition to an "ISC fee", there would be fees for DUS examination and fees for individual members of the Union.	Covered by TOR and Mandate

<u>CC/92/10 Reference</u>	<u>CC/92/10 Item</u>	<u>Proposed action</u>
	(b) to make an economic analysis to assess the impact for plant breeders	Covered by TOR and Mandate
Issue 21	subject to agreement on the relevant issues, to consider the EAF Project, with an appropriate extension of the remit, as a starting point for the international service to be provided by an ISC	Covered by TOR and Mandate
Issue 22	(a) to clarify that an ISC should not: <ul style="list-style-type: none"> <li>i. monitor the status of the DUS examination;</li> <li>ii. receive and maintain reports of decisions on granting of PBR;</li> <li>iii. address objections concerning conduct of the DUS examination;</li> <li>iv. maintain and publish all relevant “bibliographic” information concerning PBR applications;</li> <li>v. maintain standard UPOV variety descriptions, information on varieties of common knowledge included in the DUS examination, status and disposition of any propagating material provided by the breeder and information relating to pedigree and parental lines of hybrids (to be maintained as confidential); and</li> <li>vi. include a search for relevant varieties of common knowledge against which the application variety may be compared.</li> </ul>	Not identified as a need of PVP Offices at WG-ISC/1
	[part] (a) to consider whether information in Issue 22 (i) to (iv) should be monitored and maintained by members of the Union and made available at a general level via the PLUTO database	Not identified as a need of PVP Offices at WG-ISC/1
	[part] (a) to consider whether information in Issue 22 (v) and (vi) should be monitored and maintained by members of the Union and made available at a general level via the PLUTO database <p>[(v) maintain standard UPOV variety descriptions, information on varieties of common knowledge included in the DUS examination, status and disposition of any propagating material provided by the breeder and information relating to pedigree and parental lines of hybrids (to be maintained as confidential); and (vi) include a search for relevant varieties of common knowledge against which the application variety may be compared.]</p>	DUS Examination (i)-(v)
	[part] (b) to consider whether information in Issue 22 (i) to (iv) should be monitored and maintained by members of the Union and made available at a general level via the PLUTO database	Not identified as a need of PVP Offices at WG-ISC/1
	[part] (b) to consider whether information in Issue 22 (v) and (vi) should be monitored and maintained by members of the Union and made available at a general level via the PLUTO database	DUS Examination (i)-(v)
Issue 23	to consider a suitable legal basis for an ISC, in accordance with the UPOV Convention, including Article 21 of the 1978 Act [Tasks of the Council] and Articles 10 [Filing of Applications] and 26 [The Council] of the 1991 Act.	Covered by TOR and Mandate
Issue 24	to consider whether the examination by members of the Union using the ISC would be resourced by the members of the Union under their current arrangements for examination of applications and whether the collection of fees to cover that work might be organized as a part of the international system of administration of an ISC.	Cooperation in administrative matters (ii)
Issue 25	[deleted]	

<u>CC/92/10 Reference</u>	<u>CC/92/10 Item</u>	<u>Proposed action</u>
Issue 26	[deleted]	
Issue 27	to note that the extent of resources for an ISC would be determined by the extent of the international system of administration.	Covered by TOR and Mandate
Issue 28	to consider whether the development and maintenance of an ISC should be fully financed by income from fees paid by breeders.	Covered by TOR and Mandate
Issue 29	to consider whether the EAF Project, as funded through the Program and Budget for the 20162017 Biennium, should provide the core of the international system of administration.	Covered by TOR and Mandate
Issue 30	to consider how additional elements to be incorporated in the EAF Project, e.g. the receipt of applications from receiving UPOV member offices, information on accredited DUS centers and information on [choice of] preliminary observation offices, should be funded.	Covered by TOR and Mandate
Issue 31	to examine and describe the relation between the ISC and the International Treaty on Plant Genetic Resources for Food and Agriculture (ITPGRFA) and the Convention on Biological Diversity (CBD) Nagoya protocol, and any effect a possible ISC could have in this regard.	Not identified as a need of PVP Offices at WG-ISC/1

[Annex III follows]

## ANNEX III

Mandate and Terms of Reference for the  
Working Group on a Possible International System of Cooperation (WG-ISC)

(as agreed by the Consultative Committee at its ninety-second session, held in Geneva on October 27, 2016:  
see document CC/92/20 "Report on the Conclusions", paragraph 59)

*Purpose*

1. To prepare proposals for consideration by the Consultative Committee concerning a possible ISC that would:
  - (a) not affect the responsibility of the members of the Union in relation to the grant and protection of breeders' rights, or other international obligations;
  - (b) be relevant for all members of the Union, irrespective of the Act of the UPOV Convention by which they are bound;
  - (c) would not affect the existing flexibility of members of the Union to formulate policy and to address their own specific needs and circumstances according to the relevant Act of the UPOV Convention;
  - (d) be based on voluntary participation by members of the Union according to their measures for participation;
  - (e) allow members of the Union to choose to participate in selected elements of an ISC;
  - (f) be based on voluntary cooperation between members of the Union;
  - (g) not affect cooperation with, and between, members of the Union that did not participate in an ISC;
  - (h) be based on filing of applications with individual members of the Union and not with the Office of the Union;
  - (i) not be based on examination of applications by the Office of the Union;
  - (j) not affect the determination and payment of fees by individual members of the Union;
  - (k) not affect the right of each member of the Union to conduct its own examination for the granting of breeders' rights;
  - (l) be based as far as possible on existing UPOV initiatives and materials, including in particular: the GENIE database; the Electronic Application Form (EAF) project; the UPOV similarity search tool for variety denomination purposes; and UPOV information materials.
2. For the above proposals, to provide the Consultative Committee with an analysis of the:
  - (a) the need for an ISC;
  - (b) advantages and disadvantages of the proposals, compared to existing arrangements;
  - (c) existence of a legal basis under the Acts of the UPOV Convention;
  - (d) impact on domestic legislation, administrative procedures, rights and policy framework, in relation to the relevant Act of the UPOV Convention, for the PVP Offices of UPOV members;
  - (e) potential advantages and disadvantages for:
    - i) society in the members of the Union;
    - ii) PVP Offices of members of the Union, including:
      - costs and income
      - number of applications and income received for applications;
    - iii) domestic and foreign breeders, including for small- and medium-sized enterprises (SMEs);
    - iv) farmers; and
    - v) UPOV.

*Composition*

- (a) to be composed of the following members of the Union:
  - Bolivia (Plurinational State of)
  - Brazil
  - Canada
  - Chile
  - Colombia
  - Ecuador
  - European Union (European Commission, Community Plant Variety Office of the European Union (CPVO), Estonia, France, Germany, Netherlands and United Kingdom)
  - Japan
  - Norway
  - United States of America
- (b) other members of the Union would be free to participate at any meeting of the WG-ISC and make comments, where so desired;
- (c) the WG-ISC would be restricted to members of the Union and the WG-ISC would revert back to the Consultative Committee if the WG-ISC recommends to invite observers or experts to any of its meetings;
- (d) meetings to be chaired by the Vice Secretary-General.

*Modus operandi*

- (a) to meet, as far as possible, in conjunction with the sessions of the Consultative Committee at a time and frequency to address the requests of the Consultative Committee;
- (b) in the first instance, to prepare a document presenting the issues for consideration according to the following structure:
  - vi) International system of administration
  - vii) Preliminary observation on novelty and denomination
  - viii) DUS examination
  - ix) Examination by members of the Union using the ISC;
- (c) to prepare a document containing proposals, analysis and information according to the purpose specified above, for consideration by the Consultative Committee, according to a timetable to be specified by the Consultative Committee;
- (d) to report on progress to the Consultative Committee after each meeting of the WG-ISC;
- (e) WG-ISC documents to be made available to the Consultative Committee.

[End of Annex III and of document]