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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

CONSULTATIVE COMMITTEE

Eighty-Fourth Session
Geneva, October 31, 2012

ACCESS TO UPOV DOCUMENTS AND PUBLICATION OF INFORMATION

Document prepared by the Office of the Union

1. The purpose of this document is to report on developments in relation to the following matters concerning access to UPOV documents, which were considered by the Consultative Committee at its eighty-third session, held in Geneva on March 30, 2012 (see documents CC/83/4, CC/83/4 Add. and CC/83/7 "Report on the Conclusions", paragraphs 23 to 34):

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I. UPOV DOCUMENTS

Disclaimers

PLUTO and GENIE databases

2. The homepage of the GENIE database (see <http://www.upov.int/genie/en/>) presents the general notice and disclaimer. The homepage of the PLUTO database (<http://www.upov.int/pluto/en/>) does not have a suitable space for the general notice and disclaimer (<http://www.upov.int/about/en/pluto-disclaimer.html>), which is found by means of a link at the bottom of the homepage.

3. The Consultative Committee, at its eighty-second session, held in Geneva on October 19, 2011, agreed to require users of the Plant Variety Database (PLUTO) to register in order that the use of the Plant Variety Database could be monitored, with a view to using that feedback for future improvements. It was emphasized that this would still mean that the Plant Variety Database would still be freely accessible (see document CC/82/15 "Report", paragraph 50).

4. The requirement for users to register to use the PLUTO database will be extended to the GENIE database and the registration procedure will also be used to require users to acknowledge the relevant disclaimers for those databases.

5. The requirement for users to register to use the PLUTO and GENIE databases will be implemented by October 2012 and a further report will be made to the Consultative Committee at its eighty-fourth session.

Test Guidelines

6. At its forty-seventh session, held in Geneva from April 4 to 6, 2011, the Technical Committee (TC) noted the plans of the Office of the Union to make copies of all previous adopted versions of Test Guidelines available on the first restricted area of the UPOV website in conjunction with the restructuring of the website (see document TC/47/26 "Report on the Conclusions", paragraph 108).

7. At its forty-eighth session, held in Geneva March 26 to March 28, 2012, the TC was informed that the Council, at its forty-fifth ordinary session, held in Geneva on October 20, 2011, had agreed that documents in the first restricted area of the UPOV website be made publicly accessible, by removal of the password requirement (see document C/45/18 "Report", paragraph 9(c)). It was also informed that, following that development, the Office of the Union had not made copies of all previous adopted versions of Test Guidelines available on the UPOV website, pending further consideration of the matter by the Technical Committee. In that regard, it was explained that, in proposing the publication of previous adopted versions of Test Guidelines on the first restricted area of the UPOV website, it was recognized that the restricted access to previous adopted versions of Test Guidelines would minimize the risk of visitors to the UPOV website inadvertently searching and selecting an obsolete version of the Test Guidelines. The previous adopted versions of Test Guidelines were intended to be placed in a different section to the latest adopted versions of the Test Guidelines; however, search results for Test Guidelines across the site would not indicate if the Test Guidelines were previous or latest versions of the adopted Test Guidelines concerned. Therefore, it was proposed that a cover page be added to all previous adopted versions of Test Guidelines indicating their status before such documents were published on the UPOV website (see document TC/48/2 "Test Guidelines", Section V. "Test Guidelines on the UPOV Website", paragraphs 25 to 28).

8. The TC, at its forty-eighth session, held in Geneva March 26 to March 28, 2012, agreed to add a cover page to all previous adopted versions of the Test Guidelines, indicating their status before those documents were published on the UPOV website. The TC further agreed that consideration should be given to adding a disclaimer to all UPOV session documents in order to clarify the status of the documents.

UPOV Body Documents

9. Document CC/82/5 "Access to UPOV Documents and Publication of Information", Section II "UPOV Meeting Documents", paragraph 9, reported that the Working Group on Rules Concerning Observers (Working Group) had considered access to UPOV meeting documents and had agreed to recommend to the Consultative Committee that the documents in the First Restricted Area should be made publicly accessible, i.e. the First Restricted Area would no longer be accessible by means of a password¹. The Working Group agreed to recommend that a suitable disclaimer be provided on the UPOV website with regard to the status of Administrative and Legal Committee (CAJ), Technical Committee (TC) and Technical Working Party (TWP) documents.

10. The Consultative Committee at its eighty-second session, held in Geneva on October 19, 2011, approved the following disclaimer for the UPOV meeting section of the UPOV website (see document CC/82/15 "Report", paragraph 29):

¹ The Council, at its forty-fifth ordinary session, held in Geneva on October 20, 2011, agreed that documents in the first restricted area of the UPOV website be made publicly accessible, by removal of the password requirement (see document C/45/18 "Report", paragraph 9(c))

Unless otherwise agreed by the Council of UPOV, only documents that have been adopted by the Council of UPOV can represent UPOV policies or guidance.

11. The disclaimer approved by the Consultative Committee is displayed on the UPOV meeting section of the UPOV website (see disclaimer for the UPOV meeting section of the UPOV website).

12. In response to the concerns raised by the TC with regard to the status of Test Guidelines and documents of the UPOV body sessions, the Consultative Committee may wish to review whether further provisions might be appropriate concerning the status of UPOV document.

13. *The Consultative Committee is invited to:*

(a) *note that the requirement for users to register to use the PLUTO database will be extended to the GENIE database and that the registration procedure will be used to require users to acknowledge the relevant disclaimers for those databases;*

(b) *note that the requirement for users to register to use the PLUTO and GENIE databases will be implemented by October 2012 and a further report will be made to the Consultative Committee at its eighty-fourth session;*

(c) *note that the TC has agreed to add a cover page to all previous adopted versions of the Test Guidelines, indicating their status before those documents are published on the UPOV website; and*

(b) *consider whether to add a disclaimer to each UPOV session document, indicating the status of UPOV documents, as indicated in the disclaimer on the UPOV meeting section of the UPOV website, as set out in paragraph 10 of this document.*

Documents on the UPOV Website

14. The Consultative Committee, at its eighty-third session, held in Geneva on March 30, 2012, noted that the scanning and posting on the UPOV website of important documents that are only available in paper format would be planned according to available resources (see document CC/83/7 "Report on the Conclusions", paragraph 24 (a)). In that regard, the resources of the Office of the Union have not yet allowed the scanning and posting on the UPOV website of important documents that are only available in paper format.

15. With regard to UPOV documents on the UPOV website, the Consultative Committee might also wish to be aware that the Office of the Union is still in the process of verifying the correct inclusion of documents on the redesigned UPOV website, following the launch on November 1, 2011. A systematic process is being followed, starting with the most recent documents and working backwards, and, in addition, any errors or omissions will be corrected once brought to the attention of the Office of the Union.

16. *The Consultative Committee is invited to note:*

(a) *that the resources of the Office of the Union have not yet allowed the scanning and posting on the UPOV website of important documents that are only available in paper format; and*

(b) that the Office of the Union is continuing to verify the correct inclusion of documents on the redesigned UPOV website.

II. DATABASE OF LAWS OF MEMBERS OF THE UNION ("UPOV LEX")

17. At its eighty-second session, the Consultative Committee noted the plans to launch UPOV Lex in conjunction with the launch of the restructured UPOV website and the plans to include notifications by members of the Union on plant genera and species in accordance with the UPOV Convention, as set out in paragraph 29 of document CC/82/5 (see document CC/82/14 "Report on the Conclusions", paragraph 34).

18. The launch of UPOV Lex took place in conjunction with the launching of the redesigned UPOV website (see <http://www.upov.int/upovlex/en/>).

19. The Consultative Committee, at its eighty-third session, held in Geneva on March 30, 2012, noted that relevant members of the Union had been invited, in December 2011, to provide a consolidated list of genera and species in order to include notifications by members of the Union on plant genera and species in UPOV Lex later in 2012 (see CC/83/7 "Report on the Conclusions", paragraph 24(b)).

20. UPOV Lex has been modified in order to include notifications by members of the Union on plant genera and species and will, by November 2012, include all information provided by members of the Union in response to the invitation in December 2011.

21. The Consultative Committee is invited to note that UPOV Lex has been modified in order to include notifications by members of the Union on plant genera and species and will, by November 2012, include all information provided by members of the Union in response to the invitation in December 2011.

III. PUBLICATION OF THE LIST OF OBSERVERS IN UPOV BODIES

22. At its eighty-second session, the Consultative Committee approved the inclusion of a list of observers in UPOV bodies on the UPOV website. A list of observers in UPOV bodies has been published on the UPOV website since January 2012 (see <http://www.upov.int/members/en/observers.html>). The Consultative Committee agreed that the Office of the Union would also include the date of granting observer status as resources allowed (see document CC/82/14 "Report on the Conclusions", paragraph 36). The Consultative Committee, at its eighty-third session, noted that the posting on the UPOV website of the date of granting of observer status in the list of observers in UPOV bodies would be planned according to available resources (see CC/83/7 "Report on the Conclusions", paragraph 24 (c)). In that regard, the resources of the Office of the Union have not yet allowed the posting on the UPOV website of the date of granting of observer status in the list of observers in UPOV bodies.

23. 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.

IV. INFORMATION ON COUNCIL PRESIDENT AND CHAIRPERSONS OF UPOV BODIES

22. At its eighty-second session, the Consultative Committee agreed to the posting of the name, appropriate contact information, photograph and member of the Union of the President and Vice-President of the Council and the Chairs and Vice-Chairs of the UPOV bodies on the UPOV website (see document CC/82/14 "Report on the Conclusions", paragraph 37).

23. The Consultative Committee, at its eighty-third session, noted that the publishing on the UPOV website of the information concerning the President and Vice President of the Council and the Chairs and

Vice-Chairs of the UPOV bodies, with the appropriate contact information, and the publishing on the UPOV website of the photographs of the Secretary-General and of the Vice Secretary-General would be arranged as soon as possible (see CC/83/7 "Report on the Conclusions", paragraph 24 (d)). The information will be posted on the UPOV website by October 2012.

24. The Consultative Committee is invited to note that, in conjunction with the publishing of the information concerning the President and Vice-President of the Council and the Chairs and Vice-Chairs of the UPOV bodies, the appropriate contact information and photograph of the Secretary-General and of the Vice Secretary-General will be published on the UPOV website by October 2012.

V. SOCIAL MEDIA

25. At its eighty-second session, the Consultative Committee approved the establishment of a UPOV channel on YouTube for hosting of UPOV videos (see document CC/82/14 "Report on the Conclusions", paragraph 38).

26. The Consultative Committee, at its eighty-third session, noted that the establishment of a UPOV channel on YouTube for hosting of UPOV videos would be arranged in conjunction with the development of a coherent image for UPOV publication and presentation materials, for consistency with the redesigned UPOV website (see CC/83/7 "Report on the Conclusions", paragraph 24 (e)). A report on the plan for the establishment of a UPOV channel on YouTube will be made to the Consultative Committee at its eighty-fourth session.

27. It is further proposed that consideration be given to the use of social media (e.g. Wikipedia, Twitter, Facebook, LinkedIn, etc.) in order to enhance the understanding of the UPOV system of plant variety protection by the public. An illustration of the use of such media by UPOV could be presented to the Consultative Committee at its eighty-fifth session, to be held in March 2013.

28. The Consultative Committee is invited to:

(a) note that, a report on the plans for the establishment of a UPOV channel on YouTube will be made to the Consultative Committee at its eighty-fourth session; and

(b) invite the Office of the Union to prepare an illustration of the possible use of social media in order to enhance the understanding of the UPOV system of plant variety protection by the public, for consideration by the Consultative Committee at its eighty-fifth session, to be held in March 2013.

VI. SEMINARS AND SYMPOSIA

Symposium on the benefits of plant variety protection for farmers and growers

29. The Consultative Committee, at its eighty-third session, considered document CC/83/4 Add. and agreed that the "Symposium on the benefits of plant variety protection for farmers and growers" be open for attendance to the public, subject to room capacity, with priority being given to participants from members of the Union, observer States and observer organizations and approved the webcasting of the Symposium.

30. The Consultative Committee agreed the explanation of the aim of the Symposium, as follows:

"The aim of the 'Symposium on the benefits of plant variety protection for farmers and growers' (Symposium) is to provide illustrations of how plant variety protection can improve incomes for farmers

and growers by supporting the development and supply of new, improved varieties that are suited to their needs. The Symposium will also provide examples of how farmers and growers can use plant variety protection as breeders.”

31. The Consultative Committee endorsed the plans for the draft program of the Symposium, as set out in Annex I to document CC/83/4 Add., and agreed the inclusion of one speaker from those recommended by the Association for Plant Breeding for the Benefit of Society (APBREBES) to give a presentation in accordance with the aim of the Symposium, as set out above. From the list provide by APBREBES, Mr. Guy Kastler, Coordinator, Via Campesina (France) was invited to make a presentation on “The role of plant variety protection in supporting the development of improved varieties”.

32. The draft program for the “Symposium on the benefits of plant variety protection for farmers and growers” can be found on the UPOV website at http://www.upov.int/meetings/en/details.jsp?meeting_id=26104.

Publications

33. The Council, at its forty-fifth ordinary session, held in Geneva on October 20, 2011, noted the plans for the Fiftieth Anniversary of the UPOV Convention, as set out in document C/45/15 (see document C/45/18 “Report”, paragraph 30). Those plans indicated that the proceedings of the “Symposium on Plant Breeding for the Future” would be combined with the program of activities for the Fiftieth Anniversary in a document that would be provided to participants in the Fiftieth Anniversary, after the Symposium. That document will be distributed during the UPOV sessions in October/November 2012.

34. In addition, the Council noted that a publication containing the proceedings of the “Symposium on Plant Breeding for the Future” and the “UPOV Seminar on Plant Variety Protection and Technology Transfer: the Benefits of Public-Private Partnership”, held in Geneva, on April 11 and 12, 2011, would be produced for wider circulation and for publication on the UPOV website. In order to provide a more comprehensive publication, it is proposed to produce a single publication containing the proceedings of the “UPOV Seminar on Plant Variety Protection and Technology Transfer: the Benefits of Public-Private Partnership”, the “Symposium on Plant Breeding for the Future” and the “Symposium on the benefits of plant variety protection for farmers and growers”, which would be published in early 2013. In addition, all the proceedings would be published on the UPOV website.

35. *The Consultative Committee is invited to note:*

(a) *the draft program for the “Symposium on the benefits of plant variety protection for farmers and growers”;*

(b) *that the proceedings of the “Symposium on Plant Breeding for the Future” will be combined with the program of activities for the Fiftieth Anniversary in a document that will be provided to participants in the Fiftieth Anniversary during the UPOV sessions in October/November 2012; and*

(c) *that a publication combining the proceedings of the “UPOV Seminar on Plant Variety Protection and Technology Transfer: the Benefits of Public-Private Partnership”, the “Symposium on Plant Breeding for the Future” and the “Symposium on the benefits of plant variety protection for farmers and growers”, will be published in early 2013 and that, in addition, all those proceedings will be published on the UPOV website.*

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