



CC/85/6

ORIGINAL: English

DATE: February 21, 2013

INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

CONSULTATIVE COMMITTEE

Eighty-Fifth Session
Geneva, March 22, 2013

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 with regard to access to UPOV documents and to consider proposals concerning a revised disclaimer text for the meeting section of the UPOV website and the addition of a disclaimer to each UPOV session document:

I. UPOV DOCUMENTS	2
DISCLAIMERS.....	2
<i>PLUTO and GENIE databases</i>	2
<i>Test Guidelines and UPOV Session documents</i>	2
DOCUMENTS ON THE UPOV WEBSITE	3
II. DATABASE OF LAWS OF MEMBERS OF THE UNION ("UPOV LEX").....	3
III. PUBLICATION OF THE LIST OF OBSERVERS IN UPOV BODIES.....	3

I. UPOV DOCUMENTS

Disclaimers

PLUTO and GENIE databases

2. The Consultative Committee, at its eighty-fourth session, held in Geneva on October 31, 2012, noted the new features of the PLUTO Plant Variety Database as presented by Mr. Glenn Mac Stravic, Head of the Brand Database Section at the World Intellectual Property Organization (WIPO). In particular, the Consultative Committee noted that the requirement for users to register to use the PLUTO database would be extended to the GENIE database and that the registration procedure would be used to require users to acknowledge the relevant disclaimers for those databases. It further noted that the requirement for users to register to use the PLUTO database would be implemented in November 2012 (see document CC/84/13 "Report on the Conclusions", paragraph 22).

3. A report on developments concerning the requirement for users to register to use the PLUTO and GENIE databases will be made at the eighty-fifth session of the Consultative Committee.

4. *The Consultative Committee is invited to note the implementation of the requirement for users to register to use the PLUTO and GENIE databases.*

Test Guidelines and UPOV session documents

5. The Consultative Committee, at its eighty-fourth session (see documents CC/84/2 "Access to UPOV documents and publication of information", paragraphs 6 to 13, and CC/84/13 "Report on the Conclusions", paragraphs 23 and 24), noted that the Technical Committee had 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 Consultative Committee agreed to consider at its eighty-fifth session:

(a) a proposal for the revision of the disclaimer text, as presented on the meeting section of the UPOV website (see paragraph 10 of document CC/84/2), in order to refer to documents adopted by the Council, that are in force at the time;

(b) the possibility of adding a disclaimer to each UPOV session document, indicating the status of those documents.

6. It is proposed that the disclaimer text, presented on the meeting section of the UPOV website, be revised to read as follows:

"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."

7. In addition, it is proposed to add the following sentence, after the above disclaimer, on the meeting section of the UPOV website:

"See [UPOV Collection](#) for guidance and information materials concerning plant variety protection."

8. It is proposed to add the following disclaimer to each UPOV session document.

"This document does not represent UPOV policies or guidance."

9. The proposed disclaimer for UPOV session documents will not appear in documents representing UPOV policies and guidance (e.g. adopted reports of the Council, adopted Test Guidelines, adopted information materials).

10. *The Consultative Committee is invited to approve the revised disclaimer text on the meeting section of the UPOV website, and the addition of a disclaimer to each UPOV session document, as set out in paragraphs 6 to 9, above.*

Documents on the UPOV Website

11. The Consultative Committee, at its eighty-fourth session, noted that the resources of the Office of the Union had not yet allowed the scanning and posting on the UPOV website of all important documents that were only available in paper format and that the Office of the Union was continuing to verify the correct inclusion of documents on the redesigned UPOV website (see document CC/84/13 "Report on the Conclusions", paragraph 25). There have been no developments with regard to the scanning and posting on the UPOV website of important documents that are only available in paper format, since the eighty-fourth session of the Consultative Committee.

12. *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")

13. The Consultative Committee, at its eighty-fourth session, noted that UPOV Lex had been modified in order to include notifications by members of the Union on plant genera and species and would, by November 2012, include all information provided by members of the Union (see document CC/84/13 "Report on the Conclusions", paragraph 26).

14. A report on developments concerning the new section of UPOV Lex on plant genera and species will be made at the eighty-fifth session of the Consultative Committee.

15. The Consultative Committee is invited to note that a report on developments concerning the new section of UPOV Lex on plant genera and species will be made at its eighty-fifth session.

III. PUBLICATION OF THE LIST OF OBSERVERS IN UPOV BODIES

16. The Consultative Committee, at its eighty-fourth session, 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, at that time (see document CC/84/13 "Report on the Conclusions", paragraph 27). 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-fourth session of the Consultative Committee.

17. 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.

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