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INTERNATIONAL UNION FOR THE PROTECTION OF NEW VARIETIES OF PLANTS

Geneva

CONSULTATIVE COMMITTEE**Ninety-First Session
Geneva, March 17, 2016**

DRAFT PROGRAM FOR A "SEMINAR ON PROPAGATING AND HARVESTED MATERIAL IN THE CONTEXT OF THE UPOV CONVENTION", TO BE HELD IN GENEVA ON OCTOBER 24, 2016

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 make proposals concerning the draft program for the "Seminar on Propagating and Harvested Material in the context of the UPOV Convention," to be held in Geneva on October 24, 2016.
2. The Administrative and Legal Committee (CAJ), at its seventy-second session, held in Geneva on October 26 and 27, 2015, "agreed to propose to the Council to organize a one-day seminar on propagating and harvested material to be held in conjunction with the UPOV sessions in October 2016. The seminar should include speakers to report on cases in which the notions of harvested material and/or propagating material have been considered, and speakers from relevant academic institutions and judicial authorities to provide perspectives on the subject. CAJ members and observers would be invited to propose speakers. The Office of the Union, Chair of the CAJ and President of the Council would prepare a draft program for consideration by the Consultative Committee and approval by the Council in March 2016" (see document CAJ/72/9 "Report on the Conclusions," paragraph 27).
3. On the basis above, the Council, at its forty-ninth ordinary session, held in Geneva on October 29, 2015, approved the organization of a "Seminar on propagating and harvested material in the context of the UPOV Convention", to be held in Geneva on October 24, 2016 (see document C/49/18 "Report on the Decisions," paragraphs 54 and 55).
4. In accordance with the request in paragraph 2 above, UPOV issued Circular E-16/005 on January 18, 2016, to designated persons of members and observers in the Council and the CAJ to propose speakers in writing by February 5, 2016, who would be able to:
 - (a) report on cases in which the notions of harvested material and/or propagating material have been considered; or
 - (b) provide analysis on the notions of harvested material and/or propagating material based on real situations or cases."
5. On the basis of replies to Circular E-16/005, the Office of the Union, Chair of the CAJ and President of the Council have prepared a draft program for consideration by the Consultative Committee and approval by the Council in March 2016. The Draft program is reproduced in the Annex to this document.
6. It is proposed that invitations to the Seminar be sent to members and observers in UPOV bodies and that the Seminar be open to the public with advance registration, with the presentations and a video of the Seminar being made available on the UPOV website after a suitable broadcast delay. A publication of the

proceedings of the Seminar, containing the speakers' written contributions and a summary of discussions, would be made available on the UPOV website at a later date.

7. The Consultative Committee is invited to recommend to the Council:

(a) the approval of the draft program for the "Seminar on Propagating and Harvested Material in the context of the UPOV Convention," to be held in Geneva on October 24, 2016, as proposed in the Annex to this document;

(b) that invitations to the Seminar be sent to members and observers in UPOV bodies and that the Seminar be open to the public with advance registration, with the presentations and a video of the Seminar being made available on the UPOV website after a suitable broadcast delay; and

(c) a publication of the proceedings of the Seminar, containing the speakers' written contributions and a summary of discussions, would be made available on the UPOV website at a later date.

[Annex follows]

**SEMINAR ON
PROPAGATING AND HARVESTED MATERIAL
IN THE CONTEXT OF THE
UPOV CONVENTION**

Geneva, October 24, 2016

DRAFT PROGRAM

prepared by the Office of the Union

- 8.30 Registration
- 9.30 Welcome address by Mr. Francis Gurry, Secretary-General, UPOV
- 9.35 Opening by Mr. Luis Salaices, President of the Council of UPOV
- 9.40 The development of guidance on propagating and harvested material
Mr. Peter Button, Vice Secretary-General, UPOV
- Session I: Perspectives on the notions of propagating material and harvested material
- Moderator: Mr. Button
- 9.50 Perspective of the International Community of Breeders of Asexually Reproduced
Ornamental and Fruit-Tree Varieties (CIOPORA)
(speaker to be confirmed)
- 10.10 Perspective of the Committee of Professional Agricultural Organisations (COPA) –
General Committee for Agricultural Cooperation in the European Union (COGEPA)
Mr. Thor Gunnar Kofoed, Denmark
- 10.30 Perspective of the European Coordination Via Campesina
Mr. Guy Kastler
- 10.50 Perspective of the International Seed Federation (ISF)
(speaker to be confirmed)
- 11.10 *Coffee*

Session II: Analysis of court decisions on propagating material and harvested material

Moderator: Ms. Yolanda Huerta, Legal Counsel, UPOV

11.30 Mr. Axel Metzger
University of Humboldt, Germany

11.50 (speaker to be confirmed)
Academic expert, Argentina

12.10 Mr. Herbert Zech
University of Basel, Switzerland

12.30 Lunch

Session III: Experiences of cases concerning propagating material and harvested material

Moderator: Mr. Martin Ekvad, Chair of the Administrative and Legal Committee

14.30 Mr. Antonio Villarroel
Asociación Nacional de Obtentores Vegetales (ANOVE), Spain

14.50 Mr. Nik Hulse
A/g Chief of Plant Breeders' Rights, Plant Breeder's Rights Office, IP Australia

15.10 (speaker to be confirmed)
Royalty Administration International, Netherlands

15.30 (speaker to be confirmed)
Instituto Nacional de Semillas (INASE), Argentina

15.50 Mr. Kasper van Kempen *(to be confirmed)*
Anti-Infringement Bureau for Intellectual Property Rights on Plant Material (AIB), Belgium

16.10 Mr. Gert Würtenberger *(to be confirmed)*
Würtenberger Kunze, Germany

16.30 Coffee

16.45 Panel Discussion

Moderator: Mr. Raimundo Lavignolle, Vice-President of the Council of UPOV

Panel members: (to be confirmed)

17.25 Closing remarks by Mr. Ekvad

17.30 End of Seminar

[End of Annex and of document]