



PVP- Efforts towards International Harmonization



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Background



TRIPs Agreement/WTO
(Trade Related Aspect of Intellectual Property Rights)

UPOV

**(The International Convention for
the Protection of New Varieties of Plants)**

PBR

Convention on Biological Diversity

**International Treaty on
Plant Genetic Resources for
Food and Agriculture**

**Conservation
PGR**

PVP ACT B.E. 2542 (1999)



Objectives



- **to encourage breeders to cultivate and breed new plant varieties.**
- **to promote for the enforcement of the rights of the local communities & breeders.**
- **to maintain genetic diversity for food security.**



Lessons learned



- **Lacking of cooperation**
- **Different direction of the expert**
- **Most perennial crops, costly and time consumed for conducting DUS test**
- **Lacking of human resources expertise, and database in some crops**



Lessons learned



- **The act doesn't encourage for PBR**
- **Some provisions are unimplementable**
- **Interpreting in a different way**
- **Complaining from breeders**



Cases



Misappropriation of Thai local domestic plant

A: The case of *Euphorbia lactea* Harworth



Cases



A: The case of *Euphorbia lactea* Harworth





A: The case of *Euphorbia lactea* Harworth





B: *Dendrobium* hybrid

- Orchid, *Dendrobium* hybrid was refused for PBR in Japan because of the same denomination**





National harmonization



***** Harmonization of PVP system ***
(both technical & legal aspects)**



Establishment of EAPVP Forum



MAFF of Japan proposed to establish the East Asia Plant Variety Protection (EAPVP) Forum



25/09/2012

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Establishment of EAPVP Forum



- **Promotion of cooperation and harmonization in PVP system with in the region and on a global scale**
- **Endorsed by ASEAN Minister on Agriculture and Forestry (AMAF) under ASEAN plus Japan, China and Korea in 2007**



Cooperation activities



- **Capacity building**
- **Streamlining on examination**
- **Enforcement**

..... starting of regional harmonization



Activities



- **Capacity building**
- **Awareness meeting**
- **Technical harmonization**
- **Legal harmonization**



Capacity building



Trainings in Japan



25/09/2012



Capacity building



Trainings in China





Capacity building



UPOV/USPTO training course on “Plant Variety Protection Under the UPOV Convention”





Capacity building



Workshops in Korea on PVP & Seeds



Awareness activities



In country awareness meeting



Awareness activities



Japan



Korea



Netherlands



USA



Awareness activities



One
speaker
was from
Japan,

Awareness activities





Awareness activities



High level officers technical visit



Technical harmonization



In country training on TG & DUS testing





TG & DUS harmonization



Indonesia



Thailand



The Expert Seminar

Philippines



Thailand





Legal harmonization



- **2007, amending the PVP act**
- **2008 - 2009, public hearing**
- **2010, approved by the Cabinet & submitted to the Council of State**
- **2011 recommended to review**
- **2012 revising the draft**





Outputs & Outcomes



- **The examiners have learned on how to conduct the DUS testing under the PVP system.**
- **The high level officer realizes the international PVP system and the the important of PBRs , how to amend the existing PVP law to be more effective implementation and positively support in PVP activities.**



Outputs & Outcomes



- **The stakeholders have had better understanding about the PVP system.**
- **The competent authorities have learned on how to prepare the national law for being UPOV member.**

Outputs & Outcomes



Rice



Papaya

25/09/2012



Durian



Mokara



Oil palm



***Aglaonema* spp.**



Chili



Cassava



Outputs & Outcomes



Cooperation with UPOV





Outputs & Outcomes



Participation in UPOV Sessions & Seminar



25/09/2012



Outputs & Outcomes



Participation in UPOV Technical Working Group





Outputs & Outcomes



Cooperation with CPVO

The case of *Curcuma* spp.





Outputs & Outcomes

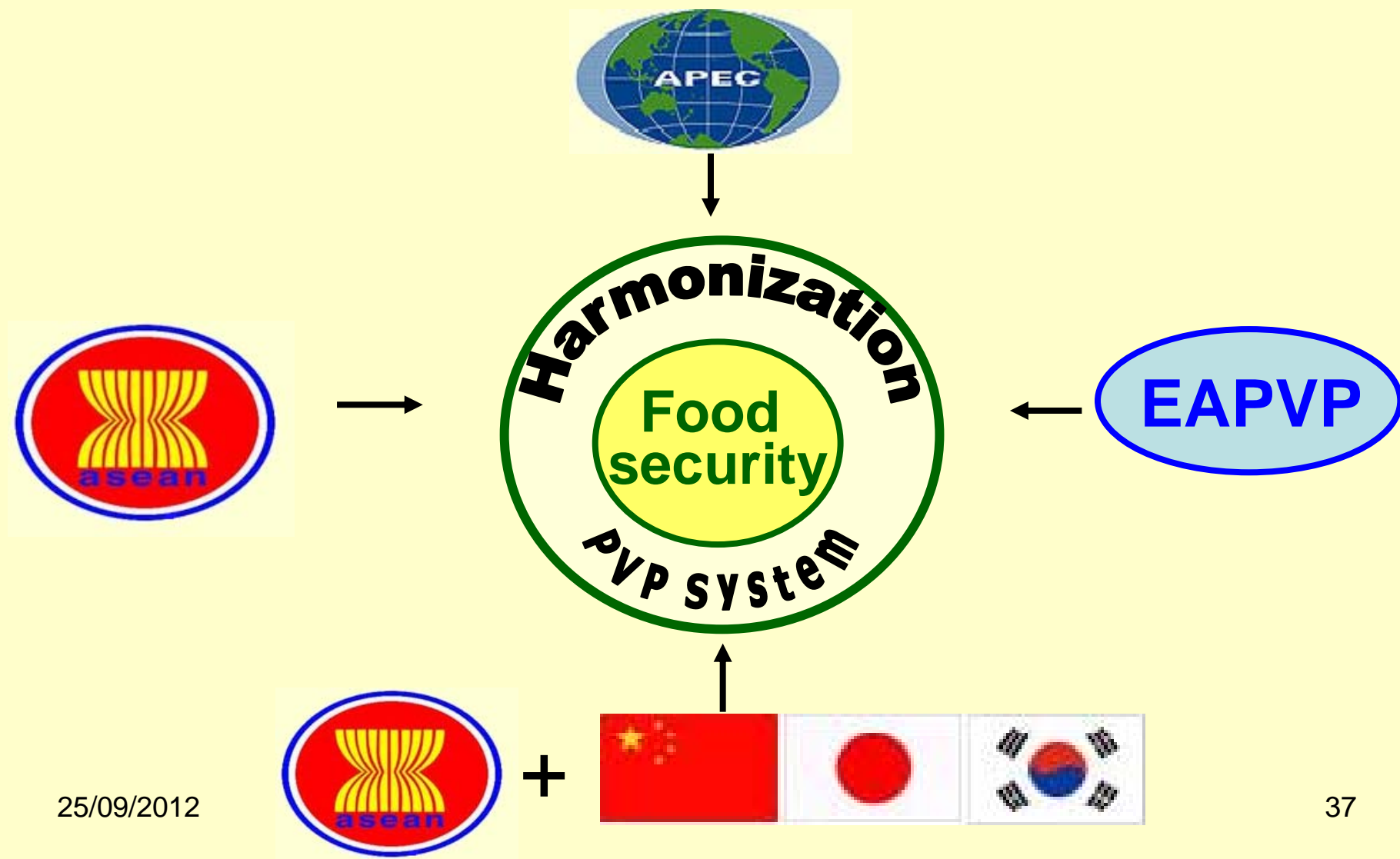


Cooperation with CPVO

The case of *Curcuma* spp.



Conclusion





Thank you