

Consultative Committee

CC/94/8

**Ninety-Fourth Session
Geneva, October 25, 2017**

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ELECTRONIC APPLICATION FORM

Document prepared by the Office of the Union

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1. The purpose of this document is to report on developments concerning the development of the electronic application form and to consider proposals for the next steps.

2. The Consultative Committee, at its ninety-second session, will be invited to:

(a) note the developments concerning EAF Version 1.1 and the plans for the development of Version 2.0, as set out in this document;

(b) note the strategy for the addition of new crops/species, as set out in paragraphs 14 to 23 of this document;

(c) agree that the name PRISMA and the logo, as set out in paragraph 24 of this document, be proposed for approval at the fifty-first ordinary session of the Council, to be held in Geneva on October 26, 2017;

(d) approve the UPOV charge for the EAF at CHF150 per application for the 2018-2019 biennium; and

(e) consider the proposal to investigate supplementary sources of funding for the EAF and to request the Office of the Union to develop and introduce any appropriate measures for the EAF in 2018.

3. The structure of this document is as follows:

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BACKGROUND

4. The background and previous developments concerning the Electronic Application Form project (EAF Project) are reported in document CC/92/9 "Electronic Application Form".

DEVELOPMENTS AT THE NINETY-THIRD SESSION OF THE CONSULTATIVE COMMITTEE AND THE THIRTY-FOURTH EXTRAORDINARY SESSION OF THE COUNCIL (APRIL 2017)

5. The Consultative Committee, at its ninety-third session, held in Geneva on April 6, 2017, considered document CC/93/8 "Electronic Application Form".

6. The Consultative Committee recommended to the Council to allow the Office of the Union to have flexibility in the charge to be made for use of the EAF in 2017, but not to make the EAF free of charge.

7. The Consultative Committee requested the Office of the Union to report to the Consultative Committee, at its ninety-fourth session, on the measures taken in 2017 and seek approval on the pricing policy for the 2018-2019 Biennium in accordance with its consideration of the draft Program and Budget for the 2018-2019 Biennium (see document CC/93/9 "Report on the conclusions", paragraphs 36 to 38).

8. The Council, at its thirty-fourth extraordinary session, based on the recommendation of the Consultative Committee, decided to allow the Office of the Union to have flexibility in the charge to be made for use of the EAF in 2017, but not to make the EAF free of charge (see document C(Extr.)/34/6 "Report on the decisions", paragraph 15).

DEVELOPMENTS SINCE THE NINETY-THIRD SESSION OF THE CONSULTATIVE COMMITTEE

Versions of the EAF

9. The current version of the EAF, released in July 2017, is Version 1.1. Version 2.0 is anticipated to be released in early 2018.

Version 1.1

Participating UPOV members and crops/species covered

10. The table below summarizes the participating PVP Offices and the crops supported in EAF Version 1.1:

Authority	Soya Bean	Lettuce	Apple fruit varieties	Rose	Potato	Total
Argentina	✓	-	✓	✓	✓	4
Australia	✓	✓	✓	✓	✓	5
Chile	✓	✓	✓	✓	✓	5
China	-	✓	-	✓	-	2
Colombia	-	-	-	✓	-	1
France	✓	✓	✓	✓	✓	5
Kenya	✓	✓	✓	✓	✓	5
Netherlands	✓	✓	✓	✓	✓	5
New Zealand	-	✓	✓	✓	✓	4
Norway	✓	✓	✓	✓	✓	5
Republic of Moldova	✓	✓	✓	✓	✓	5
Switzerland	✓	✓	✓	✓	✓	5
Tunisia	✓	✓	✓	✓	✓	5
Turkey	✓	✓	✓	✓	✓	5
United States of America	✓	✓	-	-	✓	3
Uruguay	✓	-	✓	-	✓	3
16	13	13	13	14	14	

Languages

11. EAF Version 1.0 presented all webpages and items (questions) for all application forms and technical questionnaires for all participating PVP Offices in English, French, German and Spanish (“navigation languages”). Chinese was added as a navigation language in EAF Version 1.1.
12. EAF Version 1.1 generates application forms and technical questionnaires in the languages required by the participating PVP Offices (“output form languages”). For Version 1.1 the output form languages were English, French, German, Spanish, Chinese, Norwegian, Romanian and Turkish.
13. It is recalled that the information must be completed by the applicant in an acceptable language for the PVP Office concerned, although answers selected from drop-down lists (e.g. characteristics and states of expression) will be automatically translated for the navigation languages.

*Version 2.0*Participating UPOV members

14. Participation in EAF Version 2.0 is possible for authorities that participated in the development of Prototype Electronic Form (PV2) and in the development of the Electronic Application Form Versions 1.0 or 1.1 (African Intellectual Property Organization (OAPI), Argentina, Australia, Bolivia (Plurinational State of), Brazil, Chile, China, Canada, Colombia, Czech Republic, European Union, France, Georgia, Japan, Kenya, Mexico, Netherlands, New Zealand, Norway, Paraguay, Republic of Korea, Republic of Moldova, South Africa, Switzerland, Tunisia, Turkey, United States of America, Uruguay and Viet Nam), according to available resources.

15. Members of the Union that did not participate in the development of a Prototype Electronic Form (PV2) or in the development of the Electronic Application Form Versions 1.0 or 1.1 will need to provide their forms for relevant crops (application form and technical questionnaire) in a UPOV language and, if appropriate, to provide translations of the questions of the application forms and technical questionnaires of the other languages used in the EAF. The timetable for addition of new members of the Union will be developed according to available resources and will vary according to the content of the application forms and technical questionnaires.

16. Circular E-17/132, issued on July 26, 2017, invited all participating members in the development of an Electronic Application Form (PV2 and Version 1.0 and 1.1) to inform the Office of the Union of their wish to participate in Version 2.0 of the EAF. After the launch of Version 2.0, other members of the Union will be invited to indicate their wish to participate in a subsequent release of the EAF.

Crops/species

17. There are three possible approaches for including crop/species for participating members of the Union:

(a) Approach 1: UPOV Technical Questionnaire (TQ)

The TQ in the EAF is identical to the TQ in the adopted UPOV Test Guidelines (TGs). For crops/species for which there is no adopted UPOV TG, the TQ in the EAF will be based on the structure of the TQ in document TGP/7 “Development of Test Guidelines”.

(b) Approach 2: Customized characteristics

The TQ in the EAF is the same for all crops (non-crop specific) except for “characteristics of the variety” (Section 5 of the UPOV TQ or equivalent) and “similar varieties and differences from these varieties” (Section 6 of the UPOV TQ or equivalent). The characteristics in the TQ in the EAF would be:

- (i) UPOV TG characteristics
- (ii) Authority specific characteristics
- (iii) Free text information

(c) Approach 3: Customized TQ

The TQ in the EAF will contain crop-specific sections, other than those specified in Approach 2.

18. According to the approach, the number of crop and species to be covered by each authority in Version 2.0 of the EAF will be different. For Approach 1, all crops will be available in Version 2.0 if the PVP Office so requests. For Approaches 2 and 3, new crops will be added at the request of the PVP Offices concerned according to available resources and the degree of customization that is required.

19. For Approach 1 (UPOV TQ), it is proposed that the date of update of the EAF after revision of a UPOV TG would be the date of publication of the corresponding UPOV TG on the website.

20. For Approach 3 (Customized TQ), each new form will be included in the system for subsequent versions (twice a year) according to resources allocated.

Anticipated coverage

21. The following UPOV members expressed their intention to participate in the Version 2.0 of the EAF (Circular E-17/132) as of September 15, 2017:

Authority		currently participating in Version 1.0 or 1.1	intention to participate in Version 2.0	Anticipated crops coverage
Argentina	AR	✓	✓	Apple Fruit Varieties, Potato, Rose, Soyabean and Wheat, Barley, Maize, Grapevine
Australia	AU	✓	✓	All genera & species
Bolivia (Plurinational State of)	BO		✓	Rice, wheat
Canada	CA		✓	All genera & species excluding algae, bacteria and fungi
Chile	CL	✓	✓	All genera & species
China	CN	✓	✓	Lettuce, Rose
Colombia	CO	✓	✓	Rose, Carnation, Alstroemeria, Chrysanthemum, Gypsophila
European Union	QZ		✓	Apple Fruit Varieties, Lettuce, Potato, Rose, Soyabean
France	FR	✓	✓	All genera & species
Georgia	GE		✓	Maize, Wheat, Field Bean, French Bean, Apple (fruit varieties), Pear, Barley, Oats, Potato, Cherry (Sweet Cherry), Raspberry, Tomato, Peach, Hazelnut, Blackberry, Soya Bean, Sunflower, Walnut, Blueberry, Chick-Pea, Lentil
Japan	JP		✓	to be confirmed
Kenya	KE	✓	✓	All genera & species
Mexico	MX		✓	87 selected crops
Netherlands	NL	✓	✓	All genera & species
New Zealand	NZ	✓	✓	All genera & species
Norway	NO	✓	✓	All genera & species
Paraguay	PY		✓	Soyabean
Republic of Moldova	MD	✓	✓	Maize, Wheat, Pea, Barley, European Plum, Tomato, Grapevine, Sweet Pepper, Hot Pepper, Paprika, Chili, Sunflower, Walnut, Apple Fruit Varieties, Lettuce, Potato, Rose, Soyabean
Switzerland	CH	✓	✓	All genera & species
Tunisia	TN	✓	✓	All genera & species
Turkey	TR	✓	✓	All genera & species
United States of America	US	✓	✓	Lettuce, Potato, Soyabean and Wheat
Uruguay	UY	✓	✓	All genera & species
Total		16	23	

Strategy for languages*Questions*

22. EAF Version 2.0 will continue to present all items (questions) in English, French, German and Spanish. Translations for items (questions) for new PVP offices and new crops/species in other languages (e.g. Chinese) will be made available if provided by the participating members of the Union, with a suitable disclaimer.

Answers

23. Users are required to provide information (answers) in a language accepted by the PVP Office concerned, which will be indicated in the form.

Name and logo

24. The participants in the ninth meeting on the development of a prototype electronic form (EAF/9 meeting), held in Geneva on April 7, 2017, agreed the name "PRISMA" (Plant variety data Routing Information System using Multilingual Application forms) as a new name for the EAF and the following logo, presented at the meeting:



25. The EAF/9 meeting agreed that the name "PRISMA" and the proposed logo should be proposed for approval at the fifty-first ordinary session of the Council, to be held in Geneva on October 26, 2017.

FINANCING OF THE EAF

26. The launch of the EAF in 2017 was introduced on the basis that fees from applicants would ultimately cover the costs of the service. The use of the EAF will be determined by the attractiveness of the system for users, which will depend on the number of members of the Union that participate in the EAF, the number of crops/species covered and the languages in which the EAF can be navigated. An initial projection for the income from the EAF was presented to the Consultative Committee in March 2016 and is reproduced below (see document CC/91/4 "Electronic Application Form", paragraphs 46 and 47). The estimated number of participating PVP Offices for 2017 was based on the number of PVP Offices that had participated in the development of the EAF. However, at the launch of the EAF in January 2017, the number of participating PVP Offices was only 12, which limits the interest of the EAF for breeders, and the uptake so far has been very low. The expansion in terms of crops/species will advance more rapidly than projected to the Consultative Committee in 2016, with the EAF covering all crops/species by the end of 2018 for those members of the Union that follow the Technical Questionnaire in the UPOV Test Guidelines (Approach 1).

Year	Number of crops	Number of participating Offices	Number of applications covered by EAF	Percentage of applications expected via EAF	Number of applications expected via EAF	UPOV charge (CHF)	EAF operation costs (CHF)	Income (CHF)	Balance
2017	5	26	1827	10	183	150	290'000	27'405	-262'595
2018	10	30	4676	15	701	150	290'000	105'216	-184'784
2019	15	35	6786	15	1018	250	290'000	254'475	-35'525
2020	30	40	8841	15	1326	250	290'000	331'524	41'524
2021	40	50	10272	15	1541	250	290'000	385'193	95'193
2022	50	50	11296	15	1694	250	290'000	423'581	133'581

27. Document C/50/17, paragraph 40(h), stated that the EAF charge per application data submission would be as follows:

- CHF 150 / data submission in 2017/2018;
- CHF 250 / data submission from 2019.

28. On the basis of the lower than expected coverage of the EAF in terms of members of the Union, it is proposed not to increase the EAF charge to CHF250 from 2019 and to keep the charge at CHF150 for the 2018-2019 biennium. This corresponds to the budgeted income figure in the “Draft Program and Budget for the 2018-2019 Biennium” (document C/51/4) of CHF90,000 (160 applications in 2018; 440 applications in 2019).

29. It is important for the viability of the EAF that uptake is stimulated as soon as possible. The Office of the Union is working to assist members of the Union to participate, to expand the crop/species coverage, to increase the navigation languages and to raise awareness of the EAF. However, another factor that is affecting the willingness of breeders to try the system in the first instance is the cost.

30. The EAF requires payment by applicants for individual submissions (currently CHF150 per application per PVP Office). At least for some breeders, the requirement to pay is an obstacle in the short-term to trying the system until they understand the benefits.

31. The financial barrier has been acknowledged by some members of the Union and some initial discussions have taken place on how to ensure that the EAF can continue and can bring the benefits that they wish to obtain from the EAF. Therefore, it is proposed to consider with relevant members of the Union and organizations representing breeders how a fund or funding arrangements might be developed to enable the EAF to be available at a reduced fee, or free of charge, without requiring the EAF fees to be covered from the UPOV regular budget.

32. One approach has already been introduced by the Netherlands, whereby the EAF cost of each PVP application is paid for by Naktuinbouw. Another approach would be the creation of a joint fund with funds voluntarily provided by members of the Union and/or organizations representing breeders to cover the EAF costs, as far as the fund permits.

33. It is proposed that the Office of the Union seek to develop and introduce any appropriate measures for the EAF in 2018, on the basis that EAF fees would not be covered by the regular UPOV budget.

34. *The Consultative Committee is invited to:*

(a) note the developments concerning EAF Version 1.1 and the plans for the development of Version 2.0, as set out in this document;

(b) note the strategy for the addition of new crops/species, as set out in paragraphs 14 to 23 of this document;

(c) agree that the name PRISMA and the logo, as set out in paragraph 24 of this document, be proposed for approval at the fifty-first ordinary session of the Council, to be held in Geneva on October 26, 2017;

(d) approve the UPOV charge for the EAF at CHF150 per application for the 2018-2019 biennium; and

(e) consider the proposal to investigate supplementary sources of funding for the EAF and to request the Office of the Union to develop and introduce any appropriate measures for the EAF in 2018.

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