

Consultative Committee**CC/96/4****Ninety-Sixth Session
Geneva, October 31, 2019****Original:** English
Date: August 9, 2019

UPOV PRISMA*Document 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 report on developments concerning UPOV PRISMA and to consider proposals for financing of UPOV PRISMA.
2. The Consultative Committee is invited to:
 - (a) note the developments concerning UPOV PRISMA;
 - (b) note the recommendation from the UPOV PRISMA surveys;
 - (c) note the planned follow-up actions, as reproduced in paragraph 22 of this document;
 - (d) consider a UPOV PRISMA fee per application at 90 Swiss Francs, starting in January 2020, on the basis that:
 - (i) the actions to address technical issues and improve the user experience are completed; and
 - (ii) members of the Union make best endeavors to:
 - join UPOV PRISMA and offer coverage for all crops and species for which protection is available;
 - promote the use of UPOV PRISMA for their applicants;
 - provide incentives for applicants to use UPOV PRISMA (e.g. discounted application fee when UPOV PRISMA is used);
 - ensure that information and forms in UPOV PRISMA are complete and up-to-date;
 - process applications received using UPOV PRISMA in a timely way;
 - consider opportunities to harmonize forms where appropriate and use the UPOV Test Guidelines Technical Questionnaires;
 - (e) consider that where the same variety is submitted for both plant breeders' rights and national listing in the same member of the Union, a single fee would be charged at the time of the first submission for the variety.

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BACKGROUND

3. The background and previous developments concerning UPOV PRISMA (formerly the Electronic Application Form project) are reported in document CC/95/8 Rev. "UPOV PRISMA".

CONCLUSIONS AT THE NINETY-FIFTH SESSION OF THE CONSULTATIVE COMMITTEE

4. The Consultative Committee, at its ninety-fifth session, held in Geneva on November 1 and 2, 2018, considered document CC/95/8 Rev. "UPOV PRISMA" (see document CC/95/18 "Report", paragraphs 65 to 69) and:

- noted the developments concerning UPOV PRISMA and the financial contributions made to UPOV PRISMA by the International Seed Federation (ISF), the International Community of Breeders of Asexually Reproduced Ornamental and Fruit-Tree Varieties (CIOPORA), CropLife International and the Ministry of Agriculture, Nature and Food Quality of the Netherlands;
- noted that more time was needed to increase the number of UPOV PRISMA users in order to achieve a reliable survey of the suitability of financing options and also to ensure reliability for users. With regard to a survey of financing options, the Vice Secretary-General confirmed the intention to survey users that had submitted applications via UPOV PRISMA, registered entities, newfeed subscribers and possibly other potential users. The survey would be structured to enable the results of the different categories to be analyzed separately;
- recommended to the Council to approve the use of UPOV PRISMA free of charge in 2019;
- requested the Office of the Union to present options to the Consultative Committee, at its ninety-sixth session, for the financing of UPOV PRISMA, including: fee per submission; fee per variety; subscription model(s) for applicants; subscription model(s) for members of the Union and package(s) of UPOV services (see document CC/95/5 "Strategic Business Plan").

DEVELOPMENTS SINCE THE NINETY-FIFTH SESSION OF THE CONSULTATIVE COMMITTEE

Developments in the Council

5. The Council at its fifty-second ordinary session, held in Geneva on November 2, 2018, considered document C/52/17 "Report by the President on the work of the ninety-fifth session of the Consultative Committee" (see document C/52/20 "Report", paragraph 12).

6. Based on the recommendations of the Consultative Committee reported in document C/52/17, the Council decided to make the use of UPOV PRISMA free of charge in 2019 (see document C/52/20 "Report", paragraph 12 (a)).

Meeting on the development of the electronic application form (EAF/13)

7. The Thirteenth Meeting on the Development of an Electronic Application Form ("EAF/13 meeting") was, held in Geneva on March 28, 2019. The report of the meeting is provided in document EAF/13/3 "Report".

Version 2.2

8. Version 2.2 of UPOV PRISMA was released on June 13, 2019.

Participating UPOV members and crops/species covered

9. The table below summarizes the participating PVP Offices and the crops supported in UPOV PRISMA Version 2.2 (changes from Version 2.1 are highlighted):

Authority		Crop coverage in Version 2.2
African Intellectual Property Organization (OAPI)	OA	All genera and species
Argentina	AR	Apple Fruit Varieties, Barley, Black Radish, Oriental Radish, Brussels Sprouts, Cauliflower, Chinese Cabbage, Grapevine, Maize, Melon, Potato, Rose, Shallot, Grey Shallot, Soya Bean, Spinach, Sweet Pepper, Hot Pepper, Paprika, Chili, Tomato Rootstocks, Watermelon, Welsh Onion, Japanese Bunching Onion, Wheat, Egg Plant, Witloof Chicory, Broad Bean, Fig, Papaya, Salvia, Green onion, Indian mustard, Sugarcane, Cotton
Australia	AU	All genera and species
Bolivia (Plurinational State of)	BO	All genera and species
Canada	CA	All genera & species excluding algae, bacteria and fungi
Chile	CL	All genera and species
China	CN	Lettuce
Colombia	CO	All genera and species
Costa Rica	CR	All genera and species
Dominican Republic	DO	All genera and species
Ecuador	EC	All genera and species
European Union	QZ	All genera & species excluding agricultural crops
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
Kenya	KE	All genera and species
Mexico	MX	All genera and species
Netherlands	NL	All genera and species
New Zealand	NZ	All genera and species
Norway	NO	All genera and species
Paraguay	PY	Soya bean
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, Soya bean, Oats, Rye, Strawberry, Blackberry
Republic of Korea	KR	Apple Fruit Varieties, Lettuce, Potato, Soya bean, Rose
Serbia	RS	Apple Fruit Varieties and Rose, Raspberry and Blueberry
South Africa	ZA	All genera and species

Authority		Crop coverage in Version 2.2
Sweden	SE	All genera and species
Switzerland	CH	All genera and species
Trinidad and Tobago	TT	Anthuriums , Bromeliaceae, Heliconiaceae, Orchidaceae, Sterculiaceae, Cajanus cajans, Vigna sp., Theobroma cacao L.
Tunisia	TN	All genera and species
Turkey	TR	All genera and species
United Kingdom	GB	All genera and species
United States of America	US	192 crops including Lettuce, Potato, Soya bean and Wheat
Uruguay	UY	All genera & species
Viet Nam	VN	15 selected crops
Total	33	

Languages

10. The languages supported in Version 2.2 are as follows (changes from Version 2.1 are highlighted in grey):

Navigation languages	Output form languages
<ul style="list-style-type: none"> • Chinese • English • French • German • Japanese • Korean • Russian • Spanish • Turkish • Vietnamese 	<ul style="list-style-type: none"> • Chinese • English • French • German • Georgian • Korean • Norwegian • Romanian • Spanish • Serbian • Swedish • Turkish • Vietnamese

New Functionalities

11. Additional functionalities were introduced, as follows:

- Application data for national listing for Netherlands;
- Enhancement of agent role (“handshake” functionality);
- Improved copy functionality;
- Full scale for states of expression / notes in variety characteristics and variety comparisons.

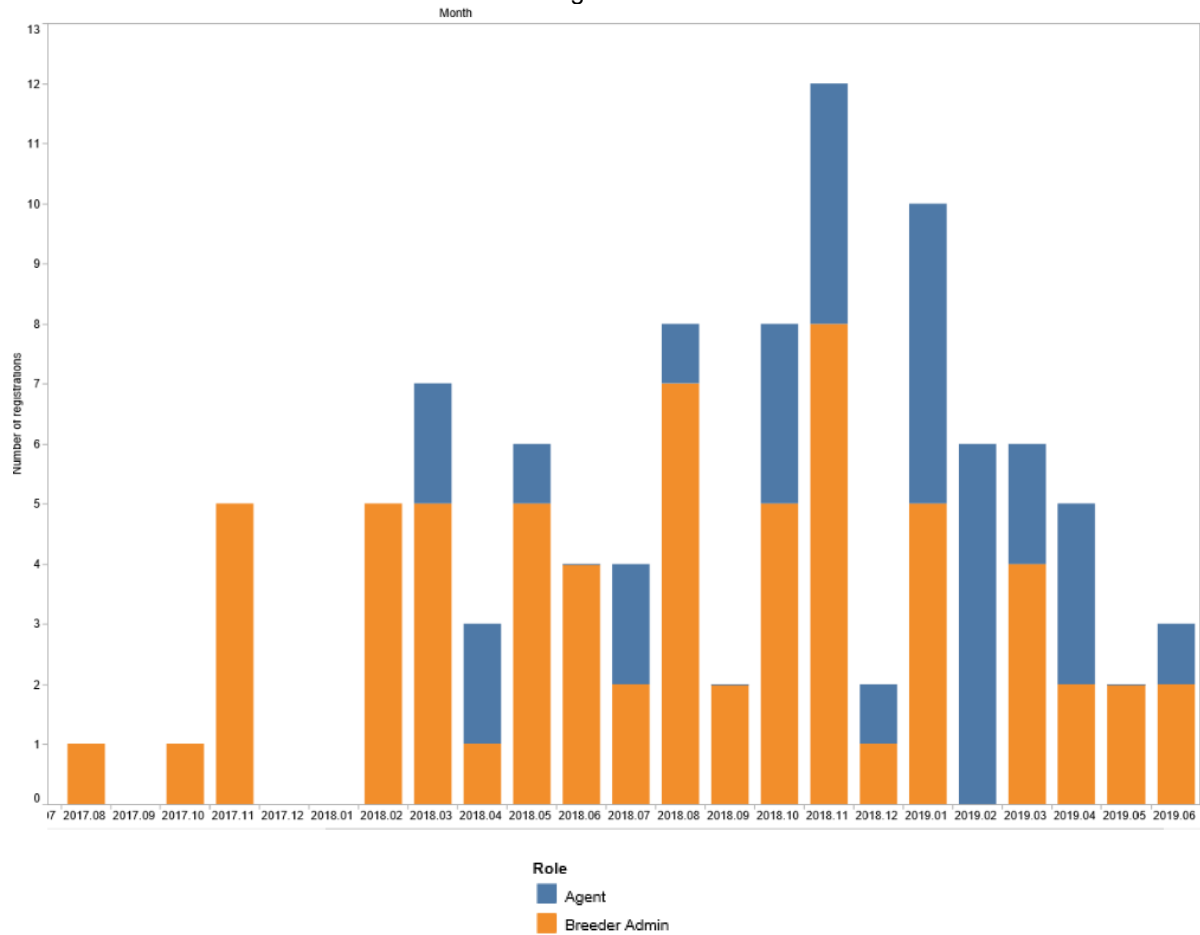
USE OF UPOV PRISMA

12. Information on the use of UPOV PRISMA to June 30, 2019, is provided below:

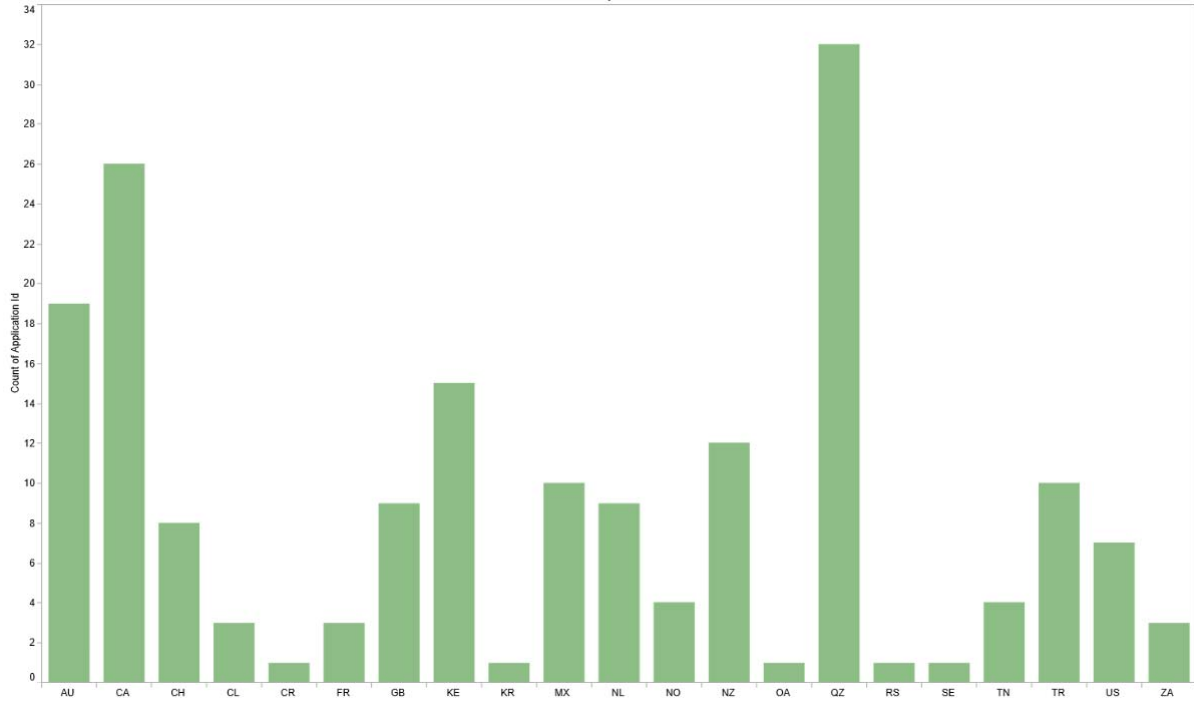
Number of submissions via UPOV PRISMA:

	2017	2018	2019
January	1		7
February		3	9
March	2	3	6
April		3	23
May	1	1	33
June		7	10
July		7	
August		1	
September	3	8	
October	1	19	
November	3	16	
December	3	9	
Total	14	77	88
Annual increase (%)	-	450%	418% (January-June)

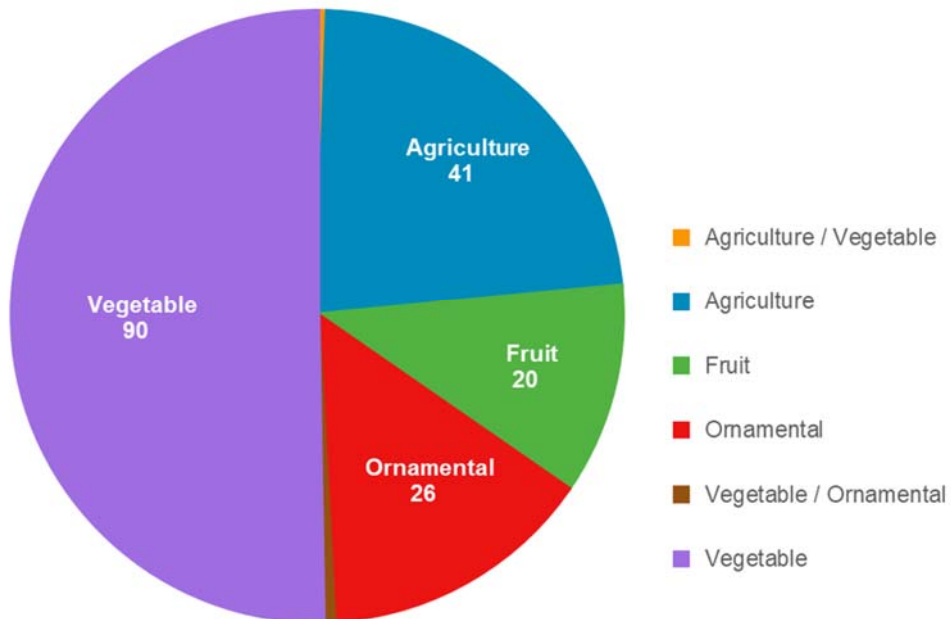
Number of new user registrations in UPOV PRISMA:



Number of submissions per participating Authority in UPOV PRISMA:



Number of submissions by crop type in UPOV PRISMA:



13. An oral report on further developments will be made to the Consultative Committee, at its ninety-sixth session.

UPOV PRISMA SURVEYS

ADquation Survey of Registered Users

Objective and target of the surveys

14. In order to assess the value of the service provided and to determine a suitable fee for UPOV PRISMA, the Office of the Union conducted an independent survey of registered users of UPOV PRISMA. On the basis of a Request for Proposals from market study providers, ADquation was selected to conduct the survey.

15. At the time of the survey (April 2019), 103 entities had registered in UPOV PRISMA. Some entities had submitted applications via UPOV PRISMA, some had drafted applications but not submitted data, while some others had registered but had not been active.

16. Two sets of surveys were established.

- (a) Qualitative survey (“One-to-one interviews”) with 20 registered users selected by ADquation; and
- (b) Quantitative survey (Online questionnaire) sent to all 103 registered users.

17. The Qualitative survey involved in-depth conversations with interviewees to explain their views and experiences of UPOV PRISMA. ADquation chose 20 registered users for telephone interviews conducted by ADquation interviewers in English, French or Spanish. Ten users had already submitted applications (7 breeders and 3 agents) and 10 had registered but had not submitted applications (9 breeders and 1 agent). The main goals of the survey for “active users” were to receive information on user experience, identify the benefits of UPOV PRISMA and to determine a suitable fee. The main goals of the survey for “inactive” registered entities were to identify difficulties encountered and to assess a suitable fee at which it would be acceptable to use UPOV PRISMA. Respondents were from nine countries: Australia, Canada, France, Mexico, Netherlands, New Zealand, Norway, Spain and United Kingdom.

18. The quantitative survey took the form of an online questionnaire with 32 questions on: respondents profile and PVP application submission process; UPOV PRISMA usage; UPOV PRISMA perception; proposed improvements; and UPOV PRISMA pricing. One hundred and three entities (222 persons) were invited to complete the survey. Thirty-seven responses were received (36% response rate based on the number of entities) with 31 breeders and 6 agents. Nine entities participated in both the qualitative and the quantitative survey. The answers received were from 14 countries: Australia, Belgium, Chile, Denmark, France, Germany, Italy, Latvia, Mexico, Netherlands, New Zealand, Norway, United Kingdom and United States of America.

Recommendations from the surveys

19. On the basis of the replies to the surveys, the recommendations made by ADquation were as follows:

1. Very risky to make users pay for UPOV PRISMA at that time because of technical problems.
2. However thanks to their trust in the concept, in UPOV and in its team, all remain confident in the tool and will be willing to pay a fee when it is fully operational.
3. Defects to solve and missing features to develop (priority ranking) :
 - a. Solve IT bugs / technical problems
 - b. Make sure that all countries and crops are regularly checked (updated form, translations...)
 - c. Ongoing inclusion of new countries / new crops
4. In parallel, advise to work with UPOV members with the following objectives :
 - a. Ongoing harmonization of application forms between countries
 - b. Improve the communication between members and applicants during the process (mainly acknowledgement of receipt)
5. While introducing UPOV PRISMA, avoid too strong promises (in particular time-saving) and focus on smooth process and serenity [peace of mind].
6. Individual support is crucial to make sure users are able:
 - a. to complete a whole application, in all situations
 - b. to connect all third-parties in an appropriate way and with the appropriate rights.
7. Video training is not sufficient despite the feeling of easiness it provides. Direct contact is recommended.
8. Once all the evolutions are set up, we advise a price between 100 € (110 CHF) and 150 € (170 CHF).”

20. ADquation have been invited to make a brief presentation on the survey findings and to answer questions at the ninety-sixth session of the Consultative Committee.

UPOV Survey of Stakeholders

21. Following the completion of the ADquation survey, an online survey was conducted by the Office of the Union using a set of questions selected from the ADquation online survey. This survey, conducted in June 2019, was offered to UPOV members, PVP Office contacts, users of UPOV services and breeders. The survey was completed by 14 respondents, of which 3 were breeders or agents.

Follow-up and action plan after the surveys

22. On the basis of the information obtained from the ADquation survey, the Office of the Union plans the following approach:

- (a) take the following actions to address technical issues and improve the user experience:
 - (i) deploy automatic test tool to identify and eliminate IT bugs;
 - (ii) provide direct communication tool to UPOV PRISMA helpdesk;
 - (iii) redesign user interface for a better user experience;
 - (iv) work with PVP offices to ensure that receipt of application data is acknowledged and that data are duly and promptly processed;
 - (v) introduce new functionalities to improve the value of the tool as far as resources allow (e.g. DUS Arrangement Tool);
- (b) endeavor to ensure that information and forms in UPOV PRISMA are complete and up-to-date and arrange for verification of translations by relevant persons;
- (c) expand geographical and crop coverage of UPOV PRISMA and inclusion of coverage of national listing, as far as resources allow, with priority being given to items (a) and (b);
- (d) explore opportunities to facilitate harmonization of forms where appropriate;
- (e) amend UPOV PRISMA promotion strategy to focus on the benefits of a smooth and reliable process, rather than time-saving; and
- (f) explore possibilities to assist members of the Union to receive, process and manage application data.

FINANCING OF UPOV PRISMA

23. The Consultative Committee, at its ninety-fifth session, requested the Office of the Union to present options to the Consultative Committee, at its ninety sixth session, for the financing of UPOV PRISMA, including: fee per submission; fee per variety; subscription model(s) for applicants; subscription model(s) for members of the Union and package(s) of UPOV services.

24. On the basis of the information obtained from the survey, the following recommendations were made by ADquation, in relation to a fee for UPOV PRISMA:

- (a) fee per application was the most popular and considered the fairest, whilst not being favored by all;
- (b) fairest payment solution would be to share the cost with PVP offices, who will also benefit from the tool; and
- (c) to set a fee per application between CHF100 (93 €) and CHF170 (150 €), subject to smooth functioning of the tool and some expectation of sharing of that cost by PVP offices (e.g. discounted application fee when UPOV PRISMA is used).

Proposal

25. Document CC/95/5 referred to an option for a package of services covering UPOV PRISMA, GENIE and PLUTO. However, it has been concluded that it would not be advisable to propose a package of services at this time for two main reasons: firstly, the feedback from the survey of UPOV PRISMA users indicated that further refinements are needed to UPOV PRISMA to capture the full value and, secondly, there is insufficient information on the expected level of use of UPOV PRISMA, PLUTO and GENIE at this time.

26. On the basis of the results of the survey and the current coverage, it is proposed to introduce a UPOV PRISMA fee per application at 90 Swiss Francs, starting in January 2020, on the basis that:

- (a) the actions to address technical issues and improve the user experience are completed; and
- (b) members of the Union make best endeavors to:
 - join UPOV PRISMA and offer coverage for all crops and species for which protection is available;
 - promote the use of UPOV PRISMA for their applicants;
 - provide incentives for applicants to use UPOV PRISMA (e.g. discounted application fee when UPOV PRISMA is used);
 - ensure that information and forms in UPOV PRISMA are complete and up-to-date;
 - process applications received using UPOV PRISMA in a timely way;
 - consider opportunities to harmonize forms where appropriate and use the UPOV Test Guidelines Technical Questionnaires;

27. It is further proposed that where the same variety is submitted for both plant breeders' rights and national listing in the same member of the Union, a single fee would be charged at the time of the first submission for the variety.

28. *The Consultative Committee is invited to:*

(a) note the developments concerning UPOV PRISMA;

(b) note the recommendation from the UPOV PRISMA surveys;

(c) note the planned follow-up actions, as reproduced in paragraph 22 of this document;

(d) consider a UPOV PRISMA fee per application at 90 Swiss Francs, starting in January 2020, on the basis that:

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- *consider opportunities to harmonize forms where appropriate and use the UPOV Test Guidelines Technical Questionnaires;*

(e) consider that where the same variety is submitted for both plant breeders' rights and national listing in the same member of the Union, a single fee would be charged at the time of the first submission for the variety.

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