

## Draft CPVO Single Programming Document 2022-2024

## List of acronyms

<b>AC</b>	Administrative Council
<b>AD</b>	Administrator
<b>ARIPO</b>	African Regional Intellectual Property Organisation
<b>AST</b>	Assistant
<b>Basic Regulation</b>	Council Regulation (EC) 2100/94 of 27 July 1994
<b>BoA</b>	Board of Appeal
<b>CA</b>	Contract Agent
<b>CC</b>	Common Catalogue
<b>CEOS</b>	Conditions of Employment of other servants
<b>CEPOL</b>	European Union Agency for Law Enforcement Training
<b>CJEU</b>	Court of Justice of the European Union
<b>CPVO</b>	Community Plant Variety Office
<b>CPVR</b>	Community Plant Variety Rights
<b>DPO</b>	Data Protection Officer
<b>DUS</b>	Distinction – Uniformity – Stability
<b>EC</b>	European Commission
<b>EO</b>	Examination Office
<b>EPO</b>	European Patent Office
<b>EU</b>	European Union
<b>EUIPO</b>	European Union Intellectual Property Office
<b>EUROJUST</b>	The European Union Agency for Criminal Justice Cooperation
<b>EUROPOL</b>	European Union Agency for Law Enforcement Cooperation
<b>FTE</b>	Full Time Equivalent
<b>HR</b>	Human Resources
<b>IMODDUS</b>	Integration of molecular data into DUS testing
<b>INTERPOL</b>	International Criminal Police Organisation
<b>IP</b>	Intellectual Property
<b>IPC-EUI</b>	EU-India Intellectual Property Cooperation
<b>IP Key</b>	Intellectual Property: a Key to sustainable competitiveness
<b>IT</b>	Information Technology
<b>ITU</b>	International Telecommunication Union
<b>MY PVR</b>	CPVO online application tool

<b>KAVB</b>	Koninklijk Algemene Vereniging voor Bloembollencultuur
<b>OAPI</b>	Organisation Africaine de la Propriété Intellectuelle
<b>OECD</b>	Organization for Economic Co-operation and Development
<b>PVP</b>	Plant Variety Protection
<b>PVR</b>	Plant Variety Rights
<b>QAS</b>	Quality Audit Service
<b>R&amp;D</b>	Research and Development
<b>SC</b>	Secretary and Clerk
<b>SMART</b>	Specific – Measurable – Accepted – Relevant – Time bound
<b>SNE</b>	Seconded National Expert
<b>SPD</b>	Single Programming Document
<b>SYSPEP</b>	IT Tool to handle data related to HR
<b>TU</b>	Technical Unit
<b>UNICRI</b>	United Nations Interregional Crime and Justice Research Institute
<b>UN SDG</b>	United Nation's Sustainable Development Goals
<b>UPOV</b>	Union internationale pour la Protection des Obtentions végétales
<b>VF</b>	Variety Finder
<b>VTC</b>	Virtual Training Center
<b>WCO</b>	World Customs Organisation
<b>WIPO</b>	World Intellectual Property Organisation
<b>WTO</b>	World Trade Organisation

# Table of Contents

<b>Foreword of the President.....</b>	<b>6</b>
<b>1. General context .....</b>	<b>6</b>
1.1. CPVO Mission and mandate .....	6
1.2. Strategic Plan.....	7
1.3. Report Approval process .....	9
<b>2. Multi-Annual Programme 2022-2024.....</b>	<b>10</b>
2.1. Multi-Annual work programme.....	10
2.1.1. Achieving Excellence through people .....	10
2.1.2. Supporting Breeders with a robust and reliable Intellectual Property Right.....	14
2.1.3. Making the CPVO strong in a strong Intellectual Property Network.....	19
2.1.4. Promoting PVR, in Europe and Internationally .....	20
2.2. Human and financial Resources.....	21
2.2.1. Overview of the past and current situation .....	21
2.2.2. Outlook for the years 2022-2024.....	23
2.2.3. Resource programming for the years 2022-2024 .....	25
2.2.4. Strategy for achieving efficiency gains .....	26
2.2.5. Negative priorities/decrease of existing tasks .....	30
2.2.6. Impact of workload on human resources needs.....	31
<b>3. Implementation of the CPVO Strategic Plan: Work Programme 2022 .....</b>	<b>32</b>
3.1. Executive summary .....	32
3.2. Activities.....	32
3.2.1. Achieving Excellence through people - Horizontal .....	32
3.2.2. Supporting Breeders with a robust and reliable Intellectual Property Right - Operational .....	34
3.2.3. Making the CPVO strong in a strong Intellectual Property Network - Operational .....	37
3.2.4. Promoting PVR, in Europe and Internationally .....	37
<b>Annexes.....</b>	<b>38</b>
Annex I. Organizational chart .....	38
Annex II. Resource allocation per activity.....	40
Annex III. Financial Resources.....	41
Annex IV. Human Resources- Quantitative .....	47
Annex V. Human Resources – Qualitative.....	53
Annex VI. Environment management .....	61
Annex VII. Buildings.....	64
Annex VIII. Privileges and immunities .....	65
Annex IX. Evaluations .....	66
Annex X. Strategy for the organizational management and internal control systems .....	67
Annex XI. Plan for grant, contribution or service-level agreements .....	68

Annex XII.	Strategy for cooperation with third countries and/or international organizations.....	72
Annex XIII.	Procurement plan for coming years.....	74

## Foreword of the President

2020 was supposed to be the year of celebrations for the CPVO's 25<sup>th</sup> anniversary, but it turned out to be the most unusual and peculiar year for us, and the whole world due to the spread of the Covid-19 pandemic. The CPVO nevertheless managed to remain efficient and effective to face the new challenges. As almost all public and private organisations in Europe, we had to adjust our working methods, integrate new tools to work with and collaborate virtually, and we showed resilience. In the end, the overall performance in 2020 was very positive in terms of processing applications and of preserving a robust financial situation.

Over the past 25 years, the CPVO processed over 72,000 applications and granted more than 56,500 plant variety right titles. Today, around 29,000 new plant varieties are being protected in the EU. The EU PVP system, based on the 1991 Act of the UPOV Convention, is the largest and most efficient cross-national system for plant variety rights' protection worldwide and is second only to China in terms of applications received on an annual basis.

The CPVO was prepared for the technical and legal consequences following the withdrawal of the United Kingdom from the European Union as from 1 January 2021. No visible effects on the EU PVP system has yet been identified in terms of a decrease in the number of applications or other. The CPVO will assess to what extent cooperation with UK PVP authorities post-Brexit may be beneficial for the CPVO, examination offices and applicants.

The cooperation with national authorities and examination offices is key to the success of our system. In this year's foreword I want to specifically refer to the R&D Strategy 2021-2025 that will be presented to the Administrative Council for adoption. The strategy outlines a continued cooperation with the examination offices in the CPVO network to engage in (i) projects that promote the use of bio-molecular techniques in DUS testing and variety identification, (ii) projects that set up shared online databases and (iii) projects that improve and harmonize methodologies and procedures included in the CPVO Technical Protocols. The ultimate aim of the strategy is to keep a strong incentive for the development of improved varieties and to facilitate enforcement. In order to achieve transparency, the strategy will also define the role and limitations of the CPVO when engaging in R&D projects funded by non-CPVO resources.

In the context of broader EU policies, the CPVO has started analysing how the EU PVP system can contribute to the EU Green Deal and the Farm to Fork Strategy. The European Observatory on Infringements of Intellectual Property Rights will in 2021 conduct a sectorial study on the benefit of the EU PVP system. The main purpose of the study is to quantify the weight of the PVR system on the EU economy, including at Member States' level and in regions of the EU. In addition, the study will consider to what extent the EU PVP system contributes to a sustainable agriculture and horticulture in the context of the EU Green Deal, the Farm to Fork Strategy and the fulfilment of the UN Sustainable Development Goals.

One of the other priorities of the European Commission is the digital transformation of the EU. In this respect the CPVO aims to be the leader in its field, especially when it comes to developing IT tools and databases. An IT Unit was created in the beginning of 2021. To lead the unit a highly qualified IT manager has been recruited. He will guide the CPVO when strategic decisions are taken on future IT engagements and ensure that high quality IT projects are implemented. The unit will also be reinforced with a new developer. The expectations from the industry, examination offices, EU institutions, the public, and last but not least CPVO staff, are high. The CPVO will therefore remain committed to provide state of the art and user-friendly IT tools, and will make as much data as possible on plant varieties accessible online for stakeholders and the public at large.

External communication and outreach activities to stakeholders continue to be crucial and there have been very positive results on the investments the CPVO made in communications. Following the adoption of the external communication strategy late 2019 we have seen a major increase in the presence of the CPVO in social media, a new electronic newsletter has been established, webinars and videos have been produced to mention just a few developments. This will be amplified in the coming years as it is crucial to explain to stakeholders and the public at large how the CPVO contributes directly or indirectly to the EU single market and to a more sustainable Europe.

Finally, the CPVO continues to be heard globally and contributes to the implementation of EU policies on IP protection in third countries in various projects managed by DG Trade and implemented by EUIPO. The CPVO looks forward to continue this important work with the European Commission, EU Member States,

UPOV, EUIPO and the breeders to build up these capacities. An EU PVP Academy is in the process of being established by the CPVO and this work will continue during the SPD period.

In order to implement all the objectives laid down in this SPD it is crucial that the necessary manpower is available. In the past ten years, the establishment plan has decreased from 48 to 45 despite a quantifiable increase in workload for CPVO's core business activities. In addition to the increasing workload in the core business, the reporting obligations from the EU institutions, and increasingly the European Data Protection Supervisor, require an increase in qualified staff. A request for more staff was already foreseen in the draft budget of 2021 but was postponed due to potential decreases in income following the Covid-19 pandemic. Such a decrease did not materialise.

The present document provides the details of how we plan to work in order to achieve our ambitions over the coming years.

Since my mandate as CPVO President expires on 31 August 2021, I will not be implementing all the important and challenging activities outlined in this SPD. Nevertheless, I look forward to preparing a seamless transition and I wish the incoming President all the best when taking on this inspiring post and lots of success in ensuring the continued prosperity of the EU PVP System.

**Martin Ekvad**

President, CPVO

# 1. General context

## 1.1. CPVO Mission and mandate

The CPVO mission is to deliver and promote an efficient Intellectual Property Rights system that supports the creation of new plant varieties for the benefit of Society.<sup>1</sup>

In managing the EU plant variety rights (PVR) system, the CPVO fulfils the mandate of Council Regulation (EC) No 2100/94 of 27 July 1994. The core task of the CPVO is processing of and taking decisions on applications for EU plant variety rights. Furthermore, the CPVO either directly or by its Administrative Council, advises the EU institutions, Council and/or Commission, and the EU Member States on Plant Variety Rights legislation and related policy areas. The CPVO ensures effective plant variety protection through awareness raising activities designed to foster respect for plant variety rights and encourage the development of enforcement tools.

In cooperation with the EU Commission, who represents the EU in the International Union for the Protection of New Varieties of Plants (UPOV), the CPVO is very active as regards technical cooperation amongst UPOV members. CPVO also supports research and development activities aimed at improvement of Distinctness, Uniformity, and Stability (DUS) testing methods and is involved in an R&D project financed by the Commission under Horizon 2020.<sup>2</sup>

A report on the economic, social, and environmental value of plant breeding in the EU shows measurable benefits of plant breeding activities in the EU on the economy, the environment, and society at large<sup>3</sup>. Through the protection of new plant varieties CPVO plays a prominent role in the plant breeding sector and contributes to a more sustainable EU, fostering innovation, boosting growth, creating jobs. Furthermore, the Industry-Level Analysis Report of September 2019<sup>4</sup> has provided an update on IPR-intensive industries. The study shows that the agricultural and horticultural sectors are major users of CPVRs, representing the most PVR-intensive part of agriculture.<sup>5</sup>

As regards the promotion of plant variety rights in international fora, the CPVO supports the implementation of the European Commission funded IP Key projects in China, South-East Asia and Latin America<sup>6</sup> which are now being extended to the Caribbean region.<sup>7</sup> Those actions in the field of PVRs are consistent with the strategic indications of the European Commission as defined in the Communication by the Commission "Trade, growth and intellectual property - Strategy for the protection and enforcement of intellectual property rights in third countries"<sup>8</sup>. The CPVO also supports the implementation of the OAPI Road Map on Plant Variety

---

<sup>1</sup> This mission has been defined in the CPVO 2017-2021 Strategic Plan

<sup>2</sup> Horizon 2020 program which fits in the Societal Challenge 2 on 'Food security, sustainable agriculture and forestry, marine and maritime and inland water research and the bioeconomy' (Call for Sustainable Food Security / Building capacities / Research and innovation actions)

<sup>3</sup> Cf. European Seed Association press release on recent study: [http://www.plantetp.org/system/files/publications/files/hffa\\_research\\_paper\\_plant\\_breeding\\_eu.pdf](http://www.plantetp.org/system/files/publications/files/hffa_research_paper_plant_breeding_eu.pdf)

<sup>4</sup> Intellectual property rights intensive industries and economic performance in the European Union: [https://euiipo.europa.eu/tunnel-web/secure/webdav/guest/document\\_library/observatory/documents/IPContributionStudy/IPR-intensive\\_industries\\_and\\_economicin\\_EU/WEB\\_IPR\\_intensive\\_Report\\_2019.pdf](https://euiipo.europa.eu/tunnel-web/secure/webdav/guest/document_library/observatory/documents/IPContributionStudy/IPR-intensive_industries_and_economicin_EU/WEB_IPR_intensive_Report_2019.pdf)

<sup>5</sup> The study shows that 28% of all jobs in the EU (60 million) can be directly attributed to IPR-intensive industries; 38% of all employment in the EU (82 million) can be attributed, directly and indirectly, to IPR intensive industries; IPR-intensive industries pay significantly higher wages than other industries, with a wage premium of 46%; 42% of the total economic activity (GDP) in the EU is attributable to IPR-intensive industries, worth EUR 5.7 trillion; IPR-intensive industries account for about 90% of EU trade with the rest of the world, generating a trade surplus for the EU of EUR 96 billion.

<sup>6</sup> <https://ipkey.eu/en>

<sup>7</sup> <https://euiipoef.eu/en/caripi>

<sup>8</sup> COM(2014) 389 final, Strasbourg 1.7.2014



Rights in 17 West African countries, a project co-financed by the Commission. These projects face the challenge of improving the protection and enforcement of IPRs in the above regions, while raising public awareness of the economic and other impacts of IPR-infringing goods and their detriment to innovation and also on health and safety, and safeguarding the common interest of promoting a sustainable and healthy development of trade relationships. The CPVO will also contribute to the implementation of the 'Intellectual Property Rights (IPRs) Action for Africa'<sup>9</sup>, that has the objective to support the creation, protection, use and enforcement of Intellectual Property Rights (IPR) across Africa, in line with international and European best practice and in support of the African Continental Free Trade Area (AfCFTA) and the African Union's Agenda 2063.

## 1.2. Strategic Plan

The Strategic Plan of the CPVO provides an overall vision up to 2021 and this Single Programming Document elaborates on that vision, detailing the activities planned each year on a rolling 3 years basis. Although this SPD stretches beyond the duration of the present CPVO Strategic Plan the principles therein are applied when drafting this SPD 2022-2024. A new Strategic Plan is envisaged to be adopted in 2022 and it is expected that it will last during the mandate of the President of the CPVO.

The vision of the CPVO is to be a dynamic, people-driven IP organisation, highly recognised within industry and stakeholders. The CPVO constantly engages with IP players at European and International level, is a member of the EUIPN (European Union Intellectual Property Network), created by the EUIPO to bring together national and regional IP offices in the EU, international partners (such as WIPO and EPO), different Commission services, and user associations to build a stronger IP network in the EU.<sup>10</sup> Under the partnership approach envisaged in the CPVO Strategic Plan 2017-2021<sup>11</sup>, the CPVO supports and fosters cooperation among different stakeholders dealing with IP rights. The approach promoted by the Office is to involve different levels of IP players in its daily work, not only creating synergies with Member States' IP/Plant Variety Offices and other regional IP Offices, but also keeping relations with IP practitioners to make IP and PVRs more and more accessible for breeders.

As part of such a strong network of IP players, it contributes to build a coherent and harmonized legal framework, also focusing on international cooperation projects, for the benefit of its stakeholders. The CPVO persistently works with partners to modernise and develop a strong and reliable EU PVR system, with the aim of making PVRs a 'natural choice' for protection of plant varieties. This will be achieved by focusing on two main strategic goals:

- Making PVR the natural choice for the protection of IP related to plant varieties
- An innovative, people-driven organisation, promoting EU values

The over-arching objectives of the strategic plan are:

1. Achieving excellence through people – giving life to our values
2. Supporting breeders with a robust and reliable Intellectual Property Right
3. Make the CPVO strong in a strong Intellectual Property network
4. Promoting PVR, in the EU and internationally

The CPVO objectives reflect the EU commitment to address some of the most urgent global challenges such as climate change, the ever-growing human population, food safety and scarcity of natural resources.

---

<sup>9</sup> <https://euiipoef.eu/en/afripi>

<sup>10</sup> <https://www.tmdn.org/#/members>

<sup>11</sup> See para. 6.3 *Making the Community Plant Variety Office strong in a strong intellectual property network*, of the Strategic Plan 2017-2021

The CPVO objectives also take stock of the European Commission's actions to include the United Nation's Sustainable Development Goals (UN SDG) into EU policies and initiatives.

Since the adoption of the CPVO Strategic Plan the Commission has put in place the European Green Deal<sup>12</sup> in which it resets the Commission's commitment to tackling climate change and environmental-related challenges. The Commission also adopted the Farm to Fork Strategy which is at the heart of the Green Deal and addresses comprehensively the challenges of sustainable food systems and recognises the inextricable links between healthy people, healthy societies and a healthy planet. The Green Deal and the Farm to Fork Strategy are both central to the Commission's agenda to implement the United Nation's 2030 Sustainable Agenda and the Sustainable Development Goals. The CPVO will analyse how to best contribute to the implementation of these policies. The CPVO has recently strengthened its external communication sector and one important task will be to explain to the public how the CPVO contributes directly or indirectly to a more sustainable Europe

Through the promotion of sustainable agricultural production within the EU and with third countries, more efficient variety testing and respect for Plant Variety Protection and the rule of law, the activities of the CPVO are supporting the European Commission's efforts towards these goals.

Food security is one of the most important issues society is faced with, particularly in the context of climate change.

The CPVO, through the management of the EU PVR system and through the execution of the tasks entrusted to it, contributes to this crucial policy by supporting all stakeholders, with an effective system which promotes research and development and breeding of better varieties. High yield, disease resistant varieties which are better suited to the changing climatic conditions can only be promoted if the system of protection of such varieties is robust.

There is an increasing need for plant varieties that are more resilient to the impacts of climate change: e.g. disease-resistant, cold-, drought-, and salt-tolerant varieties. In addition, the contribution of plant breeding and the plant variety protection to UN's Sustainable Development Goals is jointly addressed with UPOV. Moreover, in the context of FAO's Commission on Genetic Resources for Food and Agriculture there is an increasing awareness that the genetic diversity of agricultural species should be safeguarded in order to ensure food security. The CPVO thereby contributes to the creation of an environment conducive to innovation and investment in Europe. The CPVO is part of a consortium that was awarded a grant under the call SFS-29-2018 entitled "Innovations in plant variety testing". This call is part of the Horizon 2020 programme and fits in the Societal Challenge 2 on 'Food security, sustainable agriculture and forestry, marine and maritime and inland water research and the bioeconomy' (Call for Sustainable Food Security / Building capacities / Research and innovation actions). The project was awarded eight million euros in a decision taken by the Commission in December 2018 and the project will run for a period of five years.

The indicators of the multi-annual and annual work programmes were developed directly from the main objectives of the 2017-2021 Strategic Plan to perfectly reflect the philosophy of that document and assure a real continuity and a full coherence between both documents.

Only key performance indicators ('KPI') are included, since they focus on measuring the performance of the Office's business and administrative activities with significant impact and/or consequences. Some operational indicators have been turned into KPIs.

Forty-one KPIs were identified with their targets. These indicators will be used to analyse the fulfilments of the CPVO objectives when writing the Annual Activity Report.

---

<sup>12</sup> 11.12.2019 COM (2019) 640 final, Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions

Individual SMART objectives fully coherent with the Strategic Plan and with the Work Programme and the CPVO objectives were introduced in the Career Development Plan of each staff member for the year 2018 and this practise is continuing.

### **1.3. Report Approval process**

The process for approval of the present report is as follows:

- The budgetary figures contained in the present document were sent to DG SANTE in January 2021.
- Draft for comments presented to the Administrative Council during Spring meeting on 15 April 2021.
- Revision of documents based on comments of the Administrative Council and the European Commission.
- Presentation of final document for approval by the Administrative Council in 2021 autumn meeting.

## 2. Multi-Annual Programme 2022-2024

### 2.1. Multi-Annual work programme

The multi-annual objectives defined below cover the core objectives of the CPVO. The objectives are very stable and therefore there have been very few changes as compared to the previous year. As stated above, only key performance indicators are reported on in this report. The order of the objectives are linked to the objectives in the Strategic Plan. It should be noted that the multi-annual objectives are also aligned with the work programme for 2022 (Chapter 3 below).

The components correspond to the elements included in each of the four objectives of the 2017-2021 Strategic Plan to materialise the coherent link between the Strategic Plan and the Work Programme.

#### 2.1.1. Achieving Excellence through people

##### a) Recruit and develop staff

Organisation of all the necessary steps foreseen in the procedures and rules for the selection and contracts with new agents or to hire interim staff to provide the different units and services with the requested human resources.

Manage staff rights, salaries and processing of mission's reimbursements.

Preparation and submission of draft Decisions on implementing rules of the Staff Regulation, to the CPVO President and AC for possible adoption, and transmission to the DPO of the corresponding notifications.

Assistance to the CPVO Management and CPVO staff in the domain of HR.

Draw an annual training program based on development needs identified each year by staff in their Career development plan. Once this program is approved by the President, organise trainings accordingly within budget constraints.

Manage training catalogue(s).

#### Objectives 2022-2024:

- Recruit, train, assess, (motivate and retain) high quality staff so that effective and efficient operation of the CPVO is ensured.
- Assist the Management in the implementation of the traineeship programme.
- Give an expertise in the domain of HR to the Management and the Staff.
- Draft and implement clear rules for all HR aspects.
- Prepare salaries on due time. Processing missions reimbursements in due time.
- Give access to a wide choice of trainings in line with the needs expressed.

Key Indicators	2022-2024 Target
% of non-recoverable extra hours vs. Total of hours spent during the year	<5%
Average length of recruitment process (publication to accepting post)	8 months
% of completion of the mandatory training program	100%
% of feedbacks filled in by staff following a training	100%

b) Empower and motivate staff

<b>Objectives 2022-2024:</b>	
<ul style="list-style-type: none"> <li>• Continue delegation of responsibilities for staff</li> <li>• Promote internal mobility for staff</li> </ul>	
<b>Key Indicators</b>	<b>2022-2024 Target</b>
% of staff satisfaction regarding achievements of objectives (question included in annual staff survey)	>80%
Number of internal mobility exercises	1 per year
Engagement rate (composite indicator: I would recommend CPVO as an employer, I am proud to work at CPVO, I am satisfied with my work environment...) measured through staff surveys	80%

c) Internal Communication

The CPVO Strategic Plan 2017-2021 first objective is to achieve excellence through people and give life to the CPVO values. These elements can be fulfilled only with the help of an efficient internal communication.

A new internal communication policy was adopted in 2019 and a working group on internal communication exists to monitor its implementation.

<b>Objectives 2022-2024:</b>	
Measure the satisfaction of the staff regarding the internal communication through a survey	
<b>Key Indicators</b>	<b>2022-2024 Target</b>
% of satisfaction of the staff regarding the internal communication (through the staff survey)	80%

d) Cost and Process Efficiency

The aim of achieving cost and process efficiency is far-reaching and covers many different parts of the CPVO. To relate the number of staff to the number of applications gives an idea of the trend of work done directly related to the processing of applications which is one of the core activities of the CPVO. The number of applications received online has stabilised. An increase of the fees for paper applications entered into force on 1 April 2020 and it will be important to monitor if that will have an effect on the number of applications received online in 2020 and onwards. As a next step the CPVO is considering taking away the possibility to file applications on paper. The increased accessibility and user-friendliness of online tools will support the objective of making the IP system more effective. Online tools tend to automate the support required during the application process and provide the users with improved functionalities. This will ideally favour SMEs by facilitating the access to IP and increase efficiency in the filing process both for the user and CPVO staff. The objective is to contribute to the achievement of the goals set out in the new industrial and single market strategies, which aim to create an enabling environment for the thriving of SMEs.<sup>13</sup>

The CPVO online system is connected to the UPOV PRISMA application portal for all species except most agricultural species. The CPVO is working with the UPOV Office to extend the number of agricultural species. The Office receives very few applications through PRISMA (55 altogether so far, 15 in 2020 until the end of December). Feedback tells us that many EU breeders make an application in the EU before they file

<sup>13</sup> See: Commission communication *Updating the 2020 New Industrial Strategy: Building a stronger Single Market for Europe's recovery*, COM (2021) 350 final, available at: [https://ec.europa.eu/info/sites/default/files/communication-industrial-strategy-update-2020\\_en.pdf](https://ec.europa.eu/info/sites/default/files/communication-industrial-strategy-update-2020_en.pdf); Commission communication *An SME Strategy for a sustainable and digital Europe*, COM (2020) 103 final, available at: [https://ec.europa.eu/info/sites/default/files/communication-sme-strategy-march-2020\\_en.pdf](https://ec.europa.eu/info/sites/default/files/communication-sme-strategy-march-2020_en.pdf)

elsewhere. The CPVO and the UPOV Office is therefore considering making it possible for breeders to use the application data they submitted to the CPVO when applying for a CPVR also when filing applications in third countries through the PRISMA platform.

The Office is committed to continue evolving towards a digitally transformed, user-focused and data-driven administration”, following the recommendations and objectives set out by the European Commission in its Digital Strategy.<sup>14</sup>

*Effective and efficient processing of applications for Community Plant Variety Rights*

<b>Processing Applications - Objective 2022-2024:</b>	
<ul style="list-style-type: none"> <li>• Optimise the efficiency of applications processing</li> <li>• High level of online application processing</li> <li>• Paperless Processing</li> </ul>	
<b>Key Indicators</b>	<b>2022-2024 Target</b>
Number of applications received in relation to the number of staff indicated in the establishment plan	>70
% of online applications	>95%

*Responding as needed to public access requests.*

The CPVO abides by the provisions on public access to documents of EU Institutions and Agencies established under Regulation (EC) No 1049/2001. The concept of freedom of information and free access to institutional files is enshrined in the principle of openness and in the very first Article of the Treaty on European Union. Providing an efficient and timely service to users and public in general contributes to bring the CPVO work closer to citizens, in line as well with the European Code of Good Administrative Behaviour.<sup>15</sup> For that purpose the CPVO has to guarantee the maximum level of transparency in carrying out the following activities:

- review of documents for which a request of public access has been received;
- processing of initial applications stating the reasons for total or partial refusal, informing the applicants of the right to lodge a confirmatory application.

The requests for public access increased significantly during the last thirteen years, reaching 110 requests in 2017, 120 in 2018 and 137 in 2019, dropping to 92 in 2020. Despite the drop, the number of files concerned by these request almost doubled compared to 2019 (509 files).

<b>Public Access: Objectives 2022-2024:</b>	
Ensure the deadlines for response to initial applications and confirmatory requests are duly respected. Ensure that the provisions of Regulation 1049/2001, and in particular Article 4 thereof, are fully complied with. Make available to the public the largest number of documents on the website of the CPVO.	
<b>Key Indicator</b>	<b>2022-2024 Target</b>
% of public access requests dealt within the deadlines	100%

*Providing sound public procurement and financial management.*

<sup>14</sup> Communication *Commission Digital Strategy A digitally transformed, user-focused and data-driven Commission*, C(2018) 7118 final, available at: [ec.digitalstrategy\\_en.pdf \(europa.eu\)](https://ec.europa.eu/digital-strategy/en/pdf/digitalstrategy_en.pdf).

<sup>15</sup> The European Code of Good Administrative Behaviour, available at: <https://www.ombudsman.europa.eu/en/publication/en/3510>.

In order to meet CPVO needs, the Procurement and Logistic sector of the CPVO is responsible for the purchase, organisation and maintenance of the furniture, equipment and stationery needed for a comfortable and efficient work environment. They also take the necessary steps to maintain and/or repair the buildings and all related matters (security, telecom, energy...), and manage incoming and outgoing mail for the CPVO. Furthermore, the budgetary and financial accounts should comply with rules concerning legality and regularity of transactions.

The procurement processes at the Office abide to the principles of impartiality and independence enshrined in the Code of Good Administrative Behaviour.

<b>Procurement and financial management: Objectives 2022-2024:</b>	
<ul style="list-style-type: none"> <li>Balanced budget</li> <li>Stable Free Reserve</li> <li>No comments from Court of Auditors</li> <li>Fast payment of invoices</li> </ul>	
<b>Key Indicators</b>	<b>2022-2024 Target</b>
Ratio of invoices received, processed and paid in relation to the number of staff indicated in the establishment plan	(6 100/48=) 127
Ratio of debit and credit notes issued, processed, sent and recognized in accounts receivable per staff indicated in the establishment plan	(44 100/48=) 919
% of cancellations of carry forward commitments	<15%
Level of free reserve vs. total budget for payment appropriations	50%

#### *Internal Control, Audit and Evaluation*

These activities are not mentioned explicitly in the Strategic Plan. They are complying with the Financial Regulation of the CPVO and its Implementing Rules, which are based on the Framework Financial Regulation of the EU<sup>16</sup>. They nevertheless contribute to the success of component 1.4 Process efficiency, by giving a control framework and providing regular assessments of the efficiency of all processes within the CPVO (see Annex IX and X for more details). The CPVO internal control framework is in line with the Commission framework, as revised in 2017<sup>17</sup>.

The detailed objectives and indicators are provided hereunder:

<sup>16</sup> REGULATION (EU, Euratom) 2018/1046 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012

<sup>17</sup> Communication to the Commission from commissioner Oettinger, 19.04.2017, C(2017)2373 final

<b>Internal Control Objectives 2022-2024:</b> <ul style="list-style-type: none"> <li>• Risk based internal audits with regular follow-up of recommendations</li> <li>• Implementation of internal control activities by writing ex-post control reports, organising regular assessments of the internal control and coordinate all reports linked to the internal control, the programming documents and the annual activity.</li> </ul>	
<b>Key Indicator</b>	<b>2022-2024 Target</b>
Number of exceptions recorded in the exception register	Max. 10 per year
% of recommendations of the Internal Auditor closed from three preceding years	>75%

## 2.1.2. Supporting Breeders with a robust and reliable Intellectual Property Right

### a) High quality, reliable distinctness, uniformity and stability (DUS) results

#### *Efficiency of the application process*

<b>Objective 2022-2024:</b> <ul style="list-style-type: none"> <li>• Optimise the efficiency of applications processing</li> <li>• High level of online application processing</li> <li>• Paperless Processing</li> </ul>	
<b>Key Indicators</b>	<b>2022-2024 Target</b>
% of acknowledgement of receipt of an application within 5 working days	>85%
Average number of processing days between receipt of final report and grant	< 105 for technical examinations & 107 for take-overs

The reason why the time between receiving a final report and the granting date is not shorter in cases where the CPVO takes over a report is linked to the rules on publications. In cases where the denomination proposal is submitted at a late stage, the publication of the proposal in the Official Gazette can only be initiated while the final report is already received at the CPVO. This publication is for a minimum of 3 months and the Official Gazette is only published every two months. Accordingly, it can take up to more than 5 months before the granting process can be initiated. In cases where the CPVO asks an examination office to process a technical examination on its behalf, the publication of the denomination proposal is initiated when the proposal is accepted by the Office and the Office can immediately start the granting process upon receipt of the final report.

The Office is moving towards a fully online application system in order to “ensure that the EU innovators have access to fast, effective and affordable protection tools”, in line with the objectives of the IP Action Plan. The identified shortcomings will be addressed also through a targeted revision of the legislation on Community Plant Variety Rights in the medium term.

#### *Maintain good cooperation with the Examination Offices*

The technical examination of candidate varieties is carried out by entrusted examination offices. The good cooperation with the EOs is a precondition for having an efficient system of variety testing within the Community system. The CPVO organises annually a meeting with all Technical Liaison Officers in order to coordinate technical and administrative issues of mutual interest.



The framework for all technical examinations is defined by the Technical Protocols which are developed on species level in cooperation with national crop experts. The fora in which those TPs are discussed are the annual crop sector expert meetings the CPVO is organising.

<b>Objective 2022-2024:</b>	
<ul style="list-style-type: none"> <li>• Organisation of the annual EO meeting</li> <li>• Organisation of one crop sector expert meeting per crop sector</li> <li>• Elaboration of new and/or revised CPVO Technical Protocols</li> </ul>	
<b>Key Indicators</b>	<b>2022-2024 Target</b>
Coverage of applications by CPVO Technical Protocols	>90%
% of late reports <sup>18</sup>	<5%

#### *Quality Audit System*

The Quality Audit Service (QAS) is responsible for verifying whether technical examination offices meet the quality standards required for providing services to the CPVO in the area of testing compliance of candidate varieties with the DUS criteria.

To this end, regular assessments are conducted at the entrusted Examination Offices and at the test sites involved in the technical work. The QAS is independent from other CPVO activities.

The technical expertise is made available through experts from Member States (MS). When the number of active experts decreases beyond a critical point during the triennial appointment period, a new call for expression of interest is launched. Assessment teams work under strict confidentiality arrangements and report entrustment recommendations directly to the CPVO AC. Assessment criteria and procedures governing the entrustment process are continuously reviewed and approved by the AC.

The QAS organises regular meetings with the QAS Technical experts for the purpose of training and in order to coordinate and improve the methodology of QAS audits.

The Covid-19 pandemic meant that most of the scheduled QAS assessment exercises in 2020 had to be postponed until 2021. As a consequence, the AC of the CPVO agreed to prolong the 2019-2021 assessment cycle for one year until the end of 2022. It is foreseen that over the 2022-2024 period, in-situ QAS assessments exercises will return to a normal rhythm. Notwithstanding, alternative measures for QAS are being drawn up in the Business Continuity Plan in case other major adverse circumstances affect the regular assessment schedule.

<b>Objective 2022-2024:</b>	
<ul style="list-style-type: none"> <li>• Carry out the foreseen number of audit visits, while applying the risk-based audit strategy</li> <li>• Ensure availability of technical experts</li> </ul>	
<b>Key Indicators</b>	<b>2022-2024 Target</b>
Number of surveillance procedures initiated	Three of the period (one yearly)
Number of Audit Advisory Board consultations/objections	None
Number of unsolved issues in the cooperation reports	None
Number of Technical experts for next assessment	At least 30 experts appointed for 2022-24 and trained

<sup>18</sup> A report is considered late if it arrives after the date defined in annex 11 to the designation agreement for interim and final reports, or later than two weeks after the request to an examination office for a technical examination for preliminary reports

*Implement the R&D strategy (subject to the adoption of the revised R&D strategy in April 2021)*

Research and development projects (co-)financed by the CPVO have the aim to improve the efficiency of DUS testing and to reduce the time/cost of such tests while maintaining or improving the quality of the results. These developments are long-term contributions to the improvement of the system.

In 2020 the existing R&D strategy was analysed and updated in order to present it to the CPVO's AC for adoption for the period 2021-2025 in early 2021.

The 2021-2025 R&D strategy of the CPVO seeks to create synergies and commonalities with the EU Policies and contribute to the achievement of policy objectives laid down, especially, in the European Green Deal and the Farm to Fork Strategy.<sup>19</sup> A direct link between plant breeding and its protection and the Farm to Fork strategy can be established by:

- Ensuring sustainable food production;
- Ensuring food security;
- Reducing food loss.

Considering the technical expertise provided by the CPVO staff, the involvement of the Office in research project such as INVITE (financed under the Horizon 2020 program) contributes to fulfil the mandate of EU decentralised and specialised agencies of assisting key partners with its scientific knowledge and know-how. This can be seen, especially, in the work carried out for harmonisation of DUS testing practices among Member States and with the efforts deployed in international cooperation projects, to contribute to the approximation of technical standards also between the EU and third countries.

With a view to continuing to contribute to the achievement of R&I objectives of the EC, the CPVO is willing to support the implementation of Horizon Europe projects and act as a partner in the preparation of research strategies, implementation of work programs as well as a key point for the dissemination and implementation of results, where appropriate.

The following Key indicators keep track of the achievements in R&D projects that will contribute, specularly, to the above mentioned policy objectives.

<b>Objective 2022-2024</b>	
<ul style="list-style-type: none"><li>• CPVO involvement in EU R&amp;D programs related to its mandate;</li><li>• Promotion of the use of bio-molecular techniques ('BMT') in DUS testing and variety identification;</li></ul>	
<b>Key Indicator</b>	<b>2022-2024 Target</b>
% of finalized R&D projects leading to operational means or substantial information allowing improvement of variety testing procedures	90 %
% of co-funded projects aiming at introducing BMT in variety testing and/or identification	80%

<sup>19</sup> Communication from the Commission, The European Green Deal [COM(2019) 640 final], available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1576150542719&uri=COM%3A2019%3A640%3AFIN>; Communication from the Commission, A Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system [COM/2020/381final], available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52020DC0381>.

### *Reliable decisions*

Decisions of the CPVO in respect of objections, refusals of rights, grants, cancellations, nullities, acceptance and amendments of variety denominations are subject to appeal pursuant to Article 67 of Council Regulation (EC) 2100/94). Appeals can also be lodged against decisions related to fees or regarding entries or deletion of information in the Register and public inspection of the Register. The Board of Appeal is responsible for deciding on appeals against decisions taken by the CPVO. Actions against decisions of the Board of Appeal may be brought before the Court of Justice of the European Union.

<b>Objectives 2022-2024:</b>	
<ul style="list-style-type: none"><li>• Present clearly and convincingly the position of the CPVO before the Board of Appeal and the Court of Justice of the European Union and ensure the deadlines are met.</li></ul>	
<b>Key Indicators</b>	<b>2022-2024 Target</b>
% of legal decisions maintained	95 %
% legal deadlines met	100%

### *Implement IT tools to guarantee the quality and efficiency of the activities*

The IT systems of the CPVO are key to ensuring that the work can be carried out effectively and efficiently, providing applicants with a low-cost, high quality process and defensible titles. The indicators defined below reflect the aim in the medium term to continue with the virtualization and modernisation of infrastructure and tools and the progressive move to web-based solutions, in line with the Digitalisation Strategy of the Commission, to provide user-friendly services and complete the digital transformation of the Agency.

The IT projects carried out by the Office also contribute to the modernisation of the IP framework and to render it fit for the digital era, fulfilling the objectives outlined in the IP Action Plan.<sup>20</sup> The achievement of such objectives would improve accessibility of IP Tools for users and, ideally, will facilitate the use of IP protection by SMEs and micro operators which are still reluctant to approach the system.

Furthermore, the CPVO is committed to making savings in its support applications and will do so by progressive integration with Institutional (Commission / EU Agency) solutions for administrative and horizontal tasks.

CPVO IT projects involve amongst other things ensuring the most efficient IT infrastructure (the move to the cloud, Microsoft 365 etc.), develop tools for processing applications to facilitate the work of CPVO staff and the applicants (MyPVR), exchanges of data with Examination Offices, developing the exchange of data with PRISMA for all species, working with the Commission and the Member States on the EU portal and maintenance of all tools and applications. One of the major aspects of the CPVO IT Master Plan is to define what projects should go ahead and then set the priority of the accepted projects. There is a clear mismatch on the number of important projects that the CPVO has defined as very important and the projects that can be carried out.

<sup>20</sup> Commission communication, *Making the most of the EU's innovative potential. An intellectual property action plan to support the EU's recovery and resilience*, COM (2020) 760 final, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0760&from=EN>.

<b>Objective 2022-2024:</b> <ul style="list-style-type: none"> <li>• Integration of support tools with inter-institutional solutions (SYSPER)</li> <li>• Electronic communications with users from Application to Title and for post-decision legal interaction through the implementation of My PVR in its second phase (client data)</li> <li>• Real-time cloud-based backup infrastructure</li> <li>• Variety Finder and Common Catalogue integration</li> <li>• Full cloud backup implementation</li> </ul>	
<b>Key Indicator</b>	<b>2022-2024 Target</b>
% of implementation of IT Masterplan	100%
Approved projects in the pipeline	15 projects approved of which 8 urgent
Major projects to be finalised each year	2

b) Contribute to the enforcement of Community plant variety rights

*Enforce Community plant variety rights*

In the recent years the CPVO has been involved in supporting breeders through raising awareness activities, in particular the organization of seminars on the enforcement of plant variety rights in different Member States. In October 2020 the AC endorsed the proposal of the CPVO to organise one enforcement seminar per year (2021-2024) in the EU Member States with the priority of Germany, Italy, Spain and Portugal. The timetable may need to be revisited taking into account the Covid-19 pandemic. Moreover, the CPVO participates in the activities of the Observatory on the infringements of Intellectual Property Rights.

Building up on the cooperation with the Observatory the CPVO has entered into an enhanced cooperation that foresees the further development of activities in the following areas. The Observatory has developed a Virtual Training Center (VTC) in cooperation with CEPOL with the objective to become the main focal point on IP for EU member states' enforcement agencies. The CPVO has committed to support the VTC platform providing training content on substantive law, enforcement, registries and any other material available in relation to CPVRs.

The CPVO contributes to update the Observatory's Case-Law Database in the field of PVRs on an annual basis with the relevant case-law related to enforcement of IP rights rendered at national level in the EU member states. The CPVO is constantly updating the case-law database with new decisions from national courts and EU bodies.

The CPVO takes part to the Coordination Group on IP rights established by the Observatory with the participation of the following organisations: EC, EPO, Eurojust, Europol, CEPOL, INTERPOL, ITU, OECD, UNICRI, WIPO, WCO and WTO. The CPVO participates actively by sharing information on the relevant initiatives in the area of enforcement of IP rights, especially with regards to knowledge building and CPVO's annual events calendar.

In 2021 the Observatory will conduct a socio-economic study on the benefits of the CPVR system in the EU in cooperation with the CPVO, member states, Commission and observers in the Administrative Council.

In line with the objectives of the IP Action Plan, the CPVO contributes with all the above mentioned partners to develop awareness tools, not only among the public, but also for right holders and operators in the enforcement chain (customs, police authorities, judges, IP lawyers etc.), in order to improve the means available for fighting the circulation of counterfeit products.

<b>Objectives 2022-2024:</b> <ul style="list-style-type: none"> <li>• Support breeders with actions related to the enforcement of CPVRs in cooperation with the Observatory and other Institutions active in the field of enforcement of Intellectual Property Rights.</li> </ul>	
<b>Key Indicator</b>	<b>2022-2024 Target</b>
Number of enforcement initiatives carried out	2 per year

c) CPVO contribution to sustainability (the European Green Deal)

Environmental strategy

As stated above, the European Green Deal resets the Commission's commitment to tackling climate change and environmental-related challenges. The CPVO will contribute to this objective in many different ways. One of them is by following and promoting good sustainability practice and by reducing the environmental impacts of its activities.

Considering the climate actions and the Biodiversity Strategy of the Commission,<sup>21</sup> the CPVO contributes to the promotion and valorisation of innovative solutions in the plant breeding sector. Plant breeding contributes to address environmental changed and issues by developing varieties that can lead to a reduced need of natural resources and decrease the use of chemicals and products affecting soil and water health.

Moreover, the study carried out by the Observatory will also consider the contribution of PVRs to sustainable agriculture and horticulture in the context of the Commission's Green Deal and the fulfilment of the UN Sustainable Development Goals (SDG). The role of IP in mitigating climate change and other forms of environmental degradation will also be examined. <b>Objectives 2022-2024:</b>	
Key Indicator	2022-2024 Target
Reduce paper consumption	10% reduction
Reduce electricity, heat and water consumption	10% reduction
Making virtual meetings the default and physical missions the exception	Report on n° of missions

2.1.3. Making the CPVO strong in a strong Intellectual Property Network

a) Develop external communication

A communication strategy and action plan focusing on four pillars (i.e. human face, staff empowerment, collaborative/open and digital) was reviewed by the Administrative Council in September 2019 and adopted by the President in October 2019. This strategy will continue to be implemented in 2022-2024.

<b>Objectives 2022-2024:</b> <ul style="list-style-type: none"><li>Develop external communication through various channels</li></ul>	
Key Indicators	2022-2024 Target
Produce and publish relevant social media content	Average 250 posts on social media/year Grow audience by ~10%
Produce CPVO webinars	3 webinars/year
Newsletters	10/year
CPVO-led event with over 100 guests	1/year

<sup>21</sup> Communication from the Commission, *EU Biodiversity Strategy for 2030 Bringing nature back into our lives*, COM(2020) 380 final, available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1590574123338&uri=CELEX:52020DC0380>

b) International cooperation with strong IP actors

As regards the interface between PVRs and patents, the CPVO has prolonged the Administrative Arrangement originally signed with the EPO on 11 February 2016. The new Administrative Arrangement has been signed for a period of three years started in February 2019.

In 2019 the CPVO contributed with data from the Register of CPVRs to the joint EUIPO-EPO's Third edition of the Industry-Level Analysis Report on "IPR-intensive industries and economic performance in the European Union"<sup>22</sup>.

The CPVO is continuing the sharing of data with the EPO on a monthly basis. On technical level, the exchange of know-how and technical trainings among patent examiners and CPVO experts will continue.

As regards the cooperation with EUIPO, in 2019 a common IT project has been initiated and finalized in 2020 to re-write the database Variety Finder. The cooperation is expected to continue on other IT projects where EUIPO has extensive experience in areas comparable to those of the CPVO.

<b>Objectives 2022-2024:</b>	
<ul style="list-style-type: none"><li>• Support breeders with actions related to the enforcement of CPVRs in cooperation with the Observatory and other Institutions active in the field of enforcement of Intellectual Property Rights.</li><li>• Continue cooperating with the EPO and the EUIPO</li></ul>	
<b>Key Indicator</b>	<b>2022-2024 Target</b>
Number of participations to meetings and trainings / collaborations with other strong IP actors (UPOV, EPO, EUIPO)	10/year
Number of new partnerships	1/year

2.1.4. Promoting PVR, in Europe and Internationally

a) Promote the PVR System

The CPVO plays a prominent role in the field of plant variety rights. The promotion of the EU PVR system in the EU and in third countries, remains a core task. The Office will continue to support the implementation of IP chapters of Free Trade Agreements, with the aim of promoting convergence of third countries' standards of IP protection with European ones. Such objectives have been restated in the newly formulated IP Action Plan, by developing previous strategies, such as the 2014 strategy for the protection and enforcement of intellectual property rights in third countries and addresses the specific criticalities identified in the so called Third Country Report.<sup>23</sup>

The recommendations of the Evaluation Report on CPVO External Communication Activities showed that communication to core stakeholders works rather well whilst it would be beneficial if methods were improved, the audience enlarged and that a communication manager be recruited, which was done in 2019. The CPVO adopted a new policy on external communication in 2019 which is being implemented. In particular, focus is placed in aligning the CPVO's narrative with its core missions and the relevant political priorities of the European Commission. The CPVO will strive to ensure brand consistency across traditional and digital communication channels, to train staff on communication matters in order to foster a more open and collaborative corporate culture change when it comes to communication activities, and to develop joint visibility partnerships with a larger number of stakeholders and local communities.

<sup>22</sup> [https://euipo.europa.eu/tunnel-web/secure/webdav/guest/document\\_library/observatory/documents/IPContributionStudy/IPR-intensive industries and economic EU/WEB IPR intensive Report 2019.pdf](https://euipo.europa.eu/tunnel-web/secure/webdav/guest/document_library/observatory/documents/IPContributionStudy/IPR-intensive%20industries%20and%20economic%20performance%20in%20the%20EU%20WEB%20IPR%20intensive%20Report%202019.pdf)

<sup>23</sup> Commission Report on the protection and enforcement of intellectual property rights in third countries, SWD (2021) 97 Final, available at: [https://trade.ec.europa.eu/doclib/docs/2021/april/tradoc\\_159553.pdf](https://trade.ec.europa.eu/doclib/docs/2021/april/tradoc_159553.pdf).

This approach is fully in line with the CPVO's international relations strategy as outlined in section 2.2.4.b. However, the aim of the CPVO during the period 2022-2024 is to take on a more systematic approach in terms of participating in projects and to provide trainings. This would mean a more long-term planning with partners such as the Commission, examination offices, UPOV and breeders rather than reacting to ad hoc requests. It will also be explored if it would be appropriate to create a specific budget line for these activities with the aim of supporting the implementation of EU policies. This would have the advantage of ensuring efficiencies as well as ensuring that time spent on these activities are in the right proportion to other activities of the CPVO.

All of the above mentioned activities and new approaches to international relations and communication matters, can be developed further under the new "EU PVP Academy" initiative.

The development of the EU PVP Academy will take a twofold approach, internal and external. Internally the project will serve the purpose of reorganising internal resources, material and human, to maximise the efficiency in creating content for outreaching activities and in keeping contact with external stakeholders, users of the CPVR system and partners involved in such activities with the CPVO (Commission services, Universities, IP Offices, UPOV, EUIPO, EPO etc.). Externally, and with the support of the EUIPO Academy following the signature of the Service Level Agreement between CPVO and EUIPO on 21 July 2021 for an indefinite period of time, the objective is to create a learning portal where materials such as webinars, short videos and other forms of learning material will be made available for a differentiated public. In particular, the focus will be on legal, technical and practical matters to support users of the EU PVR system to learn about the CPVO tools and procedures. Expected outputs of the project are efficiency gains in the management of resources, increased visibility of the Office to better support outreach activities in cooperation with Member States authorities and other international partners.

The setting up of an EU PVP Academy fulfils EU policy objectives such as that of "boosting the uptake and deployment of IP" by EU SMEs as foreseen under the EU IP Action Plan<sup>24</sup>, by making available to breeders and users of the CPVR system, easier access to information on plant variety rights.

**Objectives 2022-2024:**

- Promote the system within the EU for breeders but also for a wider public, showing the benefits of the system for the consumers and for the environment
- Promote the system internationally by helping third countries to create or improve their PVP systems and the harmonisation of practices
- Develop external communication through various channels

**Key Indicators**

**2022-2024 Target**

Number of projects with IP actors in third countries

6/year

Number of organisation of or participation to Open Days, public seminars, contributions to events

6/year

## 2.2. Human and financial Resources

### 2.2.1. Overview of the past and current situation

The CPVO applies a very prudent approach to management of human and financial resources, with all amounts approved in advance by the Administrative Council. However, continued increases in requests from applicants for variety protection, high numbers of titles in force, significant ongoing IT developments, increased reporting requirements and many other factors mean that the increases in resources are necessary.

<sup>24</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, "Making the most of the EU's innovative potential – An intellectual property action plan to support the EU's recovery and resilience", COM(2020) 760 final of 25.11.2020 [EUR-Lex - 52020DC0760 - EN - EUR-Lex \(europa.eu\)](#)



The CPVO is a self-financed, demand-driven agency which receives no money from the European Union General Budget. In 2013, the establishment plan was for 48 posts (officials and temporary agents). A blanket communication of the European Commission concerning resources for all agencies (mainly financed by the European Commission) required that the CPVO reduce the establishment plan from 48 to 43 posts over a number of years. This request was made notwithstanding the clear evidence of workload increases.

In order to meet the increases in workload, the CPVO was compelled to employ contract agents (off the establishment plan). It was also necessary to make use of trainees and external support when possible to meet the increased demand from applicants, but also the increased administrative burden placed by reporting requirements of the central services.

Significant increases in workload can be seen through the number of titles in force and debit notes processed. Increases in expectations in communication and international cooperation have recently been seen. There is a significant backlog of IT work to be carried out, for which a unit has now been put in place, however for this unit to be able to respond to the needs of the CPVO and to clear the backlog, additional posts will be necessary going forward. The new regulation on the protection of personal data has completely changed the workload and it is expected that this work will occupy one FTE during the period of the SPD and beyond. One reason being the digital transformation that the CPVO/EU is going through. The amount of documents and the different type of documents are constantly increasing. Documents must regularly be updated on the one hand, and retention periods must be respected on the other. Non-attendance to this matter will create significant risks in administration and transparency of documents processed by the CPVO. The CPVO will need to allocate resources to a post as document manager, a resource presently not available. The contract agent solution is not working when it comes to attracting and retaining staff as it is only intended as a short-term fix.

The CPVO now needs to ensure a viable future and ensure that it has the necessary resources to meet the coming challenges. The proposal in this document is not to vastly increase total headcount, but to re-balance the situation between contract agents and establishment plan to attract capable candidates with a view to ensure stability and, therefore, business continuity to balance the impact of the foreseen retirements in the coming years. The difficulty to attract highly qualified staff of different EU nationalities is also due to the location of the CPVO in a town with limited accessibility, lack of a European or international schools, and limited job opportunities for spouses.

Prior to the outbreak of COVID-19, the CPVO foresaw that staff increase to 48 staff in 2021 and 51 in 2022, with a progressive reduction in contract agents following contract expiry. This was to allow the CPVO to face the upcoming challenges posed by a wave of retirements in the coming 4-6 years. The uncertainty brought about by COVID, incited the CPVO to put the increase in the establishment plan on hold for 2021 and to review the evolution of the demand for new applications and the maintenance of titles in force before making a request to increase. As it can be seen in the present document, the COVID pandemic did not significantly affect applications in 2020, with stable levels recorded among the highest when compared with previous years. In this regard, the projections for 2022 will be for an increase of 3 posts with a further increase of 3 projected for 2023.

The table below shows the development of human and financial resources in the CPVO since 2013 based on the **approved** budgets:

	2013	2014	2015	2016	2017	2018	2019	2020	2021
<b>HR (Est. Plan)</b>	48	47	46	45	45	45	45	46	45
<b>Budget<sup>4</sup></b> <b>(€ million)</b>	16.4	16.9	16.9	18	18.8	18	19.6	20.5	20.0

It should be noted that the CPVO has been progressively moving to having more Administrator level staff and less Assistant level staff each year. In 2015 the Administrative Council confirmed the CPVO approach to replace retiring Assistant staff with Administrators and these changes are regularly reflected in the budget.

The figure of 46 posts in 2020 reflects the agreement of the Administrative Council to allow a temporary agent post to be recruited in advance of a retirement in 2021.



a) Total headcount

The table below shows the current situation (approved 2019-2021) and forecast (2021-2024) based on a re-alignment of posts.

		Approved Budget 2019	Approved Budget 2020-revision 1 <sup>25</sup>	Approved Budget 2021-revision 1 <sup>26</sup>	Forecast 2022	Forecast 2023	Forecast 2024	Forecast 2025
<b>Est. Plan</b>	AD Staff	16	18	20	23	26	26	28
	AST Staff	29	28	25	25	25	25	23
<b>Total Est Plan</b>		<b>45</b>	<b>46</b>	<b>45</b>	<b>48</b>	<b>51</b>	<b>51</b>	<b>51</b>
	% AD	35%	39%	44%	48%	51%	51%	55%
<b>Non-est. plan long-term</b>	Contract Agents	6	6	6	6	6	5	4
	SNE's	0	1	1	1	1	1	1
<b>Total CA / SNE</b>		<b>6</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>6</b>	<b>5</b>
<b>Other Resources</b>	In-house service providers <sup>27</sup>	3.5	2.5	2.5	2.5	2.5	2.5	2.5
	Trainees	7	6	6	5	4	4	4
<b>Total Other</b>		<b>10.5</b>	<b>8.5</b>	<b>8.5</b>	<b>7.5</b>	<b>6.5</b>	<b>6.5</b>	<b>6.5</b>
<b>Total Head Count</b>		<b>61.5</b>	<b>61.5</b>	<b>60.5</b>	<b>62.5</b>	<b>64.5</b>	<b>63.5</b>	<b>62.5</b>

With this approach, the CPVO would begin replacing the contract agent posts by temporary agents (AD level).

## 2.2.2. Outlook for the years 2022-2024

As already mentioned, the CPVO is a demand driven agency, with budgetary outturn depending *inter alia* on the level of applications in any given year. With this in mind, the aim of the CPVO is to reach a break-even budget (Outturn zero) in the medium term.

The table below provides an indication of the development of the revenue, expenditure and outturn of the CPVO over the past years.

<sup>25</sup> Revision 1 of the 2020 budget (Administrative Council meeting)

<sup>26</sup> Revision 1 of the 2021 budget (Written procedure January 2021)

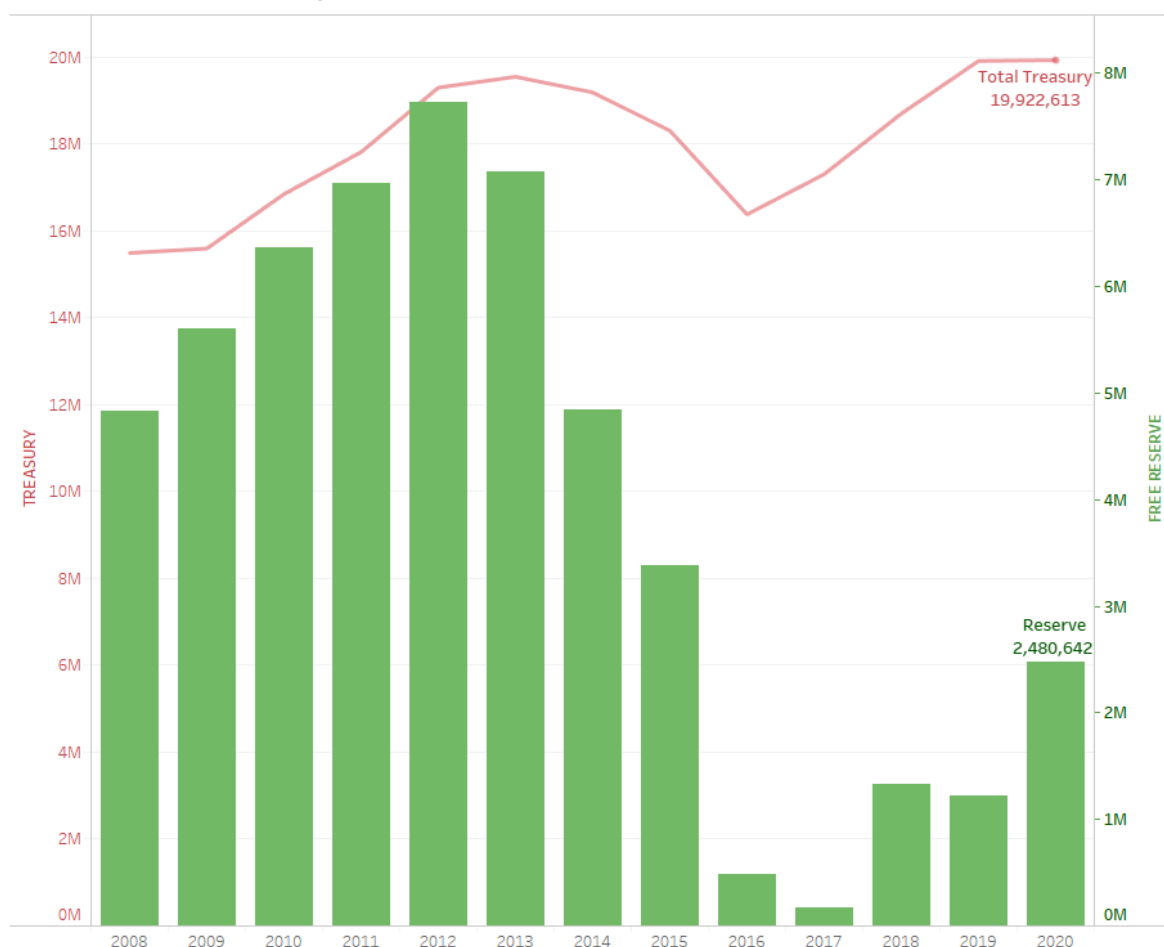
<sup>27</sup> Figures updated to include on-premise security guards (2) and a half time IT Infrastructure post

	2013	2014	2015	2016	2017	2018	2019	2020
Income	13.05	12.72	12.84	13.46	16.18	17.63	17.72	18.2
Expenditure	12.76	13.25	13.98	15.59	14.94	16.43	16.38	18.5
Outturn	0.29	-0.53	-1.14	-2.13	1.24	1.20	1.34	-0.3
<b>Outturn (net<sup>10</sup>)</b>	<b>0.34</b>	<b>-0.46</b>	<b>-1.05</b>	<b>-2.03</b>	<b>1.37</b>	<b>1.30</b>	<b>1.42</b>	<b>-0.2</b>

The negative outturns from 2014-2016 were forecast and planned in order to bring the CPVO free reserve to a more acceptable position. The rise in 2017 and 2018 can be attributed almost completely to the change in annual fees to EUR 330 as from 1 January 2017. This trend continued in 2019 and an update to the fees regulation from 1 April 2020 with an increase in examination fees to reflect full costs allowed continuation of this trend in the near future. The outturn for 2020 is nevertheless lower due to the launch of the 'upfront payment' procedure (paying examination offices in advance as opposed to payment on receipt of interim or final reports).

As it can be seen in the table below, the free reserve which rose steadily, has been reduced from 2008 to 2013 from which time the lower fees for applications and annual fees were applied in order to further reduce the reserve.

Free Reserve and Treasury



The reserve is calculated as total treasury available less the outstanding commitments. The positive outcome in 2017 brought the trend of falling free reserve to a halt. For 2018, the free reserve rose again, and remained steady in 2019 due to a high level of commitments for examinations. For 2020, the free reserve was just under EUR 2.5 million, in line with expectations. The forecasts and budget for the coming years

reflect the expectation that the reserve will steadily rise in the coming 3-4 years to approach the target of 50% of the budget agreed in the Administrative Council.

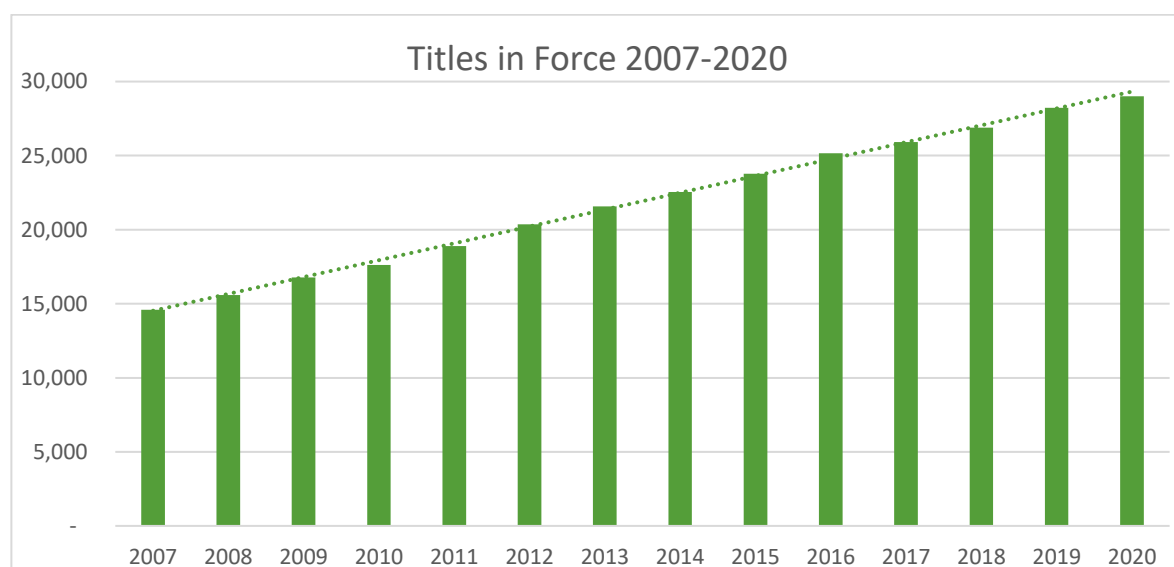
### 2.2.3. Resource programming for the years 2022-2024

During the Administrative Council meeting of October 2016, the issue of resource constraints in the CPVO was presented. It was agreed that for the purposes of requests for evolutions in the level of resources, the CPVO would provide detailed information and make a link between the key workload indicators and the requests for establishment plan posts. The agreed workload indicators for the CPVO for analysis and justification of human resource needs are: Applications per year, Titles in Force and Total number of debit notes sent and managed. Below is an analysis of each of the key workload indicators of the CPVO. Furthermore, details are provided of additional tasks which have direct resource implications in the CPVO.

#### a) Titles in force

Titles in force refers to files, for which a title has been granted and for which annual fees are being paid in order to ensure maintenance. This is a very strong indicator of CPVO workload, given that the total number of titles in force has a direct impact on the work of the Register (Transfers of title, Requests for information) and caseholders, as well as potentially higher numbers of appeals and requests for public access.

The graph below shows the evolution of the total number of 'titles in force' since 2007:



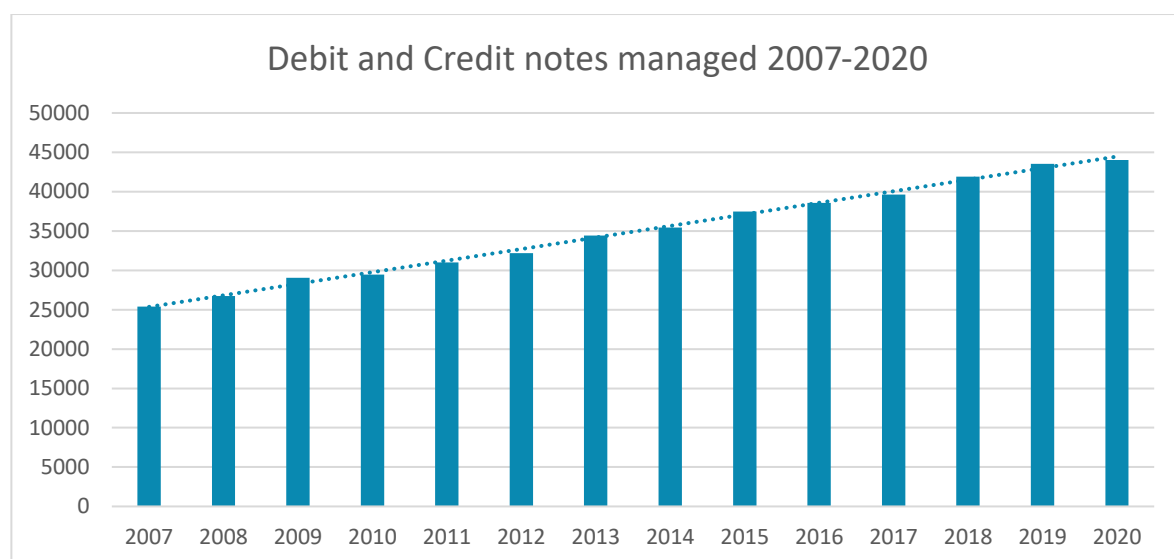
The trend is one of practically linear increase. At year-end 2020, there were over 29.000 titles in force, **an increase of 73% since 2007.**

#### b) Fee Management

The management of fees relates to titles in force. This involves the sending of debit notes, managing payments from applicants, and clearance of accounts, statement management, third party file management and follow-up on credit notes' management. This is a significant amount of work.

Here again, the trend is a linear increase. The total number of debit and credit notes managed by the accounting sector has increased from 2007 by well **over 70%.**

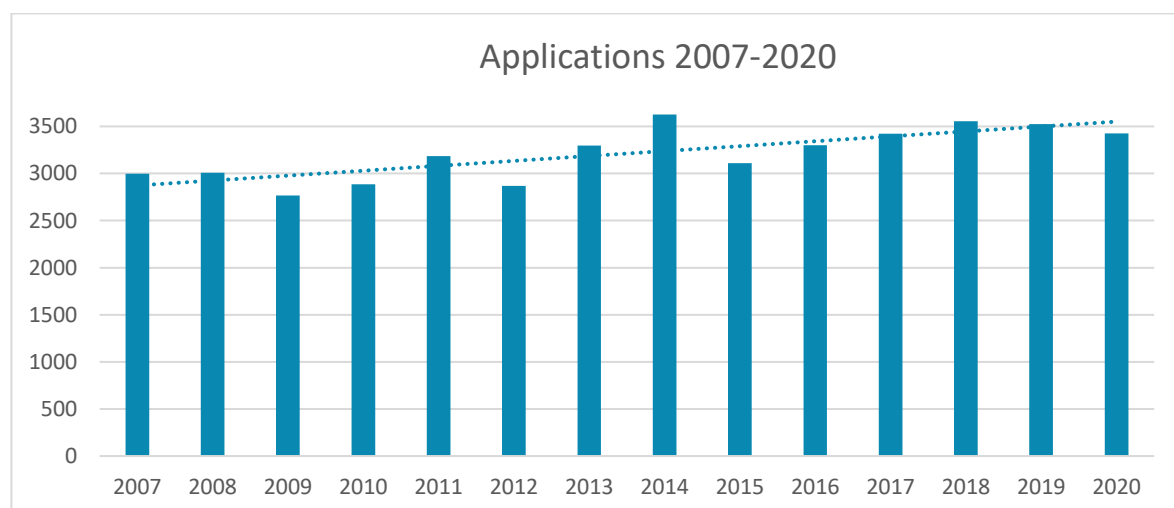
Since 2013 when the establishment plan peaked, the increase was 28%. While efforts currently underway for e-invoicing etc. are alleviating some of this pressure, it is very difficult to manage.



### c) Applications

Each application for Community Plant Variety Rights with the CPVO entails administrative and legal analysis (as regards ensuring all the administrative steps of the formal and substantive examinations are carried out pursuant to the applicable legal provisions), the technical examination by the case holders and legal advisors, contacts with the examination offices, the preparation of decisions, issuance of debit notes and related follow-up actions.

The table below outlines the evolution of application levels over the years since 2007:



## 2.2.4. Strategy for achieving efficiency gains

### a) Cooperation on projects with Member States

The CPVO cooperates with the Member States with the aim to harmonise methodologies, converging practises, improving quality of the services offered to its users and reducing costs. This is evident as regards technical matters but the CPVO has also increased the number of IT projects with the Member States for which the CPVO is the coordinator. IT pilot projects with a selected number of National Offices are

expected to lead to efficiency gains at the CPVO and also at EU level. The idea will be to offer more National Offices the possibility to use these IT tools during programming document period. The CPVO initiated in 2014 a Business Process Review which is resulting in a simplification and streamline of the procedures. The results of these projects are expected to lead to efficiency gains.

The key indicator as regards IT workload is the number of approved projects in the pipeline and in progress - at time of writing, this included: MyPVR Communication Centre, Variety Finder Re-write, upgrade of Documentation management, Sysper2, Plant Material Request in all languages, MyPVR e-denomination proposal, Online Applications sub-projects (transfer of application data from CPVO to PRISMA/CPVO to Naktuinbouw, PRISMA to CPVO), Paperless purchase request system, MyPVR sub-projects (e-remedying information, e-action for objectors, e-withdrawal, surrenders, dematerialisation of PR form), Sysper modules (NDP, MIPS, Certificate Management), VDC Letter automation, inventory management and TLO sub-projects (Re-write of site, Annex 2/12).

Endorsed by the AC, the CPVO is also implementing an extensive cooperation in the field of variety denominations with the Member States. The CPVO provides to the national authorities advice on the suitability of proposed variety denominations of candidate varieties in the frame of National Listing and National Systems of PVR. The aim is to avoid diverging decisions within the EU, to gain efficiency and to improve the quality of decisions taken on variety denominations at EU and national level. The CPVO and DG SANTE has initiated a cooperation for the purpose of developing a single database for varieties in the EU. This would create synergies between the two bodies and will increase transparency to the public as regards information on plant varieties.

Following a request of the CPVO's AC the CPVO started to develop Technical Protocols for species which are covered by the Common Catalogue directives but for which the CPVO received few or no applications.

#### b) Research and Development

The CPVO is also coordinating and monitoring R&D projects in partnership with the Examination Offices, breeders and other research entities aiming amongst other objectives, to harmonize procedures and methodologies on DUS testing amongst the Offices, to improve the quality and reduce the costs of DUS tests. In addition, with the creation of the ad hoc working group IMODDUS the CPVO aims to explore and promote the use of molecular techniques for the purpose of DUS tests of candidate varieties.

Furthermore the CPVO is partner of the INVITE (INnovations in plant VarIety Testing in Europe) project which is one of the two laureate projects of the call SFS-29-2018 "Innovations in plant variety testing"<sup>28</sup> of the Horizon 2020 program. It aims at improving efficiency of variety testing and availability of information to stakeholders on variety performances under diversified production conditions and on biotic and abiotic stresses for 10 crops. It addresses DUS and performance testing in a balanced way and intends to maximize synergies between them through related activities based on phenotyping, genotyping, modelling and database management.

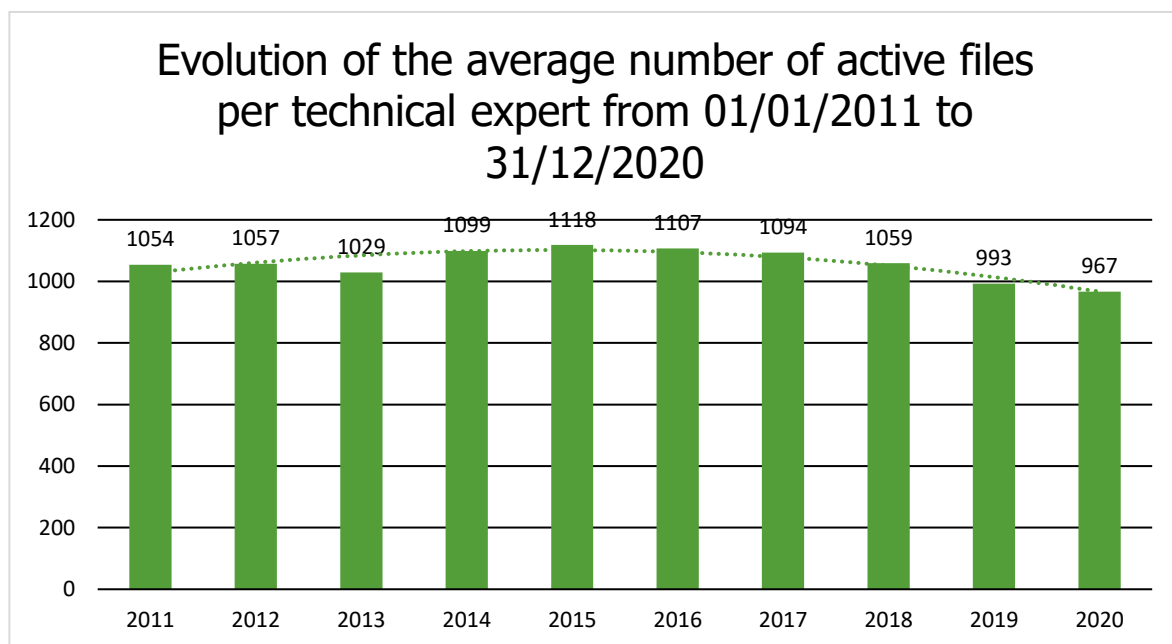
The increasing workload is related to the number of new and ongoing projects co-financed per year as shown in this overview:

---

<sup>28</sup> The SFS-29 call fits in the Societal Challenge 2 on 'Food security, sustainable agriculture and forestry, marine and maritime and inland water research and the bioeconomy' of the Horizon 2020 programme.

Project year	number of projects ongoing
2010	2
2011	3
2012	4
2013	5
2014	8
2015	5
2016	7
2017	4
2018	8
2019	9
2020	8

c) Active files per technical expert



A solid indicator of workload for the technical experts is the number of 'Active' files that result in the immediate processing work and in a variety of follow-up activities throughout their lives. In order to be able to cope with the increase of other tasks linked to strategic priorities such as research and development, contributions to IT developments and technical communications, the core tasks have been re-organised. In preparation of the retirement of one technical expert a recruitment was made, resulting in an additional technical expert being available for the last three months of the year and a visible impact on the average number of files.

d) Linking workload indicators and staff needs

A pilot exercise was launched with a view to linking human resource establishment plan levels to real workload in Agencies receiving contributions from the General Budget (Commission). This seems completely self-evident, but while the Commission were in favour of the approach, it was rejected by the Council when

it became clear that it would lead to increased resources for non-fee receiving agencies, and therefore an increased cost to the general budget.

The ethos of this pilot fully applies to the CPVO as it is a demand-driven agency and that demand directly affects the workload. Given that the CPVO is fully self-financed, it is even more pertinent to apply this through decision of the Administrative Council.

e) The '2% inflator'

The European Commission have requested in the 2013 Communication that each agency should be able to deal with workload increases of 2% per year (compounded indefinitely) through efficiency gains and not through resource increases. This is a valid approach, but it becomes much less relevant when we have reduced certain services to an absolute minimum required by legislation. For example, the Accounting sector of the CPVO has been reduced progressively from 7 to 4 staff. This cannot be further reduced as there is a need to separate certain functions (verifications and payments for example) and ensure that there can be backups in place.

The 2% efficiency gains proposed do not take account of the administrative burden being progressively being placed on agencies of all sizes – is it normal that the CPVO is audited the same number of days as agencies fifty times its size, or is required to produce a single programming document or consolidated annual activity report similar to those bodies?

The CPVO has had to face workload increases well beyond the 2%, and while there are certainly will be improvements to come in terms of efficiency, this will only be sustainable in the long term with the resources defined in the present document.

In the key workload indicators above, increases since 2013 (when the establishment plan was at 48 staff) go well beyond 2% annual increases.

f) Recruitment issues

The contract agent post was used as a response to the Commission communication forcing a reduction in the establishment plan. This administrative status is not on the same level as temporary agents in the establishment plan, and this has led to difficulties in attracting and retaining staff (particularly IT staff that are in very high demand).

There are many difficulties in attracting and retaining highly qualified staff, particularly in IT using contract agent posts.

g) Increased work in IT (new unit)

During the autumn meeting of the Administrative Council in 2019, the IT Strategy for the 'Move to Cloud', as well as the need for the CPVO to be involved with more pan-European projects in the plant sector was discussed. The AC unanimously endorsed the strategy and accepted that implementing this strategy will require additional resources.

The CPVO therefore created a dedicated IT Unit and launched two recruitment procedures in 2020, one for a Head of Unit and one for a pool of cloud developers, architects and administrators.

Furthermore, the CPVO has spent considerable amount of resources to align the UPOV online application system PRISMA to the CPVO online application system. The EU has in its capacity as UPOV Member supported the creation of PRISMA and the CPVO needs to develop, harmonise and maintain IT tools in order to ensure a well-functioning cooperation with UPOV in this respect.

h) Increased work in administrative and legal support

One needs look no further than the Single Programming Document and Consolidated Annual Activity report to have a clear idea of the level of administrative burden being placed on all agencies. This is increasing as time goes by with more and more requirements.

Furthermore, following the new data protection rules in place, the legal analyses and follow-up on data protection is taking a full resource in the CPVO.

Finally, legal support is in constant increase due to complex objection, nullity and cancellation proceedings as well as Board of Appeal and proceeding before the Court of Justice of the European Union. Legal advice is also provided to any units and sectors of the CPVO in different areas such as R&D projects, international cooperation, conflict of interest etc.

i) Charge-out for IT support (Sharing Online Applications)

It should not be forgotten that certain IT developments and the support needed for these developments will be financed by outside entities. This is the case for example where the online application system will be paid for in part by examination offices making use of it. This means that resources are budget neutral.

j) Difference average retirement v. average recruitment

Retiring staff are more senior, and typically in grades 9-11 (either assistant or AD), but replacements will be at lower levels as the policy is to recruit in future at grades AD5-6 for non-management posts.

k) Upcoming retirements – need for overlaps

As can be seen in the social report of the CPVO (annex to the CAAR), the staff is aging, and in the coming years, there will be an exodus of senior staff. For continuity reasons, it is preferable to have overlaps of at least 3, but ideally 6 months for the replacements for these staff, particularly in the case of technical experts which is very CPVO-specific knowledge. The CPVO appreciated that in 2020, the Administrative Council agreed to a temporary increase in the establishment plan to allow for an overlap with a staff member that retires in early 2021. This should become a model for future retirements in order to avoid losing precious knowledge.

## 2.2.5. Negative priorities/decrease of existing tasks

All the tasks performed by the CPVO have been considered by its budgetary authority as important for the accomplishment of the CPVO mission. The CPVO is highly committed to ensure the continuation of these tasks, even considering the growing workload linked to the continuous enlargement of the system.

Within the tasks performed by the CPVO it is possible to establish a distinction between **core tasks** such as the processing of applications which include: the formal, substantive and technical examination of applications (DUS exams), dealing with appeals, objections, nullities, actions before the CJEU and other legal proceedings; and **other tasks** directly linked to the core tasks, which although not foreseen in the CPVO Basic Regulation, are considered to be relevant for the achievement of the CPVO mission.

These other tasks contribute to improve the quality of the core tasks, boost their outcome and lead to efficiency gains at EU level (e.g. enhanced cooperation in the field of variety denominations with the Member States, sharing databases and trainings on variety denominations and trademarks for plant varieties with the EU Agency EUIPO, quality audits in the network of entrusted examination offices, R&D projects aiming to reduce costs and improve the quality of DUS tests, Enforcement Seminars, external cooperation with international organisations with responsibilities in plant breeders rights and in Intellectual Property right such as the EPO, EUIPO and the European Observatory on the Infringement of Intellectual Property Rights, IT developments, Universities with specialised master programs in IP rights). Should the CPVO need to decrease its activities, the CPVO would present options on negative priorities for the other tasks.



## 2.2.6. Impact of workload on human resources needs

All of the above has contributed to the substantial increase in workload for the CPVO. Such increase in workload has been managed without much increase of workforce of the CPVO or staff expenditure but only by creating additional work capacities through efficiency gains in existing procedures. However it has become increasingly clear that for the above to be truly effective the CPVO must dedicate additional financial and human resources to such projects. For that reason, the Administrative Council has in 2017 decided to allow the recruitment of 6 contract agents due to the freeze on establishment plan posts imposed by the European Commission communication of 2013.

In order to meet the future challenges, there should now be a re-alignment of resources in the CPVO the CPVO proposes the following evolution:

		<b>Approved Budget 2019</b>	<b>Approved Budget 2020-revision 1<sup>29</sup></b>	<b>Approved Budget 2021-revision 1<sup>30</sup></b>	<b>Forecast 2022</b>	<b>Forecast 2023</b>	<b>Forecast 2024</b>	<b>Forecast 2025</b>
<b>Total Est Plan</b>		<b>45</b>	<b>46</b>	<b>45</b>	<b>48</b>	<b>51</b>	<b>51</b>	<b>51</b>
	% AD	35%	39%	44%	48%	51%	51%	55%
<b>Total CA / SNE</b>		<b>6</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>6</b>	<b>5</b>
<b>Total Head Count</b>		<b>51</b>	<b>53</b>	<b>52</b>	<b>55</b>	<b>58</b>	<b>57</b>	<b>56</b>

This approach keeps the overall headcount relatively stable while retirements and replacements at lower grades will mean that the financial impact is minimised while putting the CPVO in a position to attract and retain the strong candidates it needs for the future. It should be noted that the CPVO exceptionally postponed the planned increase in establishment plan to 48 staff until 2022 in the wake of the COVID crisis and uncertainty regarding future income. We can now go ahead with the move to 48 in 2022 and a further increase to 51 in 2023.

<sup>29</sup> Revision 1 of the 2020 budget (Administrative Council meeting)

<sup>30</sup> Revision 1 of the 2021 budget (Written procedure January 2021)

### 3. Implementation of the CPVO Strategic Plan: Work Programme 2022

#### 3.1. Executive summary

The work programme for 2022 is fully in line with the four strategic objectives formulated in the 2017-2021 Strategic Plan. A new strategy will be adopted in 2022 and an analysis will then need to be done to ensure coherence between the SPD and the strategy.

As stated above under point 2.1, only *Key Indicators* and not objectives are reported on in this report. These indicators have a prominent role in giving a key measure to the fulfilment of the objectives. The KPIs are the same for the multi-annual and the annual program. The targets might differ due to the different time spans. The *overview* of the activities given above in chapter 2 are not repeated hereunder. In the topic of each activity it is indicated whether the activity is considered as *operational or horizontal activities*. We do not have a time management tool to establish the *resources* allocated to each activity in detail. Many staff members are active in more than one activity. In Annex II below, an estimation of the operational and horizontal allocation is included on the basis of job descriptions of CPVO staff.

#### 3.2. Activities

##### 3.2.1. Achieving Excellence through people - Horizontal

###### a) Recruit and develop staff

###### Objectives 2022:

- Recruit, train, assess, (motivate and retain) high quality staff so that effective and efficient operation of the CPVO is ensured.
- Assist the Management in the implementation of the traineeship programme.
- Give an expertise in the domain of HR to the Management and the Staff.
- Draft and implement clear rules for all HR aspects.
- Prepare salaries on due time. Processing missions reimbursements in due time.
- Give access to a wide choice of trainings in line with the needs expressed.

Key Indicators	2022 Target
% of non-recoverable extra hours vs. Total of hours spent during the year	<5%
Average length of recruitment process (publication to accepting post)	8 months
% of completion of the mandatory training program	100%
% of feedbacks filled in by staff following a training	100%

b) Empower and motivate staff

<b>Objectives 2022:</b> <ul style="list-style-type: none"> <li>Continue delegation of responsibilities for staff</li> <li>Promote internal mobility for staff</li> </ul>	
Key Indicators	2022 Target
% of staff satisfaction regarding job description quality and work responsibilities (question included in annual staff survey)	>80%
Number of internal mobility exercises	1
Engagement rate (composite indicator: I would recommend CPVO as an employer, I am proud to work at CPVO, I am satisfied with my work environment...) measured through staff surveys	80%

c) Internal Communication

<b>Objectives 2022:</b> Measure the satisfaction of the staff regarding the internal communication through a survey	
Key Indicators	2022 Target
% of satisfaction of the staff regarding the internal communication (through the staff survey)	80%

d) Cost and Process Efficiency

<b>Processing Applications - Objective 2022:</b> <ul style="list-style-type: none"> <li>Optimise the efficiency of applications processing</li> <li>High level of online application processing</li> <li>Paperless Processing</li> </ul>	
Key Indicators	2022 Target
Number of applications received in relation to the number of staff indicated in the establishment plan <sup>31</sup>	>70
% of online applications	>95%

*Public Access to documents*

<b>Public Access: Objectives 2022:</b> Ensure the deadlines for response to initial applications and confirmatory requests are duly respected. Ensure that the provisions of Regulation 1049/2001, and in particular Article 4 thereof, are fully complied with. Make available to the public the largest number of documents on the website of the CPVO.	
Key Indicator	2022 Target
% of public access requests dealt within the deadlines	100%

<sup>31</sup> This provides a global workload indication even though not all staff are dealing directly with applications

*Procurement & Logistics Sector*

<b>Procurement and financial management: Objectives 2022:</b>	
<ul style="list-style-type: none"> <li>Balanced budget</li> <li>Stable Free Reserve</li> <li>No comments from Court of Auditors</li> <li>Fast payment of invoices</li> </ul>	
<b>Key Indicators</b>	<b>2022 Target</b>
Ratio of invoices received, processed and paid in relation to the number of staff indicated in the establishment plan	(6 100/48=) 127
Ratio of debit and credit notes issued, processed, sent and recognized in accounts receivable per staff indicated in the establishment plan	(44 100/48=) 919
% of cancellations of carry forward commitments	<15%
Level of free reserve vs. total budget for payment appropriations	50%

*Internal Control, Audit and Evaluation*

<b>Internal Control Objectives 2022:</b>	
<ul style="list-style-type: none"> <li>Risk based internal audits with regular follow-up of recommendations</li> <li>Implementation of internal control activities by writing ex-post control reports, organising regular assessments of the internal control and coordinate all reports linked to the internal control, the programming documents and the annual activity.</li> </ul>	
<b>Key Indicator</b>	<b>2022 Target</b>
Number of exceptions recorded in the exception register	Max. 10
% of recommendations of the Internal Auditor closed from three preceding years	>75%

3.2.2. Supporting Breeders with a robust and reliable Intellectual Property Right - Operational

a) High quality, reliable distinctness, uniformity and stability (DUS) results

*Efficiency of the application process*

<b>Objective 2022:</b>	
<ul style="list-style-type: none"> <li>Optimise the efficiency of applications processing</li> <li>High level of online application processing</li> <li>Paperless Processing</li> </ul>	
<b>Key Indicators</b>	<b>2022 Target</b>
% of acknowledgement of receipt of an application within 5 working days	>85
Average number of processing days between receipt of final report and grant	< 105 for technical examinations & 107 for take-overs

*Maintain good cooperation with the Examination offices*

<b>Objective 2022:</b> <ul style="list-style-type: none"> <li>• Organisation of the annual EO meeting</li> <li>• Organisation of one crop sector expert meeting per crop sector</li> <li>• Elaboration of new and/or revised CPVO Technical Protocols</li> </ul>	
<b>Key Indicators</b>	<b>2022 Target</b>
Coverage of applications by CPVO Technical Protocols	>90%
% of late reports	<5%

*Quality Audit System*

<b>Objective 2022:</b> <ul style="list-style-type: none"> <li>• Carry out the foreseen number of audit visits initially foreseen in 2021 to close the current assessment cycle in 2022, while applying the risk based audit strategy</li> </ul>	
<b>Key Indicators</b>	<b>2022 Target</b>
Number of surveillance procedures initiated	One
Number of Audit Advisory Board consultations/objections	None
Number of unsolved issues in the cooperation reports	None
Number of Technical experts for next assessment	At least 30 experts appointed for 2022-24 and trained <sup>32</sup>

*Implement the R&D strategy*

<b>Objective 2022:</b> <ul style="list-style-type: none"> <li>• CPVO involvement in EU R&amp;D programs related to its mandate;</li> <li>• Promotion of the use of bio-molecular techniques ('BMT') in DUS testing and variety identification;</li> </ul>	
<b>Key Indicator</b>	<b>2022 Target</b>
% of finalized R&D projects leading to operational means or substantial information allowing improvement of variety testing procedures	90 %
% of co-funded projects aiming at introducing BMT in variety testing and/or identification	80%

*Reliable decisions*

<b>Objectives 2022:</b> <ul style="list-style-type: none"> <li>• Present clearly and convincingly the position of the CPVO before the Board of Appeal, the Court of Justice of the European Union and ensure the deadlines are met.</li> </ul>	
<b>Key Indicators</b>	<b>2022 Target</b>
% of legal decisions maintained	95%
% legal deadlines met	100%

<sup>32</sup> The experts are appointed in one go, so there is no target for one specific year.

*Implement IT tools to guarantee the quality and efficiency of the activities*

**Objective 2022:**

- Integration of support tools with inter-institutional solutions (SYSPER)
- Electronic communications with clients from Application to Title and for post-decision legal interaction through the implementation of My PVR in its second phase (client data)
- Real-time cloud based backup infrastructure
- Variety Finder and Common Catalogue integration
- Full cloud backup implementation

Key Indicator	2022 Target
% of implementation of IT Masterplan	100%
Approved projects in the pipeline	< 10
Major Projects to be finalised each year	2

b) Contribute to the enforcement of Community Rights

**Objectives 2022:**

- Support breeders with actions related to the enforcement of CPVRs in cooperation with the Observatory and other Institutions active in the field of enforcement of Intellectual Property Rights.
- Continue cooperating with the EPO

Key Indicator	2022 Target
Number of enforcement initiatives carried out	2

c) Contribute to the European Green Deal

**Objectives 2022:**

- To follow and to promote good sustainability practice and to reduce the environmental impacts of the Office's activities.

Key Indicator	2022 Target
Reduce paper consumption	10% reduction
Reduce electricity, heat and water consumption	10% reduction
Making virtual meetings the default and physical missions the exception	Report on n° of missions

### 3.2.3. Making the CPVO strong in a strong Intellectual Property Network - Operational

#### a) Develop external communication

<b>Objectives 2022:</b> <ul style="list-style-type: none"> <li>Develop external communication through various channels</li> </ul>	
Key Indicators	2022 Target
Produce and publish relevant social media content	Average 250 posts on social media Grow audience by ~10%
Produce CPVO webinars	3 webinars
Newsletters	10/year
CPVO-led event with over 100 guests	1

#### b) International cooperation with strong IP actors

<b>Objectives 2022:</b> <ul style="list-style-type: none"> <li>Support breeders with actions related to the enforcement of CPVRs in cooperation with the Observatory and other Institutions active in the field of enforcement of Intellectual Property Rights.</li> <li>Continue cooperating with the EPO and EUIPO</li> </ul>	
Key Indicator	2022 Target
Number of participations to meetings and trainings / collaborations with other strong IP actors (UPOV, EPO, EUIPO)	10
Number of new partnerships	1

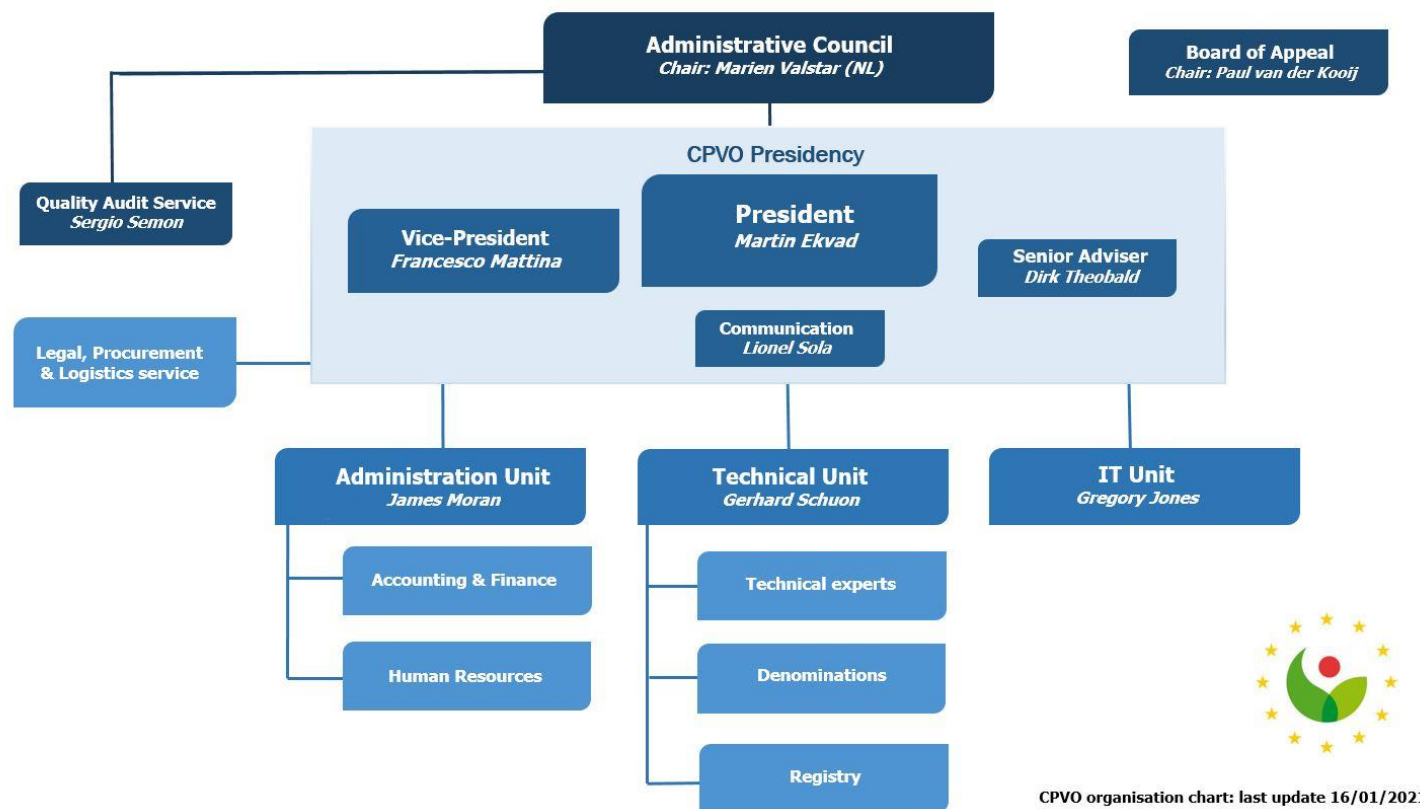
### 3.2.4. Promoting PVR, in Europe and Internationally

#### a) Promote the PVR System

<b>Objectives 2022:</b> <ul style="list-style-type: none"> <li>Promote the system within the EU for breeders but also for a wider public, showing the benefits of the system for the consumers and for the environment</li> <li>Promote the system internationally by helping third countries to create or improve their PVP systems and the harmonisation of practices</li> <li>Develop external communication through various channels</li> </ul>	
Key Indicators	2022 Target
Number of projects with IP actors in third countries	6
Number of organisation of or participation to Open Days, public seminars, contributions to events	6

## Annexes

### Annex I. Organizational chart





- The following table outlines the 2021 breakdown of staff for the CPVO

## 2022 Establishment plan by unit

	FO			TA			CA			Grand Total
	AD	AST	Total	AD	AST	Total	CA-IV	CA-III	Total	
Presidency	1		1	2	1	3				4
Vice-Presidency	1		1	3	5	8	1		1	10
Administration Unit	1	1	2	2	5	7	1	1	2	11
IT Unit				5	3	8	2		2	10
Technical Unit		1	1	7	9	16		1	1	18
Quality Audit Service	1		1							1
Grand Total	4	2	6	19	23	42	4	2	6	54

- \*FO: Official TA: Temporary Agent, CA Contract Agent
- The CPVO comprises 3 units, with Communication under the responsibility of the President, and the Vice-President responsible for legal and procurement issues. There is also a standalone sector for Quality Audit.

## Annex II. Resource allocation per activity

In addition to the budget (see Annex 2), the table below provides a breakdown of how staff resources are allocated. The categories of allocation correspond to the European Commission 'Screening Categories'.

### Screening - position end 2020

Screening category	Screening sub-category	
Operational	Evaluation & impact assessment	2%
	General operational	18%
	Programme management & implem..	43%
	Top level operational coordination	2%
	Total	66%
Administrative support	Head of resources	2%
	HR management	9%
	ICT	5%
	Internal audit	2%
	Logistics	2%
	Total	20%
Coordination	Communication	5%
	Total	5%
Neutral	Neutral - finance and procurement	9%
	Total	9%
Grand Total		100%

### Annex III. Financial Resources

#### 2022 Commitments Budget

			2020	2021	2022	2022	2023	2024
Title	Budget article	Article description	Executed amount (n-2)	Budget n-1	Budget Year n	Var n / n-1	Budget Year n+1	Budget Year n+2
Title 1	E1100	Staff	7,430,723	8,302,000	8,734,000	5.2%	8,939,000	9,193,000
	E1200	Training	54,442	110,000	117,000	6.4%	105,000	108,000
	E1300	Travel	38,989	250,000	150,000	-40.0%	150,000	155,000
	E1400	Interim staff	84,267	80,000	50,000	-37.5%	52,000	54,000
	E1500	Assistance	9,610	40,000	41,500	3.8%	35,000	35,000
	E1700	Representation	1,838	5,000	5,000	0.0%	5,000	5,000
	Total		<b>7,619,870</b>	<b>8,787,000</b>	<b>9,097,500</b>	<b>3.5%</b>	<b>9,286,000</b>	<b>9,550,000</b>
Title 2	E2000	Property	410,935	356,000	392,000	10.1%	393,000	403,000
	E2100	IT expenses	651,473	800,000	800,000	0.0%	700,000	721,000
	E2200	Other equipment	17,797	55,000	34,000	-38.2%	30,000	30,000
	E2300	General admin	26,321	58,000	41,000	-29.3%	41,000	41,000
	E2400	Postage and telecom	61,717	92,000	76,000	-17.4%	77,000	79,000
	E2500	Meetings and notices	14,610	345,000	254,000	-26.4%	269,000	262,200
	E2600	Audit and evaluation	67,187	210,000	150,000	-28.6%	134,000	73,000
	Total		<b>1,250,040</b>	<b>1,916,000</b>	<b>1,747,000</b>	<b>-8.8%</b>	<b>1,644,000</b>	<b>1,609,200</b>
Title 3	E3000	Examination office fees	8,278,358	8,055,000	8,950,000	11.1%	9,130,000	9,300,000
	E3200	Examination reports	459,200	460,000	450,000	-2.2%	450,000	450,000
	E3400	Publications	93,766	120,000	170,000	41.7%	170,000	170,000
	E3500	Studies	335,165	500,000	500,000	0.0%	500,000	500,000
	E3600	Special advisors	173,821	200,000	250,000	25.0%	250,000	250,000
	Total		<b>9,340,310</b>	<b>9,335,000</b>	<b>10,320,000</b>	<b>10.6%</b>	<b>10,500,000</b>	<b>10,670,000</b>
Grand Total			<b>18,210,220</b>	<b>20,038,000</b>	<b>21,164,500</b>	<b>5.6%</b>	<b>21,430,000</b>	<b>21,829,200</b>

**Table 1 - Revenue**

REVENUES	General revenues				
	Executed Budget 2020	Budget 2021	Draft Budget 2022		VAR 2022/2021 (%)
			Agency request	Budget forecast	
<b>1 REVENUE FROM FEES AND CHARGES</b>	18 158 256.00	18 910 000	19 780 000	19 780 000	4.6%
<b>2 EU CONTRIBUTION</b>					0%
- Of which assigned revenues deriving from previous years' surpluses					0%
<b>3 THIRD COUNTRIES CONTRIBUTION (incl. EEA/EFTA and candidate countries)</b>					0%
- Of which EEA/EFTA (excl. Switzerland)					0%
- Of which candidate countries					0%
<b>4 OTHER CONTRIBUTIONS</b>					0%
<b>5 ADMINISTRATIVE OPERATIONS</b>	42 376.56	150 000	70 000	70 000	-53%
- Of which interest generated by funds paid by the Commission by way of the EU contribution (FFR Art. 61)					0%
<b>6 REVENUES FROM SERVICES RENDERED AGAINST PAYMENT</b>					0%
<b>7 CORRECTION OF BUDGETARY IMBALANCES</b>	337 397.01	263 000	566 000	566 000	115%
<b>TOTAL</b>	<b>18 538 059.87</b>	<b>19 323 000</b>	<b>20 416 000</b>	<b>20 416 000</b>	<b>5.6%</b>

**Table 2 – Expenditure**

Title	2022		2023	
	Commitment Appropriations	Payment Appropriations	Commitment Appropriations (n+1)	Payment Appropriations (n+1)
Title 1	9,316,000	9,316,000	9,601,000	9,601,000
Title 2	1,725,000	1,725,000	1,535,100	1,535,100
Title 3	10,130,000	9,375,000	10,500,000	9,462,000
Grand Total	21,171,000	20,416,000	21,636,100	20,598,100

PAYMENT APPROPRIATIONS						
	Executed 2020	2021 Budget	2022 Budget	Var. 2021/2022	2023	2024
<b>Title 1 - Staff expenditure</b>	<b>7,619,871.16</b>	<b>8,787,000.00</b>	<b>9,316,000.00</b>	<b>6%</b>	<b>9,601,000.00</b>	<b>9,868,000.00</b>
Salaries & allowances	6,265,376.00	7,070,000.00	7,585,000.00	7%	7,812,000.00	8,030,000.00
- Of which establishment plan posts	5,811,130.00	6,660,000.00	7,050,000.00	6%	7,261,000.00	7,479,000.00
- Of which external personnel	454,246.00	410,000.00	535,000.00	30%	551,000.00	551,000.00
Expenditure relating to Staff recruitment	70,116.03	75,000.00	15,000.00	-80%	15,000.00	15,000.00
Employer's pension contributions	830,675.00	854,000.00	1,137,000.00	33%	1,172,000.00	1,204,000.00
Mission expenses	38,989.27	250,000.00	100,000.00	-60%	150,000.00	155,000.00
Socio-medical infrastructure	18,627.00	25,000.00	22,000.00	-12%	23,000.00	24,000.00
Training	54,443.39	110,000.00	115,000.00	5%	105,000.00	108,000.00
External Services	84,267.22	80,000.00	50,000.00	-38%	31,000.00	32,000.00
Receptions, events and representation	1,838.00	5,000.00	5,000.00	0%	5,000.00	5,000.00
Social welfare	9,610.25	40,000.00	41,000.00	3%	35,000.00	35,000.00
Other Staff related expenditure	245,929.00	278,000.00	246,000.00	-12%	253,000.00	260,000.00
<b>Title 2 - Infrastructure and operating expenditure</b>	<b>1,250,039.29</b>	<b>1,916,000.00</b>	<b>1,725,000.00</b>	<b>-10%</b>	<b>1,535,100.00</b>	<b>1,564,200.00</b>
Rental of buildings and associated costs	410,934.73	356,000.00	354,000.00	-1%	349,000.00	358,000.00
Information, communication technology and data processing	651,472.00	800,000.00	800,000.00	0%	700,000.00	721,000.00
Movable property and associated costs	17,796.90	55,000.00	34,000.00	-38%	30,000.00	30,000.00
Current administrative expenditure	26,320.98	58,000.00	41,000.00	-29%	41,000.00	41,000.00
Postage / Telecommunications	61,717.03	92,000.00	92,000.00	0%	77,000.00	79,000.00
Meeting expenses	14,610.23	345,000.00	254,000.00	-26%	204,100.00	262,200.00
Running costs in connection with operational activities						
Information and publishing						
Studies	67,187.42	210,000.00	150,000.00	-29%	134,000.00	73,000.00
Other infrastructure and operating expenditure						
<b>Title 3 - Operational expenditure</b>	<b>9,668,149.61</b>	<b>8,620,000.00</b>	<b>9,375,000.00</b>	<b>9%</b>	<b>9,462,000.00</b>	<b>9,784,000.00</b>
<b>Total</b>	<b>18,538,060.06</b>	<b>19,323,000.00</b>	<b>20,416,000.00</b>	<b>6%</b>	<b>20,598,100.00</b>	<b>21,216,200.00</b>

	Executed 2020	2021 Budget	2022 Budget	Var. 2021/2022	2023	2024
<b>COMMITMENT APPROPRIATIONS</b>						
<b>Title 1 - Staff expenditure</b>	<b>7,619,871.16</b>	<b>8,787,000.00</b>	<b>9,316,000.00</b>	<b>6%</b>	<b>9,601,000.00</b>	<b>9,868,000.00</b>
Salaries & allowances	6,265,376.00	7,070,000.00	7,585,000.00	7%	7,812,000.00	8,030,000.00
- Of which establishment plan posts	5,811,130.00	6,660,000.00	7,050,000.00	6%	7,261,000.00	7,479,000.00
- Of which external personnel	454,246.00	410,000.00	535,000.00	30%	551,000.00	551,000.00
Expenditure relating to Staff recruitment	70,116.03	75,000.00	15,000.00	-80%	15,000.00	15,000.00
Employer's pension contributions	830,675.00	854,000.00	1,137,000.00	33%	1,172,000.00	1,204,000.00
Mission expenses	38,989.27	250,000.00	100,000.00	-60%	150,000.00	155,000.00
Socio-medical infrastructure	18,627.00	25,000.00	22,000.00	-12%	23,000.00	24,000.00
Training	54,443.39	110,000.00	115,000.00	5%	105,000.00	108,000.00
External Services	84,267.22	80,000.00	50,000.00	-38%	31,000.00	32,000.00
Receptions, events and representation	1,838.00	5,000.00	5,000.00	0%	5,000.00	5,000.00
Social welfare	9,610.25	40,000.00	41,000.00	3%	35,000.00	35,000.00
Other Staff related expenditure	245,929.00	278,000.00	246,000.00	-12%	253,000.00	260,000.00
<b>Title 2 - Infrastructure and operating expenditure</b>	<b>1,250,039.29</b>	<b>1,916,000.00</b>	<b>1,725,000.00</b>	<b>-10%</b>	<b>1,535,100.00</b>	<b>1,564,200.00</b>
Rental of buildings and associated costs	410,934.73	356,000.00	354,000.00	-1%	349,000.00	358,000.00
Information, communication technology and data processing	651,472.00	800,000.00	800,000.00	0%	700,000.00	721,000.00
Movable property and associated costs	17,796.90	55,000.00	34,000.00	-38%	30,000.00	30,000.00
Current administrative expenditure	26,320.98	58,000.00	41,000.00	-29%	41,000.00	41,000.00
Postage / Telecommunications	61,717.03	92,000.00	92,000.00	0%	77,000.00	79,000.00
Meeting expenses	14,610.23	345,000.00	254,000.00	-26%	204,100.00	262,200.00
Running costs in connection with operational activities	-	-	-	-	-	-
Information and publishing	-	-	-	-	-	-
Studies	67,187.42	210,000.00	150,000.00	-29%	134,000.00	73,000.00
Other infrastructure and operating expenditure	-	-	-	-	-	-
<b>Title 3 - Operational expenditure</b>	<b>9,340,310.49</b>	<b>9,335,000.00</b>	<b>10,130,000.00</b>	<b>9%</b>	<b>10,500,000.00</b>	<b>10,670,000.00</b>
<b>Total</b>	<b>18,210,220.94</b>	<b>20,038,000.00</b>	<b>21,171,000.00</b>	<b>6%</b>	<b>21,636,100.00</b>	<b>22,102,200.00</b>

**Table 3 - Budget outturn and cancellation of appropriations N-4 – N-2**

Budget outturn	2018	2019	2020
Revenue actually received (+)	17 633 754	17 724 710	18 200 662
Payments made (-)	16 000 450	15 949 354	17 967 797
Carry-over of appropriations (-)	428 139	426 455	570 262
Cancellation of appropriations carried over (+)	97 038	70 832	123 921
Adjustment for carry-over of assigned revenue appropriations from previous year (+)			
Exchange rate differences (+/-)			
Adjustment for negative balance from previous year (-)			
<b>Total</b>	<b>1 302 203</b>	<b>1 419 733</b>	<b>- 213 476</b>

Descriptive information and justification on:

The high positive budget outturns in 2018 and 2019 were foreseen as part of the strategy to increase the Free Reserve to 50% of the payment budget, and indeed during these years, the free reserve has increased. The budget outturn is artificially lower as a change in the payment terms with one of the main examination offices led to a once-off increase in payments for the year. The free reserve was unaffected by this negative outturn and increased to EUR 2.5 million in 2020.

The level of cancelled commitments increased significantly in 2020 to EUR 123 921 can be largely attributed to the effects of COVID pandemic as planned and committed training could not take place and costs foreseen for missions were not used.



## Annex IV. Human Resources- Quantitative

Table 1 - Staff population and its evolution; Overview of all categories of staff

### A. Statutory staff and SNE

Staff	2020			2021	2022	2023	2024
ESTABLISHMENT PLAN POSTS	Authorised Budget	Actually filled as of 31/12/2020	Occupancy rate %	Authorised staff	Envisaged staff	Envisaged staff	Envisaged staff
Administrators (AD)	18	17	95%	20	23	26	26
Assistants (AST)	28	27	96%	25	25	25	25
Assistants/Secretaries (AST/SC)	0	0	N/A	0	0	0	0
<b>TOTAL ESTABLISHMENT PLAN POSTS</b>	<b>46</b>	<b>44</b>	<b>96%</b>	<b>45</b>	<b>48</b>	<b>51</b>	<b>51</b>
EXTERNAL STAFF	FTE corresponding to the authorised budget	Executed FTE as of 31/12/N-1	Execution Rate %	Headcount as of 31/12/N-1	FTE corresponding to the authorised budget	Envisaged FTE	Envisaged FTE
Contract Agents (CA)	6	4 <sup>33</sup>	67%	6	6	6	5
Seconded National Experts (SNE)	1	0	0%	1	1	1	1

<sup>33</sup> Please provide the total number of CA in place at 31/12/N-1 no matter what is the source of funding. Detail in the footnote the number of CA financed from the EU contribution and the number of CA financed from other sources.

<b>TOTAL EXTERNAL STAFF</b>	<b>7</b>	<b>4</b>	<b>57%</b>	<b>7</b>	<b>7</b>	<b>7</b>	<b>6</b>
<b>TOTAL STAFF</b>	<b>53</b>	<b>48</b>	<b>90.5%</b>	<b>52</b>	<b>55</b>	<b>58</b>	<b>57</b>

**B. Additional external staff expected to be financed from grant, contribution or service-level agreements**

None

<b>Human Resources</b>	<b>Year N</b>	<b>Year N+1</b>	<b>Year N+2</b>	<b>Year N+3</b>
	<b>Envisaged FTE</b>	<b>Envisaged FTE</b>	<b>Envisaged FTE</b>	<b>Envisaged FTE</b>
<b>Contract Agents (CA)</b>				
<b>Seconded National Experts (SNE)</b>				
<b>TOTAL</b>				

**C. Other Human Resources**

- Structural service providers<sup>34</sup>

	<b>Actually in place as of 31/12/2020</b>
<b>Security</b>	2
<b>IT</b>	0.5

<sup>34</sup> Service providers are contracted by a private company and carry out specialised outsourced tasks of a horizontal/support nature. At the Commission, following general criteria should be fulfilled: 1) no individual contract with the Commission 2) on the Commission premises, usually with a PC and desk 3) administratively followed by the Commission (badge, etc) and 4) contributing to the added value of the Commission

<b>Other (specify)</b> .....	
<b>Other (specify)</b> .....	
<b>Other (specify)</b> .....	

- Interim workers

	<b>Total FTEs in year 2020</b>	
<b>Number</b>	0.5	Partial presence during year 2020

**Table 2 – Multi-annual staff policy plan Year N+1, Year N+2, Year N+3**

		2020 Revision			2020 Actual in Post			2021 Revision 1			2022 Draft Budget			2023 Forecast budget			2024 Forecast Budget		
		FO	TA	Total	FO	TA	Total	FO	TA	Total	FO	TA	Total	FO	TA	Total	FO	TA	Total
AD	AD 16	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	AD 15	-	1	1	-	1	1	-	1	1	-	-	-	-	-	-	-	-	-
	AD 14	1	-	1	1	-	1	1	-	1	1	1	2	2	1	3	2	1	3
	AD 13	1	1	2	-	-	-	1	2	3	1	2	3	-	2	2	-	2	2
	AD 12	-	1	1	1	2	3	-	-	-	-	-	-	-	-	-	-	-	-
	AD 11	1	-	1	-	-	-	1	-	1	1	1	2	2	1	3	2	1	3
	AD 10	1	2	3	2	1	3	1	2	3	1	2	3	-	2	2	-	3	3
	AD 9	-	2	2	-	1	1	-	2	2	-	2	2	-	2	2	-	1	1
	AD 8	-	1	1	-	2	2	-	1	1	-	1	1	-	1	1	-	5	5
	AD 7	-	2	2	-	1	1	-	5	5	-	4	4	-	6	6	-	3	3
	AD 6	-	4	4	-	5	5	-	3	3	-	6	6	-	7	7	-	6	6
	AD 5	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Total	4	14	18	4	13	17	4	16	20	4	19	23	4	22	26	4	22	26
AST	AST 11	-	-	-	-	-	-	-	-	-	-	1	1	-	1	1	-	2	2
	AST 10	1	3	4	-	3	3	1	2	3	1	2	3	1	2	3	1	1	2
	AST 9	-	4	4	1	3	4	-	4	4	-	4	4	-	4	4	-	4	4
	AST 8	-	2	2	-	2	2	-	2	2	1	2	3	1	3	4	1	3	4
	AST 7	2	6	8	2	5	7	1	7	8	-	8	8	-	9	9	-	9	9
	AST 6	-	5	5	-	7	7	-	4	4	-	2	2	-	-	-	-	-	-
	AST 5	-	3	3	-	3	3	-	3	3	-	3	3	-	4	4	-	4	4
	AST 4	-	2	2	-	1	1	-	1	1	-	1	1	-	-	-	-	-	-
	AST 3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	AST 2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	AST 1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Total	3	25	28	3	24	27	2	23	25	2	23	25	2	23	25	2	23	25
Grand Total		7	39	46	7	37	44	6	39	45	6	42	48	6	45	51	6	45	51

- External personnel

*Contract Agents*

Contract agents	FTE corresponding to the authorised budget 2020	Executed FTE as of 31/12/2020	Headcount as of 31/12/2020	FTE corresponding to the authorised budget 2021	FTE corresponding to the authorised budget 2022	FTE corresponding to the authorised budget 2023	FTE corresponding to the authorised budget 2024
Function Group IV	4	3	3	4	4	4	3
Function Group III	2	1	1	2	2	2	3
Function Group II							
Function Group I							
<b>TOTAL</b>	<b>6</b>	<b>4</b>	<b>4</b>	<b>6</b>	<b>6</b>	<b>6</b>	<b>5</b>

*Seconded National Experts*

Seconded National Experts	FTE corresponding to the authorised budget 2020	Executed FTE as of 31/12/2020	Headcount as of 31/12/2020	FTE corresponding to the authorised budget 2021	FTE corresponding to the authorised budget 2022	FTE corresponding to the authorised budget 2023	FTE corresponding to the authorised budget 2024
<b>TOTAL</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>

**Table 3 – Recruitment forecasts N+1 following retirement/mobility or new requested posts  
(information on the entry level for each type of posts: indicative table)**

Job title in the Agency	Type of contract (Official, TA or CA)		TA/Official		CA
			Function group/grade of recruitment internal (Brackets) and external (single grade) foreseen for publication *		Recruitment Function Group (I, II, III and IV)
	Due to foreseen retirement/ mobility	New post requested due to additional tasks	Internal (brackets)	External (brackets)	
Deputy Accountant				AD 6	
Legal Officer				AD 6	
IT Developer				AD 6	
IT Developer					Group IV

\*Indication of both is required

\*\* Justification to be added

Number of inter-agency mobility Year N from and to the Agency: XXX

## **Annex V. Human Resources – Qualitative**

### **A. Recruitment policy:**

Implementing rules in place:

		Yes	No	If no, which other implementing rules are in place
Engagement of CA	Model Decision C(2019)3016	X		
Engagement of TA	Model Decision C(2015)1509	X		
Middle management	Model decision C(2018)2542	X		
Type of posts	Model Decision C(2018)8800	X		

### **B. Appraisal and reclassification/promotions**

Implementing rules in place:

		Yes	No	If no, which other implementing rules are in place
Reclassification of TA	Model Decision C(2015)9560	X		
Reclassification of CA	Model Decision C(2015)9561	X		

**Table 1 - Reclassification of TA/promotion of officials**

	Average seniority in the grade among reclassified staff						
Grades	2016	2017	2018	2019	2020	Actual average over 5 years	Average over 5 years (According to decision C(2015)9563)
AD05							2.8
AD06					2.5	2.5	2.8
AD07		3	3	2.25		2.75	2.8
AD08	3	3			3	3	3
AD09			5		4.5	4.75	4
AD10							4
AD11		4		4		4	4
AD12							6.7
AD13					7	7	6.7
AST1							3
AST2	3		2			2.5	3
AST3			3		2	2.5	3
AST4	4	8				6	3
AST5	4	3.5	5	4	3.33	4	4



<b>AST6</b>	<b>5</b>		<b>3</b>	<b>3.33</b>	<b>3.5</b>	<b>3.7</b>	<b>4</b>
<b>AST7</b>	<b>4</b>		<b>4</b>	<b>3</b>		<b>3.7</b>	<b>4</b>
<b>AST8</b>	<b>5</b>					<b>5</b>	<b>4</b>
<b>AST9</b>							<b>N/A</b>
<b>AST10</b> <b>(Senior assistant)</b>							<b>5</b>
<b>AST/SC1</b>							<b>4</b>
<b>AST/SC2</b>							<b>5</b>
<b>AST/SC3</b>							<b>5.9</b>
<b>AST/SC4</b>							<b>6.7</b>
<b>AST/SC5</b>							<b>8.3</b>

**Table 2 -Reclassification of contract staff**

<b>Function Group</b>	<b>Grade</b>	<b>Staff in activity at 1.01.Year N-2</b>	<b>How many staff members were reclassified in Year N-1</b>	<b>Average number of years in grade of reclassified staff members</b>	<b>Average number of years in grade of reclassified staff members according to Decision C(2015)9561</b>
<b>CA IV</b>	17				Between 6 and 10 years
	16				Between 5 and 7 years
	15				Between 4 and 6 years
	14				Between 3 and 5 years
	13				Between 3 and 5 years
<b>CA III</b>	11				Between 6 and 10 years
	10				Between 5 and 7 years
	9				Between 4 and 6 years
	8				Between 3 and 5 years
<b>CA II</b>	6				Between 6 and 10 years
	5				Between 5 and 7 years
	4				Between 3 and 5 years

<b>CA I</b>	2				Between 6 and 10 years
	1				Between 3 and 5 years

### C. Gender representation

**Table 1 - Data on 31/12/2020 /statutory staff (only officials, AT and AC)**

#### Gender balance

Gender	Function Group (group)	Officials		Temporary		CA		Grand Total	
		Staff	%	Staff	%	Staff	%	Staff	%
Female	Administrator level	1	14.29%	7	18.92%			8	16.67%
	Assistant Level	3	42.86%	17	45.95%			20	41.67%
Male	Administrator level	3	42.86%	6	16.22%	2	50.00%	11	22.92%
	Assistant Level			7	18.92%	2	50.00%	9	18.75%
Grand Total		7	100.00%	37	100.00%	4	100.00%	48	100.00%

**Table 2 - Data regarding gender evolution over 5 years of the Middle and Senior management<sup>35</sup>**

	N-5		N-1	
	Number	%	Number	%
<b>Female Managers</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Male Managers</b>	<b>4</b>	<b>0</b>	<b>4</b>	<b>0</b>

**In case of significant continuous imbalance, please explain and detail action plan implemented in the agency.**

<sup>35</sup> Staff who is defined as middle manager by the applicable General Implementing provisions on middle management

## D. Geographical Balance

**Explanatory figures to highlight nationalities of staff (split per Administrator/CA FG IV and Assistant /CA FG I, II, III)**

**Table 1 - Data on 31/12/year N-1 - statutory staff only (officials, AT and AC)**

### Nationality balance

Nationality	Administrator level		Assistant Level		Grand Total	
	Staff	%	Staff	%	Staff	%
Belgian	1	5.26%	3	10.34%	4	8.33%
British			1	3.45%	1	2.08%
French	6	31.58%	17	58.62%	23	47.92%
German	2	10.53%	2	6.90%	4	8.33%
Greek			1	3.45%	1	2.08%
Irish	1	5.26%	1	3.45%	2	4.17%
Italian	2	10.53%	1	3.45%	3	6.25%
Polish	1	5.26%			1	2.08%
Portuguese			1	3.45%	1	2.08%
Romanian	1	5.26%	1	3.45%	2	4.17%
Slovak	1	5.26%			1	2.08%
Spanish	3	15.79%			3	6.25%
Swedish	1	5.26%	1	3.45%	2	4.17%
Grand Total	19	100.00%	29	100.00%	48	100.00%

**Table 2 - Evolution over 5 years of the most represented nationality in the Agency**

Most represented nationality	2016		2020	
	Number	%	Number	%
French	21	47.0	23	48

**In case of significant continuous imbalance, please explain and detail action plan implemented in the agency:**

#### **E. Schooling**

Agreement in place with the European School(s) of .....				
Contribution agreements signed with the EC on type I European schools	Yes		No	X
Contribution agreements signed with the EC on type II European schools	Yes		No	X
Number of service contracts in place with international schools:	0			
Description of any other solutions or actions in place:				

## Annex VI. Environment management

The mission of the CPVO is to deliver and promote an efficient Intellectual Property Rights system that supports the creation of new plant varieties for the benefit of Society. As such, it is in the interest of the CPVO to strive for the development of sustainable varieties. The nature of this mission drives towards the new requirements set by the European Commission on the new guidelines<sup>36</sup> for the elaboration of programming documents and annual reporting.

The CPVO is currently not in possession of any environmental certification e.g. ISO 14001 or EMAS and it is not foreseen in the medium-term to make internal developments to become certified in this regard, due to human resource constraints. However, the CPVO commits to gradually build and further develop its own environmental strategy following as framework the general principles set on EMAS<sup>37</sup> and ISO 14001<sup>38</sup>.

Notwithstanding the resource constraints faced by the CPVO, an environmental management strategy was adopted in December 2020, and the CPVO's vision is to be a cost-effective and environment-friendly working place. At present, the CPVO's aim is to follow and to promote good sustainability practice and to reduce the environmental impacts of its activities. In the future, the aim would be to help its stakeholders to do the same.

**The table below provides concrete actions that will be taken by the CPVO in order to meet the environmental policy**

Environmental issue	Source of impact	Action plan	Performance indicator per year	Baseline 2019
1.Electricity consumption	1. Central computing and data storage by servers.	Gradual move of IT infrastructure to the cloud. Less purchases of hardware servers.	Less hardware purchases.	3 servers
	2. Cooling in server room	Decrease of cooling temperature of the air conditioners to save energy.	Energy consumption decrease.	See point 3.6

<sup>36</sup> C(2020) 2297 final, 20.4.2020. COMMUNICATION FROM THE COMMISSION on the strengthening of the governance of Union Bodies under Article 70 of the Financial Regulation 2018/1046 and on the guidelines for the Single Programming Document and the Consolidated Annual Activity Report.

<sup>37</sup> REGULATION (EC) No 1221/2009 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 25 November 2009, on the voluntary participation by organisations in a Community eco-management and audit scheme (EMAS), repealing Regulation (EC) No 761/2001 and Commission Decisions 2001/681/EC and 2006/193/EC.

<sup>38</sup> ISO 14005:2019 - Environmental management systems.

	3. "Staff-related" use of electricity in offices and meeting rooms (PCs, printers, copy machines, lights, etc.	Consider the IT-set-up per working station to have laptop and docking station. Change HDD to SSD and add RAM of the current desktops to enhance performance and keep them as long as possible.	Less hardware purchases. Less waste.	2 MS Surface Pro  2 Laptops  1 Docking station
2. Paper consumption	4. Printing documents and emails	Raising awareness to move towards paperless office, e.g. further digitalisation of administrative workflow.	10% reduction in absolute and per FTE figures	625 kg in total/13,9 kg per FTE
	5. Printing publications externally	Continue to reduce the number of paper publications through close management of publication plan as well as through more print on demand and web publishing.	Reduction of paper publications.	New CPVO leaflet  2 Newsletters  Annual Report
3. Sustainable resource use	6. Electricity, heat and water consumption	<p>Install light sensors in all public areas.</p> <p>Optimising existing LED system and electrical equipment (e.g. sleep mode) throughout the year aimed at achieving measurable reductions.</p> <p>Install water sensors for the restroom taps and low water consuming WCs</p>	<p>Reporting on the results.</p> <p>10% reduction in absolute and per FTE figures</p>	<p>209 802 kWh in total/4 662 per FTE (electricity)</p> <p>293 000 kWh in total/6 511 per FTE (gas)</p> <p>599 m<sup>3</sup> in total/13,3 m<sup>3</sup> per FTE (water)</p>
4. Waste sorting and reduction	7. Waste sorting and reduction	Provide proper information and training to staff and cleaning staff. Follow-up on the handling by the garbage company.	5% reduction of total waste for 2021 per FTE	



5.Greenhouse gas emissions	8. Business travel of staff	Making virtual meetings the default and physical missions the exception.  Encourage travel by train instead of plane when the distance is less than 1000 km.	Reporting on number of virtual and physical missions.  Report on the results.	209 missions
	9. External participants coming to CPVO-organised meetings by plane	Using videoconferencing when applicable.	Reporting on number of virtual and physical meetings.	
6.Various negative environmental impacts of the CPVO	10. All procurement	Calls for tender or relevant services must include environmental criteria according to the type of goods purchased. All purchases are carried out against best available environmental criteria.	All procurement aligned to EU directives.	
7. Various positive environmental impacts of CPVO awareness raising	11. Green communication/awareness-raising activities	Develop and implement an integrated approach to awareness raising.  Invite the EEA to make a lunch time presentation on their activities and on their environmental policy.	Reporting on the results	
8.Environmental economic and social impacts	12.All CPVO activities	Using synergies between CPVO and staff health and well-being aspects.  Encourage the use of public transport and bicycles.  Weekly vegetable baskets proposed to staff.	Reporting on the results	11 subscriptions.
9.Internal environment	13.Environment in buildings/health and safety aspects	Involve the CPVO and staff well-being coordinator in office space optimisation projects.	Reporting on the results	
	14. Review the possibility of rationalising office spaces	Look into possibilities to move to a new, environmental friendly building	Reporting on the researches	

## Annex VII. Buildings

#	Building Name and type	Location	SURFACE AREA(in m <sup>2</sup> )			RENTAL CONTRACT					Host country (grant support) or
			Office space	non-office	Total	RENT (€/year)	Duration of the contract	Type	Breakout clause Y/N	Conditions attached to the breakout clause (if applicable)	
1	Immeuble HBM	3 Boulevard Foch, 49000 Angers			930	N/A					France Owner : CPVO
2	Immeuble Foch 9	9 boulevard Foch, 49000 Angers			660	N/A					France Owner : CPVO
3	Co-propriété MB-2	3bis Boulevard Foch, 49000 Angers			216	N/A					France Owner : CPVO
4	Co-propriété MB-RdC	3 bis Boulevard Foch, 49000 Angers			60.7	N/A					France Owner : CPVO
<b>TOTAL</b>					<b>1866.7</b>						

There are currently no plans to purchase new buildings. Refurbishment of 3 Boulevard Foch has been done in 2018.

## **Annex VIII. Privileges and immunities**

Agency privileges	Privileges granted to staff	
	Protocol of privileges and immunities / diplomatic status	Education / day care

The Basic Regulation of the CPVO refers to the Protocol on Privileges and Immunities of the European Communities. The CPVO does not have a Seat Agreement with the French Government. The CPVO has made numerous attempts to secure a Seat Agreement with the French Government. Unfortunately, such efforts have not resulted in any meaningful interaction or engagement from the French Government. The CPVO will continue to seek such an agreement.

## **Annex IX. Evaluations**

A register exists with the action plans agreed on following ex-post evaluations and recommendations by the external and internal auditor.

### *Evaluations*

Ex ante and retrospective evaluations (Article 29) of CPVO's Financial Regulation reads:

- '1. Programmes and activities that entail significant spending shall be subject to ex-ante and retrospective evaluations ("evaluation"), which shall be proportionate to the objectives and expenditure.
2. Ex-ante evaluations supporting the preparation of programmes and activities shall be based on evidence, if available, on the performance of related programmes or activities and shall identify and analyse the issues to be addressed, the added value of Union involvement, objectives, expected effects of different options and monitoring and evaluation arrangements.
3. Retrospective evaluations shall assess the performance of the programme or activity, including aspects such as effectiveness, efficiency, coherence, relevance and EU added value. Retrospective evaluations shall be based on the information generated by the monitoring arrangements and indicators established for the action concerned. They shall be undertaken periodically and in sufficient time for the findings to be taken into account in ex-ante evaluations or impact assessments that support the preparation of related programmes and activities.
4. The director shall prepare an action plan to follow-up on the conclusions of the evaluations referred to in paragraph 3 and report on its progress to the Commission in the consolidated annual activity report referred to in Article 48 and regularly to the Management Board.
5. The management board shall scrutinise the implementation of the action plan referred to in paragraph 4.

In order to improve decision-making, the Office shall undertake both ex ante and retrospective evaluations in line with guidance provided by the Commission. Such evaluations shall be applied to all programmes and activities which entail significant spending and evaluation results shall be sent to the Administrative Council. As stated above, the President shall prepare an action plan to follow-up on the conclusions of the evaluations referred to in paragraph 4 of Article 29 and report on its progress regularly to the Administrative Council. The Administrative Council shall scrutinise the implementation of the action plan referred to in paragraph 5.'

"Significant spending" means expenditure for future projects above € 350.000.

The latest retroactive evaluation (according to article 11.3(b) of Implementing Rules of the Financial Regulation) took place in 2017, monitoring the use of resources and impact of the external communication activities of the CPVO.

The next retroactive evaluation will take place in 2021. It will be a socio-economic impact study on the benefits of the CPVR system in the EU. The study is done by the Observatory with the collaboration of the CPVO. DG Sante, EOs and breeders organizations are also involved. It's a broad study that also takes into account the impact of the Green Deal and the F2F strategy of the Commission.

The previous retroactive evaluations from 2010 (Organisation/Communication) and 2014 (SharePoint Review) were adequately followed up.

## **Annex X. Strategy for the organizational management and internal control systems**

### **Internal Control – Management responsibility**

Internal Control is broadly defined as a process intended to provide reasonable assurance to the management on the achievement of the objectives. More concretely, internal control is all the measures management and staff take (for example the implementation of organisational structures, policies, procedures, controls, training, etc.) to ensure that:

- operational activities are effective and efficient;
- legal and regulatory requirements are met;
- financial and other management reporting is reliable;
- assets and information are safeguarded;
- fraud and irregularities are prevented, detected, corrected and followed-up on.

It is the role of CPVO management to ensure this is correctly implemented. The Internal Control Coordinator assists the CPVO Management in these activities.

The CPVO adopted an Anti-Fraud Strategy in 2016, which was up-dated in October 2019. The strategy contains six strategic objectives which aims to prevent fraud and that possible fraud situation occurs. The implementation of the strategy is monitored by the Internal Control Coordinator.

### **Internal Audit**

The CPVO has appointed the Internal Auditor of the EUIPO whose role is to assist management by providing independent, objective assurance and consulting services designed to add value and improve the organisation's operations. It helps the organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control, and governance processes.

The scope of work of Internal Audit is to determine whether the CPVO's risk management, control and governance processes, as designed and represented by management, is adequate and functioning in a manner to ensure:-

- risks are appropriately identified and managed;
- significant financial, managerial, and operating information is accurate, reliable, and timely;
- employees' actions are in compliance with policies, standards, procedures, and applicable laws and regulations;
  - resources are acquired economically, used efficiently, and adequately protected;
  - programmes, plans, and objectives are achieved;
  - quality and continuous improvement are fostered in the organisation's control process;
  - significant legislative or regulatory issues impacting the organisation are recognised and addressed appropriately.

The Annual Internal Audit Programme is based on the CPVO list of risks updated in 2019. The Internal Auditor regularly reviews the achievements made on the previous recommendations raised in the previous years' reports.

## Annex XI. Plan for grant, contribution or service-level agreements

Information to be covered:

- Ongoing and expected contribution, grant, service level agreements  
Financial impact and impact on external staff

The CPVO manages a program whereby national Examination Offices, entrusted by the Administrative Council of the CPVO to carry out technical examinations on behalf of the CPVO, can on request receive grants. In essence, grants are awarded to national examination offices for projects which are considered to enhance the quality of technical examinations and/or reduce the costs. The deadline for making a request is May in year N-1. The Office does not know in advance how many request will be made and the amounts of the requests. However, the total amount per year cannot not exceed € 500,000. The CPVO would refuse requests for grants in order to comply with this ceiling. The work done to process the applications and follow the projects are shared between different technical experts, administrators and managers. The work is not done by CA/SNEs but by temporary agents. The total time spent by CPVO Staff on this program can be estimated to one FTE/year.

	General information <sup>39</sup>					Financial and HR impacts				
	Actual or expected date of signature	Total amount	Duration	Counterpart	Short description		N	N+1	N+2	N+3
<b>Grant agreements</b>										
1. 7512366 Durum Wheat	19/12/2017	223 526	2 years	AGES	Integration of molecular data into DUS testing in Durum wheat	Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			
2. 7512367 Melon	19/12/2017	77 098	March 2021	Naktuinbouw	set up a common database based upon variety descriptions and photos stored within all of the CPVO's entrusted	Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			

<sup>39</sup> For on-going agreements, please provide the requested general information. For expected agreements, please provide the information available. When the information is not known, please put "not known"

					examination offices					
3. 7513139 Apple	27/04/2018	207 037	27.10.2021	INRAE	Developing molecular markers allowing the distinction of apple mutants (sports)	Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			
4. 7515058 Oilseed rape	25/06/2019	228 143	2 years	GEVES	Developing a strategy to apply SNP molecular markers in the framework of winter oilseed rape DUS testing	Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			
5. 7515057 Tomato	16/07/2019	295 000	2.5 years	Naktuinbouw	International validation of a SNP set to determine genetic distances for the management of tomato reference collection	Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			
6. 7515997 Cannabis	16/12/2019	53 000	2 years	Naktuinbouw	Development a SNP marker set in Cannabis to support DUS testing	Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			
7. 7515996 Harmorescoll	23/12/2019	262 000	28.02.2023	GEVES		Amount				

					Setting up an EU system for harmonized collections of reference isolates, controls and differentials to facilitate disease resistance testing	Number of CA	N/A			
						Number of SNEs	N/A			
8. 7517891 Durum wheat DURDUS tools	14/12/2020	126 513	2 years	AGES	Integration of molecular data into DUS testing in durum wheat: development of a common online molecular database and a genetic distance calculation tool	Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			
Expected grant agreements	Not known	(max 500.000)				Amount				
Total grant agreements						Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			
<b>Service-level agreements</b>										
1. SLA-Sysper	01/01/2018	89 711	1 year renewable		European Commission-HR	Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			
2. DIGIT 009 Global Services	20/03/2019	41 704	1 year renewable		European Commission - DIGIT	Amount				



Level Agreement										
						Number of CA	N/A			
						Number of SNEs	N/A			
4. Recruitment	31/05/2007		1 year renewable		EPSO	Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			
5. HR management	01/03/2020		1 year renewable		PMO	Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			
6. Permanent Secretariat	01/01/2019	6088.37	1 year renewable		EFSA	Amount				
						Number of CA	N/A			
						Number of SNEs	N/A			
Total service-level agreements						Amount				
						Number of CA				
						Number of SNEs				
<b>TOTAL</b>						<b>Amount</b>				
						<b>Number of CA</b>	N/A			
						<b>Number of SNEs</b>	N/A			

## **Annex XII. Strategy for cooperation with third countries and/or international organizations**

Strategy for cooperation with third countries and/or international organisations highlighting that agencies remain within their mandate and the institutional framework, and that they do not appear as representing the European Union.

### Cooperation with third countries and international organisations

The CPVO has also been very active in its relations and cooperation with third countries and international organisations, such as the International Union for the Protection of New Varieties of Plants (UPOV). The CPVO assists the Commission in forming the EU position in the UPOV Technical Committee and assists the Commission in UPOV meetings (Council, Consultative Committee, Legal and Administrative Committee). Technical Experts are active in UPOV's four annual Technical Working Parties (TPs) during which technical guidelines are discussed. A CPVO Staff Member is Chairing one of the TPs. New UPOV TPs and amended UPOV TPs are in most cases implemented in CPVO technical protocols. CPVO staff participates in other working groups of UPOV such as the Working Group on Biochemical and Molecular Techniques and DNA Profiling in Particular (BMT), the Editorial Committee, the Enlarged Editorial Committee the Working Group on the Development of an Electronic Application Form and occasionally to the Technical Working Party on Automation and Computer Programs.

The CPVO works closely with UPOV in outreach projects together with partners such as the African Regional Intellectual Property Organisation (ARIPO), the African Intellectual Property Organisation (OAPI) and the East Asia Plant Variety Protection Forum. Moreover the CPVO continues being a partner to the IPKey projects encompassing China, South-East Asia and Latin America managed by the Commission and implemented by the EUIPO. The CPVO contributes to IP Dialogues with third countries responding to public consultations carried out by the Commission. This increase in the external activities is in part due to the growing relevance of the CPVO in matters linked to plant variety protection worldwide and the implementation of EU policies<sup>40</sup>. EU breeders benefit from protection in such countries. The CPVO monitors the potential development of further cooperation activities in the field of IP Rights between the EU and other countries. Moreover the CPVO participates to implement PVRs related activities within the framework of the CarIPI project, funded under the 11th European Development Fund. CarIPI is conceived as one of the components of the Programme 'Support to CARIFORUM States in furthering the implementation of their Economic Partnership Agreement commitments and in meaningfully reaping the benefits of the Agreement'. CARIPI aims at contributing to attaining the commitments and expected benefits of the EPA, laying the ground for a sustainable long-term regional framework and cooperation on Intellectual Property (IP). CarIPI has an initial duration of four years started from the 1 November 2019.

CPVO is also supporting the implementation of the OAPI Road Map on Plant Variety Rights in 17 West African countries, a project co-financed by the Commission. These projects face the challenge of improving the protection and enforcement of IPRs in the above regions, while raising public awareness of the economic and other impacts of IPR-infringing goods and their detriment to innovation and also on health and safety, and safeguarding the common interest of promoting a sustainable and healthy development of trade relationships. The CPVO also contributes to the implementation of the 'Intellectual Property Rights (IPRs) Action for Africa' ('AfriPI'), that has the objective to support the creation, protection, use and enforcement of Intellectual Property Rights (IPR) across Africa, in line with international and European best practice and in support of the African Continental Free Trade Area (AfCFTA) and the African Union's Agenda 2063.

The importance of an effective PVR protection system has been emphasised by the Commission in the Report on the protection and enforcement of intellectual property rights in third countries (SWD (2019) 452 final/2 of 8.1.2020<sup>41</sup>, in which an Annex focuses on the protection and enforcement of plant variety rights.

All these projects have been agreed upon by the CPVO's AC and are extremely important for the continuous efforts to improve the EU plant breeders' rights system and to harmonize procedures and methodologies amongst Member States. Due to the relevance of these projects and the possible efficiency gains they will bring in the future, the CPVO will make all the efforts to ensure their continuation. In order to increase the awareness of Plant Variety Rights, the CPVO is also

<sup>40</sup> Communication from the Commission to the European Parliament, the Council and the European Economic and social Committee "Trade, growth and intellectual property – Strategy for the protection and enforcement of intellectual property rights in third countries" of 1.7.2014

<sup>41</sup> [https://trade.ec.europa.eu/doclib/docs/2020/january/tradoc\\_158561.pdf](https://trade.ec.europa.eu/doclib/docs/2020/january/tradoc_158561.pdf)

cooperating with some Universities in the EU, with the EUIPO and EPO's Academies, the European IPR-Helpdesk and the European Observatory on infringements of Intellectual Property rights.

The CPVO has spent considerable amount of resources to align the UPOV online application system PRISMA to the CPVO online application system. The EU has in its capacity as UPOV Member supported the creation of PRISMA and the CPVO needs to develop, harmonise and maintain IT tools in order to ensure a well-functioning cooperation with UPOV in this respect.

Although the CPVO has a policy for international activities in place it will be necessary to take a more systematic approach to such activities in the years to come to ensure effectiveness and that such activities are proportionate to other CPVO activities. The CPVO looks forward to working with the Commission, member states, UPOV, EUIPO and the breeders to build up these capacities. The material produced will be part of the CPVO emerging "EU PVP Academy".

## Annex XIII. Procurement plan for coming years

The CPVO has a relatively limited number of open procedures for procurement. The following outlines the key procurements over the coming years:

Year	Designation	Procedure	Amount
<b>2022</b>			
	IT infrastructure en régie	Open	300 000
	Cleaning of premises	Negotiated	135 000
	Language courses	Negotiated	135 000
	Maintenance of security equipment	Negotiated	80 000
<b>2023</b>			
	Copiers	Negotiated	65000
	Audit services	Open	700 000
	Legal support	Open	135 000
	IT Developments	Open	2 000 000
<b>2024</b>			
	Office supplies	Open	240000
	Garden	Negotiated	40 000
	Web site update	Negotiated	60 000
	Security services	Open	280 000