

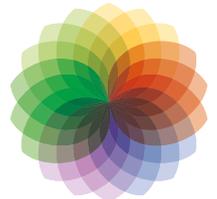
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CPVO celebrates its Silver Jubilee

The Community Plant Variety Office celebrates its 25th anniversary this year. President of CPVO Martin Ekvad reflects upon the agency's evolution, its challenges, and opportunities.

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In 25 years, the CPVO has processed more than 70,000 applications and granted more than 55,000 Community plant variety rights. Today, more than 28,000 new plant varieties are protected in the EU by the CPVO. The creation of the EU plant variety right (PVR) system was a good decision for Europe. One application, one procedure, one technical examination and one choice for an EU-wide PVR valid for all EU Member States. The basis for CPVO's system is the 1991 Act of the International Convention for the Protection of New Varieties of Plants (UPOV), it is the most extensive and most efficient cross-national system for PVR protection.

THE OPERATIONAL MILESTONES

From its office located in Angers (France), Martin Ekvad recalls, "In the beginning, the PVR system applied only to 12 Member States. The agency operated with fewer than ten staff members and all applications were processed on paper. "Now the CPVO employs 50 staff members, and more than 95% of its services are digital. It has received applications for varieties belonging to more than 2,200 botanical taxa and more than 200 technical protocols (TPs) have been drafted in close cooperation with national experts and adopted by the



Martin Ekvad is President of the CPVO since 2011. Before taking up this post, he was the Head of the Legal Service at the CPVO since 2003. Previously, Ekvad had been working as a lawyer in the law firm Linklaters in Brussels and the law firm Magnusson Wahlin in Stockholm. Ekvad was working at a civil court for two years before joining a law firm. He has a degree from Lund University, Sweden, and an LL.M from King's College in London.

Administrative Council to meet this challenge."

The protocols are mandatory for EU PVR and in the EU Member States for national listing purposes. This process has led to significant harmonisation in variety testing and increased transparency and improved legal certainty for users of the mentioned systems.

THE CHANGES IN CPVO ACTIVITIES

The CPVO has been promoting the enforcement of plant variety rights through the organisation of enforcement seminars to raise awareness among its stakeholders. Ekvad elaborates, "The enforcement of plant variety rights is dealt at the national level by the competent

courts in the Member States. Until now, there is no obligation for the Member States to appoint specialised courts that have exclusive jurisdiction to hear infringement cases of plant variety rights. It is worth noting that to enforce their Intellectual property rights titleholders need a valid PVR." The technical examination work takes place at Examination Offices throughout the EU. With the establishment of the Quality Audit Service (QAS) and the Entrustment requirements a decade ago, DUS tests throughout the EU takes place under one common standard. The harmonisation of the process does help implement the 'one key, several doors' policy, whereby a technical report emanating from a CPVO



New plant varieties such as Fleuroselect's annual Gold Medal winners are more profitable for society and more sustainable for the planet.

entrusted Examination Office can be used for either EU PVR, national PVR or national listing's procedures.

Every three years, the QAS visits each entrusted Examination Office to assess their structural framework, its compliance with the rules, and with the applicable CPVO technical protocols.

Ekvad adds, "Driving the continuous enhancement of test protocols are expert bodies that take account of technical developments which involve the breeding industry to adapt to a changing environment and respond to policy requirements and consumer expectations."

From an operational viewpoint, the CPVO continuously looks at improving the EU PVR system to meet breeders' expectations. Ten years ago, the CPVO launched MyPVR to make online applications possible. Today, it is evolving towards a full-service e-communications platform that allows documents to be sent in digital format. This system has many advantages. It is faster, more affordable, more efficient, more transparent, more user friendly. Almost 25,000 applications have been recorded online since its launch.

For the past 18 months, over 98% of applications were via MyPVR, and it costs only €450 to apply online. It is also good news that the CPVO application system now connects to the UPOV PRISMA system, which facilitates the life of breeders that are active in the EU as well as in other jurisdictions.

LOOKING TO THE FUTURE

The EU PVR system encourages investments and constant innovation in new plant varieties, which, as a result, are of better quality than older plant varieties. "Indeed, new plant varieties are more profitable for society and more sustainable for the planet. New plant varieties often resist better to pests and diseases, have more qualitative nutrients, are better adapted to specific climatic conditions, and require fewer resources such as water or soil surface to grow," says Ekvad.

The CPVO president calls the Covid-19 pandemic "the biggest disruptor of the century for businesses across Europe, and specifically for SMEs." The CPVO acknowledges the problematic situation for the whole plant breeding sector. Breeders, in the ornamental industry, have been hit directly, and their business activities severely hampered or jeopardised.

Ekvad says, "In these extraordinary circumstances, I decided to extend the deadlines for the payment of the annual fees and of examinations fees to assist breeders with urgent cash flow problems. We have also been more lenient in accepting postponement of supplying plant material for DUS tests considering the disruptions caused by Covid-19. While it is difficult to predict the future at this stage, the data in our possession is not that pessimistic. During the first six months of 2020, the CPVO received circa 1,700 applications

which represent an increase of over 2.5% compared to the same period in 2019."

Ekvad concludes, "We are constantly monitoring the situation, and we hope that the growth trend will continue in the second half of 2020 and 2021."

CPVO IN NUMBERS

- The CPVO received 3,525 applications in 2019, reaching more than three thousand five hundred applications in a calendar year for the third time in the CPVO's history.
- Here is a breakdown of the applications: ornamentals, 1,592; agricultural, 1,005; fruit, 246, and vegetable, 682.
- The top species per sector in 2019 were: rose (175 applications), maize (229), lettuce (180) and strawberry (53).
- In 2019, the CPVO issued 3,188 EU PVRs. This number is an increase of 431 titles compared to 2018.
- In 2019, 683 applicants had filed applications for EU PVRs, 11 more than in 2018. The top 15 applicants have a relative share of applications ranging, similarly to last year, from 88.2% for vegetables, 54.8% for agricultural and 45.9% for fruit species, to as little as 37.5% for ornamental species.
- The numbers filed for EU PVR, however, do not reflect the number of applications from ornamentals breeders. They continue to represent the largest group of applicants. In 2019, 45% of the applications received were for ornamental varieties.
- A particularity of ornamental varieties is the great diversity of species. Roses and chrysanthemums remained by far the most important species in 2019. However, since 2017, the number of applications for Phalaenopsis varieties has exceeded 100 per year.



CPVO

Community Plant Variety Office

CPVO: 25 years of protecting new plant varieties in the EU

One application – One procedure – One right

The **Community Plant Variety Office (CPVO)** is the European Union agency responsible for managing EU-wide **Plant Variety Rights**. We are committed to protect and encourage **innovation in plant breeding** for the benefit of society and a **more sustainable world**. With our centralised application system and our **harmonised procedures**, breeders from all over the world can apply for an intellectual property right valid in the entire **European Union**. Since 1995, we received more than **70 000** applications and have granted over **55 000** titles.



70 000 Applications



55 000 Titles granted



28 000 Titles in force



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