

# CPVO—AIPH

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## REPORT YEARLY BILATERAL

**On October 23, 2025, AIPH met with CPVO President Francesco Mattina to discuss recent developments at the EU Community Plant Variety Office (CPVO).**

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*CPVO's mission is: 'The CPVO operates, develops and promotes an efficient Intellectual Property Rights system providing customer-centric services, thereby supporting innovation and the creation of new plant varieties for the benefit of society'.*

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The system allows intellectual property rights, valid throughout the European Union, to be granted for plant varieties. CPVO, located in Angers (France), implements and applies this scheme.

The following issues were reviewed:

1. Strategic discussions on DUS testing.  
Primary focus: further centralisation of DUS testing capacity. (The conditions, distinct, uniform, and stable of a new variety, have to be met in order to receive the grant of a Plant Breeders' Right).
2. CPVO's Preliminary Horizon Scanning Report
3. Update on CPVO-EPO (European Patent Office) cooperation
4. Update on international cooperation activities
5. Brief overview of all legal proceedings (ongoing and terminated) during the years 2022 to 2025
6. AIPH's update of developments for growers in the ornamental sector to CPVO.

### **I: STRATEGIC DISCUSSIONS ON DUS TESTING**

As in UPOV, where a Seminar on Cooperation with Breeders in Plant Variety DUS examinations took place last October, CPVO is discussing a more cost-effective and efficient approach to DUS testing. It would be helpful if a reduction of the duration of DUS testing (average time is two years now) could be reached. The same goes for centralisation of the reference collections. With a concentration of DUS testing capacities, costs could be reduced.

Within CPVO, there is general support for discussions within the network of Examination Offices to increase concentration, as it is inefficient for many countries to test the same species with very few applications per country.

In this CPVO discussion, like in UPOV, answers are sought on whether breeders' involvement could be helpful. With their participation and cooperation, plant variety examinations could probably be made more cost-effective and efficient.

The strategic discussions on DUS testing are still in progress, and AIPH will be informed further as soon as the project is finished and the conclusions are made public.

## **2. CPVO'S PRELIMINARY HORIZON SCANNING REPORT**

The objective of CPVO's preliminary horizon scanning is to provide its Administrative Council with contrasted information that will allow it to take informed decisions on substantive policies. It intends to help CPVO to act and react to market dynamics and ultimately applications' flows.

The preliminary report specifies intellectual property (IP) strategies in plant varieties, the coexistence of patents and Community Plant Variety Rights (CPVRs) and the advanced tools in breeding.

The need for information on patent presence would provide legal certainty for the breeders in their breeding programs. For this reason, the Pinto (Patent Information and Transparency Online) and the Agricultural Crop Licensing Platform (ACLP) were created some years ago with the aim of improving transparency regarding plant varieties that might fall under the scope of patents or patent applications. These systems show their value.

As is well known, plant breeding is rapidly evolving through the integration of molecular tools, image phenotyping, precision breeding (including new genomic techniques, NGTs), and artificial intelligence. These evolutions make a clear coexistence of patents and plant breeders' rights even more necessary.

As this concerns a preliminary report, CPVO will continue the horizon scanning project, for which a Working Group has been established. As soon as the project is completed and the conclusions are made public, AIPH will be informed.

## **3. CPVO-EPO (EUROPEAN PATENT OFFICE) COOPERATION**

As is known, patents and PVRs already coexist on plant varieties. With the arrival of NGTs, such coexistence will very likely increase. Both patents and PVRs need to become incentives for agricultural and horticultural innovation. Already in 2016, the CPVO and the European Patent Office (EPO) decided to formalise a cooperation mechanism to strengthen their relationship through cooperation and information exchange in the area of plant-related patents and plant variety rights.

The Framework of CPVO and EPO Cooperation consists of a second Administrative Arrangement (AA), which was signed in March 2022 and will be in force until 2027. The first AA dated from 2016.

Cooperation activities include joint workshops and seminars focused on plant patenting practices and plant variety protection for relevant staff. It also mandates the organisation of regular meetings between examiners from both organisations to debrief on developments of mutual interest.

## **4. UPDATE ON INTERNATIONAL COOPERATION ACTIVITIES**

CPVO focuses on regions and countries where international cooperation activities might have a higher impact. For example, countries close to accession to UPOV, to EU priorities on trade negotiations, and engagement from the beneficiary countries.

## **5. BRIEF OVERVIEW OF ALL LEGAL PROCEEDINGS (ONGOING AND TERMINATED) DURING THE YEARS 2022 TO 2025**

Main points of this overview are: 1) a high number of legal proceedings overall, with a peak reached in 2023, 2) fruit species remain the main species involved in legal proceedings, and 3) there is a dominance of English as the primary language, but multilingualism remains at the core of CPVO's work.

## **6. AIPH'S UPDATE OF DEVELOPMENTS FOR THE ORNAMENTAL GROWERS TO CPVO.**

AIPH presented (by PPT) an overview of AIPH key activities, like the Ornamentals Production, Sustainability, International Horticultural Expo's, Green City and the Global Industry Intelligence Centre. It informed CPVO about the current challenges the ornamental sector faces, namely:

- reduction of pesticides or, better yet, no use of them at all.
- dependence of energy (transport, costs, availability)
- lack of employees (availability, knowledge and skills)
- reputation (public opinion, discussion with arguments is out)
- capacity to meet demand for suitable plants, shrubs, bulbs and trees in the context of extremes, climate change, biodiversity and ecology conservation.
- The need to develop and speed up robotisation, automation, exact monitoring and the use of Artificial Intelligence is crucial to face these challenges
- comply with the European Water Framework Directive by the end of 2027.

Finally, the annual bilateral is considered very useful and informative by both organisations and contributes to better mutual understanding.