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PLANT BREEDER'S RIGHTS CONSULTATION GROUP

Meeting Summary from 14 October 2025

The **Plant Breeders Rights Consultation Group (PBRCG)** met on Tuesday, 14 October 2025 via Microsoft Teams. The Chair opened the meeting, performed an Acknowledgement of Country, and welcomed all participants. Attendances and apologies were noted. Members endorsed the Minutes of the last meeting, which was held on 22 May 2025.

The Chair's update included, that five new trainees have joined the PBR Examination team which will assist with timeliness and reducing the backlog of cases. The Patents Oppositions team is currently assisting the PBR team where work aligns, with a particular focus on progressing objections to applications for Plant Breeder's Rights (PBR) under Section 35 of the PBR Act. Additionally, the Chair noted that the office continues to focus on improvements to practice and process and extended thanks to all who contributed and provided feedback. Research for the reforms has been completed, and consultation with PBRCG members will continue.

There was discussion about the use of online accounts and primary email addresses for sending correspondence such as invoices and QP queries. To better understand inconsistencies in how correspondence is received—whether by email or printed copy—it was recommended that a Customer Experience Representative attend the next meeting to answer questions and to explain how systems are connected.

A presentation on **Bush Foods and Plant Breeder's Rights (PBR)** was delivered by the Department of Agriculture, Fisheries and Forestry. It covered topics such as embedding Indigenous Cultural and Intellectual Property (ICIP) principles, current policy initiatives, and barriers to participation. A draft of the ICIP consultation themes was shared for stakeholder input, and it was noted that the native seed industry overlaps with these issues. The Indigenous Knowledge Team at IP Australia was recommended as a valuable resource for further information at IKProject@ipaustalia.gov.au.

An update was provided on **Indigenous Knowledge (IK) and Free Trade Agreement (FTA)** policy developments. In May 2024, the World Intellectual Property Organisation (WIPO) concluded a new treaty on intellectual property, genetic resources, and associated traditional knowledge. This treaty introduces a framework requiring patent applicants to disclose the source of genetic resources or traditional knowledge used in their inventions, promoting transparency and recognition of Indigenous Knowledge. IP Australia is currently reviewing the treaty and exploring implementation options for Australia. Additionally, the Comprehensive Economic Partnership Agreement with the United Arab Emirates came into force on 1 October 2025, with its IP chapter aligning with Australia's existing agreements and confirming both countries' commitment to protecting Plant Breeder's Rights (PBR). Ongoing negotiations regarding Geographical Indications in the European Union FTA were also noted, although the IP chapter remains unchanged. Further information is available through the Indigenous Knowledge team at IP Australia.

A **general policy update** highlighted that progress on legislative reforms to the PBR Act are continuing, and IP Australia remains committed to ongoing consultation. Draft consultation papers will be shared with PBRCG members in the coming months, with feedback on the consultation approach encouraged. The government's focus on productivity is influencing the policy development process, requiring thorough analysis of PBR issues. A draft Discussion Paper on Essentially Derived Varieties (EDVs), following earlier consultations and international guidance, was noted, with feedback welcomed—particularly on additional examples. Further internal coordination was proposed to gather relevant examples and insights to support the consultation process.

An update on **PBR Reform** outlined progress on replacing the legacy Interactive Variety Description System (IVDS). The new system aims to improve user experience through digitised forms, reduced data duplication, and enhanced functionality, with a Minimum Viable Product expected in the final quarter of the 2025–26 financial year. Suggestions included adding search capabilities for Varieties of Common Knowledge in Part 1 of the application and allowing Pre-Examination Trial Agreements to remain in draft form. While digitisation of Part 1 applications via PRISMA is not part of the project, future alignment with international systems may be considered. The need for Online Services account for application submission was confirmed, though further investigation is required to determine if document generation can be integrated into the process.

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An update was provided on recent developments in **PBR practices and processes**, including appreciation for participation in the PBR target survey, which highlighted areas for improvement such as digitising forms and system updates. A new renewal and revocation process has been introduced, where unpaid applications after 30 days will be reviewed by a delegate. Field visit procedures are under review due to Work Health and Safety considerations. IP Australia continues to follow up with applicants who have not submitted detailed descriptions on time, offering the option to request extensions. Additionally, a Senior Examiner will represent IP Australia at an upcoming UPOV seminar in Geneva to discuss breeder cooperation in Distinctness, Uniform and Stability (DUS) examination. The addition of new trainees is expected to improve the timeliness of reviewing detailed descriptions.

The **next PBRCG** meeting will be held in the first quarter of 2026 and will be via MS Teams.

Meeting Summaries of our Consultation Groups can be found on our website: [Consultation Groups | IP Australia](#). For further information, please contact mdb-pbr-consultationgroup@ipaustalia.gov.au.