

THE ABS-CH AND THE SECRETS OF THE NAQOYA PROTOCOL

Mock exercise on how to register information about a permit or its equivalent constituting an internationally recognized certificate of compliance in the ABS-CH

Part 1: Register a permit or its equivalent constituting an internationally recognized certificate of compliance

After some negotiations between Harry User and Gandalf (the CNA for Middle Earth magic plant genetic resources). Gandalf on behalf of the Government of Middle-earth has agreed to grant access to the Sopophorous Beans to Harry User.

Harry User lives at No 9 of the Forbidden Forest Road in Hogwarts (harry@hogwarts.edu, +99-999-999)

However, the mutually agreed terms signed between the two parties include some restrictions on how Harry User can make use of the genetic resources of the magic beans. Access to the beans has only been granted for non-commercial use, and therefore patents related to the genetic resources of the magic beans or the future commercialization of a potion on its basis is not allowed. The University of Middle-earth will be partnering in the research, and one of its students of the Magic Studies department will be travelling to Wizards Kingdom to assist Harry User with the ancient art of creating potions in a cauldron and to learn the most modern techniques of use of magic wands.

A clause was included that in case the results of the research are positive and the potion based on the beans has a commercial potential, Harry User and Gandalf will renegotiate the agreement.

While non-commercial research is being done, Harry User has insisted that he prefers to maintain his research on the Sopophorous Beans confidential, as he wants to prevent other Wizards from stealing his idea. A clause is included in the contract where Middle-earth commits to keep this information confidential and only made available in its national records.

The contract includes a clause providing that transfer to a third party of the Sopophorous Beans is not permitted.

Gandalf has issued a national permit on June 1 2014 to Harry User for a period of 10 years from issuance and the national reference number for the permit is HarryUser/1-June-2014. Gandalf and Frodo keep a good filing system with all information available about this dossier

Instructions for the exercise:

-Complete the common format on permits and its equivalent constituting an internationally recognized certificate of compliance with the information provided

Part 2: Amending a permit or its equivalent constituting an internationally recognized certificate of compliance

After filling the information on the national permit in the ABS-CH, Harry User, Gandalf and the NFP of Middle-earth received a copy of the internationally recognised certificate of compliance (IRCC). After some exciting discoveries of the research project Harry User wants to commercialise the potion based on the magic beans, so he contacts again Gandalf (Middle-earth CNA) and they decide to renegotiate the mutually agreed terms.

Patents and commercialization of the potion which include the magic beans is allowed in exchange for a share in all the profits. They also agree to a milestone payment if a patent is granted.

Gandalf goes to the ABS-CH to provide this new information about the national permit and update the IRCC.

Instructions for the exercise:

-Amend the common format on permits and its equivalent constituting an internationally recognized certificate of compliance with the information provided. You have two options:

(a) To issue a new permit and therefore having two different national permits and two IRCCs one dealing with non-commercial use and another with commercial use. To save time, you can duplicate the existing record containing information about the national permit HarryUser/1-June-2014 and make the necessary changes to it.

(b) To replace the existing record and IRCC for a new one that would cover both commercial and non-commercial use. In this case, the previous record will no longer be valid so the old permit is revoked.