



Nagoya Protocol

**Information &  
support on access and  
benefit sharing**

## What is Nagoya Protocol and does my research fall under the regulations of the Nagoya Protocol?

The Nagoya Protocol is an international agreement that regulates access to genetic resources, including animal, plant, microbial and other non-human material containing functional units of heredity, such as genes.

The Protocol, which came into force on October 12, 2014, is based on the Convention on Biological Diversity (CBD) of 1992. One of its primary objectives is to ensure that the utilization of genetic resources benefits the countries of origin.

Germany has been a party to the agreement since 2016. Parties ensure that access to genetic resources used within their territory complies with the source country's authorization requirements and that benefit-sharing terms are negotiated in advance if required by the source country's laws.

## How is Nagoya Protocol regulated?

This is achieved through obtaining prior informed consent (PIC) and establishing mutually agreed terms (MAT) together with ABS („Access and Benefit Sharing“). The specific agreements vary among the parties and different forms of compensation are negotiable for each country.

Compensation may be financial, such as upfront payments, license fees, or joint ownership of relevant intellectual property rights. Non-financial compensation can include the sharing of research and development results, hosting and training local researchers, and participation in product development.

## What are the consequences of Non-compliance?

There are currently 141 countries Parties to the Nagoya Protocol. Non-compliance can result in both monetary penalties, such as fines up to 50,000 euros, and non-monetary consequences, such as the withdrawal of publications and confiscation of research materials.



## Our Services

PROvendis GmbH offers packages for universities and universities of applied sciences:

### Professional Training courses

- In German and English
- One or twice a year

### Nagoya Hotline

- Initial evaluation of potential Nagoya cases

### Case Management

- If necessary, after initial evaluation
- Prior informed consent (PIC)
- Mutually agreed Terms (MAT)

### Thorough and complete Documentation

- Results are documented for legal assessments

## About PROvendis

PROvendis is providing professional services in the entire field of IP management and technology transfer, from market research and technology evaluation to protection and commercialization. PROvendis is a subsidiary of 29 universities in North Rhine-Westphalia and has been working for universities, research institutions and companies in and beyond North Rhine-Westphalia since 2002.

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