

Conference on Dispute Settlement within the Lisbon System (Geneva December 6, 2013)

A half day conference on the possibility of establishing a dispute settlement mechanism within the Lisbon System was held at the World Intellectual Property Organization (WIPO) in Geneva on December 6, 2013 as a side event in the context of the [Eighth Session of the Lisbon Working Group](#) (Dec 2-6, 2013).

The Conference was opened and moderated by Mr. Matthijs Geuze, Head of the Lisbon Registry.

The conference addressed three topics: (i) the purposes that a dispute settlement mechanism could serve within the Lisbon System, (ii) the experiences with Appellations of Origin and Geographical Indications enforcement and (iii) the dispute settlement services offered by WIPO.

Ms. Florence Rojal, Senior Legal Officer, Lisbon Registry, introduced the Information Note on the Question of Dispute Settlement within the Lisbon System (document [L/WG/DEV/8/INF/1](#)) which provides an overview of the existing dispute settlement mechanisms in the intellectual property area and explores the nature of possible controversies within the Lisbon System.

Under the first topic, Mr. Massimo Vittori, Secretary General of the Organization for an International Geographical Indications Network (OriGIN), highlighted the importance for interested parties to have the opportunity to refer to arbitration and/or mediation in terms of flexibility, confidentiality and rapidity of the procedure. In his view such possibility should be limited to private parties and to the cases of refusal based on prior rights and alleged genericness.

Ms. Keri Johnston, Vice-Chair of the Geographical Indications Team of the European Brand Owners Association (MARQUES) supported the views expressed by Mr. Vittori while underlining that the inclusion of a dispute settlement mechanism in the Lisbon system should be considered by its member States. She also recalled the difficulties presented to stakeholders due to the existing fragmentation in terms of GI laws and bilateral agreements, thus underlining the need for a multilateral solution and the relevance of educating the constituents, both private and public, for whom the Revised Lisbon Agreement is intended.

Under the second topic, Ms. Véronique Fouks, Head of the Service for Legal and International Affairs, French National Institute for Quality and Origin (INAO), highlighted the main issues concerning the international enforcement of French AOs and GIs while showing examples of practical cases and related legal remedies.

Mr. Fernando Cano Treviño, Representative for Europe of the Tequila Regulatory Council (CRT), presented the case of the AO Tequila. He underlined the significant costs and legal difficulties encountered by producers to ensure international GI protection reporting several infringement cases concerning the AO “Tequila”.

Finally, Ms. Heike Wollgast, Senior Legal Officer, IP Disputes Management Section, WIPO Arbitration and Mediation Center, illustrated the dispute settlement services offered by WIPO with its main features and figures pointing out that the system could be potentially applied to the resolution of GI controversies even if, until now, it has not been used for such disputes.

The presentations referred to above are available on the WIPO web site at http://www.wipo.int/meetings/en/details.jsp?meeting_id=31603