

ROMANIA

Response to Question 1 : Law no. 84/1198 on trademarks and geographical indications defines in Article 3f the geographical indication as “the names serving to identify a product that originates in a country, region or locality of a State in those cases where a certain quality, reputation or other specific characteristic may be essentially attributed to that geographical origin.” As stated by the Law the persons authorized by OSIM to use a geographic indication for wines or spirits may prohibit the use of such indication by any other person for wines and spirits that do not come from the regions suggested by the geographical indication concerned, even where the true origin of the product is expressly mentioned or the geographical indication is used in a translated form or accompanied by terms such as “kind”, “type”, etc.

Response to Question 2 : There are no special provisions regarding the protection of Traditional Knowledge through intellectual property.

Response to Question 3 : Up to the present we do not have a legal norm or a project.