“GEOGRAPHICAL INDICATIONS: CHALLENGES AND OPPORTUNITIES”

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Mexican History of GI and AO

1883

1964

1994

1995

Current Industrial Property System
Mexican Industrial Property Law

Protection
- Appellations of Origin (AOs)

Not Considered
- Geographical Indications (GIs)
"Proposal to amend the Mexican Industrial Property Law"

1. The process for granting protection of AO is strengthened.
2. The figure of the GI is included, with a similar regulation to the AO.
3. A “Management Entity” is created, focused on safeguarding AO and GI.
4. The recognition in the national territory of foreign AO and GI is established.
5. The process to the declaration of protection of GI and AO is strengthened.
6. The infringements related to geographical indications are included.
Opportunities for GI and AO

- Stimulate local investment
- Economies of scale
- Consumer protection
- Preserve cultural traditions and resources
APPELLATIONS OF ORIGIN IN MEXICO ARE MORE THAN TEQUILA

PROTECTION IS NOT ENOUGH.
EXPLOITATION AND COMMERCIALIZATION IS REQUIRED

ADVOCACY AND PROMOTION ACTIVITIES TO:
1. INCREASE UNDERSTANDING
2. RAISE KNOWLEDGE
3. ENCOURAGE THEIR CONSUMPTION

AO PRODUCT TWINNING
AO and GI promotion

Authorities involved

- Industrial Property Offices
- Regulatory
- Touristic
- Folklore
- Culture
- (Private sector)

Benefits

- Touristic and cultural developments
- Build and strengthen identity
- Consumer’s knowledge and understanding
Challenges for GI and AO
International Context

Recognition
- Prior rights
- Generic character
- Homonymous GI or AO

Legal Framework
- Trademark system
- GI and AO system
- *sui generis* system
Opportunities for GI and AO International Context

By Multilateral Agreements

Main Routes for protecting a GI or AO abroad

By Bilateral Agreements
GI & AO in International Agreements

12 International Agreements

47 Countries
North American Free Trade Agreement (NAFTA)

Distinctive Products

Mexico
- Tequila
- Mezcal

United States
- Bourbon Whiskey
- Tennessee Whiskey

Canada
- Canadian Whiskey
Agreement between the European Union and Mexico - 1997

Appellation of Origin

European Union

• 229 Spirit Drinks

Mexico

• Tequila
• Mezcal
• Sotol
• Charanda
Free Trade Agreements in Negotiation
Recognition of "Tequila" in China


The recognition is granted thanks to the efforts of the China and Mexican Government.