

46th Session of the WIPO Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT)

Information Sessions on Geographical Indications

Dr Suelen Carls (Brazil)

Session 1: Geographical indication protection for services

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Protection Justification

Brazilian legal basis

Law # 9.279/1996 + INPI Regulations

Mercosur Protocol on Harmonisation of Intellectual Property Standards (1995 with reference to CUP & TRIPS)

Argentina, **Brazil**, Paraguay and **Uruguay**

TRIPS

Art. 22 1. Geographical indications are, for the purposes of this Agreement, indications which identify a good as originating in the territory of a Member, or a region or locality in that territory, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin.

Brazilian IP Law

Art. 176 Constitutes a geographical indication the indication of source or denomination of origin.

Legal Definitions

Article 178 – A **denomination of origin** is considered to be the geographical name of a country, city, region or locality of its territory, which designates a **product or service**, the qualities or characteristics of which are exclusively or essentially due to the geographical environment, including natural and human factors.

Article 177 - An **indication of source** is considered to be the geographical name of a country, city, region or locality of its territory, which has become known as a centre of extraction, production or manufacture of a **determined product** or for providing a **determined service**.

According to INPI...

Service **provision centre** is the geographical area where a particular service is provided. In this case, the place has become known for the service provided, not for the product eventually related to that service.

A service is understood as the actual work that is carried out. It is the specific regular activity that takes place in a given geographical area. The protection granted by the GI, in this case, refers to the service itself, not to the product or the result of this activity.

Application

Technical Specifications

Service	Service description	Additional information about the service
bird watching tourism	Bird watching eco tourism	Activity carried out in the floodplain areas that consists of observing native birds during the flood period.
adventure tourism	Practice of adventure sports activities associated with the local nature	Adventure sports, namely canoeing, rappelling in waterfalls, climbing, trails, mountaineering and tree climbing, carried out in an area of preserved Atlantic Forest, known for having environmental characteristics that allow the practice of such activities.
cycle tourism	Bicycle tourism in small farms	Cycling tourism on small properties that grow organic fruit in the mountainous region of the state that became known for attracting this practice to the region.
gastronomic services	Gastronomic pole focused on northeastern cuisine	Complex of bars and restaurants known for serving a wide variety of dishes and drinks typical of the cuisine of the Northeast Region of Brazil, following typically Northeastern recipes.
beach wear trading services	Exclusive sale of beachwear in small stores	Group of small stores dedicated to the sale of beachwear located on the city's historic promenade by the sea.
therapeutic tourism services	Activities focused on immersion baths and thermal water-based treatments	Immersion bath services and treatments performed in local waters, naturally heated below the earth's surface, containing chemical properties that help in the treatment of skin problems.

Example



Porto Digital

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Porto Digital

Refers to:

Information and Communication Technology (ICT) services including the development, maintenance and support.

Recognised for its unique territoriality among technological parks, Porto Digital is an urban park located in the historic centre of Recife, in Pernambuco, covering 171 hectares.

In the past, the city has emerged as a favourable environment for cultural and technological development, becoming one of the most modern and vital cities in Brazil. But after a period of glory, the city lost space and attention. The region was degraded and become of little importance to the local economy.

The turning point was just Porto Digital. Since the protection of this GI in 2012, the city has been rapidly reclassified in terms of urban planning, real estate and the recovery of the historical heritage built since the park's foundation in 2000. More than 138,000 square meters of historic properties are restored thanks to Porto Digital.

Challenges

Clear **understanding** of the **meaning** and **potential** of a GI

Service Providers **Organisation**

Support and **sponsorship**

Post-registration **management**





Thank you!

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