Geographical indications: Recent developments in the EU

Worldwide Symposium on GIs
Lisbon, 2 July 2019

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Geographical Indications
European Commission
Update on GI issues from EU

Regulation and policy

Bilateral and multilateral agreements

Transparency and databases

Empowering producer groups

Internet and DNS

http://ec.europa.eu/agriculture/quality
Regulation and policy

4900 GIs registered or protected
1580 from non EU countries
Supporting many more brands

High level protection
Against conflictual uses and evocations
No renewal needed
No generic erosion
Administrative enforcement
Balanced with trade mark rights
Control over marketing

Cognac GI (FR) Irish Whiskey / Uisce Beatha Eireannach GI (IE/UK) Murfatlar PGI (RO)
Mortadella Bologna PDO (IT) Λουκουμί Γεροσκήπου PGI (CY) Φέτα / Feta PDO (EL)
Link between product and place

1. Defined geographical area + 2. Specific product + 3. Link between 1. and 2. = geographical indication

Φέτα / Feta PDO (EL)
Dealu Mare PDO (RO)
Czosnek galicyjski PGI (PL)
Trade mark - GI relation

Mostly complementary

In case of conflict:

- Highly renowned prior trade mark prevents GI registration
- In other cases, co-existence
- Prior GI prevents registration of conflictual trade mark

Territoriality applies

http://ec.europa.eu/agriculture/quality
Regulation: Spirits and Wines GIs

**Spirits**
- 241 validations complete – proving the link
- New regulation 17 May 2019
  - Trade mark relation
  - Goods in transit
  - Register

**Wines**
- New register, eAmbrosia

**Notifications**
- WIPO and WTO-TRIPS
Bilateral and multilateral

30 agreements

18 negotiations

Due diligence check on GIs

Support for GI development (IP Key)

EU accession to multilateral Lisbon (Geneva Act) system – in preparation
58 GIs of Japan protected in EU
Transparency: eAmbrosia and GI View

- eAmbrosia public
- 30 agreements
- Country input and control

GI-View

- customs
- police
- anti-fraud
- judiciary
- shop
- inspectorate
- rural policy
- retailers
- traders
- TM applicants
- research
- publicity

eAmbrosia – the legal registers
GI-View – hosted by EUIPO (2020)
Empowering producer groups

Rural economy

Economic development

AU GI strategy for Africa

Protecting women farmers’ rights
GIs vulnerable to domain name abuse
Rights not fully recognized
Comparison with trade marks

WIPO debates:
  Internet domain name process
  SCT (Standing committee on trademarks, designs and GIs)
Conclusions

More light being shone on GIs

Next steps:

- Build partnerships (IP Key; agreements)
- DNS / simplification / GI-View / evaluation

GIs illustrate the value of IPR:

- Easily understood
- Protect farmers’/producers’ rights
- Promote rural development
- Guarantee authenticity to consumers
- Protect local value at global level

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Thank you for your attention