

Best Practices

1. Conduct a thorough, evidence-based examinations of GI applications.
2. Designate IP experts to handle GI application processes.
3. Establish due process procedures that fully guarantee the procedural rights of the parties involved.
4. Allow stakeholders the opportunity to challenge GIs or trademark applications and registrations.
5. Assess whether a term is a common name within a country's own jurisdiction.
6. Provide opportunities for third party challenges, should a term become a common name over time.
7. Promote clear labeling guidelines to help distinguish between protected GIs and common name products.



Consortium for Common Food Names

Everyone should have the right to use common names in marketing well-known, favorite foods. At CCFN, we're fighting for those rights for producers around the world.



Where to find us

E-mail

info@CommonFoodNames.com

Website

www.commonfoodnames.com

Common Names and Geographical Indications



What is a Common Name?

Common names are terms that are widely used to describe a type, style, category, or general class of product rather than indicating a specific geographic origin or producer. Common name examples include monterey jack, gouda, or chateau.

The Issue

Around the world - and with increasing frequency - exclusive rights are being granted to generic names by which millions of consumers have long recognized some of their favorite foods, such as parmesan and feta.



Common Names and GI Protection

GIs and common names can and should coexist within a fair intellectual property system.

Key Legal Principles

1. Territoriality

GIs must be assessed according to a country's own market, not automatically granted based on foreign recognition.

2. Transparency

Provide public notice of common name elements in multi-component terms, e.g., 'provolone' in "Provolone Valpadana".



Considerations

What do consumers see in the grocery store?

Are there international product standards?

Is the product imported?

How is the term being used in the marketplace?



The Importance of a Balanced GI System

For Producers

To ensure they can fairly describe and market their goods using widely recognized, non-exclusive terms.

For Consumers

To maintain access to more choices at the store, and lower prices as the result of more competition.

For Retailers

To drive greater sales of beloved products, which protects against smaller margins.

For Intellectual Property Systems

To uphold the integrity, fairness, and transparency of IP regimes by ensuring that protection mechanisms do not overreach into the public domain.