



# Protection of Geographical Indications

- implementation of an adapted legal framework

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- International Registration (Appellations of Origin)
- Technical Assistance to Member States
- Protection of Traditional Knowledge
- Symposia
- Standing Committee on the Law of TMs, IDs and GIs
- Arbitration (Domain Names)

# Geographical Indications

- subject-matter of protection

## Indication of a Connection between Characteristics of Products and their Geographical Origin

- Informs consumers of the uniqueness of the products derived from this connection (typicality)
- Represents the collective goodwill derived from this uniqueness (reputation)
  - Value-added

## WIPO Standing Committee

Document SCT/10/4, paragraphs 10-13

### Quality

- legal criterion, allowing a product to be identified
- qualitative link different for GI than for AO ?
- disadvantage for countries whose GIs are industrial products ?

## WIPO Standing Committee

Document SCT/10/4, paragraphs 23-26

### Reputation

- history of the product
- distinctive character of the product
- consumer's perception

## WIPO Standing Committee

Document SCT/10/4, paragraphs 27-30

### Characteristics other than quality and reputation

- natural and human factors (“terroir”)
- any element that contributes to the typicality of the product

## WIPO Standing Committee

Document SCT/10/4, paragraphs 31-36

### Link with the geographical origin

- explains the relationship between the geographical area and one or more elements of the definition
- Critical element for determining the delimitation of the geographical area

Some systems only require delimited zones to differ in geological terms from others

## Definition - TRIPS

### Geographical Indication

Indication which **identifies** 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**



## Definition

- Lisbon

### Appellation of Origin

The geographical denomination of a country, region, or locality, which **serves to designate** a product originating therein, of which the **quality/characteristics** are **due exclusively or essentially to the geographical environment**, including natural and human factors

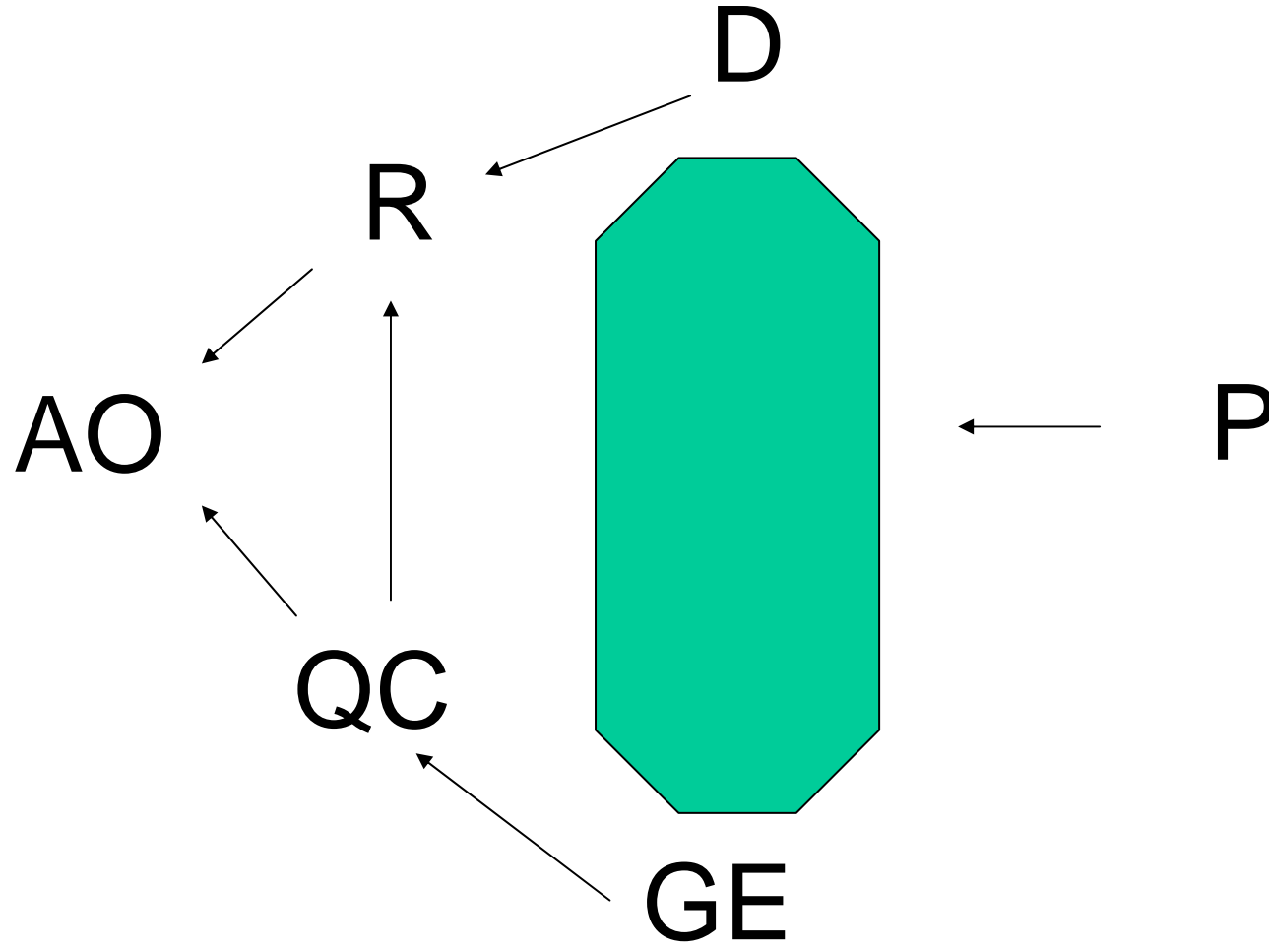


## Definition

- Lisbon

“country of origin”

The country whose name, or in which is situated  
the region or locality whose name,  
constitutes  
the appellation of origin  
which has given the product its reputation



## Means of Protection

- Laws focusing on business practices
- Trademark law
- Sui generis legislation
  - concerning specifically defined characteristics of the product or methods of their production
- Other special protection



## International Protection of Geographical Indications

- **Paris Convention (1883)**
- **Madrid Agreement (1891)**  
(repression of false and deceptive indications)
- **Madrid Agreement and Protocol (1891, 1989)**  
(international registration of marks)
- **Lisbon Agreement (1958)**
- **Bilateral Agreements**
- **TRIPS Agreement (1994)**

## TRIPS Agreement (1994) - WTO

- Incorporation of the Provisions of the Paris Convention
- Definition
- Norms for Protection
- Enforcement Procedures and Remedies
- Dispute Settlement
- Built-in Agenda
- Doha Declaration

## International Registration of GIs

*The Existing Systems:  
Lisbon and Madrid*



## 26 Member States

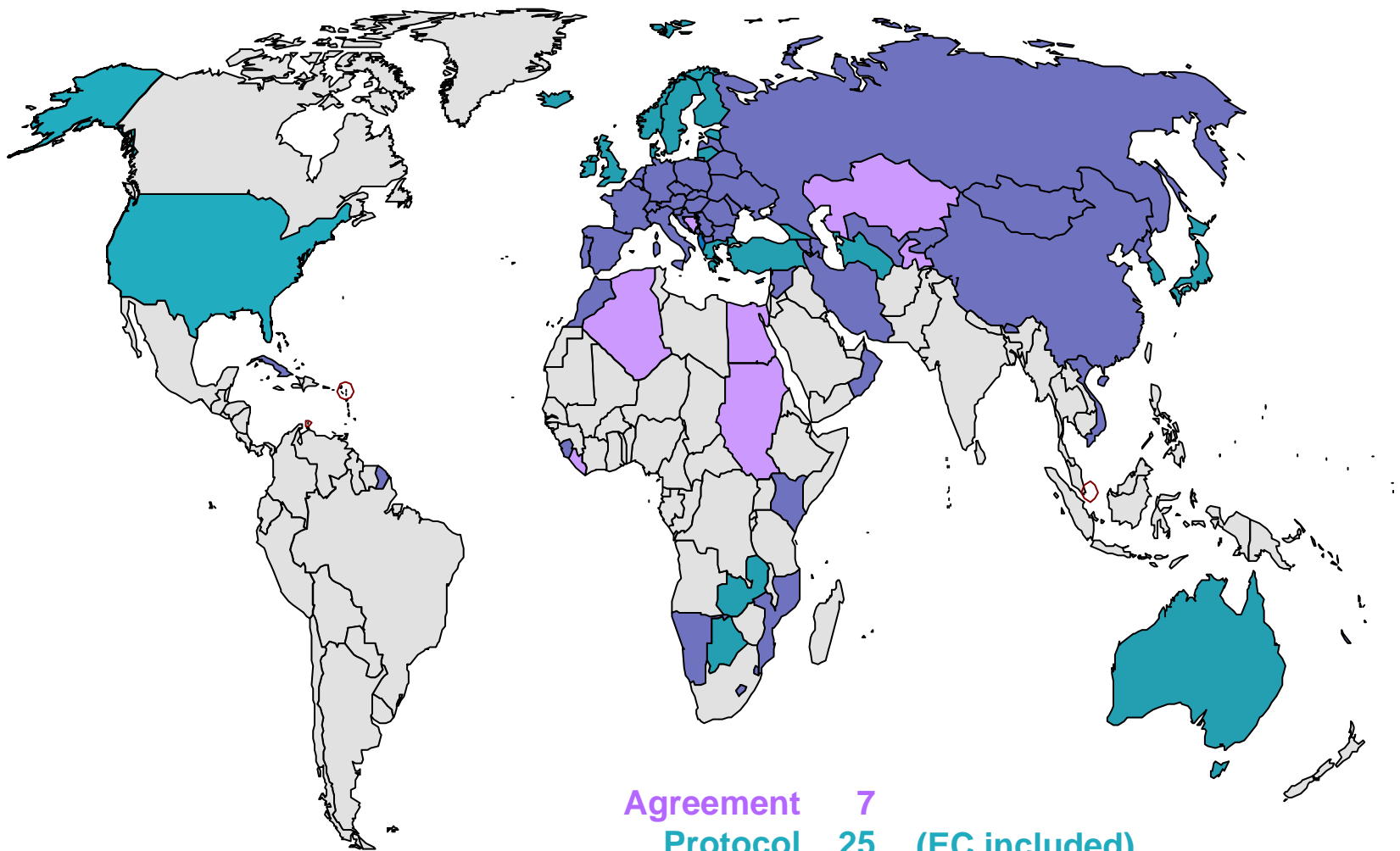
- Africa (6): Algeria, Burkina Faso, Congo, Gabon, Togo, Tunisia
- America (6): Costa Rica, Cuba, Haiti, Mexico, Nicaragua, Peru
- Asia (4): Georgia, Islamic Rep. of Iran, Israel, DPR of Korea
- Europe (10): Bulgaria, Czech Rep., France, Hungary, Italy, Moldova, Montenegro, Portugal, Serbia, Slovakia



# Madrid Union

81 members

Lisbon System



Agreement	7	
Protocol	25	(EC included)
Agreement and Protocol	49	



Certification Trade Mark



**PARMIGIANO  
REGGIANO**



Résultats de la recherche dans Lisbonne - Microsoft Internet Explorer

File Edit View Favorites Tools Help

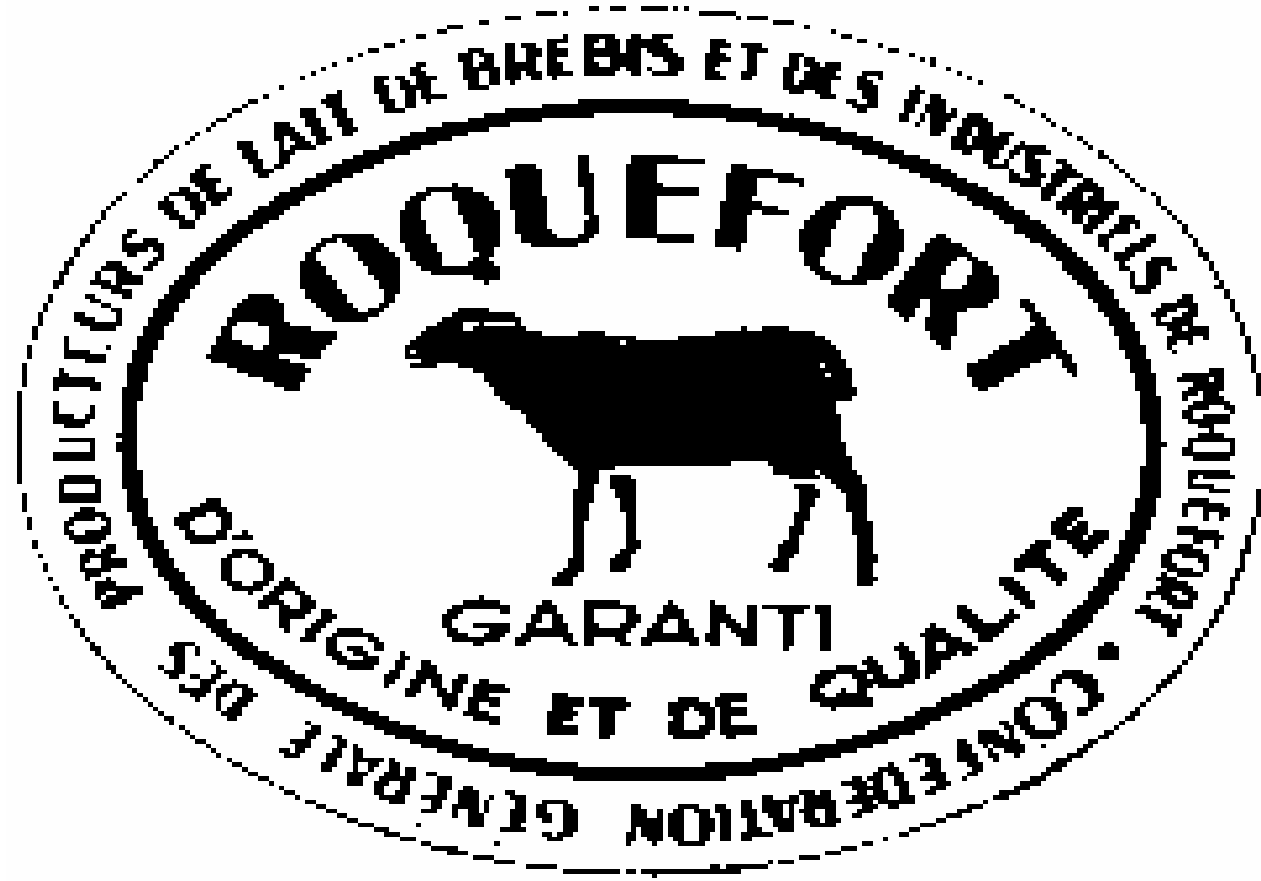
[Récapitulation des résultats]  
**Résultats de la recherche dans LISBON pour:**  
AP/parmigiano : 1 document  
*document 1 à 1 sur 1 :*

Affiner l'interrogation

No.	Appellation
1.	513 <a href="#">PARMIGIANO-REGGIANO</a>

**Récapitulation des résultats**  
AP/parmigiano: 2 occurrences dans 1 document.  
Durée de la recherche: 0.07 secondes.

Local intranet



Résultats de la recherche dans Lisbonne - Microsoft Internet Explorer

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Recherche dans LISBON...

[\[Récapitulation des résultats\]](#)

**Résultats de la recherche dans LISBON pour:**  
**AP/roquefort:** 1 document  
*document 1 à 1 sur 1 :*

Affiner l'interrogation

No. Appellation	
1.	459 <a href="#">ROQUEFORT</a>

**Récapitulation des résultats**

**AP/roquefort:** 2 occurrences dans 1 document.

Durée de la recherche: 0 secondes.

Done Local intranet

## Substantive Requirements

### Protection in the country of origin

- *Ex ante* recognition
- “Appellation of origin” as defined
- “Country of origin” as defined
- Demarcation of the area of production



## Legal Effect

### Effect of international registration

- extension of protection to countries other than the country of origin
- indefinite (in principle)

### Except in a country that ...

- issued a refusal (within the prescribed time-limit), or
- invalidated the effect of the international registration in its territory





## Lisbon: 884 registrations - 810 in force

Lisbon System

• France	508	• Algeria	7
• Czech Rep.	76	• Portugal	7
• Bulgaria	51	• Tunisia	7
• Slovakia	37	• DPR of Korea	4
• Hungary	28	• Peru	3
• Italy	28	• Montenegro	2
• Georgia	20	• Moldova	1
• Cuba	19	• Israel	1
• Mexico	11		



		1 of 1
Number	840	
Date	02.10.2001	
Holder	État Mexicain (Mexique) / State of Mexico (Mexico) / Estado Mexicano (México)	
Appellation	<b>Café Veracruz</b>	
Publication	N° 31 : 01/2002	
Country of Origin	MX	
Nice Classification	30	
Product	Café vert ou grillé / Green or roasted coffee / Café verde o tostado	
Area of Production	L'État de <b>Veracruz</b> / State of <b>Veracruz</b> / Estado de <b>Veracruz</b>	
Legal basis	Loi sur la Propriété Industrielle, publiée dans le Journal Officiel du 2 août 1994. Déclaration Générale de Protection de l'appellation d'origine Café <b>Veracruz</b> , publiée dans le Journal Officiel du 15 novembre 2000 / Law on industrial property, published in the Official Journal on August 2, 1994. General Declaration of protection of the Café <b>Veracruz</b> appellation of origin, published in the Official Journal on November 15, 2000 / Ley sobre la Propiedad Industrial, publicada en el Boletín Oficial de 2 de agosto de 1994. Declaración General de Protección de la Denominación de Origen Café <b>Veracruz</b> , publicada en el Boletín Oficial de 15 de noviembre de 2000	
Refusal	PT - 07.10.2002	
Language	Français / French / Francés	
Note	À l'égard des enregistrements internationaux effectués à partir du 1er avril 2002, les traductions de l'appellation d'origine et, le cas échéant, leur translittération, figurent dans des rubriques distinctes de celle de l'appellation d'origine elle-même / With regard to international	

File Edit View Favorites Tools Help	
Number	1
Date	22.11.1967
Holder	Les organisations qui, dans la région, s'occupent de la production des produits mentionnés / The organisations that produce, in this region, the said products / Las organizaciones que se ocupan, en la región, de la producción de los productos mencionados
Appellation	<b>PLZEŇ</b> <b>PILSEN PILS</b> <b>PILSENER</b> <b>PILSNER</b>
Publication	N° 1 : 03/1968
Country of Origin	CZ
Nice Classification	32
Product	Bière / Beer / Cerveza
Area of Production	Ville de Plzeň ( <b>Pilsen</b> ) / City of Plzeň ( <b>Pilsen</b> ) / Ciudad de Plzeň ( <b>Pilsen</b> )
Legal basis	Arrêté n° 12.594/66-01/31 du 3 novembre 1966 du Ministère de l'industrie alimentaire / Executive Order N° 12.594/66-01/31 of November 3, 1966 of the Ministry of Food Processing Industry / Decreto 12.594/66-01/31 de 3 de noviembre de 1966 del Ministerio de la Industria Alimentaria
Refusal	FR - 10.04.1969 YU - 24.05.2000
Withdrawal	MX 22.05.1980 (Date du refus initial / Date of the initial refusal / Fecha de la denegación inicial: 11.06.1969)
Language	Français / French / Francés
Note	À l'égard des enregistrements internationaux effectués à partir du 1er avril 2002, les traductions de l'appellation d'origine et, le cas échéant,

Done Trusted sites

File Edit View Favorites Tools Help	
Number	837
Date	24.11.2000
Holder	BUDĚJOVICKÝ MĚŠŤANSKÝ PIVOVAR, Lidická 458/51, 370 54 České Budějovice, République tchèque / Lidická 458/51, 370 54 České Budějovice, Czech Republic / Lidická 458/51, 370 54 České Budějovice, República Checa
Appellation	<b>Budějovický měštanský var</b> <b>Budweiser Bürgerbrau</b>
Publication	N° 30 : 01/2001
Country of Origin	CZ
Nice Classification	32
Product	Bière / Beer / Cerveza
Area of Production	République tchèque, České Budějovice / Czech Republic, České Budějovice / República Checa, České Budějovice
Legal basis	Enregistrement national n° 152 en date du 20 décembre 1991 en vertu de la Loi tchèque n° 159/1973 du Recueil des lois du 12 décembre 1973 / National Registration N° 152 of December 20, 1991, under Law N° 159/1973 of the Collection of Laws of the Czech Republic of December 12, 1973 / Registro Nacional N° 54, de 1 de febrero de 1974, con arreglo a la Ley checa 159/1973 del Compendio de Leyes de 12 de diciembre de 1973
Refusal	IL - 30.05.2001 CR - 03.09.2001 MX - 16.01.2002 IT - 18.01.2002 HU - 22.01.2002 HT - 23.01.2002 PT - 07.02.2002 MD - 05.04.2002
Language	Français / French / Francés

Trusted sites

File Edit View Favorites Tools Help

Searching LISBON...

[Search Summary]

**Results of searching in LISBON for:**  
**AP/porto:** 2 records  
*Showing records 1 to 2 of 2:*

Refine Search

No.	Appellation
1.	696 <a href="#">Vin de Corse - Porto Vecchio</a>
2.	682 <a href="#">PORTO</a>

**Search Summary**

**AP/porto:** 4 occurrences in 2 records.

Search Time: 0 seconds.

▲

Trusted sites

Number 865

Date 19.05.2005

Holder L'État péruvien est le titulaire de l'appellation d'origine. En l'espèce, l'état péruvien est représenté par l'INDECOPI / The titleholder of the appellation of origin is the Peruvian State. The Peruvian State is represented in this case by INDECOPI / El titular de la denominación de origen es el Estado Peruano. El Estado Peruano está representado en este caso por INDECOPI

Appellation **PISCO**

Publication N° 35 : 01/2006

Country of Origin PE

Nice Classification 33

Product Boisson alcoolique, le Pisco est une liqueur de raisin élaborée à partir de la fermentation de bouillons frais de moûts de raisin selon les méthodes traditionnelles établies dans les zones de fabrication préalablement délimitées, conformément aux critères de production énoncés dans la norme technique nationale péruvienne 211-001:2002 / Alcoholic beverage, Pisco is a liquor of grape, obtained by distilling fresh must of recently fermented grapes in accordance with traditional methods established in the production areas previously recognized and classified as such in the normative rules contained in the Peruvian Technical Standard 211-011:2002 / Bebida alcohólica, el Pisco es una bebida espirituosa de uva que se obtiene de la destilación del mosto fresco de uvas recién fermentadas, según métodos tradicionales establecidos en las áreas de producción previamente reconocidas y clasificadas como tales en la Norma Técnica Peruana Obligatoria 211-001:2002

Area of Production La région de production exclusive du Pisco est sise dans la zone côtière des départements de Lima, Ica, Arequipa, Moquegua et dans les vallées de Locumba, Sama et Caplina du département de Tacna, toutes sur le territoire péruvien / The geographical area recognized for the production of Pisco is located in the coast of the Departments of Lima, Ica, Arequipa, Moquegua and the valleys of Locumba, Sama and Caplina in the Department of Tacna, all in Peru / El área geográfica reconocida para la producción de Pisco está situada en la costa de los Departamentos de Lima, Ica, Arequipa, Moquegua y los valles de Locumba, Sama y Caplina, en el Departamento de Tacna, todos en el Perú

Legal basis Enregistrement national ou régional. (Résolution Directoriale n° 072087-DIPI du 12 décembre 1990, Registre n° 1) / National or regional registration. (Directorial Resolution No. 072087-DIPI of December 12, 1990, Register No. 1) / Registro nacional o regional (Resolución Directoral N° 072087-DIPI, del 12 de diciembre de 1990, Registro N° 1)

Refusal  
 MX - 19.06.2006  
 CZ - 07.07.2006  
 FR - 07.07.2006  
 IT - 07.07.2006  
 SK - 10.07.2006  
 HU - 10.07.2006  
 CR - 13.07.2006  
 PT - 13.07.2006  
 BG - 14.07.2006

Language Anglais / English / Inglés



THANK YOU

Matthijs Geuze  
WIPO

