

A light green world map is centered in the background of the slide. The map shows the outlines of continents and countries. In the top left corner, there is a vertical blue bar that transitions from a darker blue at the top to a lighter blue at the bottom.

oriGIn

**Round table
on the Green Paper on Agricultural Product Quality:
The point of view of oriGIn**

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Presentation overview

A. GIs and trademarks

B. Optimizing the EU system of GI protection

C. GI protection: the international dimension

A. GIs and trademarks

Preliminary considerations:

- Trademarks provide geographical names with a different kind of protection (in terms of costs of registration, extent of protection, enforcement, etc.) compared to PDOs/PGIs
- The EU *sui generis* system (Reg. 510/06, Reg. 479/2008 and Reg. 110/2008) better fits the interests of GI producers

A. GIs and trademarks

Trademarks' registration of geographical names are useful to get protection in countries outside the EU:

- a) Through a national registration (e. g.: certification marks in the US)
- b) Or through an international registration via the Madrid System (WIPO)

A. GIs and trademarks

- Several trademarks' applications identical or confusingly similar to PDOs/PGIs have been registered all around Europe by non-authorized entities
- Need to clarify the application of art. 13 and 14 of the EC Reg. 510/06 (+ art. 44 and 45 of the Reg. 479/2008 and art. 16 and 23 of Reg. 110/2008) to national trademark offices and OHIM

B. Optimizing the EU system of GI protection

- For the 3 Regulations: Need of clarification on the use of geographical names within a geographical area (e.g.: “Edinburgh Whisky”)
- For Reg. 510/2006: Exhaustive list of products covered by protection is not effective:

Alternative: *An indicative list + a general definition of the concept of GIs (case-by-case evaluation by the Commission and no need of subsequent legislative interventions)*

C. GIs protection: the international dimension

Main problems for producers seeking protection outside the EU are encountered in countries that protect geographical names through trademarks:

- Geographical names considered generic
- A previous registration was filed

C. GIs protection: the international dimension

Solutions:

- Strengthening WTO rules (“GI extension” + establishment of a truly multilateral Register, opened to all products and producing meaningful legal effects)
- Signature of regional and bilateral agreements with “strategic countries”
- GIs included in the scope of application of the Anti-Counterfeiting Trade Agreement (ACTA)



Many thanks for your attention

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