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## US Would-Be GI Wins Solidarity Award From European GI Producers

By Catherine Saez on 28 October 2010 @ 5:40 pm

European proponents of geographical indications have granted an award to a Hawaiian coffee lacking GI protection as a sign of solidarity with the producers, they said. Europe is a prominent actor in this type of intellectual property right on products linked to specific regions, and the French government along with a GI lobby group last week held an informational event geared towards Africa.

Coffee from the Kona region of Hawaii won an international award at the Salone del Gusto, Slow Food biannual event last week, organisers said in a [press release](#) <sup>[1]</sup>.

Kona Coffee received the Parmigiano-Reggiano award on 23 October, and Colehour Bondera, representing the Hawaiian coffee producers, said the award "greatly advances the recognition of our struggles to keep the unique terroir and processing of Kona coffee a hundred percent pure."

Geographical indications (GIs) are an issue "of extraordinary importance at the global level," said Giuseppe Alai, president of the Parmigiano-Reggiano Consortium, which sponsored the event in Turin, Italy, "particularly given the fact that within the World Trade Organization, the problem of protecting these products of excellence, with a strong link to place, remains open."

GIs are place names that are used to identify products with special characteristics linked to these places. WTO member countries have been debating for years the legal effect of a register of GIs and the legal effect on countries choosing not to participate in the system, according to the WTO.

According to Alai, the lack of recognition of geographical at the WTO level allows "fakes and imitations to remain and also spread, and they represent a serious loss to producers and a fraud towards consumers." He said unfair competition was hitting Kona coffee producers under the guise of a blend called "Kona Coffee Blend," which contained only 10 percent of Kona coffee and blended with coffee coming from other places.

This is rendered possible because Kona coffee is under a certification mark, as geographical indications do not exist in the United States, which is owned by the state of Hawaii, and which allows those practices, Massimo Vittori, secretary general of the Organization for an International Geographical Indications Network (OriGIn), told *Intellectual Property Watch* later.

The Parmigiano-Reggiano International Award, established in 2004, is given every two years to "a traditional product from another country that shares the characteristics of geographical indication products, expresses its territory of origin, is under attack from fakes, and has an organisation that is seeking to protect it," according to the release. Previous winners were Quebec ice cider, Colombian coffee and Moroccan Argan oil.

On 25 October, the International Organisation of La Francophonie, the French delegation to the WTO, and OriGIn organised a seminar on "a success story: the case of Comté."

Attending the meeting were mainly diplomats from francophone Africa, Vittori said.

Claude Vermot-Desroches, president of the Comité Interprofessionnel du Gruyère de Comté (interprofessional committee of Comté gruyere), said that the protected designation of origin of the cheese was contributing to local development. It allows smaller farms and dairies than the national average, ensuring a balanced geographical repartition in the territory, limited rural depopulation by allowing more farmers to have a sustainable activity in the territory and even attracting a younger generation of farmers, according to [his presentation](#) <sup>[2]</sup> [pdf] in French.

Vittori provided some advice for developing countries on geographical indications, mainly five lessons, including the need for a link to a territory, and the necessity of a collective approach including all stakeholders to set rules and governance. He also said GIs are the only approach that gives the freedom to producers on quality rules but the designation comes with responsibilities. Legal protection is also a necessity for, with success, imitations will likely appear, and finally, he said that geographical indications could provide a positive economic and social impact only if the four first conditions were applied.

GIs in ACTA

Separately, geographical indications have survived in the near-finished Anti-Counterfeiting Trade Agreement (ACTA), according to a [recent exchange](#) <sup>[3]</sup> between European Parliament Pirate Party Member Christian Engström and European Trade Commissioner Karel de Gucht published by Knowledge Ecology International.

In the exchange, de Gucht said GIs had been out of the deal but were put back in with clarification of territoriality, meaning border enforcement of GIs can only take place in countries where GIs are recognised. A distinction would have to be made between end users and goods in transit, he said.

“What we have been trying to do as the European Commission is to gain recognition for GIs, but that is not an easy task, because a lot of countries do not recognise GIs, and that cannot happen through ACTA,” de Gucht said.

*William New contributed to this story.*

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URLs in this post:

[1] press release:

[http://www.parmigianoreggiano.com/news/2010\\_1/hawaii\\_kona\\_coffee\\_wins\\_international\\_parmigiano.aspx](http://www.parmigianoreggiano.com/news/2010_1/hawaii_kona_coffee_wins_international_parmigiano.aspx)

[2] his presentation: [http://www.origin-gi.com/images/stories/PDFs/French/OriGIn\\_en\\_action/Evenements\\_OriGIn/OIF\\_cycle/geneve%2025-10-10.pdf](http://www.origin-gi.com/images/stories/PDFs/French/OriGIn_en_action/Evenements_OriGIn/OIF_cycle/geneve%2025-10-10.pdf)

[3] recent exchange: <http://www.christianengstrom.wordpress.com/>

[4] Proponents Seek To Develop Policy Potential Of US Geographical Indications:

<http://www.ip-watch.org/weblog/2010/03/31/proponents-seek-to-develop-policy-potential-of-us-geographical-indications/>

[5] GIs Can Help Development, But Key Ingredients Are Needed, FAO Says: <http://www.ip-watch.org/weblog/2010/03/01/gis-can-help-development-but-key-ingredients-are-needed-fao-says/>

[6] Ambassadors Meet Outside WTO To Discuss TRIPS Negotiations: <http://www.ip-watch.org/weblog/2010/09/24/ambassadors-meet-outside-wto-to-discuss-trips-negotiations/>