



The new EU approach in securing GI protection through bilateral agreements

**ORIGIN GENERAL ASSEMBLY
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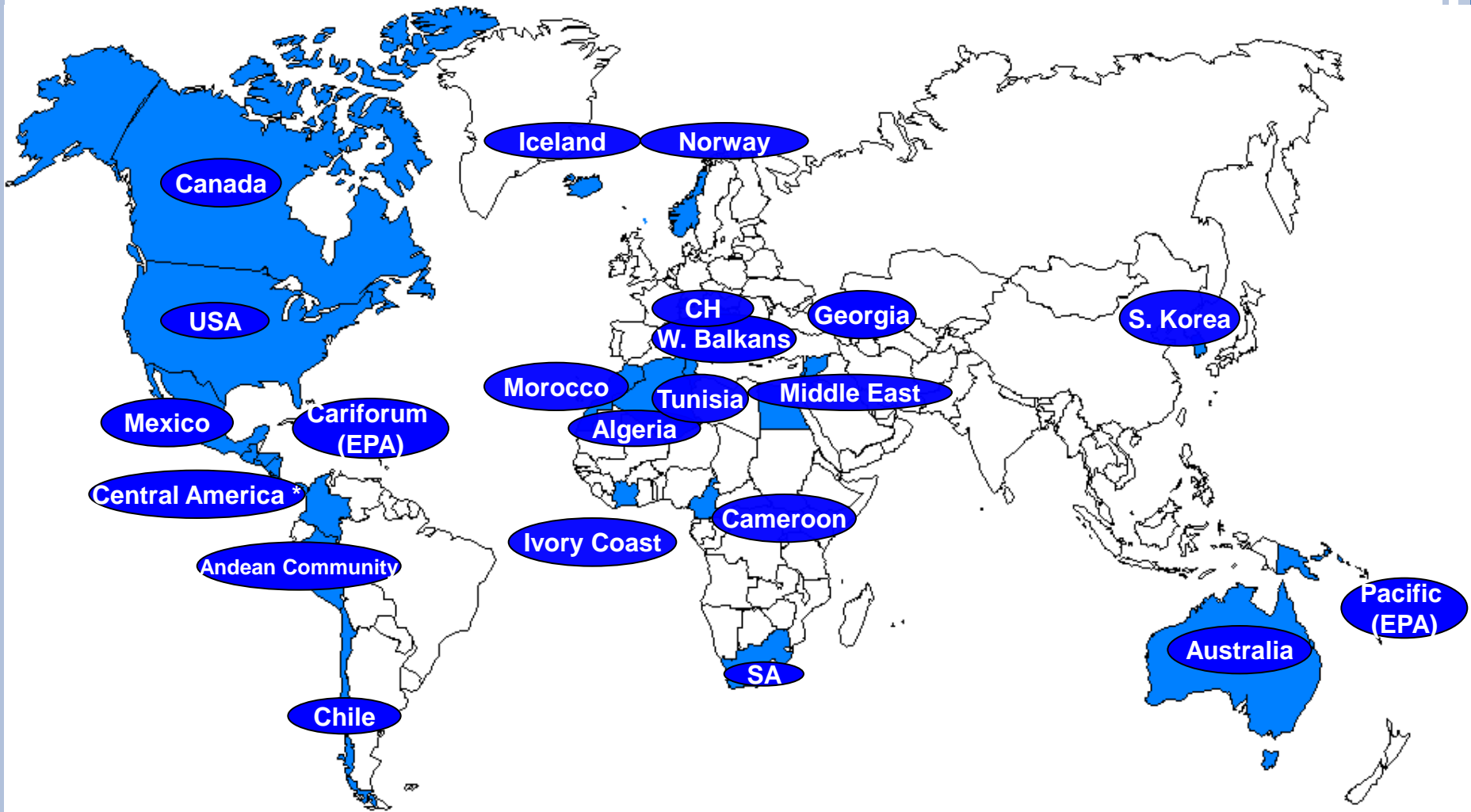
*David THUAL,
EU Advisor to oriGIn and EFOW*

The European Union: a very active trade negotiator

- 30 Bilateral Trade Agreements currently in force
- 33 Trade Agreements currently being negotiated

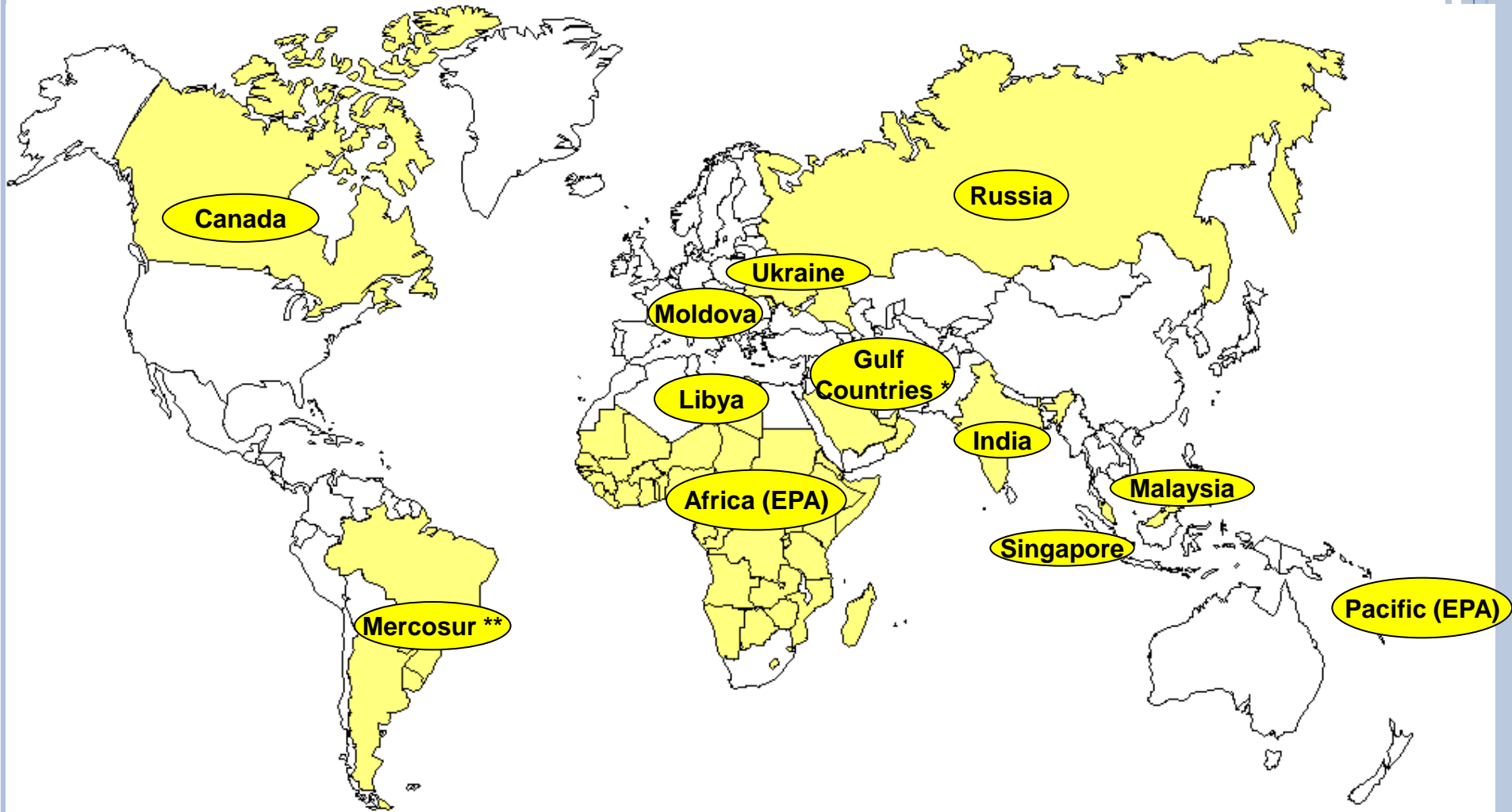


Agreements concluded by the EU



* In Central America, the EU concluded single agreements with: Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua & Panama.

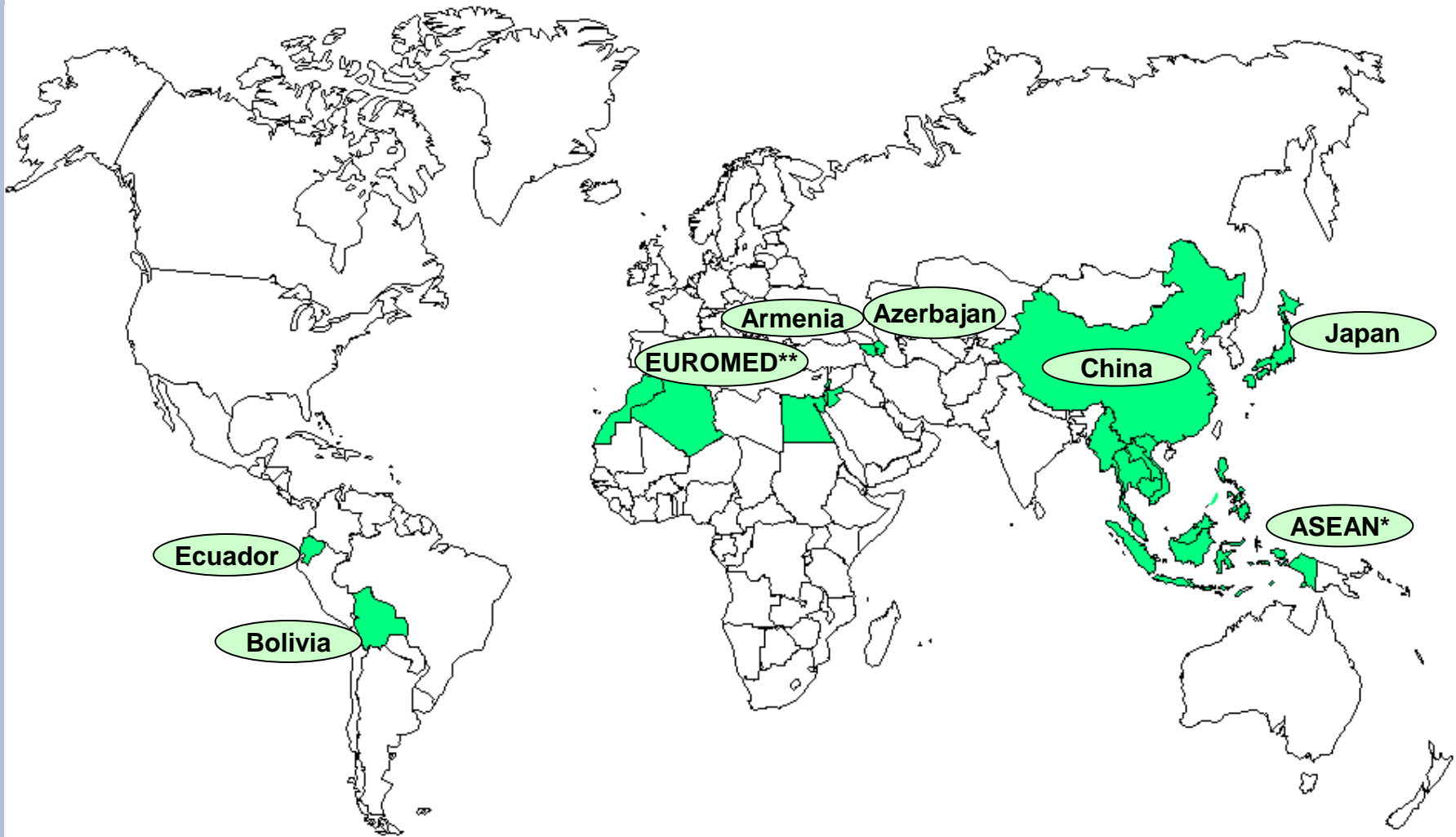
Current negotiations



* In the Gulf region, the EU negotiates agreements with: Bahrain, Kuwait, Oman, Qatar, Saudi Arabia & United Arab Emirates

** The Mercosur countries are Argentina, Brazil, Paraguay & Uruguay

Future negotiations

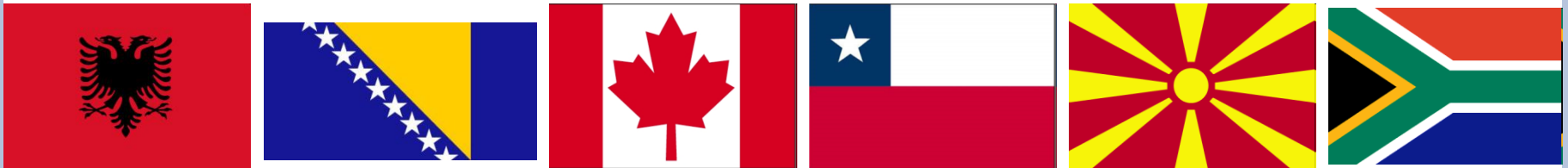


* ASEAN countries are: Brunei, Myanmar, Cambodia, Laos, Malaysia, Philippines, Singapore, Thailand & Vietnam

** EUROMED countries are : Algeria, Egypt, Israel, Jordan, Lebanon, Morocco & Occupied Palestinian Territory

EU GI PROTECTION IN BILATERAL AGREEMENTS: FROM A SECTORAL APPROACH TO...

- EU signed bilateral Agreements on the protection of **GI wines and spirits**



- Bilateral Agreements on the protection of **wines**



- Bilateral Agreements on the protection of **spirits**



EU GI PROTECTION IN BILATERAL AGREEMENTS: ... A TARGETED APPROACH

- Systematic **inclusion of a chapter on GIs in all trade agreements** negotiations
- **Wider scope of products:**
 - Wines and spirits as well as agricultural products and foodstuffs
- **Short list of products:**
 - Identification of a limited number of “priority GIs” it asks protection for in the context of each negotiation

Why this new approach?

- Internal pressure:
 - The development of the protection of PDO/PGI at the EU level => more products protected, more EU Member States interested in the GI scheme
 - More requests for the protection of all GI products (oriGIn's impact)
- External pressure:
 - Third countries with GIs want to secure protection for their products in the EU which are:
 - often non wine, nor spirits GI products
 - sometimes non agricultural GI products – an issue for the EU
- Little progress at the multilateral level => renewed interest for bilateral deals



Objective of the new EU approach:

- Protect as many EU GIs as possible in third countries
- Secure the highest level of protection possible
- Resolve difficult cases:
 - Generic uses of European GI names
 - Conflicts with trademarks



The EU negotiates 4 types of agreements

1. Specific Agreements on the protection of GIs
2. Trade agreements including a chapter on GIs
3. Trade agreements including a clause stating that a specific bilateral agreement on the protection of GI will be negotiated after the ratification of the trade agreement
4. Cooperation Agreements (*technical cooperation - no protection aspects*)



1. Example of a specific Agreement on the protection of GIs: EU Switzerland

- Bilateral agreement for the protection of GIs for agricultural products and foodstuffs concluded in 2010
- Scope: 818 EU registered GIs registered - 22 Swiss GIs (all GIs of the parties – wines and spirits excluded as already covered by a previous agreement)



2. Example of a Trade Agreement with a chapter on GIs:

FTA EU – Republic of Korea



- Free Trade Agreement finalized in 2009
- Special chapter on GI protection with short list of GIs for agricultural products and foodstuffs, as well as wines and spirits (1st “short list” Agreement)
 - 60 EU & 63 South Korean Agricultural products and foodstuffs
 - 80 EU Wines & 1 South Korean Wine
 - 22 EU spirits
- Same approach used in other bilateral agreements:
 - Recently concluded: Andean Community (Colombia and Peru) & Georgia
 - Ongoing: MERCOSUR, Ukraine, Moldova, India, Central America & Singapore



3. Example of a specific Agreement negotiated after the ratification of the Trade Agreement: EU-Morocco

- Association Agreement on improving bilateral trade conditions for products from the agri-food and fisheries sector between the EU and Morocco
- The agreement provides that negotiations of an *ad hoc* agreement on the protection of all GIs of both parties will be opened when the Association Agreement enters into force



4. Example of a Cooperation Agreements: EU-ACP countries

- Cooperation Agreements with CARIFORUM (concluded) & other ACP countries through Economic Partnership Agreements (currently ongoing)
- Scope:
 - Do not cover the protection of GIs as such
 - Framework for the establishment of a support to protect GI at the local level (Africa, Caribbean and Pacific)



Lessons for GI Producers

- Need to remain vigilant and make sure that as many GI products are included in the scope of these agreement in the first place (short list) and the door open to other GI products
- Need for more coordination and joint action between all GI sectors: wines, spirits and other agricultural products and foodstuffs

Thank you
for your attention

