

# Activities Report



2010-2011

**Dear oriGIn Members,**

As an extremely challenging and rewarding biennium for our Association comes to an end, we would like to review the highlights for oriGIn and the world of GIs.

Overall, we are proud to be in a position to say that oriGIn has solidified its role as a leading international opinion maker in the field of GIs and has become a partner to the most relevant international actors. There is no seminar, symposium or workshop on GIs that can be considered complete without oriGIn's participation and the private sector point of view that our organization brings. Together with its international relevance, oriGIn's resources have been growing constantly over the past 3 years (see account, page 4): they skyrocketed in 2009 (80% increase), continued to grow in 2010 (14% increase, an impressive result after the performance in 2009 and the devaluation of the Euro vis-à-vis the Swiss Franc) and is expected to remain constant this year (in spite of the persistent devaluation of the Euro vis-à-vis the Swiss Franc – without such devaluation the growth would have continued).

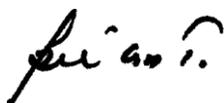
With respect to international negotiations, in 2010-2011 we continued to encourage WTO negotiators in Geneva to establish a more transparent and fair legal framework for GIs. On the other hand, oriGIn played a key role in making sure GIs were included under the scope of the Anti-Counterfeiting Trade Agreement (ACTA) and helped shape the debate within the WIPO Working Group on the development of the Lisbon System. oriGIn also worked with key European stakeholders on the reform of the EU Quality Policy. To be closer to the international negotiations on GIs, in February 2011, oriGIn moved its headquarters to the heart of the "Genève Internationale." The new location was instrumental in renewing our efforts for a positive outcome of the international negotiations on GIs, which fully takes into account the needs of producers.

The biennium has seen oriGIn working closely with donors and technical assistance agencies in several developing countries to raise awareness on the economic potential of local GIs as well as to facilitate the exchange of best practices with consolidated GI associations.

In addition, in 2010-2011 oriGIn has continued to provide its members with invaluable technical support in the form of periodical reports, newsletters, studies, information on court decisions and national laws, as well as other material and practical tools on GIs, including the oriGIn manual on GIs in the United States.

Over the past 2 years, GIs have demonstrated their truly global nature. In countries such as Cambodia, Argentina and the Dominican Republic, the first national GIs were registered. An American appellation, "Napa Valley" became the 1<sup>st</sup> American GI recognized in India. Various Chinese product names, such as "Longkou Fen Si," a threadlike dry starch product made from green beans and peas, were registered in the EU under Regulation 510/2006. Some 13 non-European agricultural GIs are poised to obtain recognition in the EU (5 from China, 3 from Thailand, 2 from Turkey, 2 from India and 1 from Vietnam). The African Intellectual Property Organization (AIPO), with the support of various donor agencies, is selecting promising GIs in member States and helping producers to structure the production chain and obtain legal protection for the GIs. Likewise, over the past two years, oriGIn has welcomed new members from Brazil, Canada, Chile, China, Croatia, Germany, France, Guatemala, Honduras, Jamaica, India, Indonesia, Italy, Malaysia, Mexico, Panama, Peru, Spain, Vietnam and the United States.

All this is the result of our joint efforts and we would like to thank all of you for your support and commitment to the GI cause. As many challenges remain ahead, we look forward to working with you in the coming years with renewed energy and enthusiasm!



Ramón González Figueroa,  
President



Massimo Vittori,  
Secretary General

### **oriGIn support to the GI movement in the US**

The growing interest for origin products among consumers and producers in the United States suggests that the country could be *a new frontier for GIs* in the near future. In light of this, in March 2010, oriGIn published a handbook on “American Origin Products (AOPs): Protecting a Legacy.” The manual, written by American experts, is an innovative publication and tackles both the economic potential of American origin products as well as the shortfalls of the trademark system. Furthermore, it suggests steps that can be taken and different options for improving the protection of origin-based products in the US without a total overhaul of the current system. Since its publication, the manual has been contributing to an open debate on American GIs and facilitating a productive cross-cultural dialogue in the international debate.

Following the presentation of the manual among the diplomatic community in Geneva, in June 2010, oriGIn launched the manual in Washington D.C. and organized a seminar entitled “American Origin Products: Economic and Legal Perspectives.” This event gathered more than 50 GI specialists, including American producers, lawyers, government officials, professors, and lobbyists. Representatives of the US Patent and Trademark Office (USPTO) and the US Department of Agriculture (USDA) actively participated. The interesting discussions and the numerous products that could take advantage of the GI concept in the US confirmed the huge potential that exists in the country. In terms of GI protection, the debate demonstrated that the system available to protect geographical names (including certification and collective marks) in the United States has several flaws, especially concerning the costs of registering, monitoring and enforcing GIs.

As mentioned in our manual, the experience of American producer groups in marketing and protecting GIs in the US and abroad proves that they share the same needs and concerns as producers worldwide, including the fight against imitations and misleading marketing techniques. For example, producers of “Kona Coffee” from Hawaii suffer market losses from coffee exporters’ use of “Kona Coffee Blend,” a certification mark registered by the State of Hawaii. To use this certification mark (the specification of which was finalized without producers’ involvement), the coffee must only contain 10% Kona. As a result, the product labeled “Kona Coffee Blend” is often mixed with coffee of low quality from other places. In December 2010, as a sign of solidarity with the Hawaiian producers, “Kona Coffee” won the prestigious “Parmigiano Reggiano International Award” at “Salone del Gusto”, the Slow Food biannual event. The event had great international press coverage, including an article published by the news agency Reuters.

### **oriGIn work at WTO and WIPO**

Regrettably, after the important result achieved in 2008 concerning the creation of majority coalition of Member States supporting stronger GI protection at the WTO, no concrete signs of progress were registered in the last biennium. With respect to the multilateral registry, the last Chairman Report (April 2011) contains a draft text. As confirmed by the various brackets throughout the text though substantial differences remain on key issues, including the scope of the registry (whether it should extend beyond wines and spirits), participation (whether the registry is voluntary or compulsory), and legal effects of registration. As for “GI extension”, the last Chairman Report reveals that a minority of Member States still question the need to extend the protection provided by TRIPS Article 23 to all GIs. In spite of such political blockage, in 2010-2011 oriGIn, along with “l’Organisation Internationale de la Francophonie” and the French Delegation to the WTO, kept the WTO diplomatic community in Geneva focused on GIs through a cycle of “breakfast meetings” on GIs and sustainable development. Meanwhile, oriGIn support to producers in developing countries (Cameroun, Côte d’Ivoire, Kenya and Pacific Islands) contributed to highlight the strategic interest for such countries in a solid international framework for GIs. With respect to the WIPO Working Group on the reform of the Lisbon Agreement, oriGIn proposals found large support. oriGIn insisted on 3 main points: introducing the definition of GIs, based on TRIPS Article 22.1, together with the existing definition of appellations of origin into the agreement; allowing producer groups to file an application for the international registration of an appellation of origin or GI via the Lisbon System, after having secured national protection; and maintaining a single level of protection for both GIs and appellations of origin based on the current Art. 3 of the Lisbon Agreement, which will eventually be amended to take into account the more advanced technique of usurpation and to protect, under certain circumstances, against the use of an appellation or a GI by illegitimate parties in relation to non-comparable products. WIPO will present draft amendments to the Lisbon Agreement at the next WG meeting at the end of 2011.

**oriGIn and the reform of the EU quality policy**

The reform of the quality policy is the most important issue for the future of GIs in the EU. Since the publication of a European Commission Green Paper on this issue in 2008, oriGIn has been at the forefront to give voice to GI producers. In 2010-2011, oriGIn worked with the European Parliament (EP), the Council of Ministries of Agriculture and the European Commission to shape such debate. In September 2010, oriGIn organized a roundtable in Brussels in cooperation with the "Associazione Italiana Consorzi Indicazioni Geografiche" (AICIG) and the "Conseil National des Appellations d'Origine Laitières" (CNAOL) to discuss the evolution of the quality policy at the European level. The Commissioner for Agriculture and Rural Development, Dacian Cioloș, the Chair of the Agriculture Committee of the EP, Paolo De Castro, and Members of the European Parliament (MEPs), as well as more than 80 participants were present at this event.

In 2011, oriGIn worked closely with key EU stakeholders to ensure that the management of production volumes is allowed and that the rules concerning the use of PDOs/PGIs as ingredients are clarified. In this respect, Ms Pérez's Report on the reform of the quality policy - adopted on 21 June by the Agricultural Committee of the European Parliament - was a major achievement for oriGIn. The Report significantly improves the European Commission's proposal on quality policy (December 2010), in particular with regard to PDOs and PGIs. oriGIn specifically welcomed the recognition of the role played by groups in charge of PDOs and PGIs: the possibility for those groups to manage production volumes with the goal of preserving quality and to prevent crisis is a fundamental step for the sector. Other aspects of the Report are encouraging: it strengthens PDO/PGI protection, in particular as to the role of trademark European offices in refusing *ex officio* requests of registration conflicting with PDOs/PGIs (in this respect, oriGIn produced a position paper with practical recommendations for the Office of Harmonization for the Internal Market, OHIM) and the protection of PDOs / PGIs when used as ingredients. The Report also clarifies labeling and control rules and streamlines the registration procedures for PDOs / PGIs. In September, Ms. Pérez's Report will be submitted to the plenary vote of the European Parliament. The Council of the Ministries of Agriculture will have to adopt a position and then find an agreement with the European Parliament on the overall reform of the quality policy. oriGIn will continue its work to make sure the Ministries of Agriculture will find a common position based on the excellent document prepared by the Agricultural Committee of the European Parliament.

**Accounts (CHF)**

	Budget 2011	Execution 2010	Execution 2009	Execution 2008
<b>Revenues</b>				
Member fees	220'000.00	218'052.72	217'819.75	186'442.50
International donors	250'000.00	249'978.25	194'376.90	36'457.50
Sundry	1'000.00	2'272.96	38.00	6'399.99
<b>Total revenues</b>	<b>471'000.00</b>	<b>470'303.93</b>	<b>412'234.65</b>	<b>229'299.99</b>
<b>Costs</b>				
Salaries	236'000.00	234'249.27	206'229.60	124'934.82
Consultants	15'000.00	28'354.18	69'795.33	64'473.40
Travel	10'000.00	3'634.81	30'556.41	22'983.60
Projects	170'000.00	162'114.20	45'949.70	
	<b>431'000.00</b>	<b>428'352.46</b>	<b>352'531.04</b>	<b>212'391.82</b>
<b>Other costs</b> (Office rent, phone, etc.)				
	<b>40'000.00</b>	<b>37'125.74</b>	<b>41'145.80</b>	<b>34'323.60</b>
<b>Total costs</b>	<b>471'000.00</b>	<b>465'478.20</b>	<b>393'676.84</b>	<b>246'715.42</b>
<b>Result</b>	<b>0.00</b>	<b>4'825.73</b>	<b>18'557.81</b>	<b>-17'415.43</b>