



Members' Voice (I): Training on protection and technical issues for Chinese GIs

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honourable guests attended the opening ceremony of the training and delivered speeches.

A total of 122 trainees from the provincial quality and technical supervision authorities, entry-exit inspection and quarantine bureaus, and the city level and county level bureaus and governments of the areas of origin of Chinese GI products, as well as many manufacturers of GI products participated in the training.

The technical experts on the protection of GI products, coming from the State Intellectual Property Expert Pool, China Agricultural University, China University of Political Science and Law, French company Camus in China, Consejo Regulador del Tequila, Mexico (CRT), delivered detailed descriptions and explanations concerning topics such as "GI protection systems", "intellectual property related-issues and enforcement", "quality", "marketing strategies", "GIs and tourism resources development", and answered questions on all kinds of practical problems encountered by the trainees in the field of geographical indications.

The training was the first activity organized by oriGIn's China Office, the success of which marked the member services of oriGIn China office in full swing. In future, oriGIn's China Office, led by oriGIn headquarter, will continue to play the role as a bridge and link between the domestic and foreign producers of GI products, will closely follow its own duties and the needs of its members to carry out international exchanges, seminars, product launches, technical training and services. oriGIn's China Office will continue its cooperation agenda with the objective to assist its members and all Chinese GI products at all levels, in a bid to jointly push forward GI protection in China.

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Members' Voice (II): The « appellations réservées » in Québec, a innovative legal system in North America

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The “Conseil des appellations réservées et des termes valorisants” (CARTV) is the authority appointed by the Minister of Agriculture, Fisheries and Food of Québec to control the use of reserved designations in Québec in virtue of the law “Loi sur les appellations réservées et les termes valorisants” (A.20.03)¹.

The mission of the Council is to develop and maintain recognition, certification, supervision and information systems to allow, in one hand, groups of enterprises to use a designation or a term for

food products which distinguish themselves by their origin or quality, and, on the other hand, to guarantee the authenticity of these products in order to win the confidence of the persons which consume them.

The legal system of recognition of designations of Québec, unique in North American, is recognised as an innovative system. Whereas it is based on the strengths of the European model, it is well adapted to the North-American context through its interpretation of the concept of history, of the notion of “terroir” and of the origin.

The organic appellation (“appellation biologique”) is recognised and protected in Québec since 2000. The Province of Québec is the leader in Canada in the obligation of certification and control.

Recognised in 2009, the Protected Geographical Indication “Agneau de Charlevoix” is the first designation protected in Québec. The Agneau de Charlevoix is a lamb born and reared in the region of Charlevoix, in the East of Québec, next to the Saint-Lawrence River. It is reared in sheep barn from its birth until the end of the fattening. Adapted to the characteristics of this region, its basic feed is made of barley and oats, cereals which are produced locally, and of forage mostly produced by the farmer themselves. This designation grows slowly because of the challenge is the support of the group in its management of the “life” of the designation, notably for the establishment of new farms.

The CARTV currently examines two requests of registration as designation: the “Cidre de glace du Québec” (cider) and the “Volaille Chantecler de tradition” (poultry). Furthermore, a request of registration of designation for the “Fromage au lait de vache de race Canadienne” (cheese) is about to be submitted to the CARTV.

The vision pursued by the CARTV is to be in Québec a key actor in the recognition of the niche products contributing to revitalise and energize the regional economies thanks to the emergence of new designations. One of the objectives of the CARTV is to make the designations an intellectual property right adapted to the needs of the enterprises from Québec willing to regroup themselves to enter the local market and export. We do not doubt that the emergence of new designations, notably the geographical indications, will favour the development of the regions, as well as the promotion of the heritage and the specific resources of the province of Québec.

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¹ See : <http://cartv.gouv.qc.ca/lartv>

International Affairs

At the Global Level

Anti-Counterfeiting Trade Agreement (ACTA): European Parliament's Committees reject the Agreement

On 31 May, three Committees of the European Parliament - the Legal Affairs Committee, the Industry, Research and Energy Committee and the Civil Liberties, Justice and Home Affairs Committee - rejected the ACTA. The main arguments have been that the Agreement fails to strike a balance between intellectual property and other important rights, as contained in the EU Charter of Fundamental Rights (such as the protection of personal data and the right of information)

Likewise on 21 June, the lead Committee on this issue, the International Trade Committee, rejected the text by 19 votes against 12. The Committee considered that "the intended benefits of this deal are far outweighed by the potential threats to civil liberties" and appealed to the European Commission to renegotiate parts of the deal. Its opinion to reject the ACTA should be followed by the plenary session of the Parliament, which will vote on the Agreement on 3 July. As mentioned in a previous oriGIn Report, the Parliament cannot amend the Agreement but only approve or reject it.

More information at:

<http://www.europarl.europa.eu/news/en/pressroom/content/20120529IPR45936/html/ACTA-now-rejected-by-four-EP-committees>

WIPO: Working Group on the Development of the Lisbon System

On 11-15 June, a meeting the WIPO Working Group took place in Geneva with the objective to pursue the discussion on the reform of the Lisbon Agreement on the protection of Appellations of Origin and their International Registration.

oriGIn – which participated with its Managing Director Massimo Vittori and a member of the

Executive Committee (Christian Amblard, General Manager, Syndicat du Pruneau d'Agen) – is pleased to note that, according to the Chair Report, the prevailing view in the Working Group is that the Draft New Instrument to amend the Lisbon Agreement should provide for a single and high level of protection for both geographical indications and appellations of origin.

ICANN: Publication of new top-level domain names applications

As mentioned in our previous Reports, in January 2012, the Internet Corporation for Assigned Names and Numbers (ICANN) had launched a program to create new internet "top-level domain names" (gTLD) of an "open" nature, such as .[city], .[community], .[brand], or .[GI].

On 13 June, ICANN published the list of the 1930 gTLD applications, together with the applicants' names. The applications are now subject to public comments, which can be sent until the 13 August. An objection period will also be opened for seven months.

Further information at: http://www.origin-gi.com/index.php?option=com_content&view=article&id=1796%3A22052012-new-generic-top-level-domain-gtlds-and-gis-&catid=26%3Anews&lang=en

Chile: A New Registration Request

On 8 June, the Chilean National Institute for Industrial Property (INAPI) received the registration request of "Cangrejo Dorado de Juan Fernández", the Golden Crab of Juan Fernandez. This is the second application for a seafood product from the archipelago of Juan Fernández, as the GI "Langosta de Juan Fernández" (lobster of Juan Fernández) is already protected.

The "Cangrejo Dorado de Juan Fernández" is found around the islands of the archipelago of Juan Fernandez and around the islands of San

Felix and San Ambrosio of the archipelago of the Desventuradas Islands. The crabs are the second most important economic resource exploited in these islands, after the lobster of Juan Fernández.

Further information (only in Spanish):
<http://www.inapi.cl/portal/prensa/607/w3-article-2492.html>

Brazil: GI news

On 29 May, the “Própolis vermelha de Alagoas” (the red propolis of Alagoas) was registered as GI by the Brazilian National Institute of Industrial Property (INPI).

The propolis is a resin collected by bees which is used in medicine because of its antimicrobial, anti-inflammatory and healing properties. The “Própolis vermelha de Alagoas” is produced in the municipalities of Linhares and Norte Pioneiro do Paraná and has a high content of phenolic, an antioxidant which fight cell aging. This protection will also protect the Brazilian biodiversity, as the cultivation of cacao in the municipality of Linhares and of coffee in the municipality of Norte Pioneiro do Paraná will be indirectly protected.

Further information (only in Portuguese) at:
http://www.inpi.gov.br/index.php?option=com_content&view=article&id=1072:propolis-vermelha-de-alagoas-vai-ganhar-indicacao-geografica&catid=50:slideshow&Itemid=146

Meanwhile, on 11 June, the producers of the “renda renascence do Cariri Paraibano” (renaissance lace from Cariri Paraibano) applied for the protection as “indicação de procedência” at the INPI. The craft started being thought by the Sisters in the 1830s. It was passed to poor women in the region and created employment and income in one of the areas most affected by drought in northeast Brazil. The current technique of production was introduced in the 1850s.

Further information (only in Portuguese) at:
http://www.inpi.gov.br/index.php?option=com_content&view=article&id=1131:produtores-de-renda-renascenca-pedem-ig-para-a-regiao-do-cariri-paraibano&catid=50:slideshow&Itemid=146

“Parmigiano Reggiano”: Ruling on the domain name parmigianoreggiano.it

On 25 May, the “Centro Risoluzione Dispute Domini” (CRDD) - the Italian domain name disputes resolution body - ruled in the case “Consorzio del Formaggio Parmigiano Reggiano vs. Famiglia Lusuardi Società Agricola S.S.” The case concerned the domain name “parmigianoreggiano.it”, which was registered in 1999 by the latter.

The “Consorzio” had asked the domain name at issue to be reassigned to itself on the grounds that it is identical to the PDO, which represents a collective right to the benefit of producers, and to the collective mark owned by the “Consorzio”. Likewise, the arguments of the “Consorzio” mentioned as well that “Famiglia Lusuardi Società Agricola S.S” acted in bad faith, as it did not actively use the domain name (“passive holding”), and intended to use the notoriety of the PDO in order to re-sell the domain name.

The CRDD ruled in favour of the “Consorzio” which was assigned the domain name “parmigianoreggiano.it”.

Bilateral / Regional Issues

oriGIn supports producers' efforts in developing GIs in Turkey

From 21 to 24 June 2012, an exhibition of traditional regional products was held at the Expo Centre of Antalya in Turkey. This initiative was aimed at raising awareness on Turkish potential in terms of origin-based products and the role they play in local development in Turkey. Producers of agricultural as well as handicraft products from the entire country participated in the fair which was visited by approximately 24.000 visitors and traders.

In this framework, and under the coordination of University of Antalya and the Turkish Patent Institute, a seminar was organized to discuss the

major issues and challenges for the development of the GI system in Turkey.

Representatives of oriGIn and the Italian Ministry of Agriculture participated in both the exhibition and the fair. In this context, oriGIn welcomed a Turkish GI "Finike Oranges" as a new member of its global Alliance.

Actually, some 151 GIs are registered in Turkey and more than 140 have filed an application.

EU – Georgia: Entry into force of the bilateral Agreement on the protection of GIs

On 1 April, the Agreement between the EU and Georgia on the protection of GIs for agricultural products and foodstuffs, signed in Brussels on 14 July 2011, entered into force.

Further information at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:164:0001:0001:EN:PDF>

EU – China: Deepening cooperation in agriculture and rural development

On 8-13 June, the European Commissioner for Agriculture and Rural Development, Dacian Ciolos, was in China to discuss, amongst other subjects, food security, food safety, food quality with the government, the Administration of Quality Supervision, Inspection and Quarantine (AQSIQ) as well as the State Administration for Industry and Commerce (SAIC). Special talks took place on GI and organic agriculture. Negotiations for the mutual recognition of organic food products will open soon.

Further information at: http://ec.europa.eu/agriculture/newsroom/82_en.htm

EU - Colombia and Peru Trade Agreement: approval of the Trade Ministers

On 31 May, the Trade Ministers of the EU Member States approved the Free Trade Agreement with Colombia and Peru, paving the

way for the approval of the Agreement by the European Parliament in September.

The Agreement will liberalise trade in industrial and fisheries products and include provisions on intellectual property rights. The membership to the Agreement remains open to Bolivia and Ecuador, the other two members of the Andean Community, as it was originally negotiated as a region-to-region deal between the EU and the Andean Community.

The Agreement can be read at: <http://trade.ec.europa.eu/doclib/press/index.cfm?id=691>

EU - US Transatlantic Trade Agreement: intellectual property rights would not be covered

On 21 June, the Office of the United States Trade Representative released an interim report on ways to expand transatlantic trade and investment with the EU. This report does not include negotiations on intellectual property rights. Further information at: <http://www.ustr.gov/about-us/press-office/reports-and-publications/2012/interim-report-eu-us-working-group>

India – Africa: towards Free Trade Agreements?

On 16 May, the Indian Minister for Trade and Industry declared that India considers negotiating Free Trade Agreements with African countries. A Working Group has been set up with the Common Market for Eastern and Southern Africa (COMESA) to examine the feasibility of an agreement with India. Similar actions are in preparation with other African regions, notably the Economic Community of Western African States (ECOWAS).

EU - Eastern and Southern Africa: entry into force of the first regional EPA

On 14 May, the first Economic Partnership Agreement (EPA) entered into force. Its members are the EU and Mauritius, Madagascar,

Seychelles and Zimbabwe which are grouped in the Eastern and Southern Africa.

The Agreement provides for a free access to the European market for the exportations of African states, which will open during a period of 15 years their frontiers to the European products.

Further information at:
<http://trade.ec.europa.eu/doclib/press/index.cfm?id=800>

EU Affairs

GI Policy

Quality Package: Conclusion of the negotiations Between the Parliament and the Council

In June, the Agriculture Committee of the European Parliament and the Council decided to conclude the negotiations of the Quality Package.

They reached an agreement on several important subjects (as the reinforcement of the *ex officio* protection of the PDO-PGI, which was supported by oriGIn). However, on a key issue for the sector, the possibility for the group in charge of products with PDO and PGI to manage the growth of the production volumes, there was no agreement.

oriGIn regrets that the possibility for the group in charge of products with PDO and PGI to manage the growth of the production volumes was not inserted in the Quality Package. We think that an opportunity to give the sector the necessary tools to face the challenges of the XXI century was missed by the EU. Nonetheless, we will continue our efforts on this subject in the framework of the Single CMO Regulation (see below).

The European Parliament will vote the Quality Package in plenary in September.

Agricultural Policies

Reform of the Common Agricultural Policy (CAP)

On 5 June, the Draft Report of Mr. Dantin on the Common Market Organisation for all agricultural products (Single CMO Regulation) was published on the website of the European Parliament. The Draft Report – officially presented on 18 June during the Agriculture Committee meeting - follows the legislative proposal of the European Commission published at the end of 2011.

The Draft Report inserts the reform of the milk sector ("Milk Package") into the Single CMO. It also proposes the modification of the Commission's proposals concerning:

- The recognition of producers' organisations and associations of producers' organisations (art. 106 ter) and of interbranch organisations (art 108bis);
- The extension of competences of these three types of organisations (art. 106 & 108);

Likewise, the Draft Report proposes new articles on:

- The possibility for the group in charge of products with PDO and PGI to manage the growth of the production volumes (art. 109 ter). This is the same amendment which was agreed on by the Agriculture Committee in the framework of the quality package.
- The possibility for Member States to decide that on its territory every delivery of agricultural products must be covered by a written contract (art. 113 bis & 113 ter). This is an extension of what exists for the milk sector.
- The relations between the competition law and the CAP (art. 144 and following) to take into account the specificities of the agriculture sector.

The Draft Report will now be discussed within the Agriculture Committee of the European parliament (the deadline for amendments is the 10th of July).

For further information, please consult the draft report at:
<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=%2f%2fEP%2f%2fNONSGML%2bCOMPARL%2bPE-485.843%2b02%2bDOC%2bPDF%2bV0%2f%2fEN>

News on GI Registrations

Registrations

- “Tomate La Cañada” (PGI) Spain – 09/06
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:150:0066:0067:EN:PDF>

- “**镇江香醋** (Zhenjiang Xiang Cu)” (PGI) China – 14/06
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:153:0004:0007:EN:PDF>

- “Kraški pršut” (PGI) Slovenia – 15/06
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:154:0020:0021:EN:PDF>

Registrations of modification

- “Tettnanger Hopfen” (PGI) Germany – 08/06
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:148:0015:0019:EN:PDF>
- “Berenjena de Almagro” (PGI) Spain – 12/06
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:151:0007:0008:EN:PDF>

Publication of a temporary modification of the specifications

- “Parmigiano Reggiano” (PDO) Italy – 30/05
<http://ec.europa.eu/agriculture/quality/door/publishedName.html?denominationId=6167>

Modification requests

- “Queijo de Cabra Transmontano” (PDO) Portugal – 09/06
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:163:0005:0010:EN:PDF>
- “Βόρειος Μυλοπόταμος Ρεθύμνης Κρήτης” (Vorios Mylopotamos Rethymnis Kritis) (PDO) Greece – 23/06
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:183:0021:0026:EN:PDF>

- “Κοπανιστή” (Kopanisti)(PDO) Greece – 26/06
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:186:0011:0017:EN:PDF>

- “Καλαμάτα” (Kalamata) (PDO) Greece – 26/06
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:186:0018:0025:EN:PDF>

Registration requests

- “Ficodindia di San Cono” (PDO) Italy – 26/05
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:150:0009:0012:EN:PDF>
- “Ξηρά Σύκα Ταξιάρχη» (Xira Syka Taxiarchi)” (PDO) Greece – 01/06
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:155:0011:0013:EN:PDF>
- “Lakeland Herdwick” (PDO) UK – 08/06
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:162:0016:0019:EN:PDF>
- “Porc du Sud-Ouest” (PDO) France – 08/06
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:162:0020:0024:EN:PDF>
- “Stornoway Black Pudding” (PGI) UK – 15/06
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:169:0025:0029:EN:PDF>
- “Pasas de Málaga” (PDO) Spain – 19/06
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:175:0035:0039:EN:PDF>
- “Teperfőt pogácsa” (TSG) Hungary – 21/06
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:180:0016:0021:EN:PDF>
- “Fin gras”/“Fin gras du Mézenc” (PDO) France – 21/06
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:180:0022:0026:EN:PDF>
- “Rillettes de Tours” (PGI) France – 23/06
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:183:0016:0020:EN:PDF>