



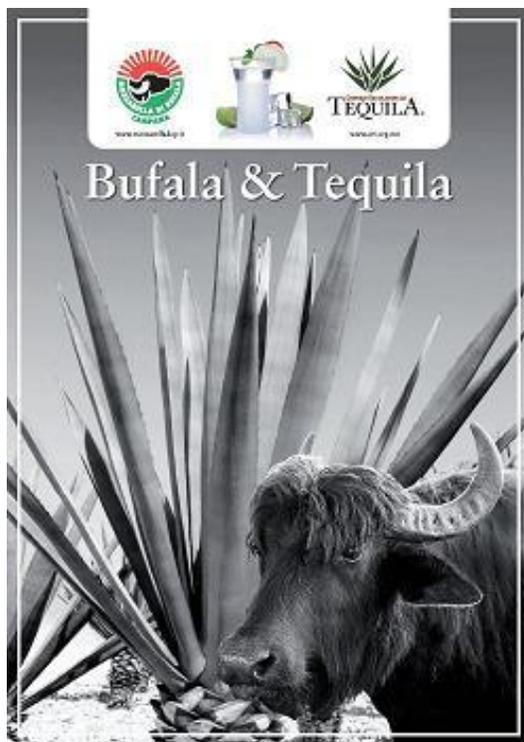
## Members' Voice (I):

### Bufala & Tequila: The Two-Worlds GI Alliance

By

*Mr. Antonio Lucisano, Director, Consorzio Mozzarella di Bufala Campana DOP  
and*

*Mr. Fernando Cano Treviño, Representative for Europe, Consejo Regulador del Tequila (CRT)*



On 9 May 2012, the “Bufala & Tequila: the Two-Worlds GI Alliance” special event was held in Parma (Italy) at the prestigious international food fair “CIBUS”.

Two “ambassadors” of their respective “terroirs” met in a delicious gastronomic combination. The white porcelain, daughter of the Mediterranean buffaloes – the “Mozzarella di Bufala Campana DOP”- was combined with the vigorous distillate of the Mexican Blue Agave – “Tequila”. The result was an innovative menu created by the Chef Giuseppe Daddio ([http://www.origin-gi.com/images/stories/PDFs/English/oriGIn\\_Report/oriGIn\\_Report\\_2012/0630001.jpg](http://www.origin-gi.com/images/stories/PDFs/English/oriGIn_Report/oriGIn_Report_2012/0630001.jpg)).

Such an alliance proves once again the tremendous opportunities of networking offered by oriGIn. The idea was in fact conceived at the V General Assembly of oriGIn in Guadalajara, where the representatives of the 2 products had the chance to meet and exchange their experiences.

This initiative highlights as well that origin quality does not know borders and that GI promotion activities can be carried out in innovative ways.

Some 70 representatives of the Agro-food sector, food experts and journalists from specialized food magazines attended the event in Parma. The photo gallery is available at:

[http://www.origin-gi.com/index.php?option=com\\_morfeoshow&task=view&gallery=25&Itemid=110&lang=en](http://www.origin-gi.com/index.php?option=com_morfeoshow&task=view&gallery=25&Itemid=110&lang=en)

A video is also available at:

[http://www.origin-gi.com/index.php?option=com\\_hwdvideoshare&task=viewvideo&Itemid=99&video\\_id=13&lang=en](http://www.origin-gi.com/index.php?option=com_hwdvideoshare&task=viewvideo&Itemid=99&video_id=13&lang=en)

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## Members' Voice (II):

### Napa Vintners Achieve Landmark Recognition in Canada

By Mr. Terry Hall, Communications Director, Napa Valley Vintners



Napa Valley Vintners (NVV) announces that the Napa Valley has been recognized by the Canadian government with a Geographical Indication (GI) for wine sold there. The GI designation is an important benchmark that will help to protect the Napa name from being used illegitimately in this important market, which generally ranks first in export sales for Napa Valley wines.

Linda Reiff, NVV executive director said, "Napa Valley is the US leader in proactively protecting its name and brand integrity around the globe. With this landmark

recognition we are the first American wine or spirit product or region to receive GI status in Canada." The NVV orchestrated this recognition directly with the Canadian government.

Pat Stotesbery, chair of the Napa Name Protection committee for the trade association said, "This work in Canada builds on our efforts around the world to protect against mis-use of the Napa name in branding and wine labeling. We worked previously with the European Union, India and Thailand to establish GI status in those regions as well." He continued, "Though just 4 percent of California's wine production comes from the renowned Napa Valley, it has long been associated with a reputation for ultra-premium, high-quality wine. Truth in wine labeling for the consumer to purchase with confidence wines labeled as 'Napa Valley' actually coming from this region is the root of our efforts. In Canada, when it reads Napa Valley on the label, it must be Napa Valley in the bottle."

Reiff continued, "Nearly one third of our member wineries export to Canada. It is California's largest wine export market and therefore comforting to know that the Canadian government is helping to ensure the region's integrity." According to data from the California Wine Institute, last year California experienced a 12 percent jump in wine exports into Canada.

The Napa Valley Vintners is the non-profit trade association responsible for promoting and protecting the Napa Valley appellation as the premier winegrowing region. From seven founding members in 1944, today the association represents more than 430 Napa Valley wineries and collectively is a leader in the world-wide wine industry. To learn more about our region and its legendary American wines, visit [www.napavintners.com](http://www.napavintners.com)

For more information, please contact: [RStults@napavintners.com](mailto:RStults@napavintners.com)

## International Affairs

### *At the Global Level*

#### **Anti-Counterfeiting Trade Agreement (ACTA): Problems with the ratification process**

At the EU level, Bulgaria, Czech Republic, Latvia, Poland, Slovakia and the Netherlands have suspended the ratification of the ACTA. Germany decided to wait for the European Parliament (EP) vote, which should take place later this year, before deciding whether to ratify the Agreement. In this respect, at the beginning of May, the ACTA “Rapporteur” formally asked the EP to reject the Agreement because of its negative impact on civil liberties. He also called the European Commission to find alternative ways to protect intellectual property.

On 9 May, Switzerland announced its decision to postpone the signature of the ACTA. Switzerland wishes to understand the development in the EU (with regard to the Member States which suspended the ratification process and the decision of the European Union Court of Justice – please see the April oriGIn Report). On this, see (only in French):

<http://www.news.admin.ch/message/index.html?lang=f&msg-id=44484>

On the other side of the Atlantic, on 19 May, fifty American academics sent an open letter to the members of the United States Senate Finance Committee asking them to ensure that the ACTA is treated as a binding international agreement requiring legislative ratification and sent to Senate for approval. The letter explains that the signature of ACTA without the approval of the Congress would be unconstitutional because the ratification rules contained in the Constitution would not be respected.

Further information at:  
<http://infojustice.org/senatefinance-may2012>

#### **Trans-Pacific Partnership Agreement (TPP): Update on the negotiations**

Mid May, a round of negotiations of the TPP took place in the USA and covered the controversial area of intellectual property rights (IPRs).

**As some of provisions proposed in the framework of such negotiations concern a very large interpretation of the concept of generic terms as well as controversial rules concerning trademark and GIs, oriGIn encourages its members from negotiating parties to approach their respective authorities and ask for more transparency on such talks. The overall objective is to make sure that TPP provisions will not jeopardize the legitimate rights deriving from GIs in the TPP negotiating countries.**

We recall that the TPP negotiating parties are Australia, Brunei, Chile, Singapore, New Zealand, Malaysia, Peru, the USA and Vietnam. Canada, Japan and Mexico have expressed their interest in joining the negotiations. On top of covering IPRs, it aims at cutting tariffs for goods and services and promoting investments.

#### **Brazil: New registration requests for national GIs**

On 24 April, the Brazilian National Institute of Industrial Property (INPI) received the registration request as “indicação de procedência” (which in the Brazilian law corresponds to the GI concept) for “peixe ornamental do Rio Negro”, ornamental fishes from the Rio Negro. These fishes are produced in the cities of Barcelos and Santa Isabel do Rio Negro.

More information (only in Portuguese) at:  
[http://www.inpi.gov.br/index.php?option=com\\_content&view=article&id=945:pedida-indicacao-geografica-para-o-peixe-ornamental-do-rio-negro&catid=50:slideshow&Itemid=146](http://www.inpi.gov.br/index.php?option=com_content&view=article&id=945:pedida-indicacao-geografica-para-o-peixe-ornamental-do-rio-negro&catid=50:slideshow&Itemid=146)

Likewise, on 22 May, INPI received the registration request as “indicação de procedência” for “Cajuína do Piauí”, a non alcoholic beverage made with cashews, which is highly consumed in the states of Piauí, Ceará and Rio Grande do Norte.

More information (only in Portuguese) at: [http://www.inpi.gov.br/index.php?option=com\\_content&view=article&id=1045:cajuina-do-piaui-pede-indicacao-geografica&catid=50:slideshow&Itemid=146](http://www.inpi.gov.br/index.php?option=com_content&view=article&id=1045:cajuina-do-piaui-pede-indicacao-geografica&catid=50:slideshow&Itemid=146)

### **Chile: “Orégano de Putre” envisages GI status**

In May, the Municipality of Putre and the Regional Agency for the Productive Development (ARDP) launched a project with the objective to obtain the GI recognition in Chile for “Orégano de Putre”.

This oregan is produced in Chapiquiña, Murmuntani, Bethléem and Socoroma, and is well-known at the national and international level.

More information (only in Spanish) at: <http://www.elnortero.cl/node/14309>

### **New book on GIs**

Dr. Dev S. Gangjee, Lecturer in Intellectual Property, London School of Economics, published the book “Relocating the Law of Geographical Indications” (Cambridge University Press, 2012). This work carries out a historical overview of the international legal protection of GIs, concluding with a detailed look at both the present TRIPS Agreement and the future of GI protection at the international level.

More information at: [http://www.cambridge.org/gb/knowledge/isbn/item6617694/?site\\_locale=en\\_GB](http://www.cambridge.org/gb/knowledge/isbn/item6617694/?site_locale=en_GB)

Dr. Dev S. Gangjee can be contacted at: [D.Gangjee@lse.ac.uk](mailto:D.Gangjee@lse.ac.uk)

### **FAO: Adoption of guidelines on Responsible Governance of Tenure of Land in case of large-scale land acquisitions**

On 11 May, the Committee on World Food Security of the Food and Agriculture Organisation of the United Nations announced that its members have agreed on “voluntary guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security”.

Such guidelines aim at bringing responsible governance to large-scale land acquisitions. It seeks to provide a basis to secure access to land, fisheries, and forests for rural populations who have historical ties to the land they use, but who often have little legal standing. We welcome this initiative, which can be seen as an instrument to limit the growing phenomenon of land acquisitions by foreign corporations, with the related removal of local people from their ancestral lands.

More information at: <http://www.fao.org/docrep/meeting/025/md708e.pdf>

### **Bilateral / Regional Issues**

#### **EU – Switzerland: Stronger protection for wines and spirits with GI**

On 4 May, the modifications of Annex 7 on the trade of wines products and Annex 8 on spirits of the “EU – Switzerland Agreement on Agriculture” entered into force.

Switzerland and the EU modified the list of protected designations for spirits as well as the level of protection. For example, while “Damassine” is registered as PDO in Switzerland, before this modification, at the EU level it had to be associated with the indication of a place to be protected (e.g. “Damassine d'Ajoie”). Since the 4<sup>th</sup> of May, the term “Damassine” is protected as such and can only

be used for the Swiss product. Regarding wines, the modification concerns the inclusion of the new Swiss database for protected designations for wines, which includes around 80 names. Further information (only in French) at:

<http://www.news.admin.ch/message/index.html?lang=f&msg-id=44467>

### **EU – USA:**

#### **Towards a comprehensive trade agreement**

On 11 May, the EU trade Commissioner, Mr. De Gucht, said that the EU and the USA should try to clinch a deal on a comprehensive trade agreement by mid-2014.

The negotiations should start at the beginning of 2013 and could cover tariff cuts for industrial and agricultural products, market access in the area of services, and regulatory issues on food and non-food products.

## **EU Affairs**

### **GI Policy**

#### **General Assembly of “Origen España”**

On 23-25 May, the Spanish Association of Appellations of Origin “Origen España” organised its 4<sup>th</sup> General Assembly in Cáceres (Spain).

Representatives of 40 “Consejo Reguladores” gathered to discuss the priorities of the sector and adopted the action plan of the association to be implemented next year. The Spanish producers insisted on the urgent need to defend designations of origin against abuse, misappropriations and unfair marketing practices. In particular, they asked national competent authorities to act for a more effective protection of GIs at international level by supporting the establishment of a unique register for all GIs. Moreover, the Members of Origen España insisted on the need for Spain to join the Lisbon Agreement considered crucial for the international protection of the Spanish GIs.

For more information, see: <http://ijjona.com/declaracion-final-iv-asamblea-general-origen-espana/>

#### **General Assembly of AICIG**

On 24 May, the “Associazione Italiana Consorzi Indicazioni Geografiche” (AICIG) organised its General Assembly in Florence, Italy. This Assembly was the occasion to celebrate the 20<sup>th</sup> anniversary of the PDO and PGI system. The 56 “Consorzi di Tutela” members of AICIG discussed the transparency of the labels, the necessity to increase the volumes of exports, the Quality Package and the possibility for groups to manage the volumes of production. The Italian Minister for Agriculture, Mr Catania and the President of the Commission for Agriculture of the European Parliament, Mr De Castro participated to a debate on the PDO and PGI system.

During this General Assembly, the Board of AICIG was renewed. Giuseppe Liberatore was re-elected as President of the AICIG for the next 3 years. Stefano Berni (Grana Padano), Leo Bertozzi (Parmigiano Reggiano), Mario Cichetti (Prosciutto San Daniele), Stefano Fanti (Prosciutto di Parma), Stefano Fontana (Gorgonzola) were also re-elected as members of the Board. The new members of the Board are Stefano Pavoncelli (Oliva La Bella della Daunia), Gianluigi Ligasacchi (Mortadella di Bologna) and Salvatore Martorana (Olio Val di Mazara).

More information (only in Italian) at: <http://www.aicig.it/index.php?page=comunicati>

## **Legal Affairs**

#### **Argentina: “La Rioja Argentina” v. “Rioja”**

On 15 May, the Federal Court of Argentina confirmed the judgment of the Court of first instance in the case opposing the Council of the Protected Denomination of Origin (PDO) “Rioja”, Spain (the Council) and the State of Argentina.

The Court of first instance had dismissed the application filed by the Council which claimed that the producers of the province of “La Rioja” in Argentina cannot use the name “La Rioja Argentina” for wines. The Court considered that the Council did not prove that the consumer risks to be misled by the use of “La Rioja” by Argentinean wines. On the contrary, the Court considered that the use of the term “La Rioja” by Argentinean wines complied with the provisions of article 23 of TRIPS Agreement on homonymous names because the term “Argentina” is used on the bottles and represents a strong element of differentiation vis-à-vis the Spanish PDO “Rioja”. More information at: <http://www.mdzol.com/mdz/nota/385655-confirmacion-fallo-a-favor-de-viticultores-de-la-rioja/>

### Two legal victories for the Colombian Coffee Growers Federation

On 26 April, Colombian Coffee Growers Federation (the Federation) announced its success in two legal actions concerning the GI “Café de Colombia” and related IPRs. The first case concerns the mark “La Huerta De Juan Valdes” which was registered by the Office for Harmonisation in the Internal Market (OHIM). The mark was owned by a company marketing cannabis seeds and books on its cultivation. The European Court of Justice cancelled this mark and ordered its removal from the website of the company, which was also condemned to reimburse the Federation of the legal costs.

The second case concerned the term “Huila”, which had been registered as a trade mark by a Spanish company. The Federation asked its cancellation on the ground that “Huila” is the name of a region where “Café de Colombia” is grown. The OHIM ruled in favour of the Federation and cancelled the mark, following one of the recommendations contained in the oriGIn position paper on the registration of trademarks conflicting with PDO-PGI in the EU. The position paper is available on our website (members’ area): [http://www.origin-gi.com/index.php?option=com\\_content&view=article&id=37&Itemid=84&lang=en](http://www.origin-gi.com/index.php?option=com_content&view=article&id=37&Itemid=84&lang=en)

More information available (only in Spanish) at: [http://www.federaciondecafeteros.org/particulares/es/sala\\_de\\_prensa/detalle/nuevos\\_triunfos\\_de\\_la\\_federacion\\_en\\_defensa\\_de\\_los\\_intereses\\_de\\_los\\_cafeter/](http://www.federaciondecafeteros.org/particulares/es/sala_de_prensa/detalle/nuevos_triunfos_de_la_federacion_en_defensa_de_los_intereses_de_los_cafeter/)

## News on GI Registrations

### Registrations

- “Πράσινες Ελιές Χαλκιδικής (Prasines Elies Chalkidikis)” (PDO) Greece – 23/05  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:132:0001:0007:EN:PDF>
- “Chelčicko – Lhenické ovoce” (PGI) Czech Republic – 24/05  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:134:0006:0007:EN:PDF>
- “Φασόλια Βανίλιες Φενεού (Fasolia Vanilies Feneou)” (PGI) Greece – 24/05  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:134:0008:0009:EN:PDF>

### Modification requests

- “Cipolla Rossa Di Tropea Calabria” (PGI) Italy – 11/05  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:136:0016:0020:EN:PDF>
- “Münchener Bier” (PGI) Germany – 16/05  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:140:0008:0017:EN:PDF>
- “Wachauer Marille” (PDO) Austria – 16/05  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:140:0018:0024:EN:PDF>

### Registration requests

- “Kitkan viisas” (PDO) Finland – 11/05  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:136:0013:0015:EN:PDF>
- “Mela Rossa Cuneo” (PGI) Italy – 16/05  
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:140:0004:0007:EN:PDF>