

Revised Lisbon Agreement: Expectations of a non-Member State

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Some disadvantages of the existing Lisbon Agreement (1958)

- **Limited number of Contracting Parties**
 - *28 States*
- **Scope of protection**
 - *limited to one sub-category of geographical indications (e.g. to appellations of origin = AO)*
- **Need for integrating more expressly the variety of ways of protection of GIs at the national level**
 - *focus on sui generis system of registration of AO (≠ international but “European” way to protect GIs)*

Some advantages of the existing Lisbon Agreement (1958)

- Simple and effective system of notification of appellations of origin (AO)
- Simple, clear and effective standard of protection provided in the Agreement
- Automatic/direct protection of registered AO in all Contracting Parties (unless opposition)
- Simple procedure for refusal of protection in a Contracting Party

Swiss Expectations for the Revision of the Lisbon Agreement

- Update the Lisbon Agreement taking into account international standards concerning the protection of Appellations of origin / Geographical Indications
 - Preserve the simplicity and effectiveness of the registration and protection system
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- ➔ ***Make the system more attractive***
 - ➔ ***Increase the number of Contracting Parties***
 - ➔ ***Increase the use of the System***

Swiss Expectations for the Revision of the Lisbon Agreement

- **Clarify the scope of protection**
→ *not only AO (as a subcategory of GIs) but GIs*
- **Take into account the different system of protection of AO and GIs at the national and regional levels**
→ *inclusiveness*
- **Preserve the current level of protection**
- **Preserve the specificity of the Lisbon system**
→ *do not make it a Madrid bis*
- **Preserve the simplicity of the system**

Why the revision in WIPO now?

What about WTO Negotiations?

- **Leading role of WIPO in developing international standards for the IP system**
 - *Paris & Berne Convention in the past, IGC & Lisbon & others in the future*
- **WIPO has a complementary role to WTO**
- **WTO / TRIPS = binding level for all WTO Members**
WIPO can develop more tailored made treaties corresponding to the needs of interested WIPO Members
 - *No obligation to be a Contracting Party*

Possible effects of AO/GI protection: Example of Argane Oil (Morocco)

**Experience shows
that AO/GIs
can have...**

positive economic effects

- production, price
- profitability,
- income distribution
- tourism

positive effects for preserving traditions

- quality
- traditional know-how



positive effects on jobs

- direct & indirect jobs
- job qualification
 - rural exodus

positive effects for Environment

- biodiversity
- environment preservation
 - landscape

To cut a long story short

AO and GIs are a intellectual property rights which are rooted in the culture, tradition and knowledge of many WIPO Members

- ***they deserve a specific mechanism of registration and protection***
- ***a simple, effective and sustainable system of registration and protection for all AOs and GIs corresponding to the needs of all interested WIPO Members and Intergovernmental Organizations is needed in order to take benefit of the socio-economic potential of AO and GIs***