

oriGIn EU

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Brussels, 10th September 2018

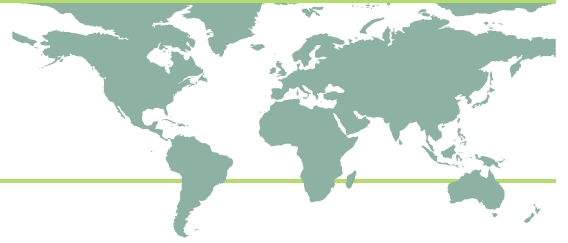
Object: oriGIn EU concerns regarding Geographical Indications protection and negotiations with MERCOSUR

In view of your meetings next week in Uruguay, oriGIn EU would like to share with you some of our concerns on the state of play of the negotiations on the GIs chapter.

We acknowledge that some progress has been made in July and thank you and your colleagues for this. However, several issues remain to be solved on both the draft agreement on GIs protection and its annex. As they stand today, they would introduce, for the first time in an FTA, dangerous provisions for GIs and unacceptable limits to the protection of some EU GIs (exceptions), which were not substantiated by evidence.

With respect to the provisions, we draw your attention in particular to the risks associated to an agreement on the use of “terms still being used in the common language” and “common names”, weak provisions on the coexistence of GIs with previous trademarks, and a list of plant variety for which the EU does not seek protection. We would also like to raise questions with regard to the phasing out approach which should, in our view, not exclude existing trademarks.

As to specific exceptions to GI protection that are being requested by the Mercosur countries, we can only underline the importance of the bilateral trade negotiations to improve the protection of our GIs in third countries. Moreover, any exceptions should reflect the legal and commercial situation in the country at issue. As you know, the position of the Mercosur countries regarding some EU GIs names is not acceptable for some European GIs groups. We hope that the upcoming round of negotiations will unlock the situation and allow further progress for GIs.



We thank you for your continuous efforts to improve GI protection and remain at your disposal should you need any additional information.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'Claude Vermot-Desroches'.

Claude Vermot-Desroches
President of oriGIn

A handwritten signature in blue ink, appearing to read 'Massimo Vittori'.

Massimo Vittori
Managing Director of oriGIn