



oriGIn

The Organization for an International Geographical Indications Network
rue de Varembé 1, 1202 Geneva – CH
EU Transparency Register ID Number: 2292357633-53

Phil Hogan
Commissioner for Agriculture and Rural Development

Geneva, 20 November 2017

Re: The Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications and a harmonized EU system for the recognition and protection of non-agricultural GIs

Dear Commissioner Hogan,

On 25 October, the European Court of Justice ruled that the revised Lisbon Agreement on Appellations of Origin and Geographical Indications falls under the exclusive competence of the European Union (EU). Following this ruling, which removes any legal uncertainty, we encourage the European Union to ratify the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications. Several WIPO Member States are waiting from a strong signal from the EU. Your ratification might open the door to several other adhesions, laying the foundations for the establishment of a truly international registry for Appellations of Origin and Geographical Indications.

In parallel, as there are hundreds of European potential non-agricultural GIs negatively impacted by a lack of harmonisation at the EU level (and the Geneva Act provides for the protection of non-agricultural Appellations of Origin and Geographical Indications), we believe that a EU system for the recognition and protection of non-agricultural GIs should be introduced as soon as possible. We are therefore disappointed to hear that there is still no prospect of the Commission bringing forward



such a proposal. In these circumstances, in the short term, oriGIn invites the European Commission to use the flexibility provided under article 2 of Regulation n°1151/2012 on quality schemes for agricultural products to further extend the list of products set out in Annex I, with the objective to introduce additional non-food products closely linked to the rural economy.

The extension of Annex I of Regulation n°1151/2012, together with a harmonized EU system for the recognition and protection of non-agricultural GIs, will be beneficial to non-food GIs from both the EU and from third countries (including some potential Member of the Geneva Act of the Lisbon Agreement). This will help as well some ongoing negotiations of FTAs and GIs agreements. In India, for instance, two third of the national GIs are non-agricultural products. Likewise, China and Mercosur have already expressed their interest to protect non-agricultural GIs in the framework of the agreements under negotiations.

We do hope that the absence of a unitary title of protection for non-agricultural GIs in the EU, which is detrimental to legal certainty, does not facilitate the recognition of the value and uniqueness of hundreds of European products, and does not help the EU trade negotiations, will soon be overtaken.

We remain at your complete disposal should you require any further information, and look forward from hearing from you.

Yours Sincerely,

A handwritten signature in blue ink that reads "Massimo Vittori".

Mr Massimo Vittori
Managing Director
oriGIn

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

Mr Claude Vermot-Desroches
President
OriGIn