

## OTHER ACTS

## EUROPEAN COMMISSION

## INFORMATION NOTICE — PUBLIC CONSULTATION

## Geographical indications from Vietnam

(2014/C 274/08)

In the framework of the ongoing negotiations towards a Free Trade Agreement (FTA) between the EU and Vietnam, the Vietnamese authorities have presented the attached lists of Geographical Indications (GIs) for agricultural products and foodstuffs. The European Commission is currently considering whether these GIs shall be protected under the Agreement as GIs within the meaning of Article 22(1) of the TRIPS Agreement.

The Commission invites any Member State or third country or any natural or legal person having a legitimate interest, resident or established in a Member State or in a third country, to submit oppositions to such protection by lodging a duly substantiated statement.

Statements of opposition must reach the Commission within two months of the date of this publication. Statements of opposition should be sent to the following e-mail address: AGRI-A2-GI@ec.europa.eu

Statements of opposition shall be examined only if they are received within the time-limit set out above and if they show that the protection of the name proposed would:

- (a) conflict with the name of a plant variety or an animal breed and as a result is likely to mislead the consumer as to the true origin of the product;
- (b) be wholly or partially homonymous with that of a name already protected in the Union under Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs<sup>(1)</sup>, or contained in the agreements the Union has concluded with the following countries:
  - Switzerland: Decision 2002/309/EC, Euratom of the Council, and of the Commission as regards the Agreement on Scientific and Technological Cooperation of 4 April 2002 on the conclusion of seven Agreements with the Swiss Confederation<sup>(2)</sup> and in particular the Agreement between the European Community and the Swiss Federation on trade in agricultural products — Annex 7,
  - Korea: Council Decision 2011/265/EU of 16 September 2010 on the signing, on behalf of the European Union, and provisional application of the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part<sup>(3)</sup>,
  - Central America: Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other<sup>(4)</sup>,
  - Colombia and Peru: Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part<sup>(5)</sup>,
  - Montenegro: Council Decision 2007/855/EC of 15 October 2007 concerning the signing and conclusion of the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and the Republic of Montenegro, of the other part<sup>(6)</sup>,

<sup>(1)</sup> OJ L 343, 14.12.2012, p. 1.

<sup>(2)</sup> OJ L 114, 30.4.2002, p. 1.

<sup>(3)</sup> OJ L 127, 14.5.2011, p. 1.

<sup>(4)</sup> OJ L 346, 15.12.2012, p. 3.

<sup>(5)</sup> OJ L 354, 21.12.2012, p. 3.

<sup>(6)</sup> OJ L 345, 28.12.2007, p. 1.

- Bosnia and Herzegovina: Council Decision 2008/474/EC of 16 June 2008 on the signing and conclusion of the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and Bosnia and Herzegovina, of the other part <sup>(1)</sup>, Protocol 6,
  - Serbia: Council Decision 2010/36/EC of 29 April 2008 concerning the signing and conclusion of the Interim Agreement on trade and trade-related matters between the European Community, of the one part, and the Republic of Serbia, of the other part <sup>(2)</sup>,
  - Moldova: Council Decision 2013/7/EU of 3 December 2012 on the conclusion of the Agreement between the European Union and the Republic of Moldova on the protection of geographical indications of agricultural products and foodstuffs <sup>(3)</sup>,
  - Georgia: Council Decision 2012/164/EU of 14 February 2012 on the conclusion of the Agreement between the European Union and Georgia on the protection of geographical indications of agricultural products and foodstuffs <sup>(4)</sup>;
- (c) in the light of a trade mark's reputation and renown and the length of time it has been used, be liable to mislead the consumer as to the true identity of the product;
- (d) jeopardise the existence of an entirely or partly identical name or of a trade mark or the existence of products which have been legally on the market for at least five years preceding the date of the publication of this notice;
- (e) or if they can give details from which it can be concluded that the name for which protection is considered is generic.

The criteria referred to above shall be evaluated in relation to the territory of the Union, which in the case of intellectual property rights refers only to the territory or territories where the said rights are protected. The possible protection of these names in the European Union is subject to the successful conclusion of these negotiations and subsequent legal act.

#### List of GIs for agricultural products and foodstuffs <sup>(5)</sup>

Name as registered in Vietnam	Description
Mộc Châu	Tea
Buôn Ma Thuột	Coffee bean
Đoan Hùng	Grapefruit (pomelo)
Bình Thuận	Dragon fruit
Lạng Sơn	Star aniseed
Thanh Hà	Litchi
Phan Thiết	Extract of fish
Hải Hậu	Rice
Vinh	Orange
Tân Cương	Tea
Hồng Dân	Rice

<sup>(1)</sup> OJ L 169, 30.6.2008, p. 10.

<sup>(2)</sup> OJ L 28, 30.1.2010, p. 1.

<sup>(3)</sup> OJ L 10, 15.1.2013, p. 3.

<sup>(4)</sup> OJ L 93, 30.3.2012, p. 1.

<sup>(5)</sup> List provided by the Vietnamese authorities in the framework of the ongoing negotiations, registered in Vietnam.

Name as registered in Vietnam	Description
Lục Ngạn	Litchi
Hoà Lộc	Mango
Đại Hoàng	Banana
Văn Yên	Cinnamon bark
Hậu Lộc	Shrimp paste
Bắc Kạn	Stoneless persimmon
Phúc Trạch	Grapefruit (pomelo)
Bảy Núi	Rice
Trùng Khánh	Chestnut
Bà Đen	Custard-apple
Trà My	Cinnamon bark
Ninh Thuận	Grape
Tân Triều	Grapefruit (pomelo)
Bảo Lâm	Stoneless persimmon
Bắc Kạn	Tangerine
Yên Châu	Mango
Mèo Vạc	Peppermint honey
Bình Minh	Grapefruit (pomelo)
Hạ Long	Chopped cuttlefish meat
Bạc Liêu	Salt
Luận Văn	Grapefruit (pomelo)
Yên Tử	Apricot blossom
Điện Biên	Rice
Quảng Ninh	Clam
Vĩnh Kim	Star apple fruit
Cao Phong	Orange