

A possible extension of GIs to the non agricultural products: Time for an EU legislation

José Pulido, Vice-president of oriGIn, Europe





THE GLOBAL NETWORK OF GIs

- Established in 2003 as a non-for profit organisation
- Some 500 GIs groups and institutions from 40 countries
- Based in Geneva
- One of the Vice-Presidents, Europe: Jose Pulido, Asociación “Piel de Ubrique”

ori**G**In OBJECTIVES

- Strengthen the protection of GIs at the national, regional and international level
- Promote GIs as a tool for sustainable development
- Facilitate exchange of “best practices” among Gis groups and specialists

SOME MEMBERS: NON-AGRI GIs



Savile Row Bespoke™
ASSOCIATION



Fédération de l'industrie horlogère suisse FH
Verband der Schweizerischen Uhrenindustrie FH
Federation of the Swiss Watch Industry FH



Harris Tweed
AUTHORITY



Associazione
Italiana
Città della Ceramica

SOME MEMBERS: OTHER SECTORS



napa valley vintners



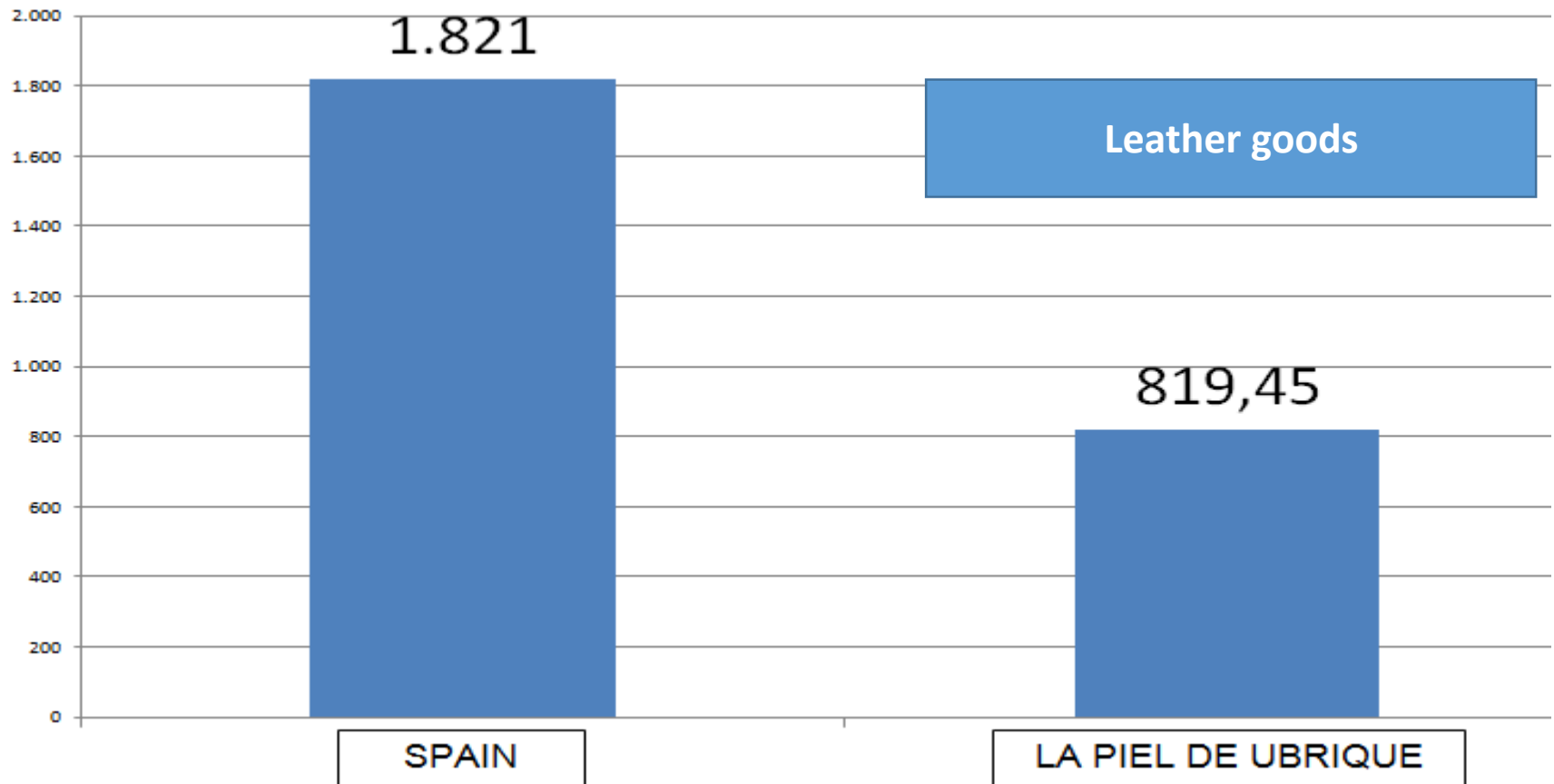
Syndicat du Pruneau d'Agen



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ASSOCIATION « PIEL DE UBRIQUE »

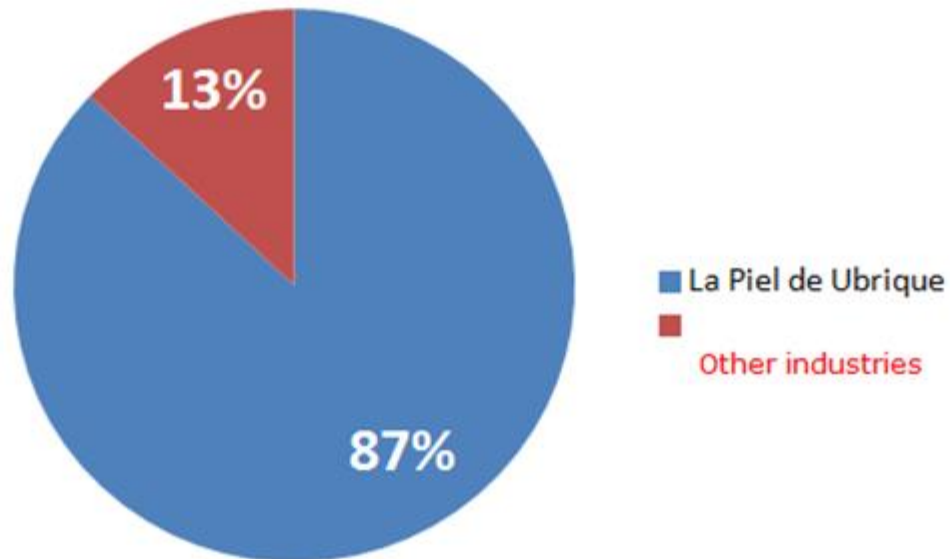


ASSOCIATION « PIEL DE UBRIQUE »

LEATHER SECTOR EMPLOYMENT IN UBRIQUE 2014 (number of employees)

Total Population Ubrique	16.884
Direct jobs	5146
Indirect jobs	652
Number of companies	236

PERCENTAGE OF COMPANIES ENGAGED IN UBRIQUE LEATHER RELATIVE TO OTHER PRODUCTIVE SECTORS IN THE VILLAGE

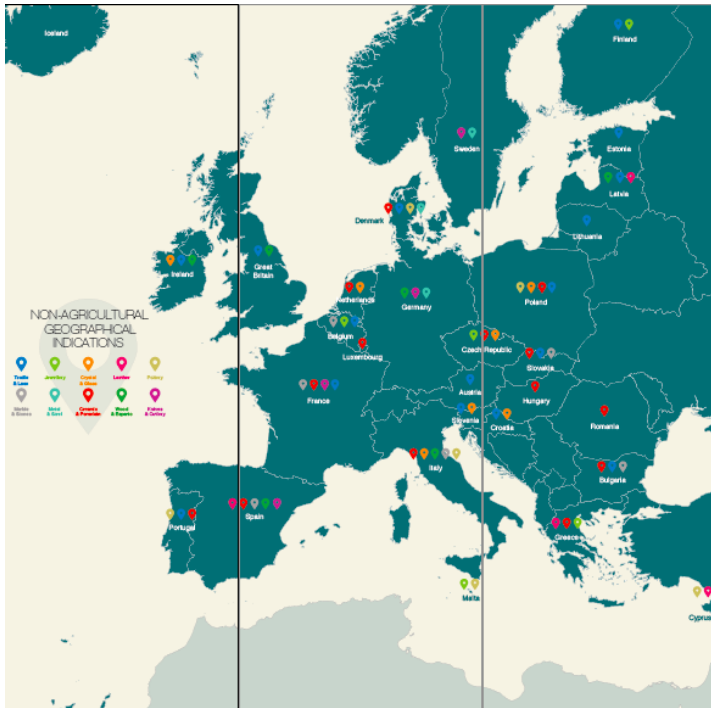


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ARTISAN LEATHER SCHOOL UBRIQUE



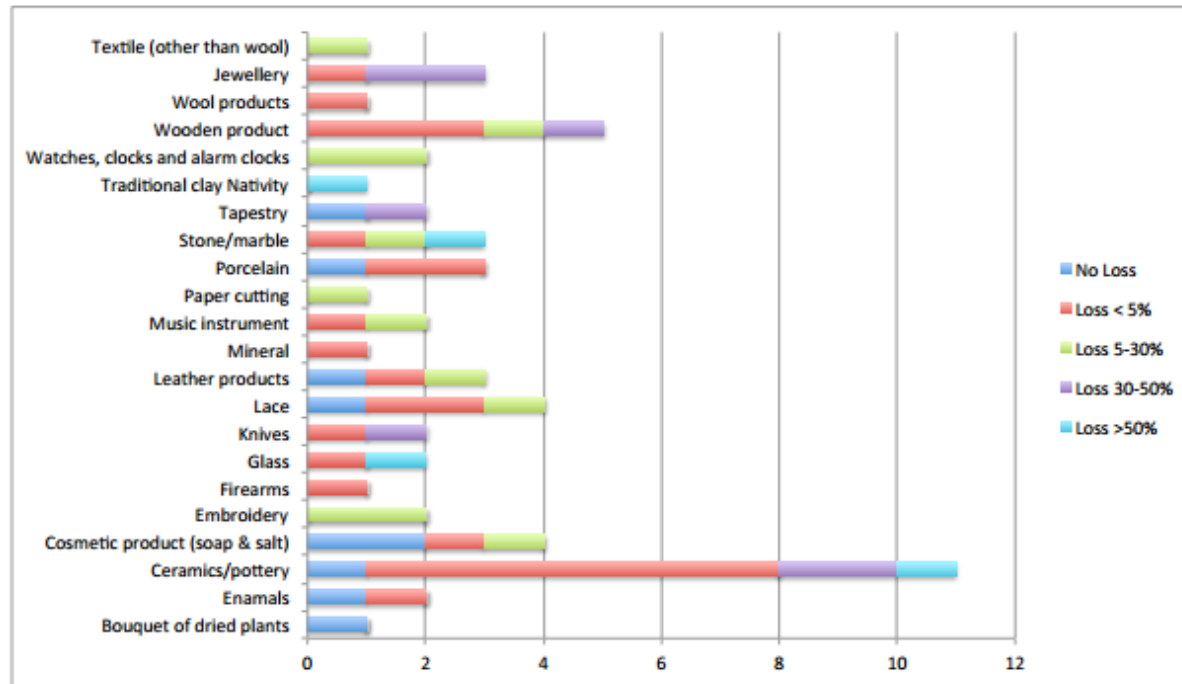
NON-AGRI GIs IN THE EU: STATE OF ART



- Relevant in numbers and economic impact: **non exhaustive list of 834 non agri GIs**
- Majority of **SMEs and micro enterprises**
- **Lack of an harmonized system (national TM, community TM, some national sui generis systems)**

INFRINGEMENTS & IMITATIONS

Chart 2: Proportion of losses due to infringements by product categories



Source: REDD

Losses represent more than 50% of the turnover for 4 products (7% of the sample). These products are in the Ceramics/Pottery, Glass, Stone/Marble, and Traditional Clay Nativity categories.

INFRINGEMENTS SOBRE PIEL DE UBRIQUE



Examples of labels with leather Ubrique as geographical origin, without authorization of the trademark owner



EU HARMONIZED SYSTEM

Benefits



- i. Producers
- ii. Consumers
- iii. Bilateral/Multilateral negotiations

i. PRODUCERS & CONSUMERS

Producers can

- Leverage on local identity and "savoir-faire" of traditional crafts & create value-added and long term jobs (sustainable development)
- Communicate on the product
- Fight infringements and misleading practices in a cost-effective way

Consumers can

- Satisfy their request for traceability and knowledge of production methods, social and environmental impact, etc.
- Receive information helping them to choice

ii. BILATERAL NEGOTIATIONS

- Most national GI laws protect non agricultural products (India, Russia, China, Brazil, OAPI, etc.)
- EU Bilateral Agreements negotiations on GIs with such countries could have more chances go be finalized



iii. MULTILATERAL NEGOTIATIONS

- Possibility for the EU to join the Geneva Act of the Lisbon Agreement (WIPO)



...ON THE RIGHT WAY...



HOW THE NEW SYSTEM SHOULD LOOK LIKE?



KEY ELEMENTS

- ✓ **EU sui generis system** taking into account the specificities of the sector (**Register at the EU level**) and **simple** also from the administrative point of view
- ✓ **Strong link between the GI and the area of origin**
- ✓ including administrative **enforcement mechanisms** (protection ex officio)
- ✓ with **sustainable costs** for producers (SMEs)
- ✓ that does not undermine or may create confusion with the existing European schemes and consolidated GIs

THANKS FOR YOUR ATTENTION!

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