

# Activities Report



2016/2017

## **I. A growing global network makes the voice of GIs stronger: how to pursue an efficient use of resources while maximizing impact**

**In the last biennium, several Geographical Indications (GIs) groups from a large spectrum of sectors and geographical locations have joined our global network.** Some examples are: Consorzio Prosecco (Italy), the Thai national silk department (Thailand), the "Organisme de gestion de l'AOP Safran de Taliouine" (Morocco), Savile Row Bespoke Association (UK), Harris Tweed Authority (UK), Association "Piel de Ubrique" (Spain), the European Grouping of Territorial Cooperation Cities of Ceramics (Italy, France, Spain, Germany, Romania and Poland), Consorzio Gorgonzola (Italy) and Consorzio Pecorino Romano (Italy). Moreover, oriGIn Georgia was established in 2017: It brought in our network some 50 Georgian GIs in the food, wine and spirits sector. **This confirms an interesting trend, by which GIs groups from different countries and sectors are joining forces. While differences remain, oriGIn's advocacy campaigns demonstrate that, with a pragmatic approach, it is possible for GIs groups from different sectors and regions to work together, use resources efficiency and maximize impact in the pursuit of common objectives (see next article – Advocacy campaigns).**

## **II. Advocacy campaigns: united we make a difference at national, regional and global level**

As advocacy remains at the core of our work, in the biennium 2016-217 oriGIn has continued to carry out initiatives to influence the major decisions concerning the protection of GIs at national, regional and global level.

- A. **At the national level, we have analysed and provided comments to the relevant authorities concerning new GIs laws under discussion in several jurisdictions around the world. We have done this in cooperation with some of our members specifically concerned by such laws and have informed the all network about their implications. As a way of example, in May 2017 we have reviewed the national draft Industrial Property Law of Mexico and, in cooperation with the "Consejo Regulador del Tequila" (CRT), have brought to the attention of the national authorities the most critical provisions. In particular the ones in contradiction with the Mexican obligations under the WTO TRIPs Agreement and the WIPO Lisbon Agreement on the Protection of Appellation of Origin.**

Another interesting example of campaigns at the national level is represented by the US, where national authorities maintain a skeptical view on GIs and national groups, which oppose any change in the national policy vis-à-vis GIs have strengthened their efforts and invested important resources in public campaigns. **To work for an improved regulatory framework in the US both for domestic and foreign GIs, oriGIn decided to hire a representative based in Washington DC. This was possible thanks to the financial support of Consorzio Aceto Balsamico di Modena, Interprofession du Gruyère, Consorzio Grana Padano, Association Suisse des AOP/IGP, Consorzio Prosecco and Consorzio Asiago. Since March 2017, Mr. Jim Smith - who has an experience of over 30 years in Washington working with federal policy makers and industry stakeholders - is collaborating closely with the US GIs Association (American origin Products Association) to raise GIs awareness among US policy-makers.**

- B. **At the regional level, in the context of the reform of the Regulation EC 110/2008 on Spirit Drinks, oriGIn - in cooperation with the Scotch Whisky Association (SWA) and Assodistil - analysed the Draft Regulation prepared by the European Commission and made some comments to ensure key GIs principles are taken into account in the reform. Such comments were then transmitted to the rapporteurs and shadow rapporteurs of the European Parliament Committees working on this reform. An interesting proposal was made on “fake Geographical Indications in transit through the EU”, which can become an interesting precedent for wines, agricultural and non-agricultural GIs. This would strengthen the protection of GIs at the EU level.**

Likewise, we have been involved in several initiatives of DG GROW (Directorate general Internal Market, Industry, Entrepreneurship and SMEs) and the DG for Agriculture and Rural Development concerning the establishment of a harmonized system to protect non-agricultural GIs at the EU level. Over the last two years, **oriGIn has constantly reiterated the need to establish a community system for non-agricultural GIs simple and transparent, which recognizes the link with the territory of production as an essential element, and which does not create confusion with the existing European GIs systems.**

**These activities at the EU level, together with ones on bilateral agreements negotiated by the EU (see below), were implemented through a new oriGIn EU office based in Brussels.**

Always at the regional level, but **in Africa, oriGIn managed to obtain the support of the French Ministry of Agriculture and of the Moroccan Office of Intellectual Property (OMPIC), to explore the options to establish an oriGIn Office in Casablanca. The objective is to support the growing GIs movement in Africa and attract additional members in a continent where the GIs potential is still untapped.**

- C. **At the global level, we have focused our efforts on GIs protection in Internet generic Top-Level Domains (gTLDs) and in the context of bilateral negotiations as well as the WIPO Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications:**
- i. **On gTLDs, we have organized advocacy events in Geneva at the WIPO Assemblies and in Brussels at the 2016 International Trademark Association (INTA) Digital World Conference. Working in collaboration with the “Comité Champagne” and the “Consorzio del Prosciutto di Parma”, we have consistently stressed the following messages: protecting GIs in gTLDs is a challenging task in terms of time, resources and knowledge. Providing all intellectual property holders and beneficiaries with effective tools to fight the growing illegal use of geographical names as second level domains is therefore crucial. Trademark owners though have already the possibility to benefit from the Uniform Domain Name Dispute Resolution Policy – UDRP, which is not the case for GIs. Country code Top-Level-Domains (ccTLDs) that recognize GIs, like trademarks and other intellectual property rights, as a valid title to activate dispute**

**resolution mechanisms, do it in a simple and effective way.** Likewise, oriGIn has joined and actively participated in the “ICANN/GNSO Working Group on the Review of All Rights Protection Mechanisms (RPMs) in All gTLDs”.

- ii. **On bilateral negotiations affecting GIs, on the one hand, we have pushed negotiating parties of relevant agreements to take into account the needs of groups in the elaboration of the GIs lists to be included in such agreements.** As a way of example, in 2017, in the context of the EU/China negotiations for a bilateral GIs agreement, oriGIn has facilitated the coordination between the European Commission and the relevant GIs groups. We have also been in touch with the concerned Chinese authorities clarifying that oppositions based on “common names” and “semi-genericity” clash with internationally recognized intellectual property rules and principles, in particular with the GIs provisions of the WTO TRIPs Agreement. **On the other hand, we have worked for the clarification of rules applying to GIs in light of the current proliferation of international agreements.** As an example, following the provisional entry into force of the EU-Canada Comprehensive Economic Trade Agreement (CETA) in September 2017, some issues arose. Such as the level of protection of EU and Canadian wines and spirits protected under the European Community and Canada Agreement on trade in wine and spirit drinks (2003), which GIs rules are not as strong as the ones contained in CETA. Likewise, for the sake of legal certainty and transparency, we have requested the list of Canadian operators allowed, under certain circumstances, to continue to use EU protected names under the CETA.
- iii. **On Geneva Act of the Lisbon Agreement, we have encouraged WIPO Member States to join the new Treaty.** In this respect, a truly international register for GIs will be tremendously beneficial for groups, especially the ones from developing countries, for which the protection in key export markets represents a challenge.

### **III. New services to provide members with useful tools and position oriGIn as a global GIs opinion-maker**

In a complex and globalised world, offering new services is crucial to remain relevant for organizations representing trade interests such as oriGIn.

**Our major achievement in the biennium has been the online compilation of all GIs currently protected in the world.** The compilation lists in alphabetical order 8.000 GIs currently recognized in the various jurisdictions around the world, with the indication of the country of origin, category of product, type of legal protection (sui generis, legislative act, court ruling, trademark), third countries where GIs are protected through a bilateral agreement and information concerning products. The compilation shows that, in spite of differences in approach and legal tradition, all countries in the world have unique products deeply rooted in their geographical environments, which contribute to the sustainable development of their communities.

**We have also created the most complete repository of GIs related information in the world.** Over the years, oriGIn has become a crucial actor in the international discussions concerning GIs. We have constantly developed concrete proposals and supported our members in the framework of the major bilateral negotiations affecting GIs, the multilateral negotiations on GIs, the ICANN on the protection of GIs in Internet domain names, trademarks' applications conflicting with recognized GIs, the reforms of GIs laws in several jurisdictions, etc. **We have included and made available this valuable information on our web page "Policy and Advocacy": <http://www.origin-gi.com/activities/policy-and-advocacy.html>**

In the biennium, we have also finalized **the manual "Challenges for Geographical Indications (GIs) in the context of the ICANN new generic Top-Level Domains (gTLDs) - A Manual for GIs Groups to Navigate the New Environment"**. It represents an **invaluable source of information for GIs groups and experts, which need to navigate the new Internet domain names' environment.** The manual shows the potential increase in legal expenses for GI groups, which must monitor and enforce intellectual property rights against third parties filing top level as well as second level domains corresponding to, or conflicting with, the GIs they represent. This manual contributes to promote, at the global level, a thorough discussion on the most effective ways to ensure an effective protection for GIs in the Internet domain names' environment.

Finally, in preparation of our 2015 General Assembly in Fortaleza, we had asked our members to send oriGIn official videos concerning the amazing products they represent. We had received several videos, which were shown in Fortaleza in the "GIs short film festival" and then used to create an oriGIn corporate video. **They were used to realized our official video "oriGIn Unique & United" (<https://youtu.be/IEugZL03fbY>), launched in December 2016.**

#### **IV. Partnerships: establishing strategic collaborations remains a priority for our growth**

Partnerships are crucial to become a truly global forced, capable of influencing policy-makers internationally.

**In the biennium, we have been working with the Food and Agriculture Organization of the UN (FAO) on the identification of sustainability priorities for GIs. Defining such priorities would help GIs to respond to the economic, social and environmental challenges brought about by sustainability as well as to build alliances to overcome them (See Annex I - oriGIn sustainability strategy for GIs).**

Moreover, in 2017, in cooperation with the WTO/UN agency "International Trade Center" (ITC), we developed the online course "Adding Value to Origin Products Through Geographical Indications (GIs)". This course explores the value and benefits in establishing GIs for local products with unique characteristics and introduces participants with the different legal options available to protect GIs. **The online course - available @ <https://learning.intracen.org/course/info.php?id=234> - is instrumental to attract new members from developing countries.**

We have also partnered with ASIPI (“Asociación Interamericana de Propiedad Intelectual”, <http://www.asipi.org/en>), a non-for-profit organization of intellectual property specialists, to promote within our respective networks initiatives in favour of GIs. **For oriGIn, this partnership is strategic to promote the GIs concept in the Americas.**

Finally, our “GIs Specialized Law Firms Program” (<http://www.origin-gi.com/activities/gi-law-firms.html>) proved to work for our members. In a case involving counterfeited Tequila commercialized in Germany, the Consejo Regulador del Tequila (CRT), acting under the EU Regulation No 608/2013 of 12 June 2013 concerning customs enforcement of intellectual property rights, requested the destruction of the goods at issue. **In this case, the CRT was assisted by the German law firm which is part of our Program, and benefited from its competences at a 8% discount on the firm’s fees as provided by the Program.**

## V. Accounts (CHF)

	Budget 2018	Budget 2017	Execution 2016	Execution 2015	Execution 2014
<b>REVENUES</b>					
Memb. fees	300,000	243,000	241,127.22	246,587.01	240,166.26
Donors	140,000	250,000	162,437.71	192,278.43	239,305.37
Sundry					
<b>Total revenues</b>	<b>440,000</b>	<b>493,000</b>	<b>403,564.93</b>	<b>438,865.44</b>	<b>479,471.63</b>
<b>EXPENSES</b>					
Salaries	290,000	285,000	281,180.80	270,722.30	270,208.05
Consultants	5,000	12,000	47,382.43	51,039.22	83,552.80
Travel / Events	10,000	56,000	34,406.58	25,461.96	31,656.46
Projects	15,000	45,000	9,252.20	55,276.37	59,532.21
EU Rep	35,000	20,000			
Africa Rep	20,000	13,000			
US Rep	60,000	47,000			
	<b>435,000</b>	<b>478,000</b>	<b>372,222.01</b>	<b>402,499.85</b>	<b>444,949.52</b>
<b>OFFICE EXPENSES</b>					
	<b>25,000</b>	<b>30,000</b>	<b>30,827.15</b>	<b>35,646.26</b>	<b>33,193.82</b>
<b>Total expenses</b>	<b>460,000</b>	<b>508,000</b>	<b>403,049.16</b>	<b>438,146.11</b>	<b>478,143.34</b>
<b>Result</b>	<b>-20,000</b>	<b>-15,000</b>	<b>515.77</b>	<b>719.33</b>	<b>1,328.29</b>