

Geographical Indications and online platforms: challenges and opportunities

17 Dicembre 2021

“GIs in online platforms: expectations of Italian wine GIs”

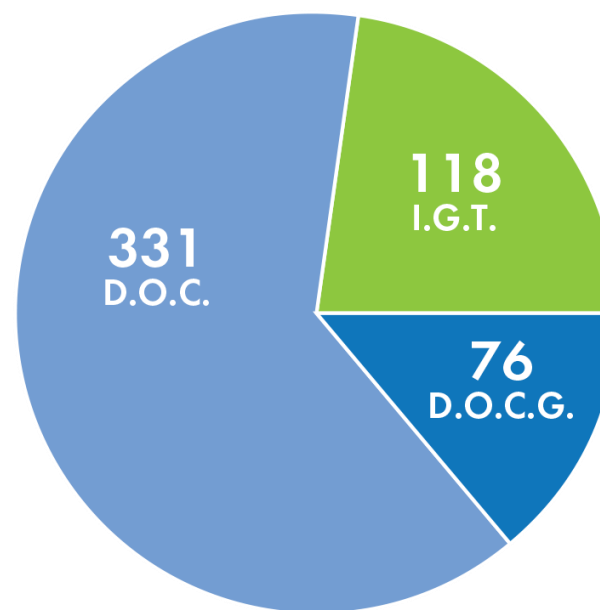
*Speaker: Riccardo Ricci Curbastro-
President of Federdoc*

Italian wine IGs

- 76 D.O.C.G.;
- 331 D.O.C.;
- 118 I.G.T..

407 DOP

118 IGP



Italian GIs have gained a great reputation on the market due to:

- Their *terroir* that enhances specific chemical and organoleptic characteristics;
- Information and promotional and campaigns both in the internal market and in the Third Countries.

Italian GI's are well known all over the world



Growth of their demand on the market



Increase in the number of cases of counterfeit
(Italian sounding, agropirateria, wine - kit)



GI's reputation damage

Internet

In the last years, the web has become a strategic tool for both operators and the consumers



Increase of the web's use as:

- communication channel, direct access to product's information, including GI data;

!lack of control on the information!

- sales and distribution channel, sales growth about 30% every year on e-commerce.

Italian Consortia of protected designations of origin : the supervision activities on the market

The Italian Consortia do supervision activity in cooperation with **Ispettorato centrale della Tutela della Qualità e Repressioni Frodi dei prodotti agroalimentari** (ICQRF) and under its control . – D.M.18 luglio 2018

The supervision consists of verification that products have requirements and characteristics set out in the product specification. This check takes place only on the market and also on the online platform.

Its aim is to avoid consumer 's confusions about PDO – PGI products as regards to similar goods.

This supervision activity is totally different to the activities of Inspection bodies.

Every day, many counterfeiting cases have been stopped and are currently under scrutiny thank to the online supervision.



With the Consortia's activity it is possible to remove misleading or illegal advertising



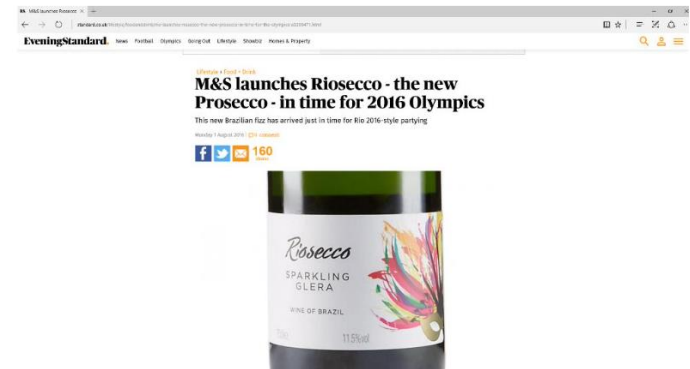
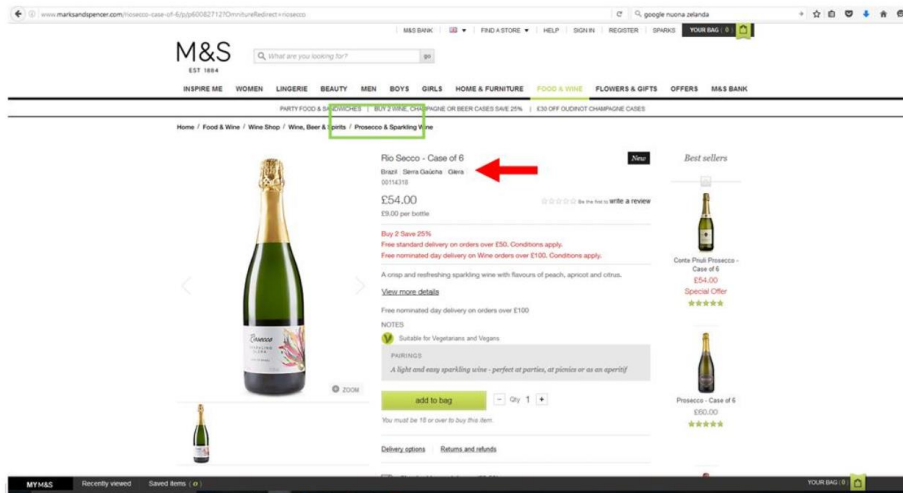
Growth of GIs and consumers' s protection

Some examples of online counterfeiting

The screenshot shows an eBay product page for a counterfeit Prosecco bottle. The main image is a pink can with a unicorn illustration and the text "WUNDERLAND pink SECCO". The listing title is "NEU > Einhorn Wonderland Dose 0,2 l rose Sekt Prosecco Perlwein pony". The price is EUR 2,49. The seller is "snoopy8765" with a 97.9% positive rating. A banner at the top shows other counterfeit products with "-20%" discounts. A "TANNICO" banner is visible at the bottom right.

Misuse of GI's name

Some examples of online counterfeiting



The future GIs's challenge

- Consolidate their market position with new communication and sales strategy;
- Create new protection *“on-line”* tools.

There is no GI's protection on the web

ICANN (Internet Corporation for Assigned Names and Numbers), organo di vigilanza di Internet, e **WIPO** (World Intellectual Property Organisation):

- did not lay down rules for the GI protection;
- did not lay down dispute resolution procedures about the GI's misuse.

ICANN created new generic domain names in 2011, that could be released to the highest bidder , including:

“.wine” and “.vin”

-Risk increase in misuse of GI names;

- Risk increase of new private monopolies creation about “.wine” and “.vin” domains.

EFOW opposed to the assignment of new domains names **“.wine”** and **“.vin”**, without the provision of safeguard clause in order to protect GIs :

- request of European Commission's action and IG producing countries's support (both European and American as: Napa Valley, Long Island ect) with ICANN' s governing bodies;

- negotiation with **DONUTS**, *the private company who had obtained the use of new domains“.wine” e “.vin”*. The business deal was settled after three years of negotiation and with a capital investment of 1.970.000 euro.

The economic private agreements are inadequate to achieve the online GI's protection



Objectives:

- modification of the ICANN's governance in order to create a more democratic system;
- reform the UDR to ensure GIs are considered valid titles to activate dispute resolution mechanisms concerning second level domains in all gTLDs (.com, .int, ...);
- raise awareness among ccTLDs (.it, .cn, .br, ...) to make sure all of them consider GIs valid titles to activate dispute resolution mechanisms concerning second level domains.

At national level

New control system on the –market place to protect GIs wines



2015:

*Memorandum of understanding between MIPAAF –Federdoc –
E- bay*

there is a procedure to alert about the misuse of GIs on the E –
bay platform and to remove the illegal contenent

Thank you for the attention!