

"Swiss made" for watches

ORIGIN General Assembly
October 6, 2023





The FH at a glance

Federation of the Swiss watch industry

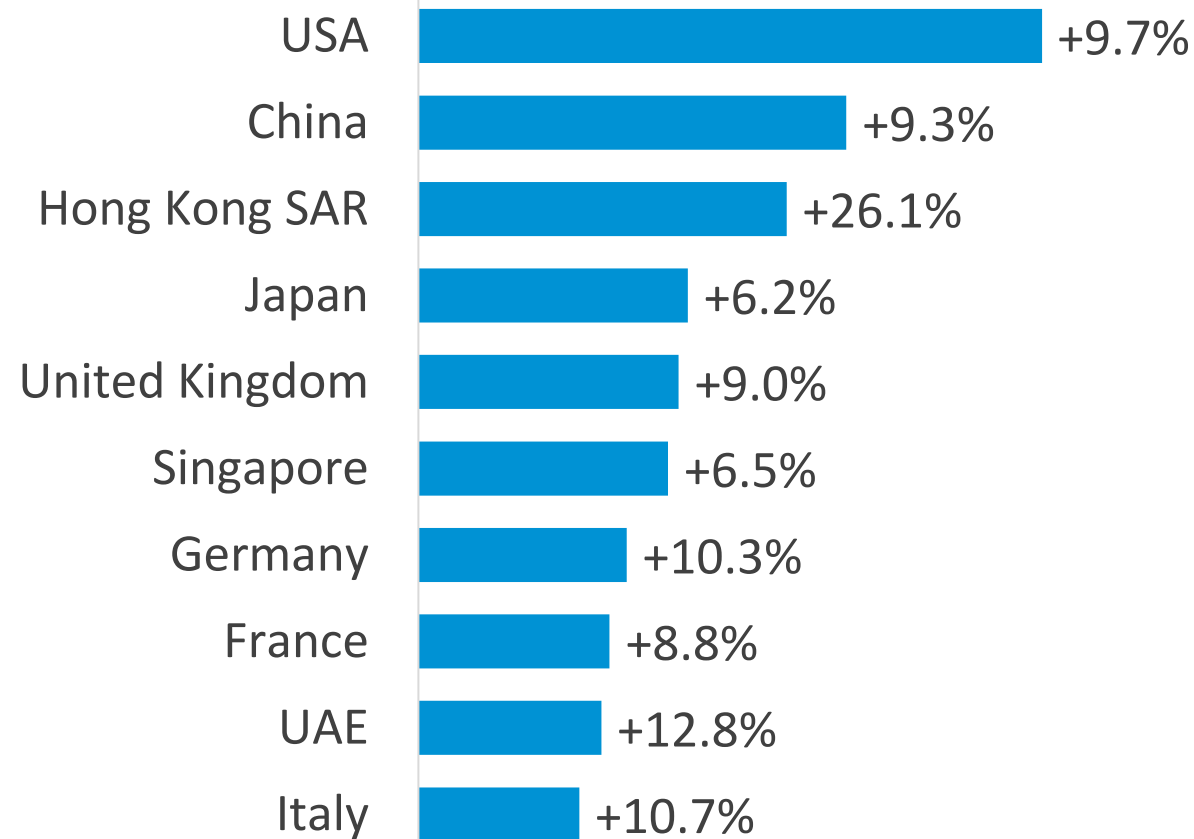
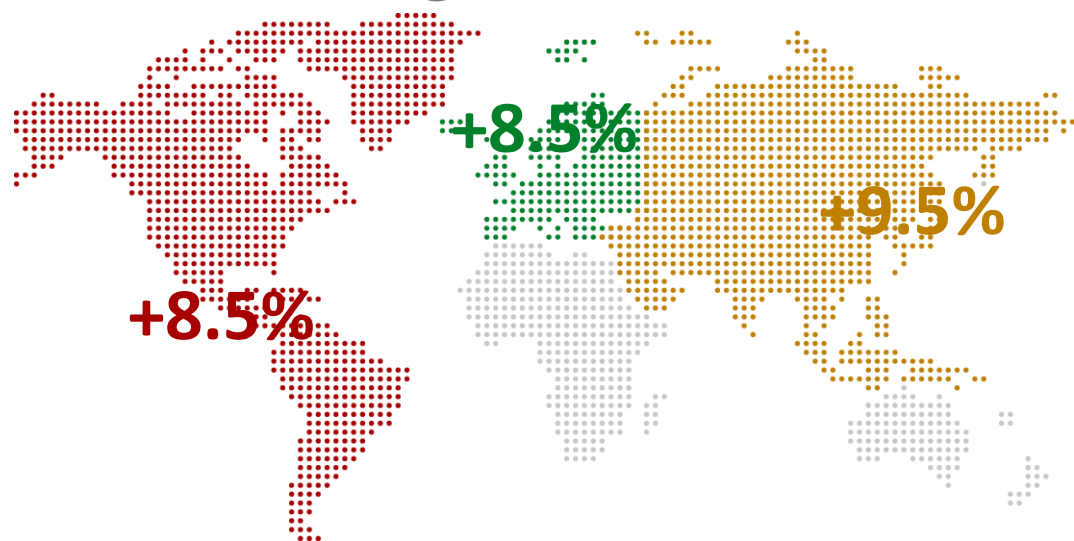
- Swiss Watchmaking Association
- **Nearly 450 members :**
 - *Manufacturers*
 - *Suppliers*
 - *Related branches*
- **Activities in many fields :**
 - *economic*
 - *legal*
 - *statistical*
 - *commercial*
- Permanent offices in Hong Kong and Tokyo

Swiss watch exports by market

January-August 2023

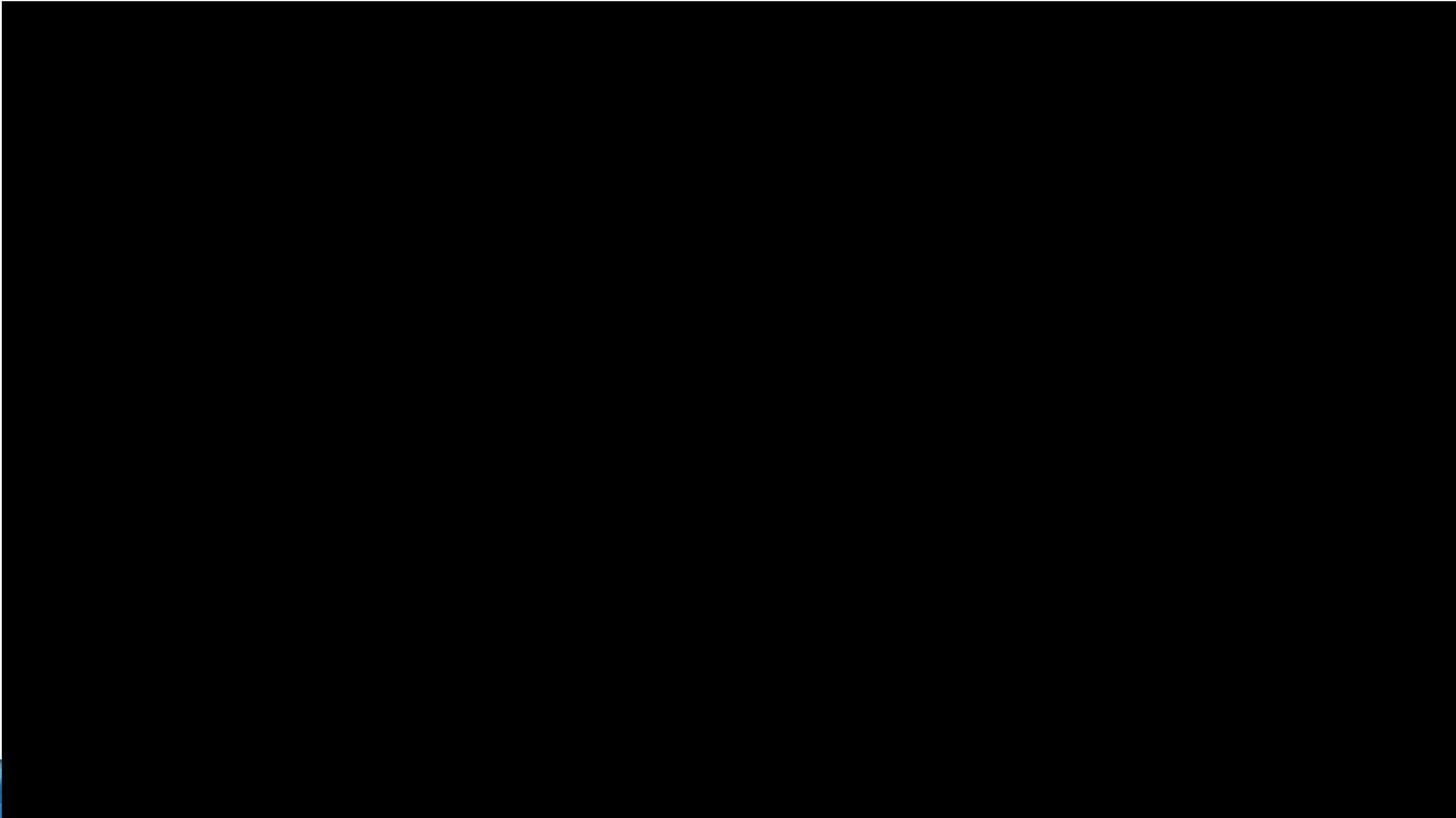
2022: **24.8 billion CHF**

Jan-Aug 2023: **+9.2%**



Fight against counterfeiting of Swiss watches

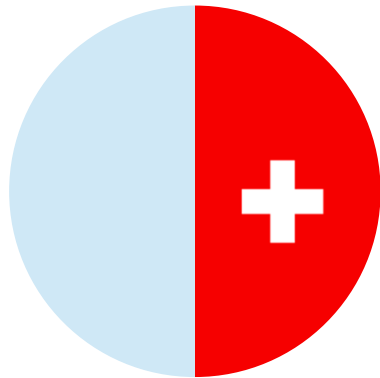




Why protect Swiss made?

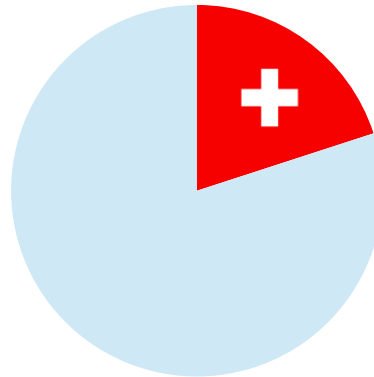
Consumers willing to pay on average **20% more**
for "Swiss made" products (7.7 billion CHF/year)

Luxury products



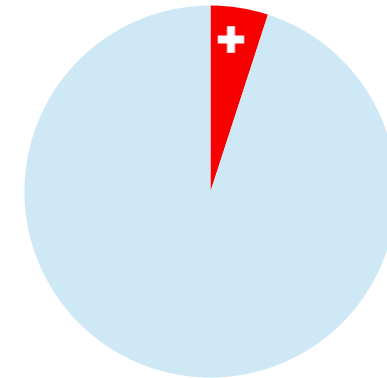
40% and more

«Typical» products



Approx. 20%

Other products

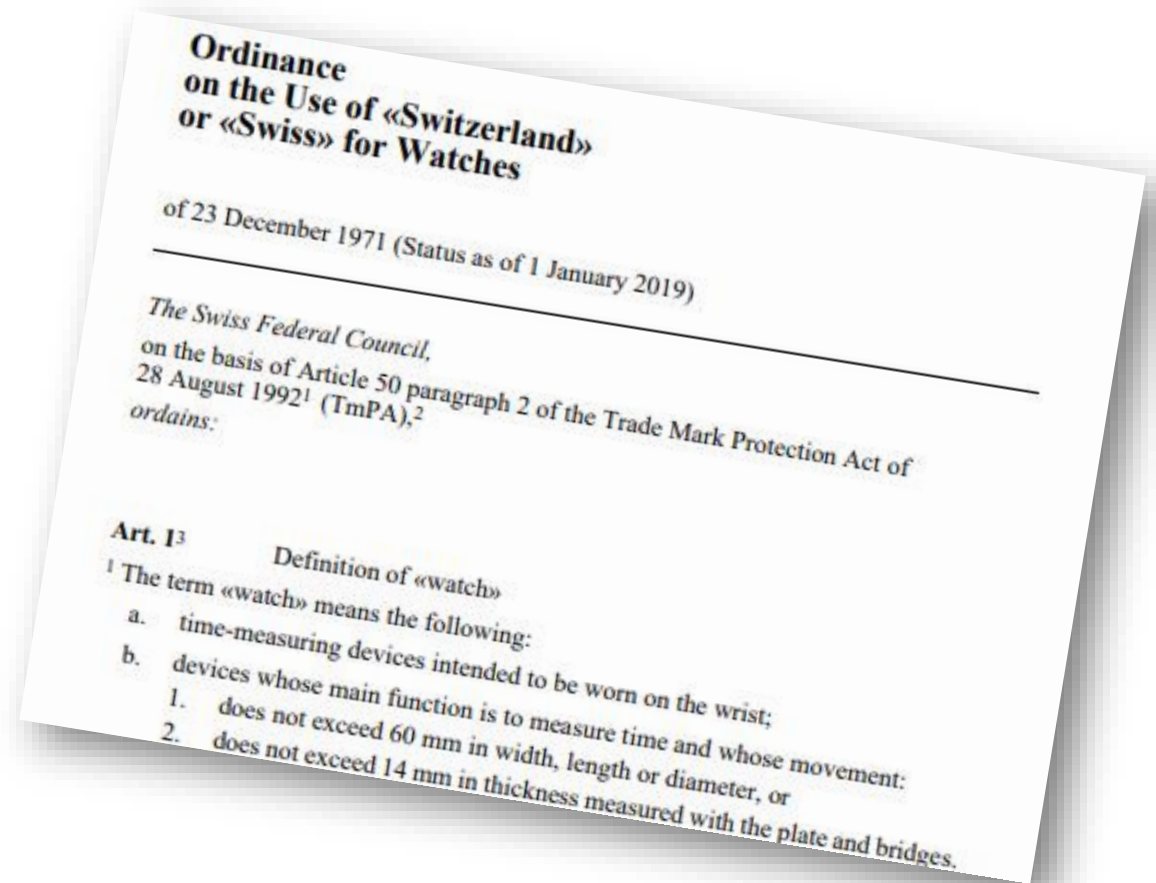


Less than 20%

"Sui generis" protection by Swiss law

"Swiss made" on watches only if:

- Technical development in Switzerland
- Swiss movement
- Movement cased up in Switzerland
- Final inspection in Switzerland
- At least 60% of the manufacturing costs are incurred in Switzerland

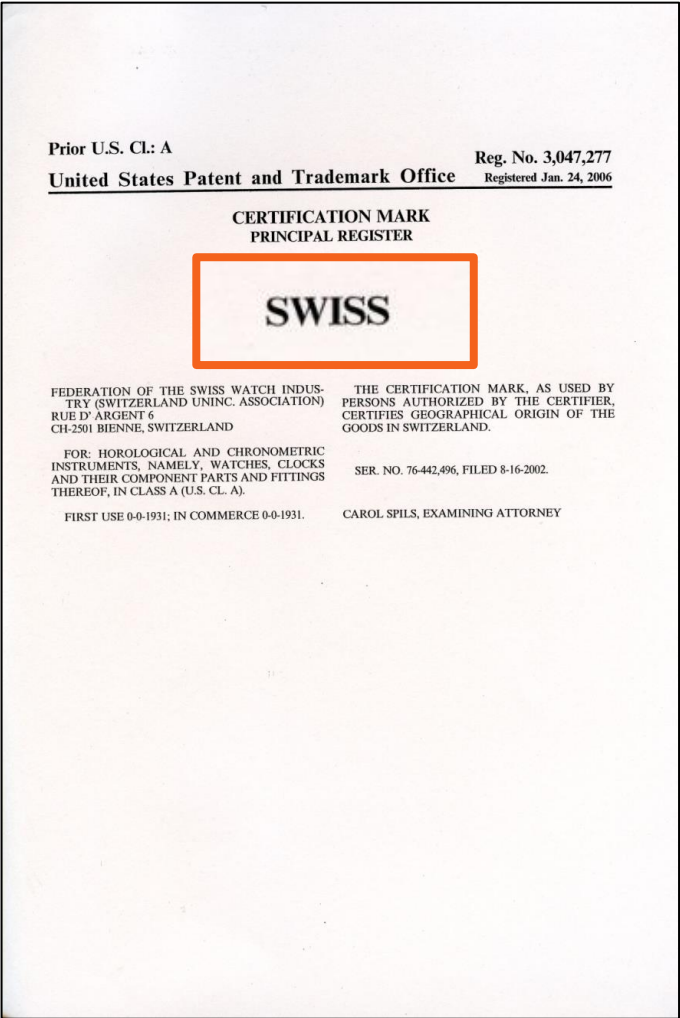


Geographical trademarks owned by the FH

- **SWISS** and **SWISS MADE** in the United States
- **SWISS** in Hong Kong
- **SWISS** in the European Union
- **SWISS** in Switzerland
- Protected in class 14 for horological products
- Based on the criteria of the Swiss made – Ordinance for watches

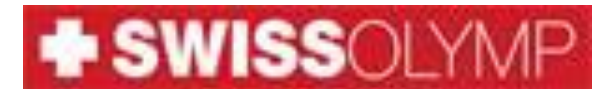


Geographical trademarks owned by the FH



How do we defend the GI?

Opposition procedures against misleading trademark applications



SWISSPORT



ROMANSHORN
SWITZERLAND

018278446 - Breithorn - swiss made [+ info](#)



Trade mark information

Trade mark number **018278446**
Type **Figurative**
Filing date **27/07/2020**
Registration date
Nice Classification **14 35**

Owner information

Owner ID number **1108570**
Owner name **Tøjmanden**

Representative information

Representative ID num... **41404**

Trade

Basis

Reference

018332844 - Breithorn [+ info](#)



Trade mark information

Trade mark number **018332844**
Type **Figurative**
Filing date **04/11/2020**
Registration date
Nice Classification **14, 35**
Trade mark status **Application published**
Basis **EUTM**
Reference **20052**

Owner information

Owner ID number **1108570**
Owner name **Tøjmanden**

Representative information

Representative ID num... **41404**
Representative name **OTELLO LAWFIRM**

Last publication

27/11/2020 **A.1**

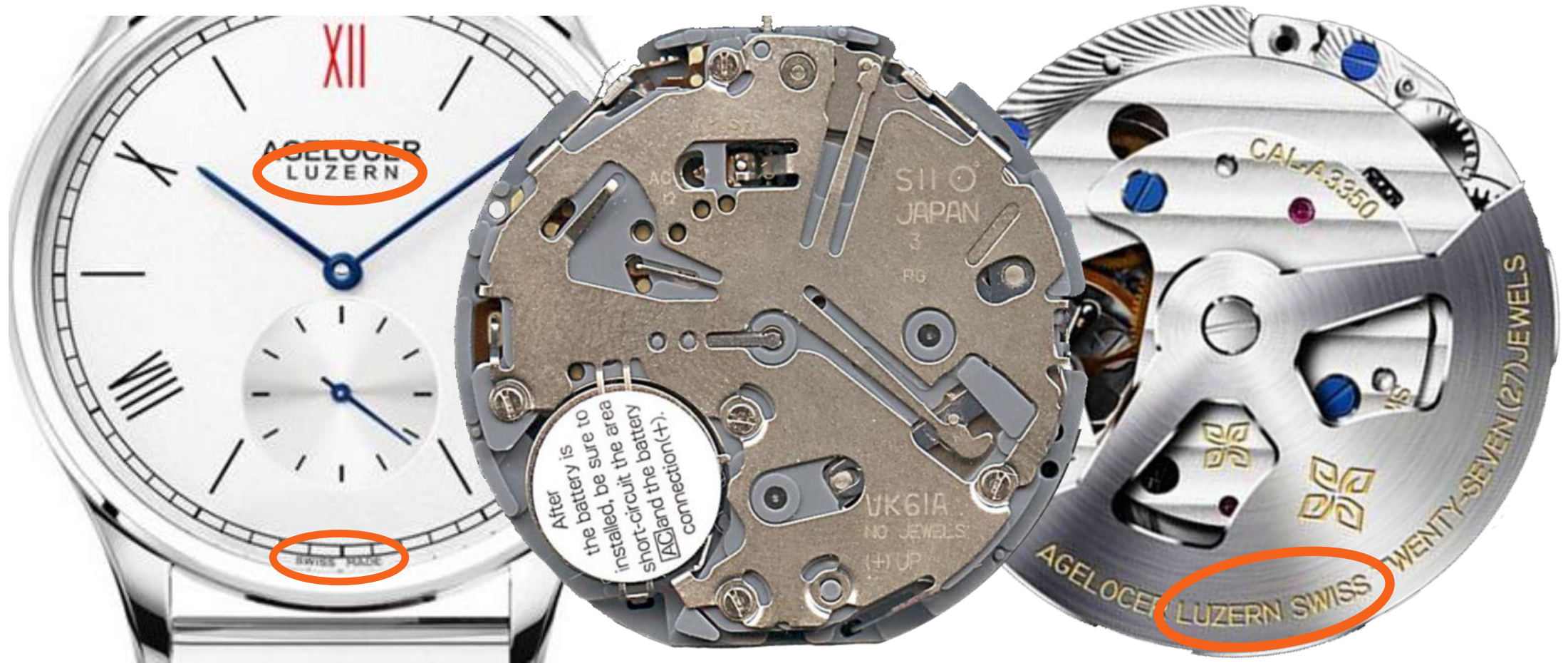
How do we defend the GI?



How do we defend the GI?



How do we defend the GI?



Main problems

Patchwork of divergent rules, often developed at national level and not mutually recognized

- "Discrimination" of craft and industrial GI's -> *Geneva Act of the Lisbon Agreement*

No "sui generis" protection in most countries - no harmonisation on international scale

- Unfair competition rules, certification trademarks, etc.
- Registration and enforcement costs for the rightholders
- Difficult to register industrial GI's in some jurisdictions
- Based on rules of origin under customs law

Self-standing EU Regulation

- Possibility to certify geographical origin
(<-> EU certification mark / collective mark)
- Establishment of a uniform EU specific GI scheme for industrial GI's
- Link to the Lisbon system / Geneva Act
- Provides for an effective enforcement throughout the EU and in e-commerce
- ***"New system creates legal certainty, reduce administrative burden, ensure fair competition between producers and enhances the credibility of the products in the consumers's eyes "***

MEPs approve new rules for Geographical Indications for craft and industrial products in the EU

On Tuesday, 12 September 2023, the European Parliament approved new EU rules aimed at safeguarding the geographical indications (GI) for craft and industrial products, inspired by the existing rules for agricultural products.



Thank you for your attention



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

www.fhs.swiss