

oriGIn policy concerning its involvement in enforcement activities in support of its members

Background

Over the years, **members have increasingly requested oriGIn support in enforcement activities**, both formally and informally (details can be found at https://www.origin-gi.com/web_articles/enforcement/ and https://www.origin-gi.com/web_articles/relation-with-trademarks/):

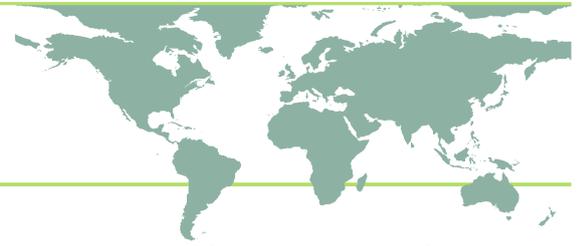
- A. **Informally:** Developing arguments for national/regional authorities for the respect of crucial GI principles: respect of the integrity of controls, risks for GIs deriving from the recognition of parallel schemes in conflict with them (traditional terms, technical standards, ...), the fair use of GIs as ingredients, etc. In this framework, oriGIn has ensured the support to the cause at stake of other GI groups and the coherence of messages conveyed to national/regional authorities.
- B. **Formally:**
 - i. Preparation and/or support to *amicus curiae* briefs.
 - ii. Oppositions to GI registrations.
 - iii. Observations with respect to trademark applications in conflict with GIs.
 - iv. Direct intervention in legal cases. In this respect, in September 2023, the General Court of the EU granted oriGIn leave to intervene in Case T-239/23, in recognition of its capacity as global GI alliance.

As discussed during the 2023 Biennial Meeting in Geneva, **oriGIn involvement in such activities has been instrumental to the defense of crucial principles as well as to the positive outcome of disputes. Likewise, it contributed to reinforce the sense of common identity among the GIs of the oriGIn global network.** As a result, the area of enforcement represents an opportunity both for oriGIn and its members.

oriGIn policy

Given the growing number of requests from members concerning oriGIn involvement in enforcement activities, as well as the amount of time and resources needed to address them, an oriGIn policy has been developed.

This policy underlying idea is to maintain the oriGIn support needed by GI groups of limited dimensions and financial resources within its network (such as the informal assistance in developing arguments for national/regional authorities for the respect of crucial GI



principles, the support to existing *amicus curiae* briefs and the preparation of observations with respect to trademark applications in conflict with GIs) included in the membership fees.

On the other hand, for a tailored made legal support requiring more time and specific dedication, the idea is to secure extra resources to oriGIn, either via the 'Golden Membership' (for such category of members, the legal support will not require additional charges) or through specific fees to be paid to oriGIn.

Finally, for GI groups of limited dimensions and financial resources within the oriGIn network in need of support for which a specific fee is required in light of this policy, the oriGIn Executive Committee will explore the possibility to find resources to cover such expenses, on a discretionary basis.

Articles

1. *Developing arguments for national/regional authorities for the respect of crucial GI principles, requesting the support to the cause at stake of other GI groups as well as the coherence of messages conveyed to national/regional authorities.*

This service remains included in the membership fees (no additional charges for oriGIn members).

2. *Support to existing *amicus curiae* briefs.*

This service remains included in the membership fees (no additional charges for oriGIn members).

3. *Preparation of *amicus curiae* briefs.*

This kind of support requires specific time and resources. It will remain included in the membership fees for Golden Members, which pay a higher amount. For the other members, a tariff based on the number of hours required will be charged. It will have to be agreed upon between the interested member and oriGIn.

4. *Oppositions to GI registrations.*

This kind of support requires specific time and resources. It will remain included in the membership fees for Golden Members, which pay a higher amount. For other members, a tariff based on the number of hours required will be charged. It will have to be agreed upon between the interested member and oriGIn.



5. *Observations with respect to trademark applications in conflict with GIs.*

While this kind of support requires specific time and resources, it will remain included in the membership fees for all oriGIn members (no additional charges will be charged). As there is currently a proliferation of this practice, this service can be useful for small GI groups.

On the other hand, if this service is required by private companies belonging to a GI group member of oriGIn, a tariff based on the number of hours required will be charged. It will have to be agreed upon between the interested subject and oriGIn. The green light of the relevant GI group is required for oriGIn to prepare observations for a private company.

6. *Direct intervention in legal cases.*

This kind of support requires specific time and resources. It will remain included in the membership fees for Golden Members, which pay a higher amount. oriGIn can also participate in covering a limited part of the required lawyer's fees (it will have to be agreed upon the interested member and oriGIn).

For other members, a tariff based on the number of hours required will be charged. It will have to be agreed upon between the interested member and oriGIn. oriGIn will not participate in covering the required lawyer's fees.