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Guide to Geographical Indications: Linking Products and Their Origins (Summary)

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Summary Document

GUIDE TO GEOGRAPHICAL INDICATIONS

LINKING PRODUCTS AND THEIR ORIGINS



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A brief summary of

GUIDE TO GEOGRAPHICAL INDICATIONS: Linking Products and Their Origins

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What is covered

The source publication explains the pros and cons of GIs, how they work, and the success factors that influence them. We have distilled the lessons from the published literature, including nearly 200 research papers, and the evidence from eight original case studies conducted in Antigua Guatemala, Nariño Colombia, Darjeeling India, Blue Mountain Jamaica, Kona Hawaii, Mezcal regions of Mexico, Veracruz Mexico, and Mongolia.

The book offers a global overview of GIs today and their distribution worldwide by country and by product. It covers not only the economic or competitive value of GIs but also their considerable developmental characteristics. These include: effect on small producers, employment, and rural enterprise, culture and environment. However, it goes beyond the opportunities to suggest areas of cautions and to clearly illustrate how GIs can be problematic and are certainly not appropriate in certain cases.

Best practices and lessons learned are documented in a concise and accessible manner so that anyone interested in GIs can better understand how to structure them, step-by-step, and how to consider the options available to develop them. The book covers the philosophical and political distinctions of different legal protection options and reviews the

differences between EU approaches and those followed in the US and in other major countries such as China and India. This includes insights on the application processes and a set of “Frequently Asked Questions” on GIs in general. The focus is predominantly on the challenges faced by developing countries.

Basics of GIs

Geographical Indications of Origin (GI) are not defined everywhere in the same way, but this description, derived from international agreements, best captures the universal spirit of the concept:

A Geographical Indication identifies a good as originating in a delimited territory or region where a noted quality, reputation or other characteristic of the good is essentially attributable to its geographical origin and/or the human or natural factors there.

What is the role of GIs and how do they function? The concept of GIs has many applications. For example it can be used as a form of market differentiation in global trade, as a means of fostering and valuing local identity, and as a means to biodiversity conservation.

There are currently more than 10,000 protected Geographical Indications or GIs in the world with an estimated trade value of more than US\$ 50 billion. Many are well-known names such as Darjeeling tea, Bordeaux wine, Parmigiano-Reggiano cheese, and Idaho potatoes. Yet many more are less known and often unprotected.

About 90% of GIs come from the 30 OECD¹ countries while in most of the more than 160 other countries, very few have been developed. GIs are now increasingly perceived as an opportunity in many countries that have unique physical and cultural attributes that can be translated into product differentiation. These physical and cultural assets form the basic value-giving characteristics upon which GIs are built.

A GI signals a link not only between a product and its specific place of origin but also with its unique production methods and distinguishing qualities. A certain market credibility and authenticity are therefore implicit in many GIs. It is not surprising then that they have considerable reputations in countries ranging from France and the U.S. to India and Mexico. Yet, we are just beginning to understand why some are successful and others are not.

¹ The majority of the Organization for Economic Co-operation and Development’s member countries are among the most industrialized in the world.

Pros and cons of GIs

Geographical Indications are not exclusively commercial or legal instruments, they are multi-functional. They exist in a broader context as an integral form of rural development that can powerfully advance commercial and economic interests while fostering local values such as environmental stewardship, culture and tradition. GIs are the embodiment of ‘glocalization’ i.e. products and services participating in *global* markets and at the same time supportive of *local* culture and economies.

A holistic framework for development

It is important not to limit the idea of a GI only to its legal recognition or to the economic development of a product. Perhaps the greatest advantage lies in the ability of a GI to offer a coherent basket of development possibilities.

On the development side, some GIs have generated increased and better quality rural employment. They can provide the structure to affirm and protect the unique intellectual or socio-cultural value embodied in indigenous knowledge or traditional and artisanal skills that are valued forms of expression for a particular community.

On the business side, GIs are market-oriented. They often align with emerging trade demands since they tend to have standards for quality, traceability and food safety. For producer regions, GIs convey several unique characteristics that allow products to distinguish themselves and escape the commodity trap of undifferentiated products trading primarily on the basis of price. This differentiation from commodities can offer a valuable competitive advantage that is difficult to erode.

GIs possess many of the characteristics of an upmarket brand. They can have an impact on entire supply chains and even other products and services in a region and thereby foster business clustering and rural integration. GIs capture the distinctive aspects that emerge from a *terroir* and its associated traditional methods of production and processing that are often difficult to duplicate in other regions or countries.

But it is not all a rosy picture. GIs are not easy to establish. Success on a large scale is often measured in decades and requires patient application and sustained commitment. They can have considerable costs, not just for organizational and institutional structures but also for ongoing operational requirements such as marketing and legal enforcement. In some cases, without proper planning and management, developing countries could squander limited resources investing to establish poorly chosen GIs.

GIs are not a viable option in many areas, particularly those whose output lacks distinguishing characteristics. Some studies have indicated that under certain conditions, GIs can even stifle commercial innovation. Some researchers note that using GIs as a means of differentiation can benefit high-quality producers but that low-quality or the poorest producers may not benefit. Indeed, when poorly structured, GIs can be detrimental to communities, traditions and the environment.

The table below outlines the more common cost and benefit elements of a GI. Certainly, not all of these apply to all GIs, but their importance makes them worth noting.

Typical cost and benefit elements of a GI

COSTS	BENEFITS
1. Establishing domestic legal structure	1. Improved market access
2. Defining exact physical boundaries	2. Increased sales
3. Establishing the criteria and standards	3. Increased value/profitability
4. Local or domestic information-education	4. Assurance of qualities or characteristics and authenticity
5. Control and certification fees	5. Traceability
6. Marketing and promoting	6. Complementary effect on other products in region
7. Assessing and applying for protection overseas	7. Elevate land values
8. Infrastructure and production investments	8. Induce tourism
9. Adaptation to rules, methods, and specifications	9. Increase employment
10. Product or supply chain segregation from non-GI	10. Increased differentiation or competitiveness as a "brand"
11. Special or limited raw materials	12. Coalesce local governance
13. Commercial or technology limitations	13. Socio-cultural valorization
14. Vigilance and maintaining protection	
15. Administrative and bureaucratic costs	

Protecting GIs can be daunting

The implications of different protection approaches — in terms of requirements, effectiveness and costs — are not clear-cut. The lack of a single or coherent international approach, or even a common registry of GIs, makes it difficult to secure protection in different overseas markets. This is exacerbated by often fragmented, overlapping, and unclear national protection systems. The 167 countries that actively protect GIs as a form of intellectual property fall into two main groups: 111 nations with specific or *sui generis* systems of GI laws and 56 that prefer to use their trademark systems.

The major markets for GI products, including those in the EU and the US, appreciate the validity of GIs yet their marketing and protection systems have evolved to be very different. The original publication offers a clear framework for sorting out the main differences, and the opportunities associated with GIs. It focuses primarily on agri-food

products and does not explicitly cover wines and spirits or crafts though many of the lessons are quite similar and can certainly be extended to them.

Lessons and conclusions

GIs are by no means a panacea for the difficulties of development. They can, however, be a unique and powerful tool when adequately managed. GIs can offer a comprehensive framework for development since they can positively encompass issues of economic competitiveness, stakeholder equity, environmental stewardship, and socio-cultural value.

GIs are a two-edged sword and not always appropriate. There are some potentially negative aspects associated with GIs, though these are largely the result of poor design or having inadequate governance structures. For example, badly managed GIs can be dominated by limited political interests or just a few enterprises. In some cases, GIs can exclude the poorest producers or even stimulate inappropriate outcomes such as the dissolution of traditional practices or the destruction of biodiversity.

Lessons from the case studies and the literature review suggest that, for a GI to be successful, four components are essential:

1. *Strong Organizational and Institutional Structures* to maintain, market, and monitor the GI. The core processes of: (i) identifying and fairly demarcating a GI (ii) organizing existing practices and standards and (iii) establishing a plan to protect and market the GI all require building local institutions and management structures with a long-term commitment to participatory methods of cooperation.
2. *Equitable Participation* among the producers and enterprises in a GI region. Equitable is here defined as the participating residents of a GI region sharing reasonably in not only costs and benefits but also in the control and decisions regarding their public assets.
3. *Strong Market Partners* committed to promote and commercialize over the long term. Many of the GI market successes are the result of mutually beneficial business relations via which consistent market positioning and effective commercialization have led to a long-term market presence.
4. *Effective Legal Protection* including a strong domestic GI system. Carefully chosen protection options will permit effective monitoring and enforcement in relevant markets to reduce the likelihood of fraud that can compromise not only the GI's reputation but also its legal validity.

While GIs do have some private characteristics, they are intrinsically a 'public good'. They broadly affect the people and the resources of a region so it is critical that GI governance and legal protection are both structured to serve the greatest number and avoid capture by a

few elites. GIs can thus serve as useful frameworks to drive an integrated form of market-oriented development that can facilitate equitable participation among all of its stakeholders.

Frequently asked questions (FAQs)

In the relatively new exploration of this field, a number of typical questions tend to arise. This chapter presents straightforward and simple responses to the most common of these. Though the answers are not designed to be exhaustively complete, they provide the most important aspects and point to resources for more information where appropriate. A number of other resources are also provided in the book.

1. What is a geographical indication or GI?
2. Are GIs just place names?
3. When I see “MADE IN CHINA” on a product, is that a GI?
4. How are geographical indications protected?
5. What is a trademark?
6. What is a service mark?
7. What is a certification mark?
8. What is a collective mark?
9. What is a PDO?
10. What is a PGI?
11. What are the differences between the two main EU quality systems?
12. What is a TSG?
13. What is the difference between DOC and DOP?
14. Where can I find a guide to the different language versions of the EU GIs?
15. What types of products can be GIs?
16. What are the most important first steps for those considering a GI?
17. What basic costs can a GI expect to incur?
18. How can a group or association create the necessary recognition for their GI to be successful?
19. Do I have to be a citizen to obtain a registration in a country?
20. How long does it take to get a legal registration?
21. What is the duration of an international registration for a mark?
22. Do I have to register a mark or designation for my GI to be protected?
23. If someone meets the standards of a GI that is registered as a certification mark, can they use the GI designation?
24. Why is it that a term that is geographically descriptive can not be simply registered as a trademark?
25. Among GIs, what are generic names?
26. What GIs and GI product names are already registered?
27. Where can I learn more about GI regulations in the EU?
28. Where can I learn more about GI regulations in the US?
29. Who are the National Authorities Responsible for GIs in each country?
30. Where can I get more in-depth information on GI issues in the arena of international law and agreements?

1. What is a geographical indication or GI?

One description of a “geographical indication” may be found in the World Trade Organization’s Agreement on Trade-Related Aspects of Intellectual Property (TRIPS). The TRIPS Agreement sets forth standards to regulate international intellectual property protection and enforcement and establishes international minimum standards for the protection of geographical indications.

Geographical indications (GIs) are defined as “indications which identify a good as originating in the territory of a Member, or a region or locality in that territory, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographic origin.”

This means that a geographical indication is a sign used to indicate the regional origin of particular goods/services and that there must be a link between some characteristic of the good and the particular region where it was produced. For example, the Florida Sunshine Tree is a symbol known to consumers that links citrus products featuring the Sunshine Tree to Florida where the “distinctive-tasting” citrus is grown.

2. Are GIs just place names?

A GI can be a geographic place name (e.g., “Bordeaux” but it may also be a symbol (e.g., a picture of the Eiffel Tower, woman with tea leaf, an orange tree) or the outline of a geographic area (e.g., the outline of the state of Florida or a map of the Dominican Republic), a color, or anything else capable of identifying the source of a good or service.

3. When I see “MADE IN CHINA” on a product, is that a GI?

Probably not. For an indication to function as a GI there must be a link between some characteristic of the good and the particular region where it was produced. That link must inform consumers of some important characteristic of the product that is material in their decision to purchase the good.

Not every indication can rise to the level of a GI. In other words, a geographic name itself is not a GI. In order for a geographic name to function as a GI, it must indicate more than just origin; it must communicate that the product from this region has a particular quality or has a particular reputation. The source-indicating capacity of a GI is key and highlights the distinction between a GI and a mere geographic term that does not function as source-identifier.

4. How are GIs protected?

Geographical indications are protected in a number of ways. The form of protection must be in accordance with signed accords and treaties such as the TRIPS Agreement or the Lisbon Agreement. At the national level, they are specifically protected by a variety of laws or instruments depending on the country. These can include:

- Specific or sui generis laws protecting GIs

- trademark laws, particularly, but not exclusively, in the form of certification marks or collective marks
- laws against unfair competition
- consumer fraud protection laws for example, those for truth in labeling
- occasionally with specific laws or decrees that recognize individual GIs

5. What is a trademark?

In some countries, including in certain cases the US, it is possible to protect geographical indications as trademarks. Geographic terms or signs are not usually registerable as trademarks if they are merely geographically descriptive of the origin of the goods. There are a number of exceptions and trademarks can also be used as a corollary form of protection for aspects of the GI. If a geographic name or sign is used in such a way as to identify the source of the product or service and consumers have come to recognize it as identifying a particular company or manufacturer or group of producers, the geographic sign no longer describes only where the product or service originates, it also identifies a somewhat unique source for the product or service. In the US, at that point, the sign has “secondary meaning” or “acquired distinctiveness” and can be trademarked.

The EU, of course, also uses trademarks including the Community Trademark (CTM) and although these can complement a GI they are not primarily used to protect GIs. The CTM is any trademark registered across the whole of the EU, part of a harmonized trademark system. A mark only needs to be used in one member state of the EU to qualify for CTM application. Any item that can be represented graphically in a unique and distinguishable way (words, shapes, designs, the shape of goods or packaging) can be registered.

6. What is a service mark?

Part of trademark law, a service mark is any word, name, symbol, device (or combination) that used to indicate the source of the services and to identify and distinguish the services of one provider from those of others. It is not an active part of GI protection.

7. What is a certification mark?

A certification mark is any word, name, symbol, or device that conveys the certification of a particular pre-defined characteristic(s) of a product or service, which may include geographic origin. It is the most often used method in some countries such as the US and China to protect a GI and it conforms to specifications laid out by the owner, which can apply to place of origin and/or methods of production. The mark requires some verification by a third party that prescribed attributes have been met or are presented.

Unlike trademarks, certification marks are source-identifying in the sense that they identify the nature and quality of the goods and affirm that these goods have met certain defined standards. Certification marks differ from trademarks in three important

ways. First, a certification mark is not used by its owner. Second, any entity that meets the certifying standards set by the owner is entitled to use the certification mark. Third, in most cases, it applies only to the product or service for which it is registered; so a Florida citrus certification mark cannot be used as a certification mark on automobiles or radios. However, a single US certification mark can be tied to a variety of products, producers, and processors in a region i.e. 'Pride of New York' for fresh fruits and vegetables.

8. What is a collective mark?

Collective marks are similar to trademarks and are used only by the members of a cooperative, association, or other collective group to identify their goods or services as having a connection to the collective and its standards. The collective may have a geographic identity i.e. the California Raisin Board and may advertise or promote goods produced by its members. In the EU, a group that has a registered PDO or PGI may also apply for a collective trademark for their GI product's name or graphic representation. The PDO/PGI designation provides a protected indication of quality and origin relationship that is separate from other intellectual property rights. Aspects of PDO/PGI can therefore be subsequently trademarked as a collective trademark, conferring additional protection via intellectual property rights.

9. What is a PDO?

The designation stands for "Protected Designation of Origin" in the EU. It indicates that the product must be both produced and processed within the defined geographic area, exhibiting qualities or characteristics essentially due to that area. A PDO is the name of a place or region used to describe an agricultural product or a foodstuff, the quality and characteristics of which are due exclusively or essentially to the geographical environment, including natural and human factors.

10. What is a PGI?

The designation stands for "Protected Geographic Indication" in the EU. To attain this designation, the product must be produced or processed in the geographical area (either or both). The PGI allows greater flexibility than the PDO so long as the product exhibits specific quality, reputation or other characteristics that are attributable to that area. Therefore, so long as some unique contribution is made in the defined geographical area, which can be the production and/or processing and/or preparation the PGI need not include any of the aspects of human contributions and local know how that the PDO includes.

11. What are the differences between the two main EU quality systems?

PDOs and PGIs differ mainly in the extent of their link to a specific geographic region. In general terms a PDO product must not only derive its characteristics from the area (i.e. local raw materials, climate, soil quality or other local factors) it **MUST ALSO** be produced and processed in the defined GI region. PGIs only need to have at least one of the production or processing stages happen in the defined area. In nearly every other

respect, including application, recognition process, control systems, and consumer guarantees, they are the same.

12. What is a TSG?

The designation stands for “Traditional Specialty Guaranteed” in the EU. It means that the product must be traditional, or established by custom (at least one generation or 25 years). A TSG can exist where the product’s name expresses the specific character of the foodstuff. TSGs may have geographic affiliations but their production can take place anywhere in the world, subject to appropriate controls, so they are not treated as GIs here. Haggis, Mozzarella, Lambic, and *Eiswein* or Icewine are popular TSGs.

13. What is the difference between DOC and DOP?

Both are commonly used terms in Europe. The DOP is synonymous with PDO or Protected Denomination of Origin the EU’s most demanding level of protection for a GI. As DOP, it is the common abbreviation for French, Spanish, Italian, Romanian and Portuguese. The DOC is used primarily for wines and indicates a Controlled Denomination of Origin specifying the wine’s geographical locus of production and certain quality standards (grape variety, acidity, alcohol content, period of aging, etc.). In some regions, DOC was also the GI term for other food products (i.e. cheese, ham, etc.) prior to Regulation 2081/92 that formalized PDO and PGI terms in the EU in 1992.

14. Where can I find a guide to the different linguistic versions of the EU GIs?

Variations of DOP exist in each country. For example, in German it is: g.U., in Polish it is: CHNP and in Finnish it is: SAN. All mean exactly the same. These and other abbreviations can be found in Annex V of EU Regulation 1898/2006.

15. What types of products can be GIs?

The list is rather long and the most popular are wines and spirits. Crafts can be GIs in some nations, i.e. Turkey and India, but are not included in the EU system yet. Here is a sampling of other products that are part of the regulations within the EU or US.

Products covered by Regulation (EEC) No 510/06 and Regulation (EEC) No 509/06:

- Fresh meat and meat based products (cooked, salted, smoked, etc.)
- Products of animal origin (cheeses, eggs, honey, cochineal, milk products excluding butter, etc.)
- Oils and fats
- Fruits and vegetables
- Cereals, bread, pasta, pastry, cakes, confectionery, biscuits
- Fish, mollusks, crustaceans
- Spices
- Beer and beverages made from plant extracts
- Natural mineral waters and spring waters
- Natural gums and resins
- Essential oils

- Cork
- Wool

In the US, any food or agricultural product, including all of the above, will be considered.

16. What are the most important first steps for those considering a GI to consider?

First, it must be determined whether a product has sufficient level of differentiation and whether the stakeholders are interested in the long-term commitment required in terms of both cooperation and resources. If the determination is positive, then a GI must be carefully considered and structured with broad participation, and leadership to permit optimal benefits to the diverse stakeholders of the region. Careful structuring will also reduce disharmony and ensuing difficulties as a GI grows. This includes conducting a feasibility analysis to determine likely marketability and the types of legal structures and protection that will be needed.

At the domestic level this means: securing recognition and demarcation, determining the quality or process standards that will apply, supporting associative processes at the level of supply chains and organizations, and securing development or promotional funds to meet basic costs that can add up to hundreds of thousands of dollars before any GI products are sold.

17. What basic costs can a GI expect to incur?

The range is enormous with many factors, ranging from size to level of development, influencing the outcome so it is impossible to determine generically. From assessment to domestic protection can easily cost several hundred thousand dollars and considerable time.

One of the first sets of costs are for determining whether the GI is viable in terms of an interesting product, an interested market, and organized producers. The second stage requires investment in establishing the necessary domestic legal structures and defining the exact physical boundaries and definitions or standards for the GI. It is not uncommon for this to take several years to complete. To support the GI's development, local or domestic information and education are useful as are marketing efforts for the products.

As products become popular, it will be necessary to assess legal protection options and apply for them overseas. Maintaining vigilance and pursuing infractions for GIs marketed globally can be a considerable cost, particularly if litigation is necessary.

GIs will often require further private infrastructure and production investments along with organizational adaptation to new conditions and requirements and sometimes higher costs due to the demand for better quality or simply the heavier demand of required raw materials if these are limited.

18. How can a group or association create the necessary recognition for their GI to be successful?

Recognition often depends on marketing and there are various tools available, beginning with a marketing analysis and plan. In most cases, individual producers independently market and gain recognition but as this grows, they may find that associated efforts are more cost effective in new or larger markets. GIs can typically start with local or regional promotion and development to best establish what works in their systems of management, production, packaging, and marketing. The most successful GIs have good links with commercial enterprises that have a long-term commitment to market the products. Since establishing such linkages can be difficult, weaker origins could consider providing preferential access or terms, at least initially for a suitable partner to invest in the marketing and distribution. Such supply chain partners provide valuable marketing services that many origins can not afford.

19. Do I have to be a citizen to obtain a registration in a country?

Both the US and the EU permit citizens of other nations to apply for any of their protection systems. This is a relatively recent option in the EU and it is not yet clear how simple the process will actually be. In the US, a foreign applicant can file for GI registration if they meet any of the following criteria:

- Actual use of the mark, or good faith intention to use it, in US domestic commerce or commerce between the United States and a foreign country.
- Ownership of a foreign registration (or current application) filed in a foreign country.
- Extending protection, under the Madrid Protocol, of a foreign registration to the US.

20. How long does it take to get a legal registration?

This varies due to a number of factors. Generally speaking, in the EU, the process is expected to take at least one to two years from the date of application if there are no serious problems or objections but the experience with foreign applications has been very limited. Tracking the current status information on application and registration processes requires contacting the relevant authorities with whom it was filed. The US can typically average at least a year or more. However, cases can easily take several years depending on circumstances. Tracking the process or status on applications and registrations can be done through the Trademark Applications and Registrations Retrieval (TARR) database at <http://tarr.uspto.gov/>.

21. What is the duration of an international registration for a mark?

Under the Madrid Protocol, an international registration lasts for ten years from the date of registration and may be renewed for additional 10-year periods by paying a renewal fee to the WIPO International Bureau. The “international registration” option applies only to marks and not to *sui generis* systems and permits the owner of a mark to register it in any other signatory country of the Madrid Agreement Concerning the International Registration of Marks by filing a single application with the International Bureau of the World Intellectual Property Organization.

22. Do I have to register a mark or designation for my GI to be protected?

No, many countries provide protection even for recognized GIs that are unregistered. Cognac is one notable US example. However, it is advisable to have formal registration to publicly inform both competitors and potential users of the ownership claim on the GI and to facilitate possible protective actions with either judiciary or customs authorities.

23. If someone meets the standards of a GI that is registered as a certification mark, can they use the GI designation?

Yes, but only if the registered owner of the certification mark certifies that the product or service meets the standards. The owner – usually a government, public association or group of producers – must be able to control the use of the term, otherwise the certification mark is subject to cancellation. The owner must also permit its use to those that meet the published standards for it and discrimination against a compliant firm or producer subjects the mark to cancellation. The USPTO requires written and publicly available certification standards for each certification mark as part of the official record.

24. Why is it that a term that is geographically descriptive can not be simply registered as a trademark?

Geographic terms are not typically registerable as trademarks if they are simply geographically descriptive of the origin. Mere description may prevent other producers in that area from use of that term to fairly describe the origin of their goods or services.

A GI identifies not just a geographic area but a product linked to it. If over time consumers come to recognize a GI product identification as not merely geographically descriptive, but as also identifying a particular firm or group of producers, then the geographic term no longer describes only where the product comes from, it also describes the perhaps unique "source" of the products. This is a requirement in the US.

Under trademark law the term has then acquired "distinctiveness" or "secondary meaning" (the primary meaning is the geographic place and the secondary meaning is the particular producer or manufacturer that creates the product or service). As such, the term may be protected even as a trademark. A geographical name may however be registered as a certification mark when attached to a particular product even though it may otherwise be primarily geographically descriptive since it permits others in that area to use the term.

25. Among GIs, what are generic names?

A generic name has become the commonly used name for a particular type of product. Though it relates to a place or region where such products were originally produced, that place name has come to designate not a specific source-related product but rather the category of products and these do not necessarily originate in the named region.

26. What GIs and GI product names are already registered?

In some countries, private search firms or attorneys specializing in Intellectual Property law will conduct GI and trademark searches. Such firms may be listed in telephone directories under the heading “Trademark Search Services”.

For the EU, search for PDO or PGI by general category:

http://ec.europa.eu/agriculture/qual/en/1bbaa_en.htm

Search for PDO or PGI by EU country:

http://ec.europa.eu/agriculture/qual/en/1bbab_en.htm

Search for TSG in the EU by category

http://ec.europa.eu/agriculture/qual/en/1bbb1_en.htm

In the US:

Patent and Trademark Depository Libraries are located in many major cities. The main Trademark Public Search Library is located at Public Search Facility - Madison East, 1st Floor; 600 Dulany St.; Alexandria, VA 22313. Use is free to the public.

Search with the Trademark Electronic Search System (TESS) at:

http://tess2.uspto.gov/bin/gate.exe?f=login&p_lang=English&p_d=trmk.

27. Where can I learn more about GI regulations in the EU?

Council Regulation (EEC) No 510/2006 of 20 March 2006 deals with the legal protection of geographical indications and designations of origin for food and agricultural products. General information and a summary of the legislation are found at:

<http://europa.eu/scadplus/leg/en/lvb/l66044.htm>

Detailed rules of implementation, i.e. Particulars of inspection structures, Council Regulation on the systems known as PDO (Protected Designation of Origin) and PGI (Protected Geographical Indication) are available from the Directorate-General for Agriculture and Rural Development at:

http://ec.europa.eu/agriculture/foodqual/quali1_en.htm

Find related legislation on the left-side column of the page:

List of applications (DOOR) for registration of Protected Designations of Origin (PDO) and Protected Geographical Indications (PGI) and Traditional Specialties Guaranteed (TSG):

http://ec.europa.eu/agriculture/foodqual/protec/applications/index_en.htm

For further questions, contact the Directorate-General for Agriculture and Rural Development directly at: http://ec.europa.eu/agriculture/contact/infoform_en.htm

28. Where can I learn more about GI regulations in the US?

Basics of the US GI system:

http://www.uspto.gov/web/offices/dcom/olia/globalip/pdf/gi_system.pdf

Links to other information on US GI and related systems of protection:

<http://www.uspto.gov/web/offices/dcom/olia/globalip/geographicalindication.htm>

Access to Policy and notices on GIs and related issues:

<http://www.uspto.gov/main/policy.htm>

The Trademark Manual of Examining Procedure (TMEP) sets forth the guidelines and procedures followed by the examining attorneys at the USPTO:

<http://tess2.uspto.gov/tmdb/tmep/>

The Office of International Relations of the United States Patent and Trademark Office and the US Trademark Assistance Center can also be contacted by phone for more information about US protection for GIs that is not on the USPTO website.

29. Who are the National Authorities Responsible for GIs in the US & EU?

For EU countries see:

<http://ec.europa.eu/agriculture/foodqual/protec/national/authorities.pdf>

For the US see: <http://www.uspto.gov>

30. Where can I get more in-depth information on GI issues in the arena of international law and agreements?

The following is a list of the main documents relating to GI issues from the WIPO Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications (SCT) and the WTO.

SCT/1/2	Organizational Matters
SCT/3/6	Geographical Indications
SCT/5/3	Conflicts between Trademarks and GIs
	Conflicts between Homonymous GIs
SCT/8/4	Historical Background
	Nature of the Right
	Existing Systems of Protection
	Obtaining Protection in Other Countries
SCT/9/4	The Definition of GIs
SCT/9/5	GIs and the Territoriality Principle
SCT/10/4	Geographical Indications
IP/C/13 and Add.1	Checklist of Issues (Review of Article 24.2 TRIPS)
IP/C/W/253 and Rev.1	Summary of the Responses to Checklist of Issues
IP/C/W/85 and Add.1	Overview of Existing International Notification and Registration Systems for Geographical Indications

WT/MIN(01)/DEC/1	Ministerial Declaration on the Doha Development Agenda (see in particular paragraphs 12 and 18)
TN/IP/W/7 and Rev.1	Main Issues Raised and Points Made (TRIPS Council Special Session on Multilateral Register)
TN/IP/W/12+Add.1+Corr.1	Compilation of Points Raised and Views Expressed on the Proposals (TRIPS Council Special Session)
WT/GC/W/546 - TN/C/W/25	Secretariat's Compilation of Points Made and Issues (on Extension)
JOB(03)/12 and Add.1 and JOB(06)/190	EC Proposal for "Claw-back" (Agricultural Committee Special Session)
WT/DS-174/R and 290/R	Reports of the Panel dealing with the GI Disputes between Australia and the US
World Trade Report 2004	Section 3 deals with economic aspects of GIs

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8.....	Café Veracruz, Mexico

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