



European IP Helpdesk

Stay ahead of the innovation game.

,Geographical Indications

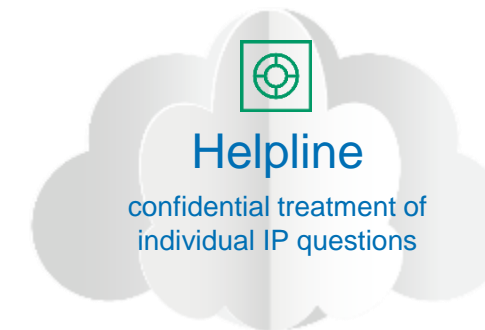
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European IP Helpdesk

- Service initiative of the European Commission
- Addressing **current and potential beneficiaries of EU-funded projects, researchers and EU SMEs**
- Free-of-charge first-line support on intellectual property (IP)
- Hands-on IP and innovation management support
- International pool of IP experts from various thematic fields
- Unique cooperation scheme with the Enterprise Europe Network: 48 ambassadors from 28 EU countries





The EC IP Helpdesks





EC IP Helpdesks Hub - Gateway to Information

Website / IP Helpdesks Hub

Publications

Audio-visual Content

E-Learning Modules

Training

IP Factsheet: Mainland China

SEND US YOUR QUERIES

TRADEMARKS PATENTS DESIGNS COPYRIGHT

Social Media

Helpline – Services



Ambassador Scheme

- **Cooperation scheme** with the Enterprise Europe Network (EEN): 48 ambassadors – 28 countries
- **Building IP capacities** among European SMEs
- **Overcoming language barriers**
- Making the topic **more accessible**
- Exchange and feedback from ambassadors on **needs of SMEs**
- **Local awareness and training events**





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FEB
2022 | TRAINING AND WORKSHOPS
EU - Webinar: IP Commercialisation and Licensing
Live streaming available | 16
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2022 | TRAINING AND WORKSHOPS
EU - Webinar: Impact and Innovation in EU funded projects - A guide for proposers
Live streaming available |
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2022 | TRAINING AND WORKSHOPS
Webinar during EU Industry Week 2022: Intellectual Property for the Green Tech and Digital Economy Sectors
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EPO Tech Day 2022 |
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2022 | TRAINING AND WORKSHOPS
EU - Webinar: IP in Horizon Projects (H2020/HEurope)
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EU - Webinar: IP Commercialisation and Licensing
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EU - Webinar: Effective IP and Outreach Strategies Help Increase the Impact of Research and Innovation
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EU - Webinar: Maximizing the Impact of Horizon project (2020/HEU) results
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EU - Webinar IP Helpdesk Webinar: IPR & Software
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2022 | TRAINING AND WORKSHOPS
EU - Webinar: IP in EU funded projects with a special focus on MSCA
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EU - Webinar: The new Copyright Directive
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2022 | TRAINING AND WORKSHOPS
EU - Webinar: IP and Artificial Intelligence - Advanced
Live streaming available |

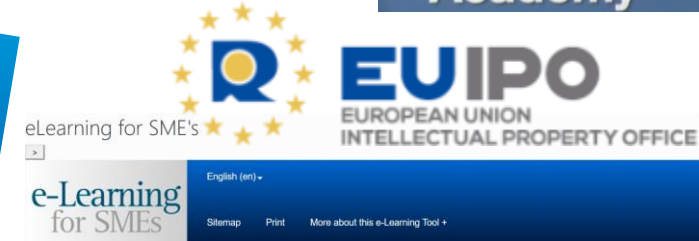


2022



Further learning opportunities:

1. [European IP Helpdesk Ambassadors and EEN](#)
2. [EUIPO learning portal](#)
3. [EUIPO – Ideas Powered for business website](#)
4. [WIPO Academy / Diagnostics](#)
5. [The Ideas Powered for business SME Fund](#)
6. [IPA4SME](#)
7. [Horizon IP Scan](#)
8. [\(IP Booster\)](#)
9. [Horizon Results Booster](#)
10. [Leadership4SMEs](#)
11. [EPO Academy](#)
12. [4IPCouncil](#)





Recording

Please note that the whole presentation, including the Q&A session, is recorded. The presentation will be sent to you after the webinar.





2. GIs Functions

Geographical origin of goods

Quality and authenticity of the product

Biodiversity, traditional knowledge

Development of rural areas

Social cohesion



2. Gis Features of the right

Registration

Collective right

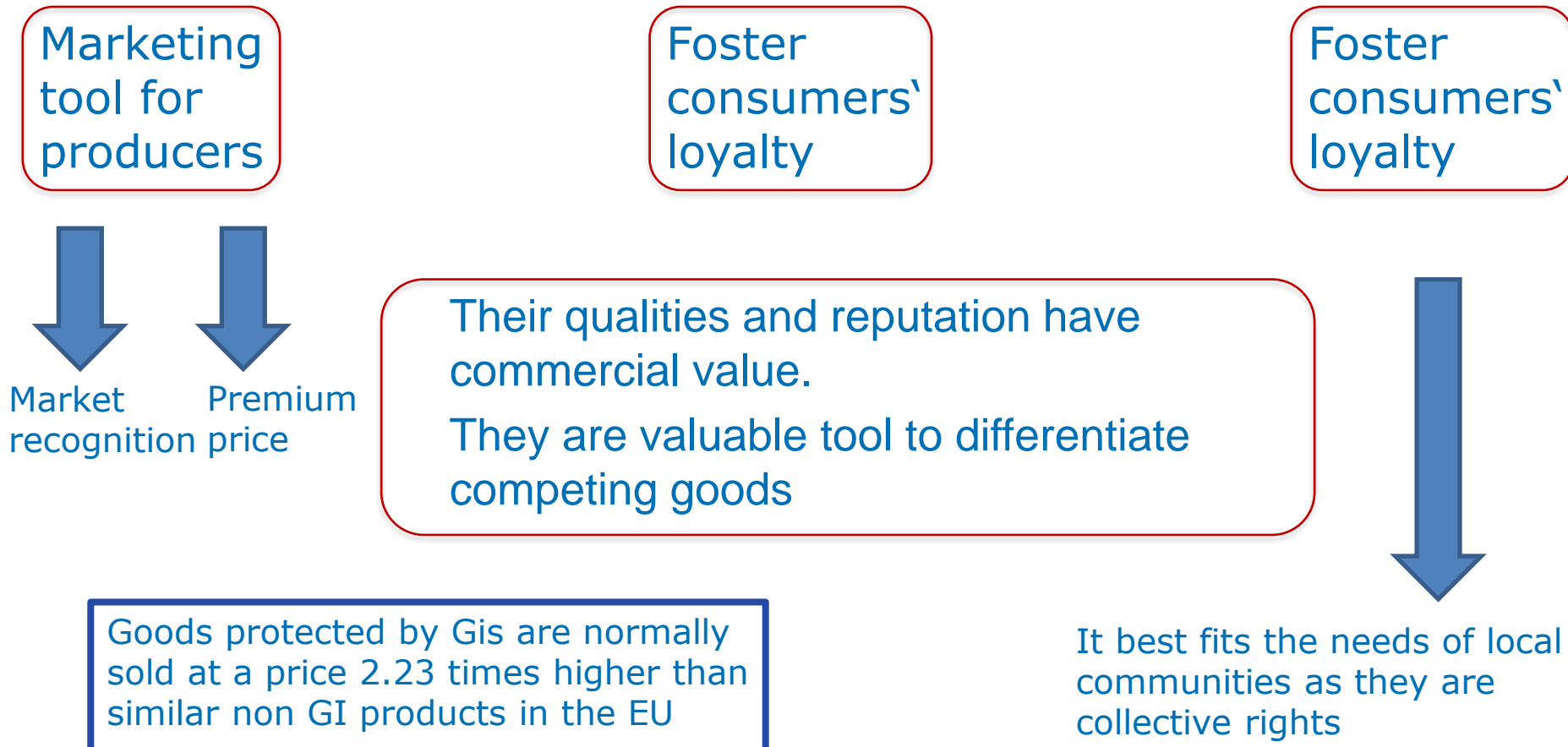
Product specification

Granted for a limited territory

Potentially unlimited in time



Why Protecting GIs





Basic Concepts:





Geographical Indications (GIs): definition

- GIs are signs used to identify a good as originating from a specific geographical region where a given quality, reputation, or other characteristic of the good is essentially attributable to its geographical origin





What is a Geographical Name?

- Geographical names or signs in connection with products

↓
Champagne



- They function as indicators of the Geographical origin of the products





Names of places?

- Geographical Indications are often names of places,
- **However:**
- Non-geographical names can also be protected if they are linked to a particular place





What type of products?

- Geographical indications are used for:
 - Agricultural Products
 - Foodstuff
 - Wine and Spirits
 - Handicrafts
 - Industrial Products





EU Legal framework

- Regulation (EU) No 1151/2012 (agricultural products and foodstuff)
- Regulation (EU) No 1308/2013 (wines)
- Regulation (EC) No 110/2008 (spirit drinks)
- Regulation (EU) No 251/2014 (aromatised wines)

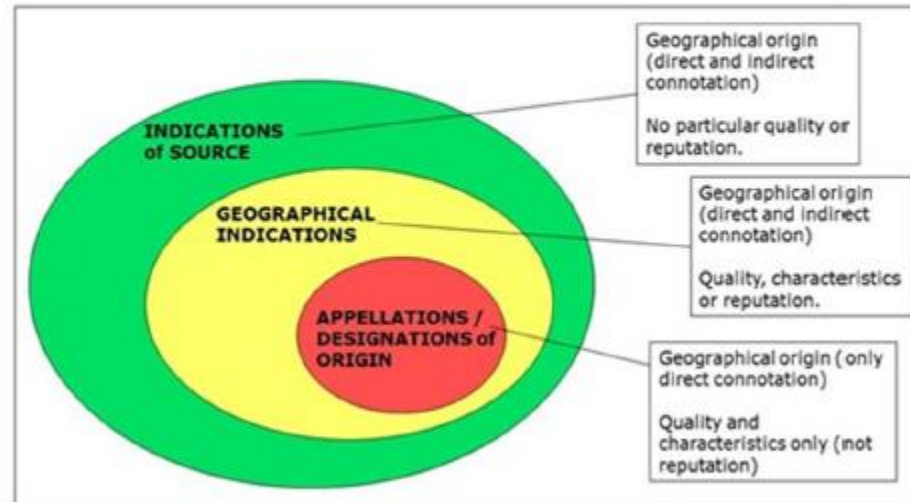




Main types of Geographical names

-

International level



EU level





Protection of GIs:

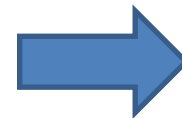




How are Geographical Indications protected ?

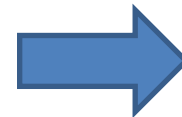
- By acquiring a right over the name that constitutes the indication (e.g Bordeaux)
- What are the types of GI protection?

- Geographical Indication
- Designation of origin



Sui Generis Right

- Collective Trademark
- Certification trademark



Trademark Law



1. Under *sui generis* GI laws





National Protection




- The national legislative framework on Gis in a particular country can be found through the WIPO Lex database:
 - www.wipo.int/wipolex/en



EU Protection

Sui Generis EU system for the protection of Gis:		
Goods	Example	Regulation
Agricultural products and foodstuffs	„Roquefort“ 	1151/2012 on quality schemes for agricultural products and foodstuffs
Wines	„Bordeaux“ „Sherry“ 	1308/2013 on the protection of Gis for wines
Spirits	„Scotch Whiskey“ 	110/2008 on the protection of Gis for spirit drinks
Aromatised wines	„Vermuth di Torino“	251/2014 on aromatized wines



	PDO 	PGI 	TSG 
Name	Specific place, region or (exception) country	Specific place, region or country	Different from Geographical Indication
Link with Geographical Area (GA)	Essentially or exclusive	Quality, reputation or other characteristic	No delimited GA. Traditional method of production or product composition
Production steps	All in GA	At least one in GA	Anywhere
Raw materials	GA	Anywhere	Anywhere



- Wines and agricultural products and foodstuffs:



- Spirits and aromatized wines:





PGIs and PDOs

- Protected Designations of Origin (PDOs)
 - All PDOs must adhere to a precise set of specifications
 - PDOs may bear the PDO logo
 - Examples : stafforshire
- Protected Geographical Indication (PGIs)
 - All PGIs must adhere to a precise set of specifications.
 - PGIs may bear the PGI logo
 - Examples: Stornoway black pudding or Bayerishes Bier





- [EC applicants' guide](#)

Registration process:

Definition of the product specification:	Definition of the Product specification
Filing the application to the national authority	NATIONAL PHASE
Examination by the national authority	
Publication on the official journal	
Opposition period	
Publication	
Temporary national protection	
Examination by the EC	
Opposition Period	
Registration	



International Protection





Under Trademark laws

Collective
Trademarks

To indicate that they
are members of a
certain association



EU collective Trademark

International collective Trademark

National collective Trademark

Certification
marks

To certify that a
good/service
complies with
certain standards



EU certification mark (new)

No international certification mark

National certification mark





<ul style="list-style-type: none">• Common features<ul style="list-style-type: none">▪ They may both be used by persons different than the holder of the mark▪ Their holders establish their own regulations to be complied with by those who intend to use the mark▪ As opposed to ordinary Trademarks, they may refer to a Geographical Origin▪ Additional registration fees may apply▪ Legal limitation to licensing of these marks may apply	<ul style="list-style-type: none">• Specific features<ul style="list-style-type: none">▪ Collective marks may only be used by a specific group of traders (e.g. the members of an association) / certification marks may be used by anybody who complies with defined standards (i.e. no membership required)▪ Collective marks have an identification function (although this is usually perceived as a guarantee).▪ Certification marks have guarantee function
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Unlike Gis, which are not subject to a specific period of validity, collective and certification marks are generally protected for renewable ten-year periods



Geographical Indications vs Trademarks

Gis: Identify products as originating from a geographical area

TMs: identify products as originating from a company

Two systems regulating the use of names and signs in the marketplace

Prior GI vs later Trademark

- Principle of priority applies GI prevails on over the trademark
- Prior GI (registered either at EU or national level) absolute and relative ground for refusal

Under EU law

Prior Trademark vs later GI

- Principle of coexistence, unless proven that the GI has been registered in bad faith
- Exception: Well known Trademarks



GI searches:





Where to search for GIs?

- **At national level:**

- Databases of national IP Offices
- Contact your national IP Office
- Check WIPO's directory of IP offices

www.wipo.int/directory/en/urls.jsp

- **At EU level:**

- Nearly 3,400 EU registered GIs can be accessed via the EC databases:
- DOOR for foodstuffs
- E-BACCHUS for wines
- E-SPIRIT-DRINKS for spirits
- the file of Aromatic Wines

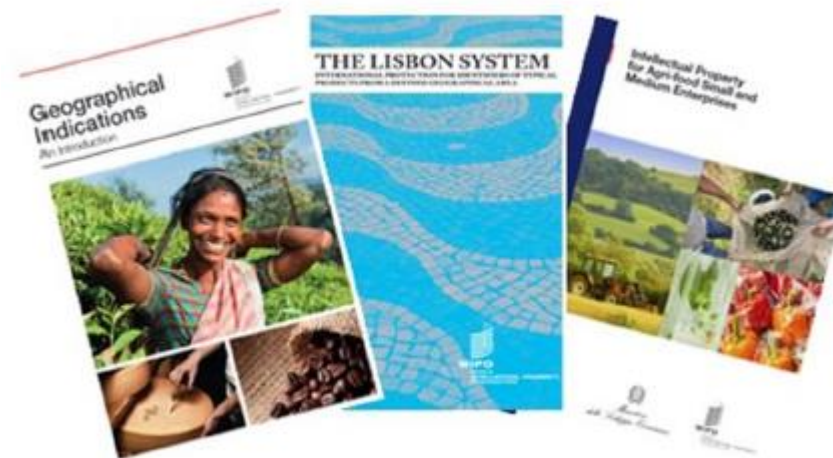
- **At international level:**

- GIs protected under the Lisbon System can be found at WIPO's LISBON EXPRESS



More information on GIs

- Geographical indications
European Commission
- WIPO
- WTO
- EUIPO
- OriGIn NGO
- European IPR Helpdesk materials





Thank you!

- www.ec.europa.eu/ip-helpdesk
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- training@iprhelphdesk.eu
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