



European
Commission

Protection of GIs in the EU and abroad

Lima, 28-29 March 2019



Agriculture
and Rural
Development



"GIs Protection abroad"

- **Why?**
- **How?**
- **Who?**

The growing importance of GIs

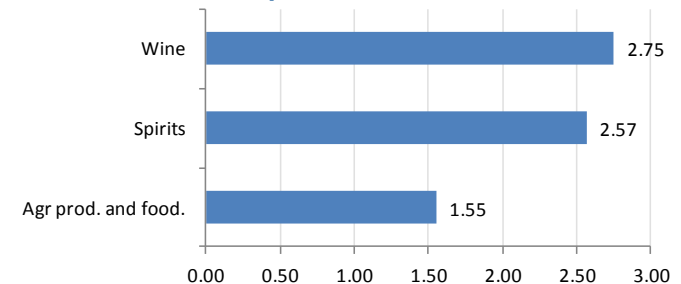
- GIs embody the philosophy of caring about origin**
- GIs protect diversity**
- GIs benefit producers, consumers and society**

Value premium / Sales value

The premium a GI can expect from the market, compared to non-GI products

→ on average, the price of an EU GI product is **2.23** times the price of a comparable non-GI products

Value premium rate in the EU27 by scheme:

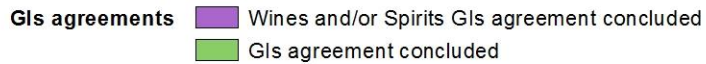


- Estimated **sales value** of EU GIs: €62 billion in 2017
= 5.7% of €1,098 billion (EU food and drink sector)
- Estimate of EU GI **exports value**: € 15 billion in 2017
= 15% of €102 billion (EU food and drink exports)

Protection

- Valuable intellectual property right (**collective right**)
- Protection of the **name** not of the product
- Against any **misuse, imitation or evocation** and any other practice liable to **mislead the consumer**
- **Right to use:** applies to any operator within the geographical area respecting product specification
- **Protection unlimited in time** (but possibility of cancellation if compliance with the product specification is no longer ensured)





Map Projection World: Eckert III - Map Scale 1:110.000.000 © EuroGeographics Association for the Administrative Boundaries
Note : The borders of the map does not necessarily represent the official position of the EU. The map has only a statistical value.

EU GIs negotiations state of play

- **Wine & Spirits:** South Africa, Canada, Chile , Mexico, USA, Australia, Albania, Republic of North Macedonia, Iceland, Lichtenstein, Norway, Switzerland.
- **Concluded Agreements:** – (GI chapter): CARIFORUM, SADC, Canada, Central America, Colombia, Peru & Ecuador, South-Korea, Bosnia Herzegovina, Georgia, Iceland, Kazakhstan, Kosovo, Moldova, Montenegro, Serbia, Switzerland, Ukraine, Japan, Singapore, Vietnam, Armenia, Mexico.
- **Ongoing negotiations:** Chile, Mercosur, Australia, China, India, Indonesia, Malaysia, New Zealand, Philippines, Thailand, Azerbaijan, Kyrgyzstan, Morocco, Norway, Tunisia.



Bilateral agreements

- In the FTAs a satisfactory GI chapter is a "must have" for the EU.
- EU **objective** is not to impose a mere transposition of its internal legislation to the concerned third countries-not realistic
- The objective in EU negotiations is to add value compared to TRIPS basic provisions.
- The aim is to establish a list of EU/Third Country agricultural GIs to be protected directly and indefinitely in the respective countries from the entry into force of the agreement



Bilateral agreements

EU objectives:

- To allow co-existence with prior trademarks,
- To phase out prior uses of EU names,
- To obtain administrative protection,
- To ensure a right of use (opposed to trademark license system),
- To create a co-operation mechanism/dialogue.

Bilateral agreements

Reciprocal/ "high level" protection

Third Country GIs protected in bilateral agreements with the EU:

1588 total

(1288 wine; 127 spirits; 115 agricultural product and foodstuff; 1 aromatized wine)

Full list available: https://ec.europa.eu/info/sites/info/files/food-farming-fisheries/food_safety_and_quality/documents/list-gis-non-eu-countries-protected-in-eu_en.pdf

Thank you!

Lima, 29 March 2019

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https://ec.europa.eu/info/food-farming-fisheries/food-safety-and-quality/certification_en