Enforcing Bordeaux wines IP criminal protection in China 在华执行波尔多葡萄酒知识产权的刑事保护

EU-China Forum on Criminal IP Enforcement, Dec. the 2nd, 2021 中欧知识产权刑事执法论坛, 2021年12月2日

Thomas Jullien, Bordeaux Wine Council Thomas Jullien,波尔多葡萄酒协会











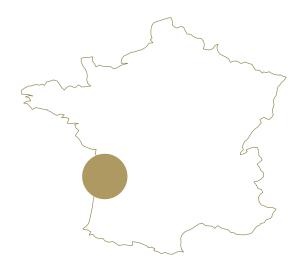




BORDEAUX WINE INDUSTRY 波尔多葡萄酒行业

The People 从业人数

- 6 000+ Wine Estates 6000多个葡萄酒庄
- 300 Wine Merchants 300名葡萄酒商户
- Over 55,000 direct and indirect jobs, i.e. 1 job out of 6 in Bordeaux region 逾5.5万个直接和间接工作岗位,占波尔多地区六分之一



Production / Sales 产销量

- 707 million bottles yearly on average 年均产量7.07亿瓶
- 4 billion € total turnover 销售总额40亿欧元 2 billion € to export 出口总额20亿欧元

Largest French GI vineyard in volume Largest French GI vineyard for still wine exports

最大的法国地理标志葡萄园(按产量) 最大的法国地理标志葡萄园(按无气葡 萄酒出口量)

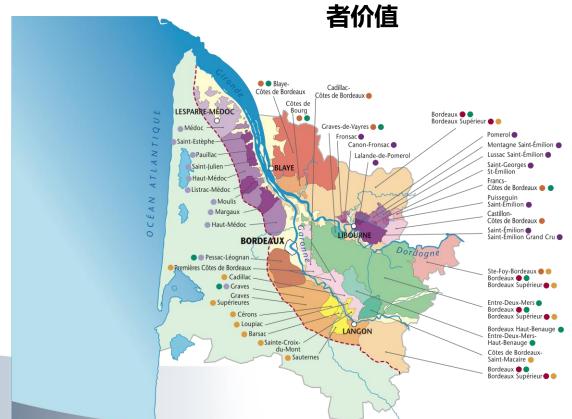




BORDEAUX VINEYARD 波尔多葡萄园

What are **Geographical Indications** (GI's) 什么是**地理标志** (GI)

- 1) Strictly defined geographical area => Limited production 严格界定的地理区域 ⇒ 有限产量
- 2) Determined production method => Defined qualities, style and reputation= value for consumers 既定生产方法 ⇒ 明确的质量、风格和知名度 = 消费







THE BORDEAUX WINE COUNCIL (CIVB) 波尔多葡萄酒协会

• CIVB brings together all Bordeaux wine producers and merchants to address common issues facing the industry 协会凝聚波尔多葡萄酒生产商和经销商共识,解决行业共同问题



MARKETING 营销

- Building the Bordeaux brand globally
- 在全球打造波尔多品牌

RESEARCH & DEVELOPMENT 研发

- Invest in technical improvements to maintain quality
- 在技术改造、质量管控方面进行投资



ECONOMY 经济

- Monitoring data and intelligence from production to sales to efficiently manage industry
- 监测产销全流程数据和资讯,实现行业高效率管理

GENERAL INTERESTS OF THE INDUSTRY 行业共同利益

- Protection of GI's against counterfeiting
- 防止、打击地理标志假冒行为

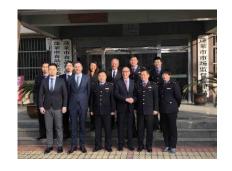




BORDEAUX GI'S PROTECTION IN CHINA 在华保护波尔多地理标志

1 | Registration of GI's

All 60 Gl's registered in latin letters and Chinese characters:全部60个地理标志(以拉丁字母和汉字注册): Bordeaux 波尔多、Medoc 梅多克、Margaux 玛歌、Pauillac 波亚克、Pomerol 波美侯……



2| Trainings / intelligence sharing 培训/信息共享

Working relationships with Law Enforcement Agencies CIVB provides trainings and technical support 协会与执法机构合作,提供培训和技术支持







ENFORCEMENT: SPOT – CHECK – LAUNCH ACTION 执法:发现–检查–行动

Spotting: LEA's inquiries, Fairs, Ecommerce or tips from industry

发现: 执法机构的问询、展会、电商或业内线索



Verification of suspect products 确认可疑产品



Investigation: who, where, how much

调查: 谁、何地、价值几何

Criminal Justice 刑事司法



Administrative penalties 行政处罚

Civil litigation 民事诉讼





BORDEAUX PROTECTION PLAN IN CHINA: RESULTS 波尔多葡萄酒在华保护计划:成果

CRIMINALCONVICTIONS 刑事定罪

From 2020, jail sentences, cartels taken down 2020年以来,对犯罪分子 判处监禁,捣毁犯罪窝点

CIVIL LITIGATION 民事诉讼

Increasing damages 提高赔偿金

ADMINISTRATIVE 行政

100+ raids and penalties 100余次突击行动、处 罚



2021: New crackdowns across the country

2021年:全国新打击行动

- · Raids across several provinces 跨省突击
- Tens of thousands of bottles seized 查获数万瓶酒
- 50+ arrests 逮捕50余人
- Full Counterfeiting Ring: bottlers, label printers,
 distributors 完整的假冒黑产链:罐装厂、印标厂、分销商



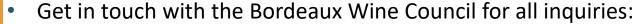




RESSOURCES 学习资源

- Training module in English and Mandarin on International IP Crime Investigators College: "Identifying and Adressing Counterfeit Bordeaux Wines" https://www.iipcic.org/custom.php
- 国际知识产权调查员学院中英双语培训课程: "发现和打击假冒波尔多葡萄酒" https://www.iipcic.org/custom.php





联系波尔多葡萄酒协会,了解相关信息:

Laurianne Revidon-Audry, Legal Affairs 法务, <u>laurianne.revidon@vins-bordeaux.fr</u>
Thomas Jullien: Brand Protection 品牌保护, <u>thomas.jullien@vins-bordeaux.fr</u>

