



Protecting Geographical Indications

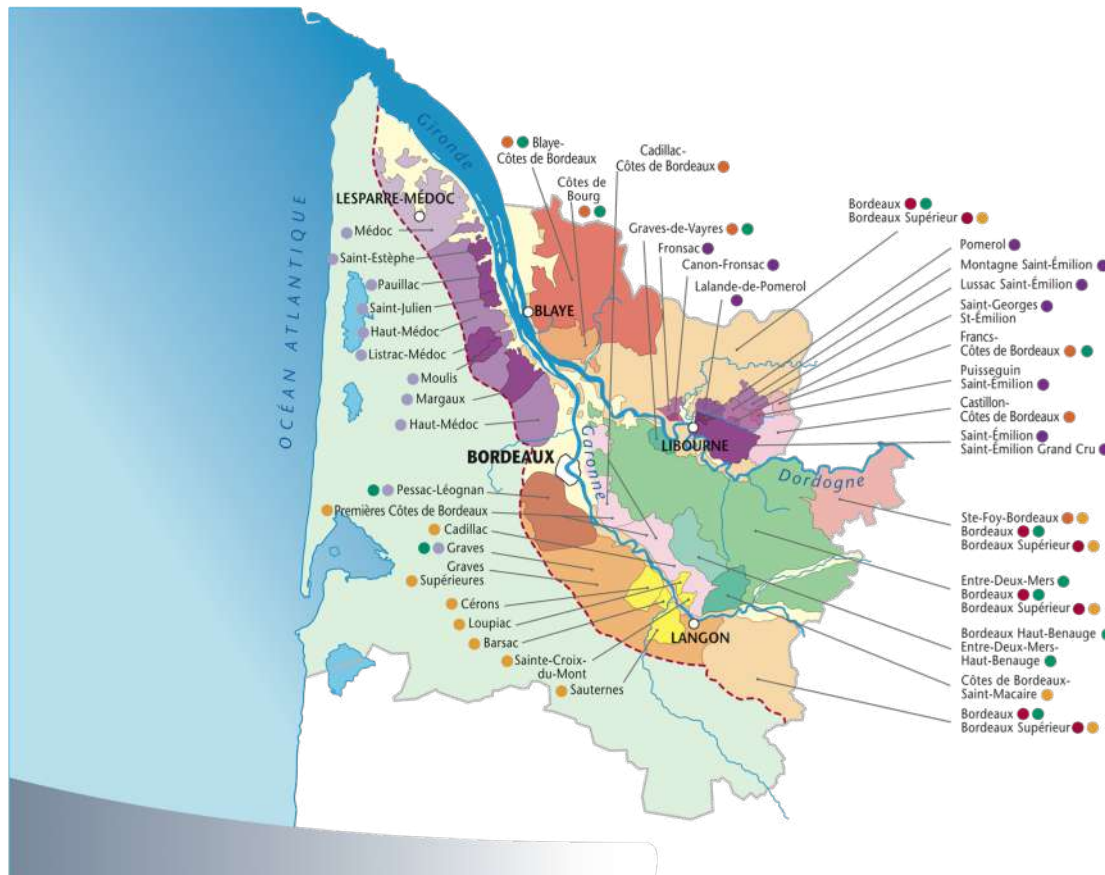
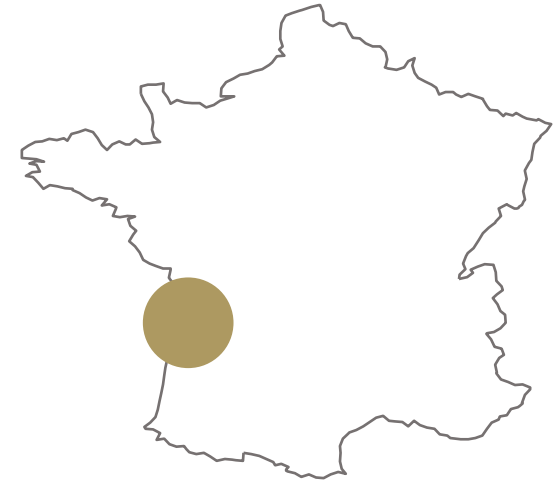
Thomas JULLIEN, BORDEAUX WINE COUNCIL (CIVB)

IPKey ASEAN Conference, 07/11/2024



The Bordeaux vineyard

- 65 GI's, 108 000 hectares
- 550 million bottles / year
- 15% of wine production in France



Geographical Indications (GI's)

- Strictly defined geographical area => Limited production
- Determined production method => Defined qualities, style and reputation

Geography + Human factors = value for consumers





5,000+ wine estates / vine growers

- « Chateau » wines
- Average size : 20 hectares

300 wine merchants

- Branded wines
- Over 2/3 of Bordeaux wine output in volume

Exports

- 4 billion euros turnover, > 2 billion euros exports
- Bordeaux wines distributed in 170 countries



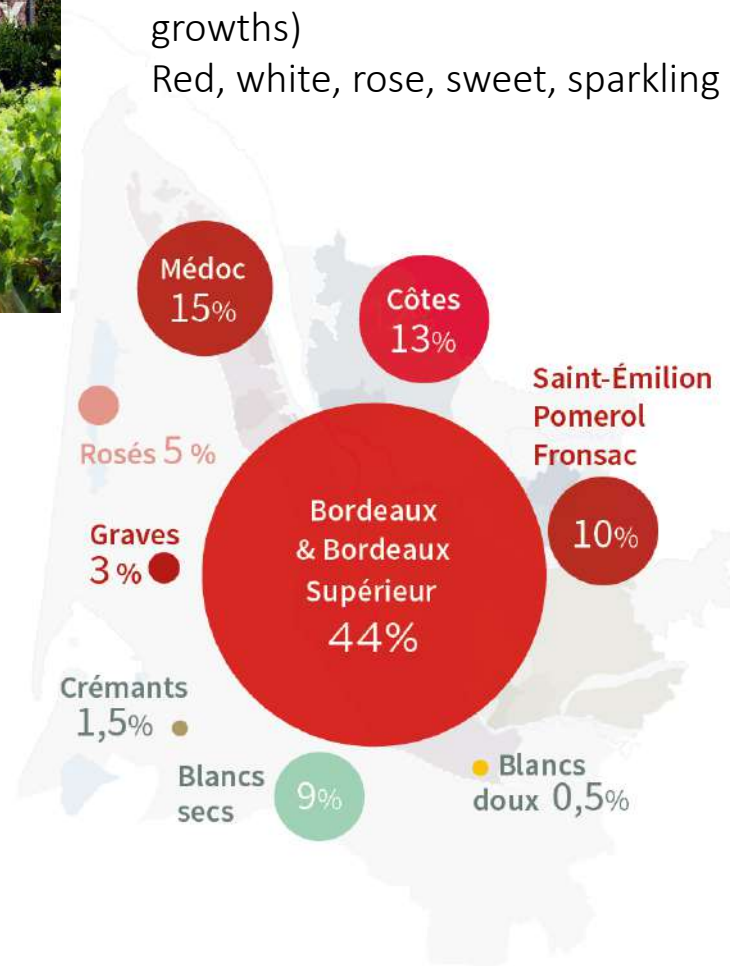
1st employer in the region (1 out of 6 jobs)
60 000 directs and indirects jobs





Diversity : colours, appellations, range

- Medium range to high-end (5% of Bordeaux vineyard = classified growths)
- Red, white, rose, sweet, sparkling





- The Bordeaux Wine Council : brings together all Bordeaux vinegrowers and wine merchants to address common issues facing the industry
- Funded by vinegrowers and wine merchants, under the aegis of Ministries of Finances & Agriculture
- Elected industry representatives at the helm

4 missions

- QUALITY, R&D : Invest in technical improvements
- MARKETING : Building the Bordeaux brand globally
- INTELLIGENCE : Monitoring data and intelligence
- GENERAL INTERESTS : GI Protection plan



What type of protection for GI's?

Within the European Union

- Sui Generis protection for GI's
- Enforced by authorities (Police, administrations quality / food / fraud controls, Customs)



Globally (outside of EU)

- EU trade agreements with GI protection provisions (ex. Vietnam)
- World Trade Organization members : TRIPS agreements (Trade Related Aspects of IP rights), specific W&S provisions
- Case by case, eg. China

Bordeaux GI's protection plan in China

1| Legal basis for protection in China

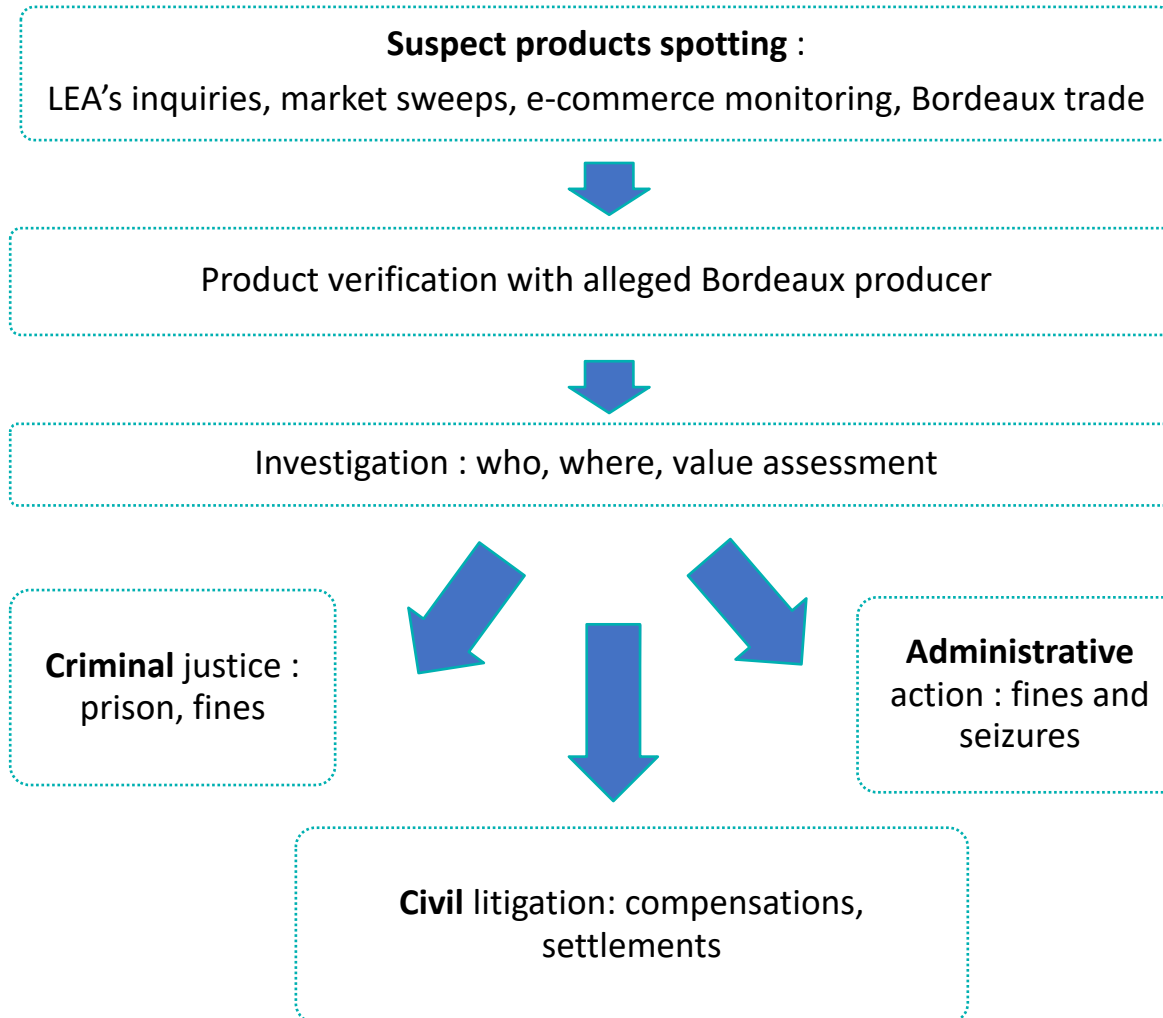
- Registration with the China National Intellectual Property Administration (CNIPA) of Bordeaux GI's as collective trademarks
- 65 GI's registered both in latin letters and chinese characters : Bordeaux 波尔多, Medoc 梅多克, Margaux 玛歌, Pauillac 波亚克, Pomerol 波美侯...



2| Training & cooperation

- Working relationships with LEA's (Police, Customs, Administrative authorities...), intelligence sharing
- Agents' trainings
- Technical support on cases

PROTECTION ENFORCEMENT : DETECTION – AUTHENTICATION – ACTION



BORDEAUX PROTECTION PLAN IN CHINA : RESULTS

CRIMINAL CONVICTIONS

From 2020, jail sentences,
cartels taken down

CIVIL LITIGATION

Increasing damages
Well-known brand status
Unfair competition

ADMINISTRATIVE

100+ raids and penalties



2023/24 : Increased case sizes

- Raids across jurisdictions
- 100+ arrests, tens of thousands of bottles seized
- Emphasis on Full Counterfeiting eco-systems :
bottlers, label printers, distributors
- No probation sentences



BORDEAUX PROTECTION PLAN IN VIETNAM : RESULTS

2023 : First criminal conviction in Vietnam based on Bordeaux GI counterfeit

- 2020 : EU Vietnam Trade agreement, specific GI protection provision
- 2021 : leads in Ho Chi Minh on suspect Bordeaux wines
- Investigation and raid from HCMC Economic Police
- Court concluded production of goods with counterfeit geographical indications constituted “Infringement of Industrial Property Rights”, and ordered a fine and destruction of counterfeit products



BORDEAUX GI'S PROTECTION PLAN : EXTENDING PROTECTION

Digital channels:

- Monitoring on 110 Market places in 39 countries
- Direct partnerships with select marketplaces to initiate offline cases
- Notice and takedowns of infringing items,



Customs surveillance on Bordeaux GI's:

- Started in 2023
- European Union inbound
- Vietnam and PR of China outbound



BORDEAUX PROTECTION PLAN : SPECIAL COOPERATIONS



OPSON program with Interpol / Europol
CIVB participating since 2015.



React
The Anti-Counterfeiting Network

React, QBPC, Unifab :

Special organizations representing industry stakeholders, IPR holders
Coordinating of training activities, from industry participants, best practice and intelligence sharing.



Legal monitoring of national laws to improve protection.

Extension of GI protections worldwide.

Pending registrations: IG Bordeaux GI in Brazil, OAPI countries and Turkey, collective trademark with OAPI

- To confirm counterfeit Bordeaux wines, in most cases, verification of a bottle can be performed through the careful review of pictures of key parts of the bottle
- Following pics are needed to carry out a thorough check (examples in following slides) :
 - 1) Whole bottle
 - 2) Front and back labels
 - 3) Capsule
 - 4) Lot number
 - 5) Bottle bottom
 - 6) Cork (if possible)
 - 7) Additionnal relevant features
- Resolution should be high enough to zoom in and read small prints on labels, in particular on the front and / or back label, bottler identification should be clear: « mis en bouteille par » or « EMB..... »
- Multiple shots of a given part can be useful where various angles bring different information (eg.prints around the cork)

1) Whole bottle



2) Front and back labels, emphasis on 'Mis en bouteille...' (bottled by), EMB code Barcode



3) Capsule



4) Lot number : essential piece of information, can be printed on label / back label, capsule or engraved on bottle glass



5) Bottle bottom, glass maker logo should be readable (or lack thereof)



6) Cork (if possible), uncorking may not be an option in all types of checks, where possible it provides with high value detection feedback



7) Additional relevant features : eg. cases, embossed bottles, medals....

HOW TO VERIFY A BOTTLE?



Send us the following pics :

- 1) Whole bottle
- 2) Front and back labels
- 3) Capsule
- 4) Lot number
- 5) Bottle bottom
- 6) Cork (if possible)



RESOURCES

- Training module in English and Mandarin on Interpol's platform : International IP Crime Investigators College : **"Identifying and Adressing Counterfeit Bordeaux Wines"** <https://www.iipcic.org/custom.php>



- Get in touch with the Bordeaux Wine Council for any inquiry



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Emilie Stefanuto, Secrétaire Générale,
emilie.stefanuto@vins-bordeaux.fr

Thomas Jullien, Protection IG,
thomas.jullien@vins-bordeaux.fr