



**AIPPI 2015 Rio de Janeiro**  
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# Standing Committee on Geographical Indications





## MEMBERS OF THE COMMITTEE



- Chair Giulio E. Sironi (Italy)
- Co-Chair Laura Collada (Mexico)
- Secretary Tom Reid (Australia)
- Members Volker Schoene (Germany)
- Nami Togawa (Japan)
- Rudolph Hofmann (United States of America)
- Yuncheng Li (China)
- Jean-Pierre Stouls (France)
- Emmanuelle Varloud (France)
- Ricardo Gordó Llobell (Argentina)
- Elio De Tullio (Italy)
- Patrick J. Kole (United States of America)
- Sandra Leis (Brazil)
- Kurt Stöpetie (The Netherlands)
- Paul Harris (United Kingdom)
  
- Responsible Reporter Anne Marie Verschuur (The Netherlands)



## MAIN TASKS OF THE COMMITTEE



- Monitor any relevant developments in the field of GIs at both international and domestic levels.
- Analyse: proposed and adopted legislative changes in the various jurisdictions; negotiations for the adoption or revision of international treaties; significant judicial decisions.
- Report to the Bureau on these developments and indicate aspects and issues which may merit study or the taking up of a stand by AIPPI.
- Draw up suggestions on AIPPI's possible actions or positions.
- Represent AIPPI at international fora and present AIPPI's position on relevant issues during meetings and sessions at these fora.



## WIPO AND THE NEW **GENEVA ACT**



- Since being set up the Committee has monitored the work for revision of the Lisbon System and represented AIPPI at the Working Sessions at WIPO in Geneva.
- In view of the Diplomatic Conference for the adoption of the new Geneva Act (Geneva, May 2015) the Committee has drawn up and sent to the RGT a paper containing comments and suggestions on AIPPI's position.
- Materials the Committee has worked on: i) previous AIPPI resolutions, in particular Q62, Q118 and Q191, and previous comments made by the Committee during the Working Sessions in Geneva; ii) basic WIPO proposals, their explanatory notes, reports of the preparatory Working Sessions and proposals sent by WIPO Member States.



# WIPO AND THE NEW GENEVA ACT



- Main points of the paper prepared by the Committee:
  - Subject-matter of protection: based on resolutions Q62, Q118 and Q191, the fact that the new Geneva Act protects both appellations of origin and geographical indications seems to be in line with AIPPI's position;
  - Scope of protection: based on resolution Q191, AIPPI supports protection of GIs against any practice liable to mislead the public or any practice liable to misappropriate the reputation, if any, of geographical indications;
  - Relations with prior trademark rights: based on resolution Q191, AIPPI supports the first in time, first in right principle;
  - Invalidation: given the position held by AIPPI in its previous resolutions of finding a reasonable balance between the various rights and interests involved, AIPPI could be in favour of a position whereby the national authorities of the Contracting Parties must have a certain leeway in assessing the substantive requirements of protectability of appellations of origin and geographical indications, and therefore the power to invalidate them, if there are reasons for doing so, within their territory;
  - International registration: since resolution Q191 has acknowledged the lack of consensus within AIPPI as to the necessity or desirability of registration systems, AIPPI can neither support nor not support the fact per se of an international system of registration of appellations of origin and geographical indications and the relative procedures.



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- Participation in the Diplomatic Conference at WIPO in Geneva.
- Speaking on the scope of protection of appellations of origin and geographical indications and on the relation with earlier trademarks.
- AIPPI's position in favour of inserting rules in the new Geneva Act which protect AOs and GIs against misleading of the public and misappropriation of reputation, as well as rules compliant with the first in time, first in right principle was expressed and noted in the Conference records.



## ONGOING ACTIVITIES



- The Committee will continue to follow the issues hereunder, reporting on them to the Bureau and possibly suggesting actions to take:
  - National positions with regard to the new Geneva Act;
  - Proposals for modification of the provisions on GIs in the TRIPs (in coordination with SC Q94 TRIPs);
  - Provisions on GIs in the Transatlantic Trade and Investment Partnership (TTIP);
  - Provisions on GIs in the Trans-Pacific Partnership (TPP);
  - Provisions on GIs in the Comprehensive Economic and Trade Agreement (CETA);
  - Work for the creation of a system of protection for the GIs of non-agricultural products in the European Union.