



European Communities Trade Mark Association

**Worldwide Symposium on geographical Indications
Bangkok, March 2013**

**Using Geographical Indications
Alongside Other IP Rights:
A European Perspective**

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Chair, ECTA Geographical Indications Committee

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The European Scheme on GIs:

- A **high level of protection** in the field of **wines, spirits** and **foodstuff**, even if the system is complex and is yet to be completed (hand crafted goods).
- This *sui generis* system of protection is **opened to GIs from the EU and from around the world**

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平谷大桃

The Chinese peach PINGGU DA TAO is registered since late 2012 as a Protected Designation of Origin in the EU



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Now, the protection of Geographical Indications, in the EU, through a *sui generis* system, is not exclusive – or complementary - protection through other IP rights. Namely:

- **Trade mark** protection (occupation right)
- **Design** and/or **Copyright** protection (right over an aesthetic creation)

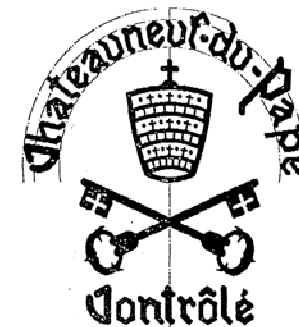
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Trade marks and logos



PARMIGIANO
REGGIANO



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Trade marks and logos



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Trade marks and logos



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Trade marks and logos

DARJEELING



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Trade marks and logos



Consorzio VINO CHIANTI CLASSICO



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Geographical Indications and 3D marks



LA TETILLA



MAMELLA



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Trade marks as **subcategories of GIs**



CAHORS
MALBEC



CAHORS
NOIR



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The right choice

- **Individual** Trade Mark?
- **Collective** Trade Mark?
- **Certification** Trade Mark?



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In the Community Trade Mark system, **collective Community Trade Marks** can be registered even if they are descriptive of the geographical origin of the goods.

- Accessible – in particular – to **Associations of Producers** and to **entities governed by public law**
- Are registered together with a **Regulation of Use**

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The right choice



Collective CTM



Individual CTM



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The right choice

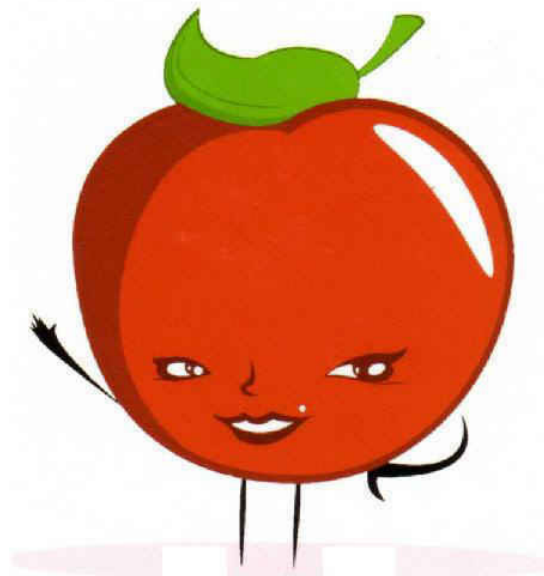


Individual CTM

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Complementary protection through **Designs**

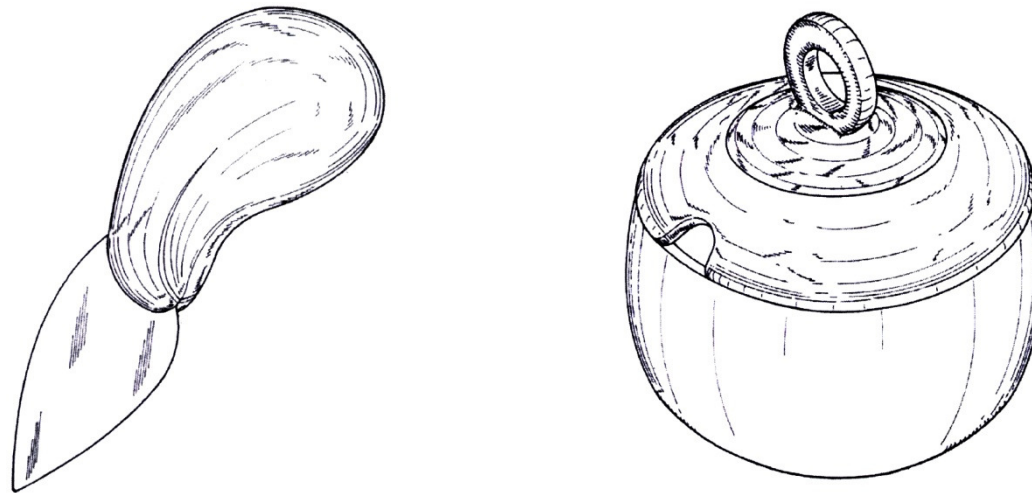


PGI *"Cerezas de la Montaña de Alicante"*

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Complementary protection through **Designs**

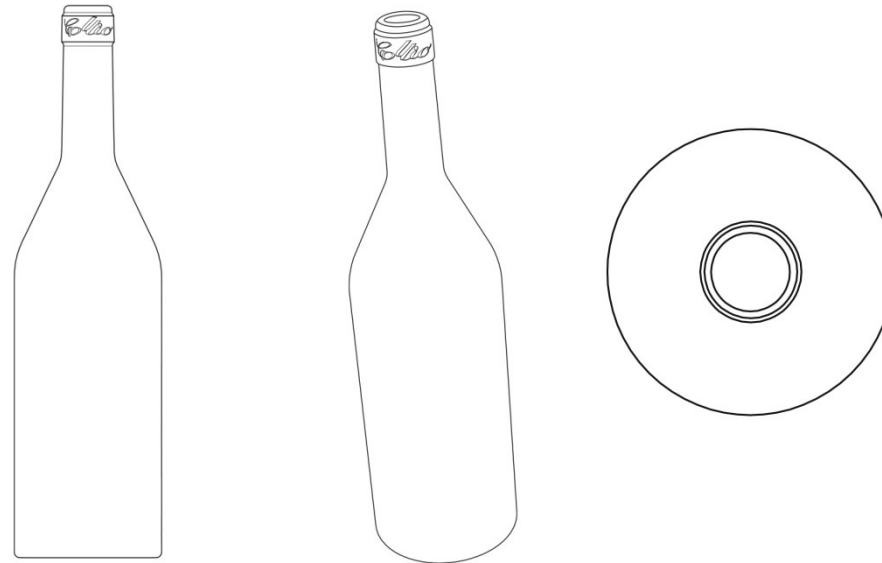


PDO "*Parmigiano Reggiano*"

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Complementary protection through **Designs**

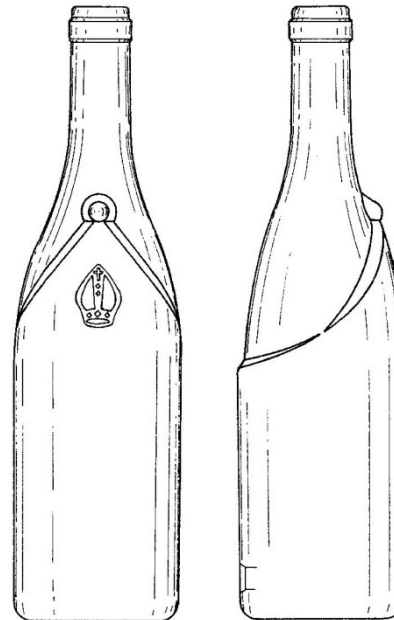


PDO "*Collio*"

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Complementary protection through **Designs** ... and/or **3D Trade Marks**



PDO "*Châteauneuf du Pape*"

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Complementary protection through Copyright



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