



SAKPATENTI

NATIONAL INTELLECTUAL PROPERTY
CENTER OF GEORGIA

Marketing and Protecting Geographical Indications of Georgia Abroad

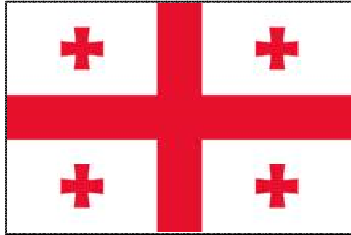
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www.sakpatenti.org.ge

Bangkok, March 2013

Country Profile – Georgia



- **Population:** 4.3 million (UN, 2011)
- **Capital:** Tbilisi
- **Area:** 69,700 sq km
- **Major language:** Georgian
- **Major religion:** Christianity
- **Main exports:** Scrap metal, wine, agricultural products
- **Income Category:** lower middle income (World Bank)
- **Ease of Doing Business** (out of 185 economies) rank: 9 (World Bank, 2013)
–Worlds Top Reformer Over the Past 5 Years, the World Bank & IFC Doing Business Report, 2011

Protection of AOs and GIs in accordance with the Law of Georgia on Appellations of Origin and Geographical Indications

AOs and GIs are protected in the following ways:

1. National AOs and GIs are protected by way of their registration at Sakpatenti;
2. Foreign AOs and GIs are protected on the basis of intergovernmental agreement or international treaty.

* Sakpatenti runs an official registry of the authorized users (e.g. companies) of Georgian geographical indications and appellations of origin.



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Protection of foreign GIs in Georgia

Foreign AOs or GIs are protected in Georgia by virtue of the following instruments:

- International treaty; **Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (Georgia party since 1999);**
- Intergovernmental agreement; international bilateral agreement between Georgia and a foreign state:
 - **EU-Georgia Agreement on Mutual Recognition of Geographical Indications of Agricultural Products and Foodstuffs (entered into force on 1 April 2012);**
 - **Intergovernmental Agreement between Georgia and Ukraine on mutual protection of the geographical indications of wines, spirits and mineral waters (2007).**

Statistics

- In total 37 national GIs/AOs are registered in Georgia (mineral waters; wines; other agricultural foodstuffs).
- 774 foreign AOs are registered under the Lisbon Treaty.
- Over 3000 GIs of the European Union member states are protected in Georgia, by virtue of EU-Georgia Agreement.





მეგრული სულგუნი
Megrelian Sulguni



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Use in Trade of Georgian GIs

- Main trading partners where Georgian GIs /AOs are exported are:
 - CIS countries (except Russia)
 - EU (wine, mineral waters, some dairy products)
 - Mostly: Baltic states, Scandinavia, Germany, UK
 - USA (primarily wine and mineral waters)
- Past few years: growing trend of Georgian wine and spirits exports to China; namely 6 Georgian GIs have seen increase in sales in China.

Cooperation between state agencies and producers of GIs

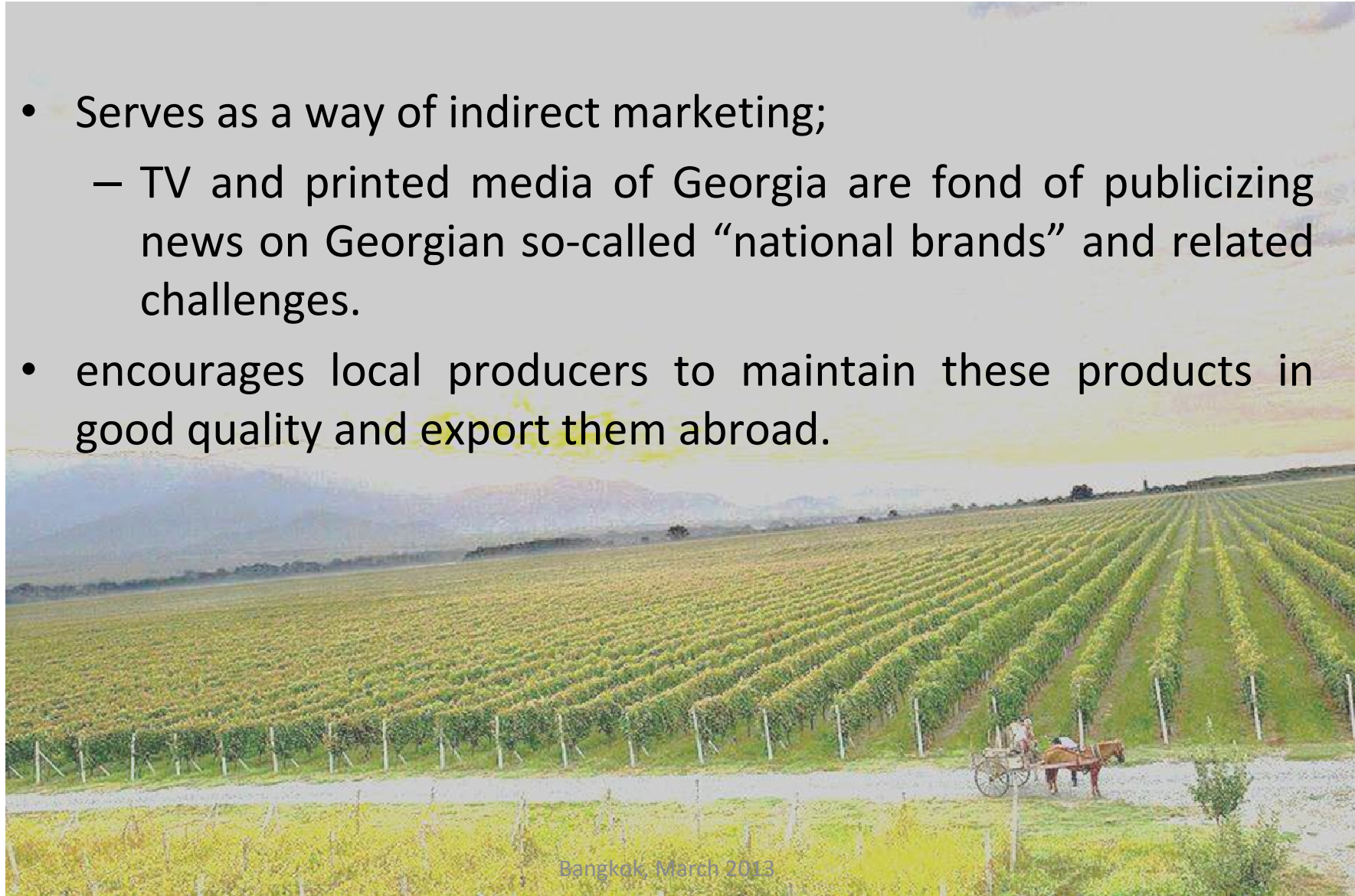
- Dialogue with producers/ exporters and the business associations;
- SAKPATENTI aims to protect those GIs that are exported and present on a given market;
- Close cooperation with wine association as well as the national wine agency, other line ministries;
- System of notifications from private producers, diaspora and the embassies;
- SAKPATENTI is empowered to take action regarding Georgian GIs/AOs abroad.



Media and Publicity

(Georgian GIs/AOs)

- Serves as a way of indirect marketing;
 - TV and printed media of Georgia are fond of publicizing news on Georgian so-called “national brands” and related challenges.
- encourages local producers to maintain these products in good quality and export them abroad.



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“Qvevri” = Georgian traditional ceramic vessel for wine;

*** used for fermentation and storage of the wine; ancient method of winemaking in Georgia dating back to about 8000 BC.**

*** the combined mark was registered at the OHIM by Sakpatenti (for the use of Georgian “qvevri” wine producers/ exporters).**



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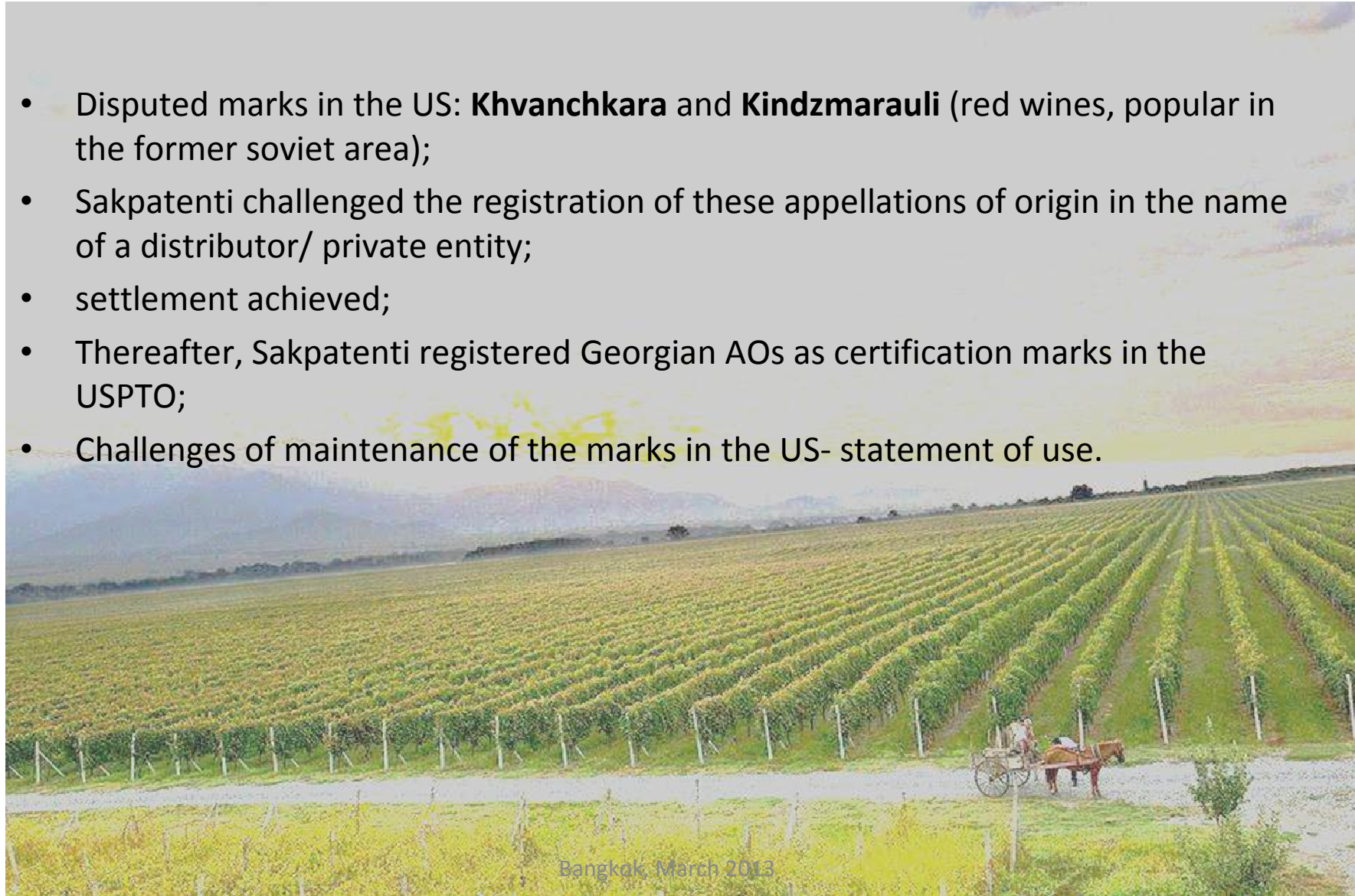
“cradle of wine” – registered at OHIM by Sakpatenti,
for the use of Georgian wine producers / exporters; primarily for
marketing purposes.



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Case analysis (USA)

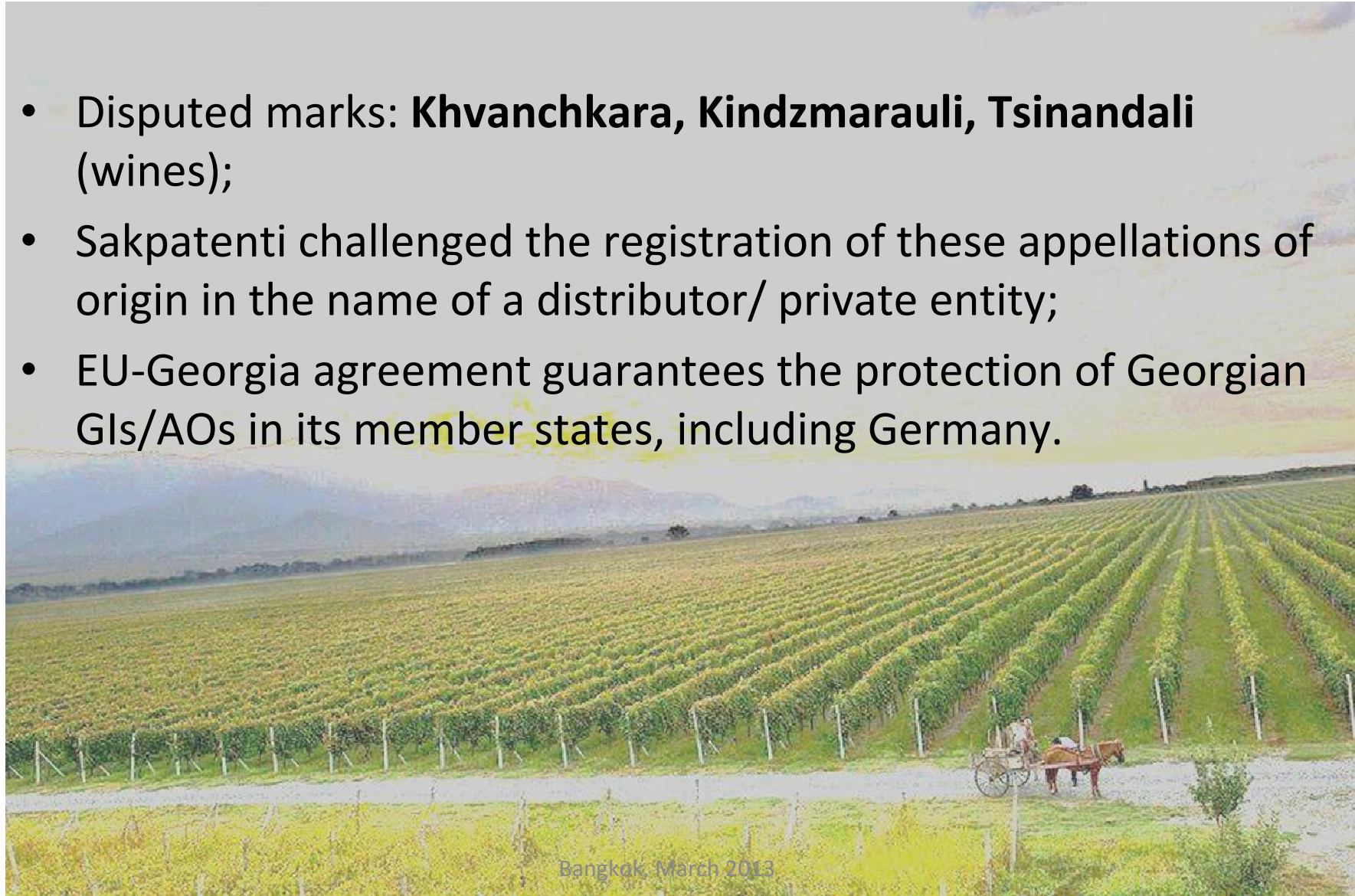
- Disputed marks in the US: **Khvanchkara** and **Kindzmarauli** (red wines, popular in the former soviet area);
- Sakpatenti challenged the registration of these appellations of origin in the name of a distributor/ private entity;
- settlement achieved;
- Thereafter, Sakpatenti registered Georgian AOs as certification marks in the USPTO;
- Challenges of maintenance of the marks in the US- statement of use.



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Cases continued... (Germany)

- Disputed marks: **Khvanchkara, Kindzmarauli, Tsinandali** (wines);
- Sakpatenti challenged the registration of these appellations of origin in the name of a distributor/ private entity;
- EU-Georgia agreement guarantees the protection of Georgian GIs/AOs in its member states, including Germany.



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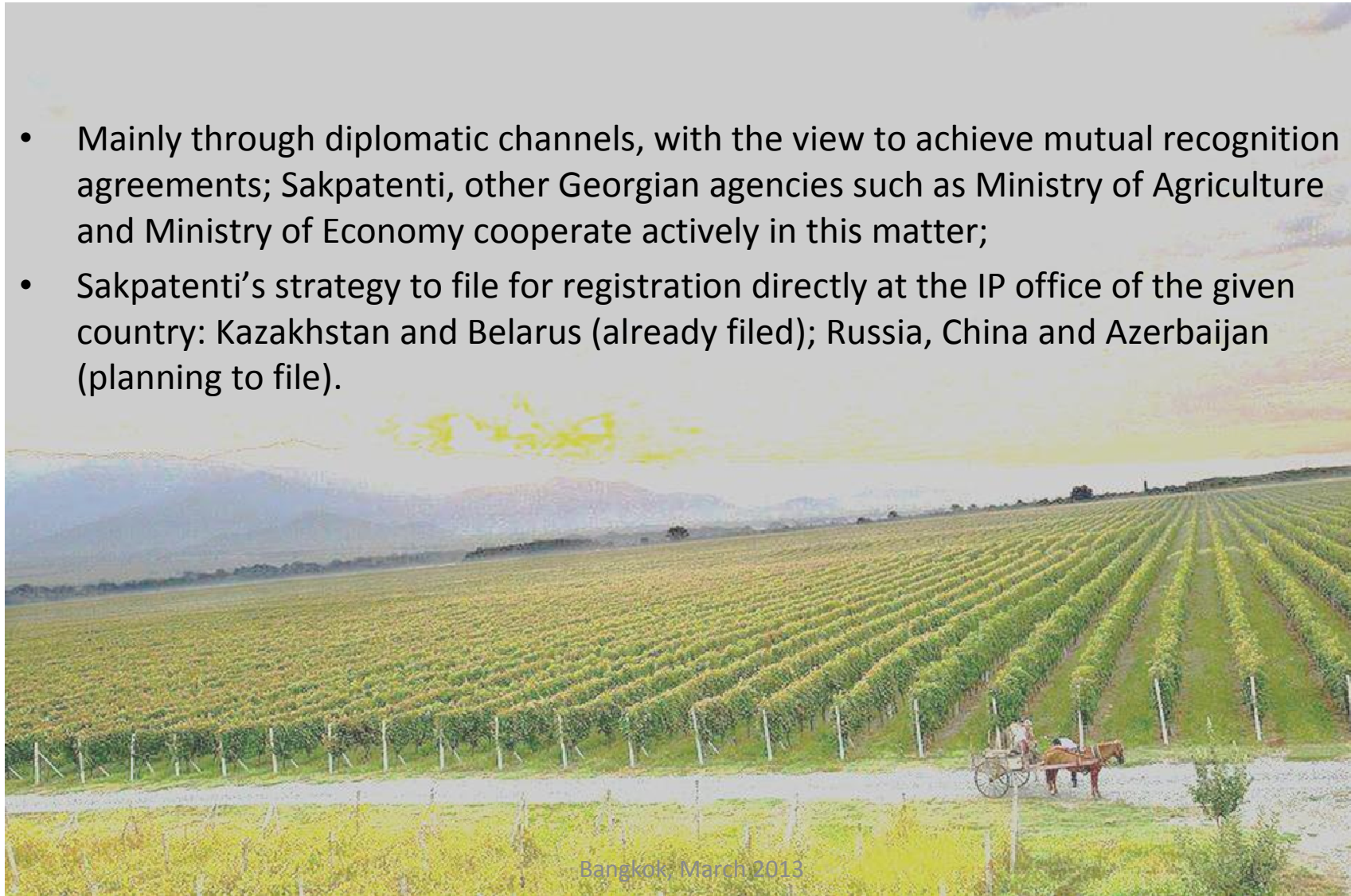
Cases continued...

Other cases involve:

- Baltic states;
- Cyprus;
- Germany.
 - Here, by way of using official letters /warnings and in close collaboration with Georgian embassies in those countries, enforcement was achieved: the goods were taken off the shelves of several retail outlets.
 - In the circumstances where solid legal basis for remedies exists, it is easier to enforce such rights (invoking EU-Georgia Agreement, in force since 2012).

Ongoing efforts of Georgian Government to protect its AOs/GIs abroad

- Mainly through diplomatic channels, with the view to achieve mutual recognition agreements; Sakpatenti, other Georgian agencies such as Ministry of Agriculture and Ministry of Economy cooperate actively in this matter;
- Sakpatenti's strategy to file for registration directly at the IP office of the given country: Kazakhstan and Belarus (already filed); Russia, China and Azerbaijan (planning to file).



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Thank you for your attention!



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