



Worldwide Symposium on Geographical Indications: Challenges and Opportunities

**PROTECTION OF GI IN UE AND ON THE INTERNET:
THE ITALIAN EXPERIENCE
ANGELA SAVINO**

Two word about ICQRF



ICQRF

IS

IN CHARGE

OF

Carrying out Official Controls according to (EC) Reg. No. 882/2004 (by means of Inspections, Chemical Analyses and, if the case, working as Police under the coordination of a Public Prosecutor).

Food fraud contact point between EU and Member states for Health alerts

Issuing fines or other sanctions as result of inspection or analyses findings

Supervising and authorizing the activities of the private or public control bodies for certificating foodstuffs as PDO, PGI and Organic.

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- ✓ **The development of e-commerce;**
- ✓ **The e-commerce legal framework;**
- ✓ **The notion of Hosting provider**
- ✓ **Cooperation with Ebay, Alibaba and Amazon**
- ✓ ***Final considerations***

GI and web: ICQRF tools for protection



Global Online Hosting Providers THE MAIN PLAYERS



there is a specific agreement for the protection of G.I. on agri-food and wine sector



there is a specific agreement for the protection of G.I. on agri-food and wine sector



Amazon Europe cooperates on blocking irregular listings with products evoking or misusing protected names of Italian wines



E-commerce legal framework

US Digital Millennium Copyright Act 1998 a United States Law that implements two 1996

treaties of the World Intellectual Property Organization (WIPO);

- E-commerce Directive 2000/31 /EC on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market.

- «Trade Dispute Rules» used by Alibaba Group

Online Hosting Providers



- Provides hospitality to websites on their web servers
- Establishes a link between the seller and the buyer
- Third party sellers can offer items via the online host independently
- **Limited liability**
- **Notice and take down**

- No general obligation to monitor the information
- No general obligation to seek illegal activity
- No liability for the illegal activity, or information placed on its systems by a user, as long as the online host does not have "actual knowledge" of the activity or information
- upon obtaining such knowledge, the online hosting providers must act expeditiously to remove or to disable access to the information

The process



- Intellectual property rights report any infringements
- As owner it notifies to the hosting provider an infringement to his rights
- online host warns the seller who has the opportunity to carry out a counter-notification to inquire about claim details or to refuse the claim

In case of a counter-notification:

- Resolve the issue
- Judicial litigation

The online service provider is also required to appropriately respond to "repeat infringers", including termination of online accounts



MoU with e-commerce players



Cooperation with





Memorandum for the protection of Italian GIs on the web through the Program Verified Rights Owner (VeRO) to enable IPRs' owners (such as copyright, trademarks or patents) to notify to Ebay any listing/advertising encroaching on Intellectual property rights;

How does it work?



Notification of Infringement Form

IPRs Owner: Mipaaf



Notifica di violazione

eBay International AG

Attn: Programma di verifica dei diritti di proprietà (VeRO) di eBay

Numero di fax: +39 02 95 44 16 59

Data: 31 marzo 2015

Spettabile eBay,

Il sottoscritto, in qualità di titolare di diritti di proprietà intellettuale o di soggetto autorizzato a rappresentare gli aventi diritto, dichiara che le seguenti inserzioni (elencate per numero di oggetto qui di seguito) violano i diritti di proprietà intellettuale ai sensi delle legge italiana.

Titolare di diritti di proprietà intellettuale: DIPARTIMENTO dell'ICQRF in virtù di delega conferita dal Consorzio per la Tutela dei vini Valpolicella;

Indirizzo del titolare di diritti di proprietà intellettuale: Via Quintino Sella, n. 42 – 00187 - ROMA

Queste sono le mie informazioni di contatto:

Nome e Cognome: **Dr. Stefano Vaccari**

Carica: **CAPO DEL DIPARTIMENTO DELL'ISPETTORATO CENTRALE PER LA TUTELA DELLA QUALITA' E REPRESSIONE FRODI DEI PRODOTTI AGROALIMENTARI (ICQRF)**

Azienda: **MINISTERO DELLE POLITICHE AGRICOLE ALIMENTARI E FORESTALI (MIPAAF)**

Indirizzo: **Via Quintino Sella, n. 42 – 00187 - ROMA**

Indirizzo email (per comunicazioni con eBay): icqrf.capodipartimento@politicheagricole.gov.it;

Indirizzo email (per comunicazioni con i venditori)*: icqrf.capodipartimento@politicheagricole.gov.it;



Cod: 6.1

**SPECIAL CODE FOR INFRINGEMENTS OF
ITALIANS' GI**

Ebay item number: →

Allegato alla Notifica di violazione

Elenco delle inserzioni, dei prodotti o dei materiali che violano i diritti di proprietà intellettuale

Nota sui codici: La invitiamo ad indicare un codice di riferimento (qui sotto indicato) per ogni segnalazione. Nel caso in cui dovesse scegliere il codice "Altro", La preghiamo di fornire una spiegazione dettagliata della presunta violazione. Al momento della chiusura di un'inserzione sul sito, eBay informerà il venditore del motivo di tale rimozione. Riteniamo che comunicare tali informazioni sia utile a tutte le parti. La preghiamo di inviare, insieme alla presente denuncia di violazione, tutti i documenti necessari a provare l'attività illecita segnalata.

La invitiamo a scegliere il codice più adatto per ogni violazione e solo un codice per ogni inserzione segnalata.

Codice: _____

Numero oggetto: _____

Codice: _____

Numero oggetto: _____

Codice: _____

Numero oggetto: _____

Codici:

Marchio registrato - oggetto contraffatto

1.1 Gli oggetti sono una riproduzione illegale di prodotti a marchio registrato

Marchio registrato – contenuto dell'inserzione in violazione di un marchio registrato

2.1 Le inserzioni contengono comparazioni illegittime con un prodotto a marchio registrato

2.2 Nelle inserzioni viene fatto un uso illegale di marchi registrati (ad esempio, uso non autorizzato del logo nella descrizione dell'oggetto). (Specificare i dettagli).

Diritto d'Autore – oggetto in violazione del Diritto d'Autore

3.1 Software offerto in vendita in violazione di un contratto di licenza valido che costituisce una violazione del copyright

3.2 Oggetti che violano il copyright (ad esempio, un bootleg di uno spettacolo dal vivo, copie pirata di software, film, o copie illegali di opere coperte da diritto d'autore come testi, dipinti o sculture).



I: VeRO Program -- eBay Listing Removed - Messaggio (Testo normale)

Messaggio

Rispondi Rispondi Inoltra
a tutti Rispondi

Elimina Sposta nella cartella
Azioni

Crea regola Altre azioni

Blocca mittente Posta indesiderata

Elenchi indirizzi attendibili

Attendibile

Categorizza Completa Segna come da leggere
Opzioni

Trova Elementi correlati
Seleziona
Trova

Completare. Completato mercoledì 6 aprile 2016.

Categoria arancione

Inviato: mercoledì 16/03/2016 9.37

Oggetto: I: VeRO Program -- eBay Listing Removed

-----Messaggio originale-----
Da: vero@ebay.co.uk [mailto:vero@ebay.co.uk]
Inviato: martedì 15 marzo 2016 21:46
A: ICQRF Capo Dipartimento
Oggetto: VeRO Program -- eBay Listing Removed

Thank you for contacting us.

We are pleased to inform you that the following listing(s) you reported have been removed from eBay in response to the Notice of Claimed Infringement you recently sent:

brewuk1td
251912201362

We have notified the seller and all participating bidders that the listing(s) has been removed due to your request.

If the Notice of Claimed Infringement contained items that are not listed above you will receive a separate email communication about those items. These notices may arrive at different times (over a period of up to several hours) as items for different sellers are processed separately.

If you should have any questions or concerns regarding this matter, please do not hesitate to contact us again.

VeRO Program
eBay Trust & Safety

The eBay logo, with the letters 'e', 'b', 'a', and 'y' in red, blue, yellow, and green respectively, and the letter 'a' in green.



**Cheesekit «Parmesan» –
«Feta»**

Listing removed

ebay





Parmesan Asiago & Romano

Listing removed

ebay





Vegan products evoking and misusing
the PDO "Parmigiano Reggiano":
commercialization stopped



Gorgonzola blue cheese

Listing removed

ebay





Pecorino sardo

Listing removed





Cheese made in Belgium and marketed in Luxembourg evoking the PDO "Pecorino Sardo"

DIPARTIMENTO



ISPETTORATO CENTRALE DELLA TUTELA DELLA QUALITA'
E REPRESSIONE FRODI DEI PRODOTTI AGROALIMENTARI



**Prosciutto San Daniele DOP
geschnitten**

CHF 16.70 *

Stop to trade of raw ham in Switzerland
misusing the PDO "Prosciutto di San
Daniele"

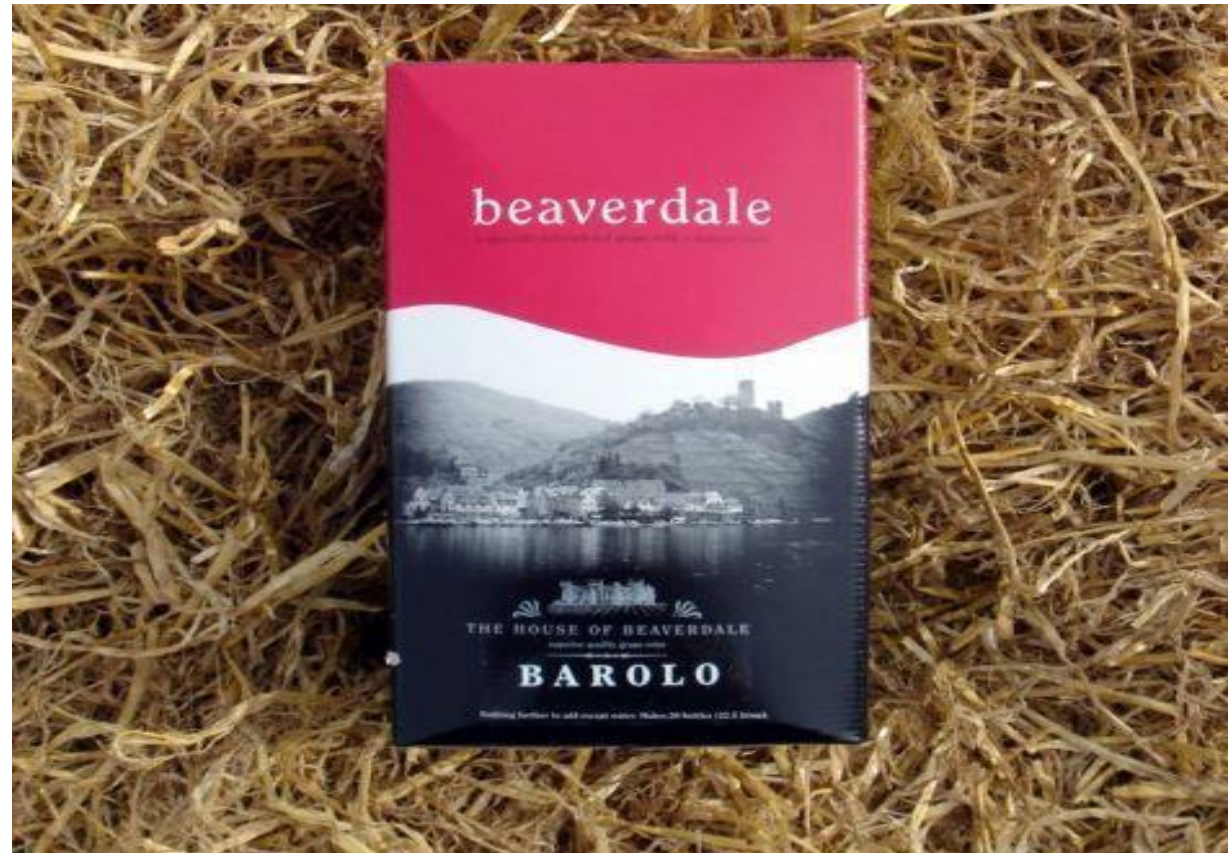
ebay



Winekit BAROLO

Listing removed

ebay



DIPARTIMENTO



ISPETTORATO CENTRALE DELLA TUTELA DELLA QUALITA'
E REPRESSIONE FRODI DEI PRODOTTI AGROALIMENTARI



Wine kits: enforcement activity against the unlawful marketing of “wine kits” that evoking/ usurping the Italian wine excellences in Europe and in third countries





Prosecco in can

Listing removed





Memorandum for the protection of Italian GIs on the web through the Alibaba Protection platform **(ALIPROTECT)** to enable IPRs' owners to notify to Alibaba any listing encroaching on Intellectual Property Rights.





web control on the platforms of ALIBABA Group

www.taobao.com

www.tmall.com

www.aliexpress.com

www.1688.com



AliExpress



淘宝网
Taobao.com



Registered names:

Asiago

Gorgonzola

A.B.M.

Prosecco

Parmigiano Reggiano

My Account	IPR Management	IPR Complaint	Help						
Submit IPR	Submitted IPR	Submission Date	System ID	IPR Reg. No.	IPR Name	IPR Owner	IPR Type	Status	Action
		11/10/2015	220014890	IT/PDO/0117/0001	Asiago	Mipaaf / Consorzio Tutela Formaggio Asiago	Copyright	Verification successful	Edit Delete
		11/02/2015	220014314	CP20151104005	Pecorino Romano	Mipaaf / Consorzio tutela del Pecorino Romano	Copyright	Verification successful	Edit Delete
		07/28/2015	210924427	CP20150803003	Gorgonzola	Consorzio tutela formaggio Gorgonzola / Mipaaf	Copyright	Verification successful ?	Edit Delete
		06/09/2015	210876186	IT/PGI/0005/0430	Aceto Balsamico di Modena	Mipaaf / Consorzio tutela Aceto Balsamico Modena	Copyright	Verification successful	Edit Delete
		06/08/2015	210876135	PDO-IT-A0516	Prosecco	Mipaaf- Ministero pol.Agricole alimentari forestali	Copyright	Verification successful	Edit Delete
		05/07/2015	210802306	IT/PDO/0117/0016	Parmigiano Reggiano	Consorzio Parmigiano Reggiano / Mipaaf	Copyright	Verification successful ?	Edit Delete



Submitting listings



We research illegal listing...



AliProtect - Alibaba.com Intellectual Property Protection System

中文版 | English


User ID: icqrf.capodipartimento@politicheagricole.it [Sign out](#)

My Account | IPR Management | **IPR Complaint** | Help

Submit Listings | **Pending Submissions** | Pending Counter-Notification | History

i A total of 1 alleged infringing listing(s) were saved to Pending Submissions.

www.1688.com | **alibaba.com** | aliexpress.com

<input checked="" type="checkbox"/>	Image	Product Name	Company Name	Action
<input checked="" type="checkbox"/>		Gouda Edam Parmesan Cheese	SATORI IMPORTACAO & EXPORTACAO LTDA	Delete

< pre 1 next >

Go to Page



Pending submissions



We provide Reasonable and adequate reasons.

Upload proof of infringement



AliProtect - Alibaba.com Intellectual Property Protection System

[中文版](#) | [English](#)

User ID: icqrf.capodipartimento@politicheagricole.it [Sign out](#)

[My Account](#) [IPR Management](#) [IPR Complaint](#) [Help](#)

- [Submit Listings](#)
- [Pending Submissions](#)
- [Pending Counter-Notification](#)
- [History](#)

* Choose IPR:

* Choose complaint reason:

Complaint reason: Please provide reasonable and adequate reason of complaint for facilitating our processing of your complaint.

The product is misusing and unlawfully evoking / alluding the European PDO cheese "Parmigiano Reggiano".
From the product image, it appears that the product does not bear the official signs as provided for the product specification (see attached image).
For any further information, please find below the link to the official European Commission webpage about the PDO Parmigiano Reggiano:
<http://ec.europa.eu/agriculture/quality/door/registeredName.html?denominationId=518&locale=en>

Upload proof of infringement: Add Documents

Acceptable formats include: TXT,DOC,BMP,JPEG,DOCX,PDF,GIF, PNG,JPG,RAR,
Compressed files could be used to upload, Each file must not exceed 2MB

Alibaba Group: Taobao Marketplace | Tmall.com | Juhuasuan | AliExpress | Alibaba.com | 1688.com | Alimama | Alitrip | Alibaba Cloud Computing | YunOS | AliTelecom | HiChina

Autonav | UCWeb | Umeng | Kanbox | Xiami | TTPod | Laiwang | DingTalk | 11 Main | Alipay

[Product Listing Policy](#) - [Intellectual Property Policy and Infringement Claims](#) - [Privacy Policy](#) - [Terms of Use](#) - [Safety & Security Center](#) - [Report IPR Infringement](#)

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“Parmigiano Reggiano Italian cheese”



See larger image

Parmigiano Reggiano Italian Parmesan cheese

FOB Price: [Get Latest Price](#)
 Min Order Quantity: 26 Ton/Tons
 Supply Ability: 5000 Ton/Tons per Month
 Port: Turkey
 Payment Terms: T/T

[Contact Supplier](#)

[Leave Messages](#)

[Add to Inquiry Cart](#)

[Add to My Favorites](#)

Before

After



Balsamic vinegar Modena



See larger image

balsamic vinegar modena

FOB Price: US \$17.4 / Carton | [Get Latest Price](#)
 Min. Order Quantity: 400 Carton/Cartons
 Supply Ability: 100 Carton/Cartons per Week
 Port: Shanghai/Nantong
 Payment Terms: L/C,D/A,D/P,T/T,Western Union,MoneyGram

Contact Supplier
 Leave Messages

Start Order Add to Inquiry Cart Add to My Favorites

Before



After



200ML chitsuryu's rice vinegar

FOB Price: US \$17.4 / Carton | [Get Latest Price](#)
 Min. Order Quantity: 400 Carton/Cartons
 Supply Ability: 100 Carton/Cartons per Week
 Port: Shanghai/Nantong
 Payment Terms: L/C,D/A,D/P,T/T,Western Union,MoneyGram

Contact Supplier **Chat Now!**

Start Order Add to Inquiry Cart Add to My Favorites

Prosciutto di Parma

帕尔玛火腿 case



当前位置： 首页>地理标志产品保护网站>涉外地理标志保护>在华保护的境外地理标志产品

质检总局关于批准对帕尔玛火腿（Prosciutto di Parma）实施地理标志产品保护的公告 （2012年第137号）

2012年第137号

质检总局关于批准对帕尔玛火腿（Prosciutto di Parma）实施地理标志产品保护的公告

根据2005年9月5日签署的《中华人民共和国国家质量监督检验检疫总局与欧洲委员会贸易总司关于地理标志的谅解备忘录》，经欧盟委员会推荐，由意大利帕尔玛火腿生产商会提出的帕尔玛火腿在中华人民共和国境内注册地理标志保护产品的申请，经国家质检总局参照《地理标志产品保护规定》组织专家技术审查合格，现批准自即日起在中华人民共和国境内对帕尔玛火腿（Prosciutto di Parma）实施地理标志产品保护。

附件：帕尔玛火腿（Prosciutto di Parma）质量技术要求

好伯 帕尔玛火腿切片 意大利式风干火腿 100g 优质发酵火腿片低脂

www.taobao.com



好伯 帕尔玛火腿切片 意大利式风干火腿 100g 优质发酵火腿片低脂

成交记录 99 累计评价 4 近3个月卖过海外地区

价格 **¥ 17.00** (约USD 2.47 起)

优惠 **店铺优惠券** 3元店铺优惠券, 满199元可用 **领取**
店铺优惠券 10元店铺优惠券, 满299元可用 **领取**

运费 北京 至 全国 一 商品直送境外, 推荐淘宝直送/集运服务
快递 ¥6.00 48小时内发货

数量 件 (库存 4458585 件)

立即购买 **加入购物车**

店铺周年庆

第九区生活馆
信誉★★★★★
主营: 休闲食品
联系: 旺旺: 第九区生活馆
资质: 1000元

描述 服务 物流
4.8★ 4.8★ 4.8★

看了又看



The «Sound Evocation» Chinese translation..

Parmesan is translated into chinese in different ways...

帕马森 (Pà mǎ sēn) whose meanings correspond to :
帕 handkerchief 马 horse 森 forest

巴马臣 (pā mǎ chén) literally means:
巴 pakistan 马 horse 臣 minister

帕玛森 (Pà mǎ sēn) literally means:
帕 handkerchief 玛 mother 森 forest

Cooperation with

amazon

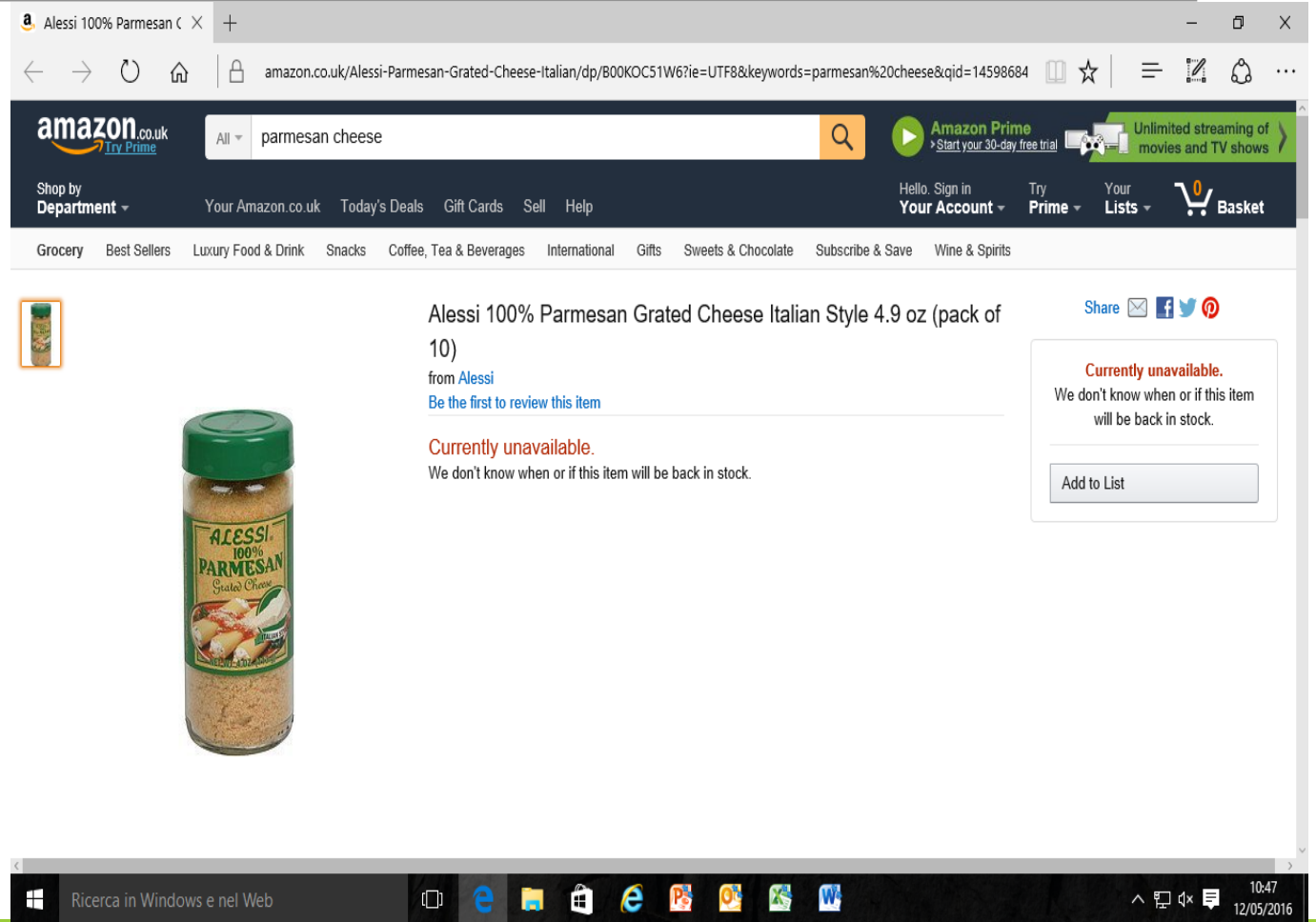


The Italian Ministry of Agriculture has been sending to the AMAZON legal Department many reports relating to illegal listings/advertising detected on the European AMAZON's platforms

Parmesan Grated cheese "Italian Style"



Listing removed






The screenshot shows a web browser window displaying the Amazon.co.uk product page for Alessi 100% Parmesan Grated Cheese Italian Style. The browser's address bar shows the URL: amazon.co.uk/Alessi-Parmesan-Grated-Cheese-Italian/dp/B00KOC51W6?ie=UTF8&keywords=parmesan%20cheese&qid=14598684. The Amazon.co.uk logo is visible in the top left, and the search bar contains the text "parmesan cheese". The product title is "Alessi 100% Parmesan Grated Cheese Italian Style 4.9 oz (pack of 10)". The product image shows a jar of the cheese. The page indicates that the item is "Currently unavailable" and provides a message: "We don't know when or if this item will be back in stock." There is also a "Be the first to review this item" link and a "Share" button. The Windows taskbar at the bottom shows the time as 10:47 on 12/05/2016.

ICQRF Results



Italian GI protection *a focus on the WEB*

REPORT	No.	G.I.
Web Cooperation		
	544	Aceto Balsamico di Modena, Salame Piacentino, Salamini alla cacciatora, Salumi di Calabria, Melannurca campana, Capperi di Pantelleria, Olio Riviera Ligure, Olio Dolce di Rossano DOP, Olio extravergine di oliva Dauno DOP, Olio extravergine di oliva Terra di Bari, Olio Toscano, Coppa di Parma, Prosciutto di Parma, Coppa di Zibello D.O.P, Pecorino siciliano, Wine kit Chianti/ Nebbiolo d'Alba/Brunello di Montalcino/Barolo/Valpolicella, Primitivo di Manduria, Montepulciano d'Abruzzo, Prosecco
	115	Aceto balsamico di Modena, Prosecco, Pecorino Romano, Gorgonzola, Asiago, Parmigiano Reggiano
	168	Asiago, Prosecco, Gorgonzola, Parmigiano Reggiano, Aceto balsamico di Modena
Total	827	
% OF SUCCESS	99%	

Final considerations



Today, the Internet is an «ordinary market place»;

Protection of consumers on the web needs new tools and new administrative approaches;

MoU and co-operations between MIPAAF/ALIBABA-EBAY-AMAZON have been proving that GIs' Protection on the web is possible.....



Thank you!

CONTACTS

***Department of Central Inspectorate for fraud repression
and quality protection of agri-food products
ICQRFcapodipartimento@politicheagricole.it***

+39 0646656610

Via Quintino Sella, 42

ROMA

ITALY