



Collective Marks and Associations: Case Studies from IP Advantage

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IP Advantage

- Database of case studies on Intellectual Property (IP)

<http://www.wipo.int/ipadvantage/en/>

The screenshot shows the WIPO IP Advantage website. At the top, there is a navigation bar with links for IP Services, Policy, Cooperation, Reference, About IP, and Inside WIPO, along with a search bar labeled 'Search WIPO'. Below the navigation bar, the breadcrumb trail reads 'Home > Reference > Case Studies'. The main heading is 'Case Studies on Intellectual Property (IP Advantage)'. A sub-heading states: 'The case studies in the IP Advantage database offer insights into how IP works in the real world, and how its successful exploitation can contribute to development.' To the right, a box titled 'Recently added studies' lists 'Electrifying an Indonesian Brand'. Below this, a link says 'Please contact us to submit feedback and suggestions for new case studies.' A search section includes three tabs: 'Simple search', 'Advanced search', and 'Full text search'. There are two dropdown menus: 'Instrument of Protection' with options like 'Copyright and Related Rights', 'Geographical Indications and Appellations of Origin', 'Industrial Designs', 'Integrated Circuits', and 'Any'; and 'Focus' with options like 'Branding', 'Commercialization', 'Financing', and 'Franchising'. A 'Search' button is located below the dropdowns. At the bottom, a 'Featured' section displays four small images with captions: '(PHOTO: EYE/CULS)', '(PHOTO: BLONZ/RICHARD THOMAS)', '(PHOTO: SWANNA/BELLE)', and '(PHOTO: SHAN/ALAMY)'. The WIPO logo is visible in the bottom right corner.

A Color for All Seasons - Japan

As the popularity of gentians from Ashiro increased, the region's name quickly became synonymous with high quality gentians. Although Mr. Kudo's and AGG's gentians were sold as Ashiro gentians for decades, there was no specific branding mechanism in place. When the town merged with its neighbors to form Hachimantai city in 2005, the new government made it a point to promote their city, its natural resources, and famous products through branding. Ashiro Rindo was at the top of their list. Integral to the government's branding strategy was strengthening and highlighting the quality and consistency of the flowers, thereby increasing their market value and reputation. By doing so, Ashiro Rindo developed into a brand known for high-class gentians, and thus earned a premium compared to competitor brands.

Commensurate with AGG's branding strategy is the use of the IP system to protect the Ashiro Rindo name. To that end, in April 2008 the company filed a trademark application for the Ashiro Rindo name and stylized logo in AGG's most important markets via the Madrid System for the International Registration of Marks (the Madrid System), managed by the World Intellectual Property Organization (WIPO).

Overcoming Economic Isolation via IP Tools - Ghana

Akoma Cooperative Multi-Purpose Society (AKOMA) is a farmers' non-governmental organization (NGO) founded in 2006 in the village of Pusu-Namogo, in the Upper East region of the Republic of Ghana (Ghana). With an all-woman membership, AKOMA has created sustained employment for hundreds of previously unemployed residents in the village based mainly on the production and sale of shea butter – a by-product of *vitellaria paradoxa*, the African shea tree.

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Such farmers' earning potential was not fully realized, however, because they often worked in relative isolation of each other and with little direct access to the national and international market. In order to unite shea tree farmers in Pusu-Namogo, develop new commercialization opportunities for their products, and enhance their shea tree farming tradition, AKOMA was created.

Melinda: The First Italian Designer Apple - Italy

At the end of the 1980s, when the fruit growers of the Val di Non realized that the quantity of apples designated as “Val di Non Apples” in the Italian fruit market outnumbered the quantity of apples actually produced there by at least three times, the need for a protected apple brand became apparent.

Hence, the producers decided to come together under a common brand name in order to enable consumers to easily recognize authentic “Val di Non” apples.

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To qualify for collective mark protection, the fruits produced by the members of the “Consorzio Melinda” must conform to certain quality and aesthetic criteria which differentiate the fruits with the Melinda label. Conscious of the need to increase the homogeneity of the quality of Melinda products, the Consortium decided to exclusively produce and market apples. It adopted strict regulation (“product specifications”) ranging from rules governing producers and growing techniques to quality control and packaging, which all members must respect in order to use the Melinda brand on their apples.

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Melinda: The First Italian Designer Apple - Italy

Joint Product Marketing and Enhanced Product Recognition through Collective Mark Registration

Registering a collective mark for their apples allowed the Val di Non producers to jointly market their products and enhance product recognition, differentiating them from those of their competitors, while at the same time benefiting from the confidence of the consumers in apples offered under the Melinda trademark. Pooling the different cooperatives' resources helped them overcome the challenges associated with small size and isolation in the market place.

Linking Collective Marks with Growth and Development - Peru

Determined not to let these problems overshadow their long history of quality cheese production, they decided to form a cheese-makers' association. Thus in September 1999, a group of 39 small and medium-scale enterprises (SME) got together and created the Asociación de Productores de Derivados Lácteos (APDL), Cajamarca's official cheese-makers' association focusing on mantecoso cheese.

The APDL was formed after an intense campaign, and its members have agreed on the following common objectives:

- to launch their product in Lima and market it in the main distribution network;
- to preserve the quality associated with the Cajamarca cheese and to prevent others from taking advantage of the name;
- to adopt the strategy of operating under a collective mark; and
- to eventually export;
- Collective Mark

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Linking Collective Marks with Growth and Development - Peru

APDL applied to the National Institute for the Defense of Competition and Protection of Intellectual Property (INDECOPI) for a collective trademark, “Poronguito,” and it was granted in 2000. The collective mark represents a set of commitments APDL created to emphasize the quality of Cajamarca’s cheese products.

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Business Results

Registration of the collective mark has allowed local dairy farmers to organize together to increase their market reach through building a name that resonates with the customers. Working together has given them new tools with which to market their cheeses, and local farmers who once only sold cheese as a means of subsistence are now running small businesses. Through their collective mark, advertising campaigns and incoming tourists, name recognition and demand have increased dramatically, with new specialty shops opening throughout Cajamarca. The collective action taken has increased business and economically benefited all of the involved dairy farmers and cheese makers.

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Linking Collective Marks with Growth and Development - Peru

The Link between Growth and Development and Collective Marks

The formation of the APDL and its collective trademark has given cheese makers in Cajamarca a positive product image and access to a national market. Taking the lead in creating and registering a collective mark, the cheese makers are an excellent example of how capitalizing on the important link between social capital, collective action and IP can contribute to the development and growth of an entire region.

Protecting Tradition and Revitalizing a National Brand - Mongolia

The second standard requirement is quality, and the two marks differ in their definitions of quality. To qualify for the Pure Mongolian Cashmere certification mark, the product must meet the following conditions: (1) contain no more than trace levels (less than 1%) of non-cashmere fibers; (2) have an average diameter of no more than 17 microns for knitwear and no more than 17.5 microns for woven articles; and (3) contain no more than 0.5% coarse hair content for knitwear and no more than 1% for woven. To qualify for the Made With Mongolian Cashmere certification mark, the product must meet the following conditions: (1) contain no less than 50% Mongolian cashmere; (2) and must include accurate labeling of other fiber blend components. Samples of the product must be provided to the Society so tests at an independent laboratory can be carried out to verify the content of the products. Finally, to qualify for either certification mark the product must have been produced in an ethical and environmentally friendly manner.

Name Matters - Peru

Collective Marks

Successful experiments with collective marks have enabled small businesses to reduce their costs and make them more competitive in the market. Through this mechanism, goods can be protected and distinguished at a lower cost, giving small producers the benefits of economies of scale while also increasing their clients' faith in the products.

Given that the cost of investing in the development of a mark, and also that of the marketing and advertising campaigns can be high, collective marks have become a cost-saving device which at the same time serve to distinguish products originating in an area which render them certain specific characteristics. Part of this strategy consists in developing a common concept and image which identifies the group or the products made by its members, and in concluding "quality pacts" which have to be implemented by means of the rules on the use of the marks.

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Name Matters - Peru

Today the name "Chirimoya Cumbe" has its own characteristic logo and is registered as a collective mark in the name of the village of Santo Toribio de Cumbe (in Class 31 of the International Classification). Using this name, the villagers work to gain a competitive edge over their rivals in Lima's Wholesale Fruit Market.

The rules for the use of the mark relate to using only an elite seed collection, the cultivation process, an intensive selection and grading process, and proper handling, packaging and transportation of the chirimoya produced in the Cumbe valley. This makes them much more valuable than other chirimoya, which generally have irregular quality due to high infestation levels of fruit flies and inadequate packaging and transportation.

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Name Matters - Peru

Commercialization

The growers in the Cumbe valley have marketed their chirimoya under the “Chirimoya Cumbe” name since registering the collective mark in 1997 (renewing it in 2007). Primarily sold locally, 99% of the “Chirimoya Cumbe” produced are destined for the domestic Peruvian market. Of the 1% that is internationally marketed, most are sold in Europe, North America and Japan. Some growers have also increased the range of products sold, making things such as “Chirimoya Cumbe” jam, ice cream and cakes. Many regional supermarkets have also requested “Chirimoya Cumbe” to be supplied directly from the growers.

Until 2009 up to eighty percent of growers were selling to intermediaries. Recognizing lost potential, local growers formed the Association of Producers of Chirimoya Cumbe, allowing them to sell directly to customers without intermediaries, thus increasing their profit and allowing them to grow more and reach a larger market.

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Name Matters - Peru

Business Results

Because of the high quality associated with the chirimoya produced in the Cumbe valley, “Chirimoya Cumbe” is marketed at prices of more than twice that of other chirimoya. Thanks to the persistence and drive of Mr. Pérez and his ability to make use of the IP protection system, his village has increased the value of its knowledge and tradition of excellence through capitalizing on the specific climatic conditions to make high quality chirimoya that is sought worldwide. It has also given the growers in the Cumbe valley the opportunity to build a strong brand image, create customer trust and have potential access to new markets.

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Name Matters - Peru

The Value of a Name

The villagers of the Cumbe valley have been able to use a collective mark to their significant advantage. They were able to identify the values and characteristics of “Chirimoya Cumbe” that make it special amongst its competitors for its target market. The villagers realized that a group of producers may be able to achieve what independent producers could not possibly obtain, and therefore they organized together to register and protect the name of their common product. They achieved this through a cost-effective means, developed a common logo representing a quality product, expanded their target markets and increased the overall economic condition of the village. The many benefits brought from the registration of collective mark underscore its value, and is an excellent example of how a name can be used to help an entire community.

Your collective mark “Taita Basket”

For successful branding:

- Continue to use the mark to your baskets
- Continue to meet the quality standards
- Continue to improve the quality of your baskets

