

oriGIn:  
the Global Alliance of Geographical Indications

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# Summary

- I. Background
- II. Common Challenges Faced by GI Producers at the Global Level and oriGIn Response
- III. A Few Conclusions

# I. Background

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# Growing interest for GIs at global level

- Several third-country GIs protected in the EU
- Asia: Some 200 GIs currently protected in India & emerging sector in China, South Korea, Cambodia, etc.
- Dynamism in Central and South America
- Proliferation of technical assistance projects in Africa
- Producers' interest in “skeptical” countries (US, Argentina, Chili. etc.)

# Socio-economic rationale behind GIs

## *Producers*

- Market geographical origin through differentiation (investment/IPR)
- Turn commodities into “niche products”
- “Capture” value added and increase revenues

## *Consumers*

- More conscious and demanding (quality, health, methods of production, environmental concerns)
- Ready to pay a premium price (GIs increase market transparency and reduce transaction costs)

## *Markets*

- Trade regulations have been shifting towards traceability

# Why does origin matter?

- Annual turnover of GI sector in the EU (DG Agri)
  - 14.2 billion EUR at producers' level
  - Over 21 billion EUR at retailers' level
- Premium price: Blue Mountain Coffee: 43.44 US\$ per pound, against 3.17 US\$ for non-differentiated coffee (Teuber R)
- Spill-over effects: “Routa del Tequila”, UNESCO World Heritage

# Proliferation of “voluntary standards”



# Specific features of the GI scheme

- Standards decided by producers themselves
- Public policy: further guarantee for consumers

# GIs and “development issues”

- Collaborative approach throughout the life of a GI: several producers join forces + economies of scale
- Ideal tool for small producers that would never be able to reach out to markets
- No delocalisation of production
- Low/medium level of innovation for GI products: labour intensive for which developing economies hold a competitive advantage
- GIs vehicle to protect Traditional Knowledge (TK)

# oriGIn: Unity is strength!

- oriGIn: the organisation of GI producers' groups
- Established in 2003 as a non-for profit organisation
- Some 350 members from 40 countries
- Secretariat based in Geneva
- Presidency: Mr. Ramón González Figueroa, Director General, Consejo Regulador del Tequila (CRT)

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# oriGIn goals

- Strengthen the protection of GIs at the national, regional and international level
- Promote GIs as a tool for sustainable development
- Facilitate exchange of “best practices” among GI producers and specialists

## II. Common Challenges Faced by GI Producers at the Global Level and oriGIn Response



# i. Complexity in a fast-changing world

- Proliferation of fora and negotiations (WTO, WIPO, ACTA, TPP, ICANN, bilateral and regional agreements, etc.)
- Evolution of laws and regulations
- Growing phenomenon of imitation: need to monitor markets

# oriGIn response

- Active participation in international negotiations (WIPO, ACTA, WTO, etc.) and advocacy
- Reports and studies for members
- Monitoring GI abuses in foreign markets and lobby @ national authorities in charge of TMs and GIs



# A few examples

Information is power

(GIs in BRICs, regular reports, etc.)



oriGIn Market Watch

Queso Manchego from Uruguay



Observer status at WIPO,  
lobby in WTO negotiations,  
letters of support for members  
fighting abuses, link EU GI  
producers in bilateral  
agreements, etc.

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## ii. “Weak” international legal framework



# As a result

- Loss of market shares for GI producers
- Incentive to misleading marketing techniques
- Negative impact on the reputation of origin products
- Consumers are confused and misled
- At stake the sustainability of the “GI business” itself

# oriGIn response: at WTO

- “GI Extension”
- Multilateral Registry for all GIs
- oriGIn helped to forge the coalition of 110 WTO countries supporting “Draft Modalities on TRIPS Related Issues”

# oriGIn response: at WIPO

- Regular participation in the Working Group on the reform of the Lisbon Agreement
- In favour of extending the Lisbon Agreement scope of application to GIs (TRIPS art. 22.1 definition) + maintaining the current definition of AO
- Proposal to allow GI groups to request registration via the Lisbon System
- Opposition to the introduction of 2 levels of protection for GIs and AO

### iii. Protecting and enforcing GIs in foreign jurisdictions

*GI/TM to complement each other when possible + pragmatism when not possible*



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### iii. Protecting and enforcing GIs in foreign jurisdictions

#### *a. General challenges*

- Issues related to a different legal and cultural & linguistic context
- Identifying and getting in touch with relevant national authorities

### iii. Protecting and enforcing GIs in foreign jurisdictions

#### *b. Specific challenges in “TM countries” (e.g. USA)*

- Registration costs: 10,000 US\$
- “Non-participatory approach”: Kona Coffee registered as CM by the State of Hawaii (10% Kona Coffee requirement)
- Control of the mark (including license requirements): more 200,000 US\$ per year spent by the Idaho Potato Commission

### iii. Protecting and enforcing GIs in foreign jurisdictions

#### *b. Specific challenges in “TM countries” (e.g. USA)*

- Monitoring + protecting TMs from dilution and becoming generics (an opposition proceeding can exceed 100,000 US\$)
- USPTO “passive” approach in dealing with requests containing registered CMs (FNC spent 577,000 US\$ in oppositions in 2007)
- Litigation: more than 1,000,000 US\$ spent by the Idaho Potato Commission in enforcement cases in NY over the past 12 years

# Solid protection under *sui generis* laws

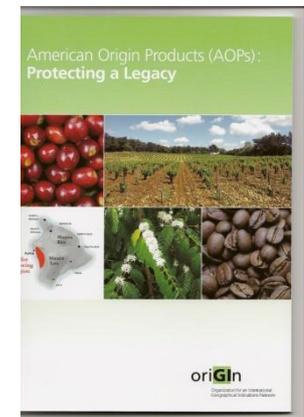
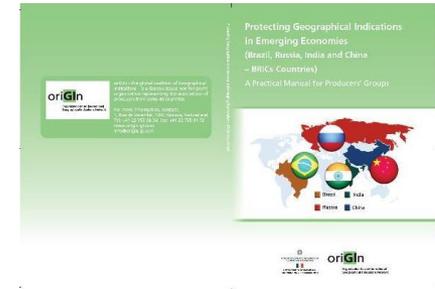


*Parmetta* considered by a German Court  
an **evocation** of the PDO “Parmigiano Reggiano”  
(length of proceedings: 6 months)

GI Producers saving TIME and MONEY

# oriGIn response

- Legal advice and support to members seeking protection in a third country (e.g. Colombian Coffee in the EU)
- Practical manual on how to protect GIs in BRICs
- Worldwide compilation of all GIs protected in the world
- Identified US TM system shortfalls in a book and proposed concrete reforms to improve the system



## iv. New trends in the sector

- Communication & marketing
- Access to finance
- Quality controls and traceability standards

# oriGIn response

- Meetings and opportunities of cooperation for producers (exchange of best practices)
- Marketing in innovative ways (e.g. GI for consumers events)
- oriGIn initiative on access to finance for sustainable agriculture



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# III. A Few Conclusions

- GIs are a global phenomenon
- High potential in terms of growth for the sector
- Common challenges faced by GI producers worldwide
- Cooperation is “strategic” in an fast-changing sector such as GIs
- oriGIn rationale: unity is strength!



Thank you for your attention

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