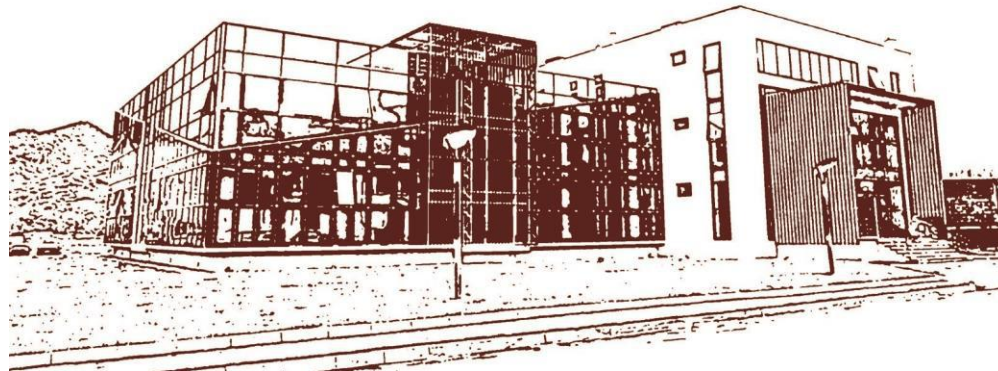




საქპატენტი (საქართველოს  
საპატენტო ცენტრი)  
საქპატენტი  
SAKPATENTI  
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www.sakpatenti.org.ge

## National Intellectual Property Center of Georgia – “Sakpatenti “



[www.sakpatenti.org.ge](http://www.sakpatenti.org.ge)

Antalya, 27-28 October, 2016

# Georgia - Cradle of Wine

❖ Georgia - 8 000 years of unbroken tradition of winemaking

❖ 525 indigenous grape varieties



## Protection of AOs and GIs in Georgia



- **The Law of Georgia on Appellations of Origin and Geographical Indications of Goods (of 1999)**
- **The Law on Vine and Wine (2002)**
- **Protection of appellations of origin on the basis of the Decree of the President (2002)**

**The basis for the protection of geographical indications in Georgia is registration at Sakpatenti, as well as international and bilateral agreements**

\* Sakpatenti handles an official Register of authorized users (e.g. companies) of Georgian geographical indications and appellations of origin.

# Georgian AOs and GIs Registered at Sakpatenti



- **18 wines** (since 2005)- right holder “Georgian Wine Agency”
- **3 mineral waters** (since 2011)- right holder MoA
- **1 spirit drink** (since 2011) MoA
- **13 cheeses** (since 2012)- right holder MoA
- **7 other products** (since 2012) - right holder MoA





მეგრული სულგუნი  
Megrelian Sulguni



# 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 is a 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);**
  - **DCFTA Agreement**
  - **Intergovernmental Agreement between Georgia and Ukraine on Mutual Protection of Geographical Indications of Wines, Spirits and Mineral Waters (2007).**



# Protection of Georgian AOs and GIs abroad

- ❖ In 28 countries of the world **under the Lisbon agreement** (18 wines and 2 mineral waters);
- ❖ In 28 EU countries **under bilateral agreements** (18 wines);
- ❖ In some CIS countries **under bilateral agreements or direct registrations** (wines);
- ❖ In USA, China and in other countries on the basis of **certification marks** (some wines)



- ❖ First contacts with the EU in 2002, Cognac Forum of the EU Countries
- ❖ In 2004 under the Decree of the Government of Georgia the Ministry of Foreign Affairs, Ministry of Agriculture and Sakpatenti were instructed to start consultations with the EU for conclusion of a bilateral agreement.





## Basic Prerequisites

- ❖ **Same protection systems for foreign AOs and GIs in EU and Georgia** - Both, in EU and in Georgia foreign AOs and GIs are protected on the basis of an intergovernmental agreement or international treaty.
- ❖ **Protection of agricultural products and foodstuffs** – To present, the EU protection system covers only agricultural products and foodstuffs (no non-agricultural products).
- ❖ Along with AOs, also envisaging **protection of GIs**



# Starting Work on the Agreement Text

The important tasks were:

- Automatically granting protection to the AOs and GIs protected on the territory of the Parties
- Relationship with trademarks
- Enforcement mechanisms
- Possibility to amend lists of AOs and GIs



# Preliminary Exchange of Lists

## **The Aim:**

- Detection of possible conflicts with registered trademarks on the territories of the Parties
- In case of detection of high priority trademark registrations for the Parties, elaborating some mechanisms for invalidation

**\* Lists included all AOs and GIs, protected on the territories of both Contracting Parties and no selection was made**



# Search Results

- No such registrations were found on the territory of Georgia
- Some Georgian AOs were registered as trademarks in Republic of Bulgaria

\* They were invalidated before the signing of the Agreement, according to the procedures provided for by the national legislation of the Republic of Bulgaria.



# Registration

After these procedures lists of AOs and GIs protected on the territories of the Contracting Parties were **exchanged and published for opposition period.**

Objection procedures were defined by the Agreement.

**In March 31, 2009** under the Decree of the Government of Georgia the intergovernmental commission was created for considering the oppositions regarding granting protection to the EU AOs and GIs for agricultural products and other foodstuffs.



# Important Mechanisms Provided by the Agreement

- Creation of GI sub-committee
- Ex-officio enforcement procedures



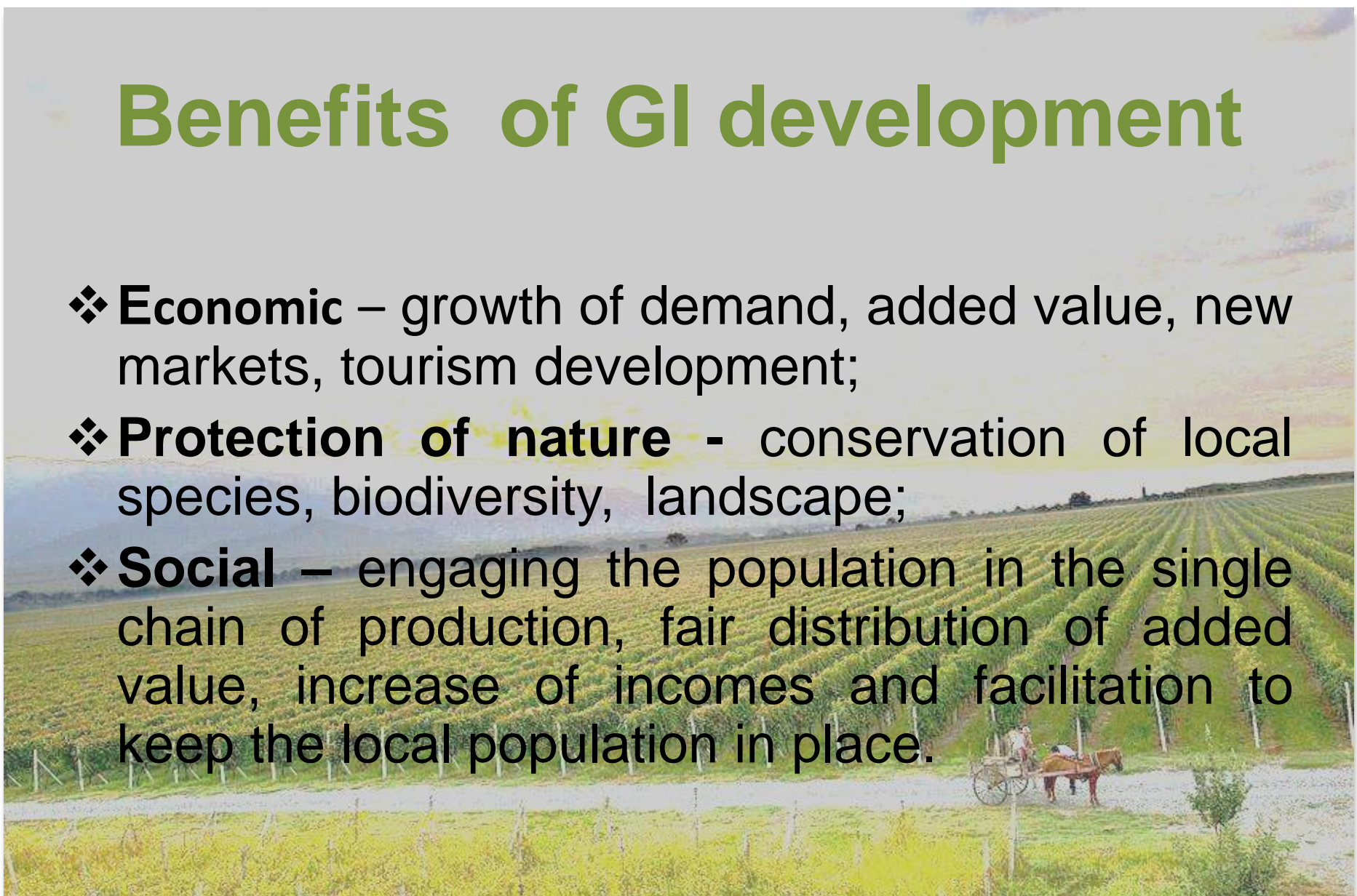
# Importance of EU-Georgia Bilateral Agreement:

- ❖ Protection of GIs in the EU
- ❖ Promotion of export in the EU market
- ❖ Development of the national branding system
- ❖ Increasing of Georgian products quality



# Benefits of GI development

- ❖ **Economic** – growth of demand, added value, new markets, tourism development;
- ❖ **Protection of nature** - conservation of local species, biodiversity, landscape;
- ❖ **Social** – engaging the population in the single chain of production, fair distribution of added value, increase of incomes and facilitation to keep the local population in place.







საქართველოს ინტელექტუალური  
საკუთრების ცენტრი

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Thank you for your attention!

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