



# Leveraging Geographical Indications (GIs): Benefits, Types and Registration Essentials

Webinar + Q&A



Speakers: Javier Guillem Carrau & Roberto d'Ermei  
Host: Fernanda Passoni

# What do we do?



**Non-Profit  
Activities**



**High Quality  
Academic  
Research**



**Education**



**Promotion  
Innovative  
SMEs**

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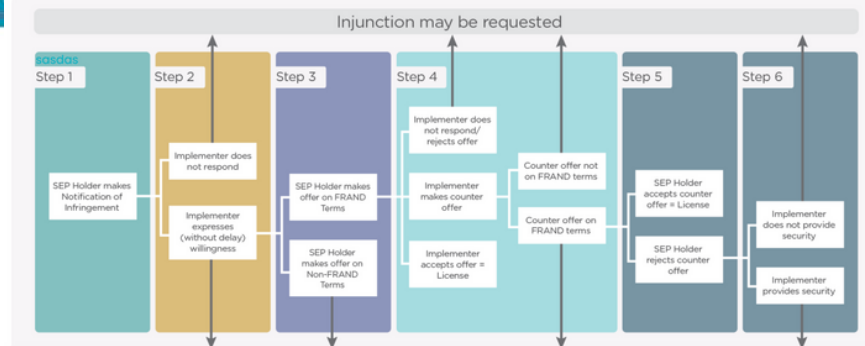
Huawei v ZTE process

## Essentiality Checks and Standards Essential Patents

- **Why automated patent analysis can be wrong, even when it's right** by Axel Contreras-Alvarez
- **Patent Landscaping Studies And Essentiality Checks: Rigorous (And Less Rigorous) Approaches** by Haris Tsilikas
- **Estimating 5G Patent Leadership: The Importance of Credible Reports** by Igor Nikolic

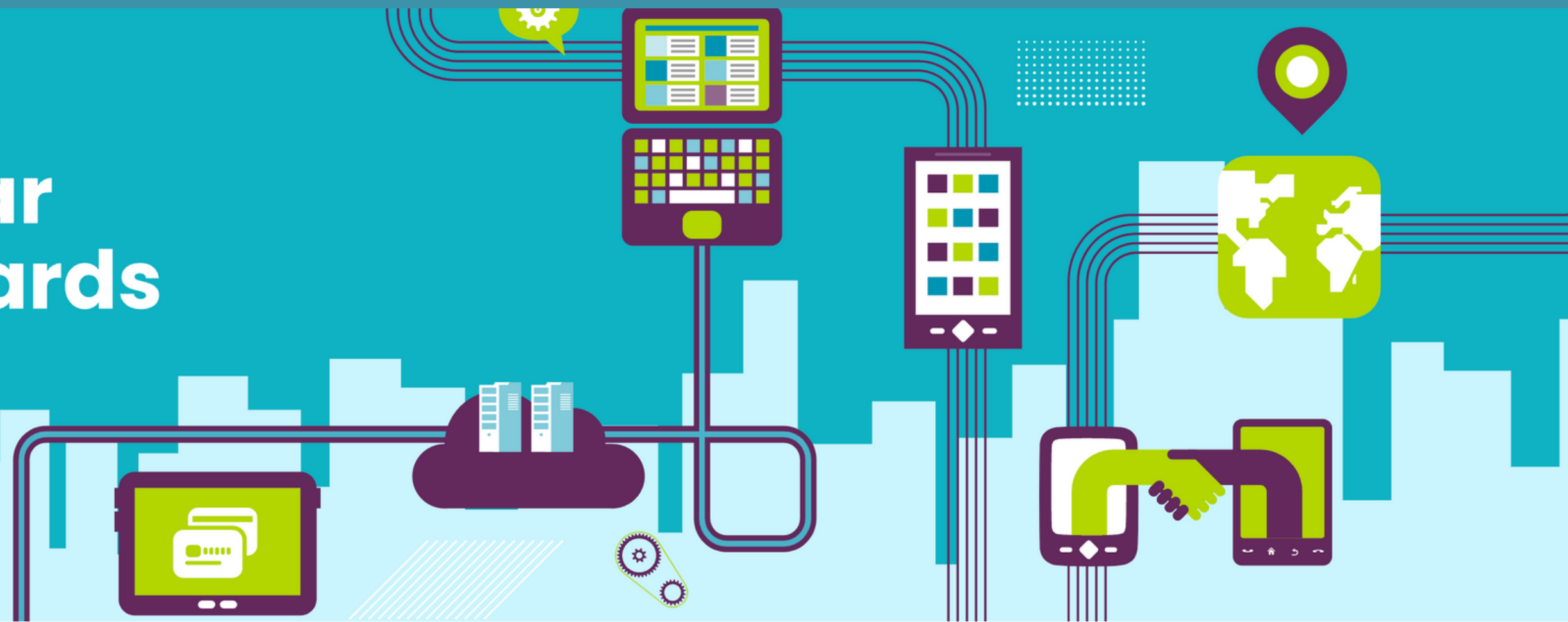
**Why automated patent analysis can be wrong, even when it's right** by Axel Contreras-Alvarez

Axel Contreras-Alvarez, former IPR Commercialization Manager at Ericsson, evaluates the reliability of software and automated analysis for patent valuation, considering the factors used by algorithms, and with an action plan for those wishing to use such platforms.



# IOT & Cellular Standards

*Made simple*



## Explore IoT and Cellular Standards

● **What are IoT and Cellular Standards?**

○ Benefits of cellular standards

○ IoT sectors enhanced by cellular standards

○ FRAND: Cycle of Innovation

○ How are cellular standards developed?

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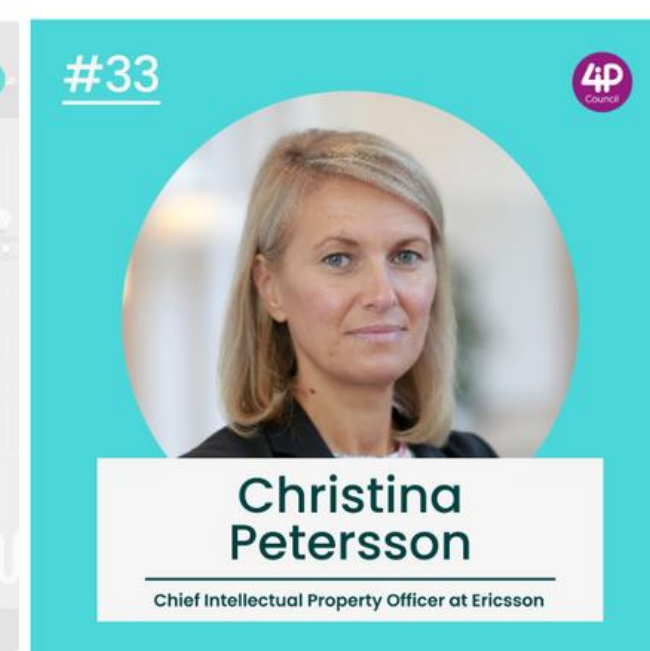


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# Leveraging Geographical Indications (GIs): Benefits, Types and Registration Essentials

**Javier Guillem Carrau**



A specialist in geographical indications, leading the Digital Learning and Programmes within the EUIPO Academy Department

**Roberto d'Erme**



Lawyer with 15 years' experience in IP law. Since 2021, EUIPO examiner specializing in marks, geographical indications, and plant varieties.

## PROGRAMME

### 30' Presentation

What is a GI?  
GI protection under EU Law  
Why a GI system in EU Law?  
Craft an Industrial GIs?  
Getting the real deal!!  
The EUIPO role

### 20' Questions and answers

# AGRI GI's



## Goal



**PDO**



**PGI**



**What is a geographical indication?**

## The acronyms stand for



**P**ROTECTED  
**D**ESIGNATION OF  
**O**RIGIN

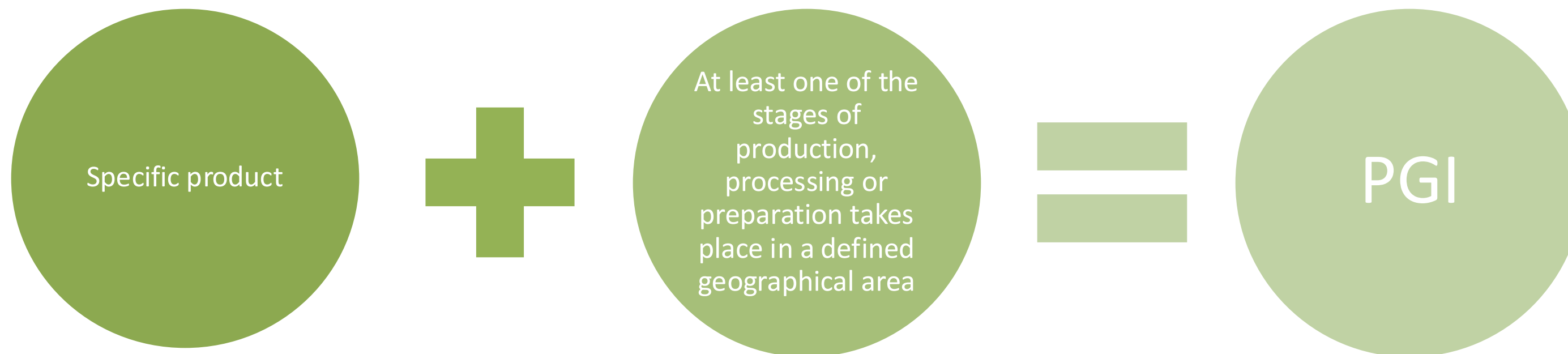


**P**ROTECTED  
**G**EOGRAPHICAL  
**I**NDICATION

## GI foodstuff under AGRI LAW



## GI foodstuff under AGRI LAW



## Differences?



**A-Z**

**VS**



**B-Z**

**?**

## Administrative process for getting this EU Logo



**Rigorous Screening**

## GI Protection: who does what?

C-785/18 **Comté**

T-43/15 **Piadina Romagnola**



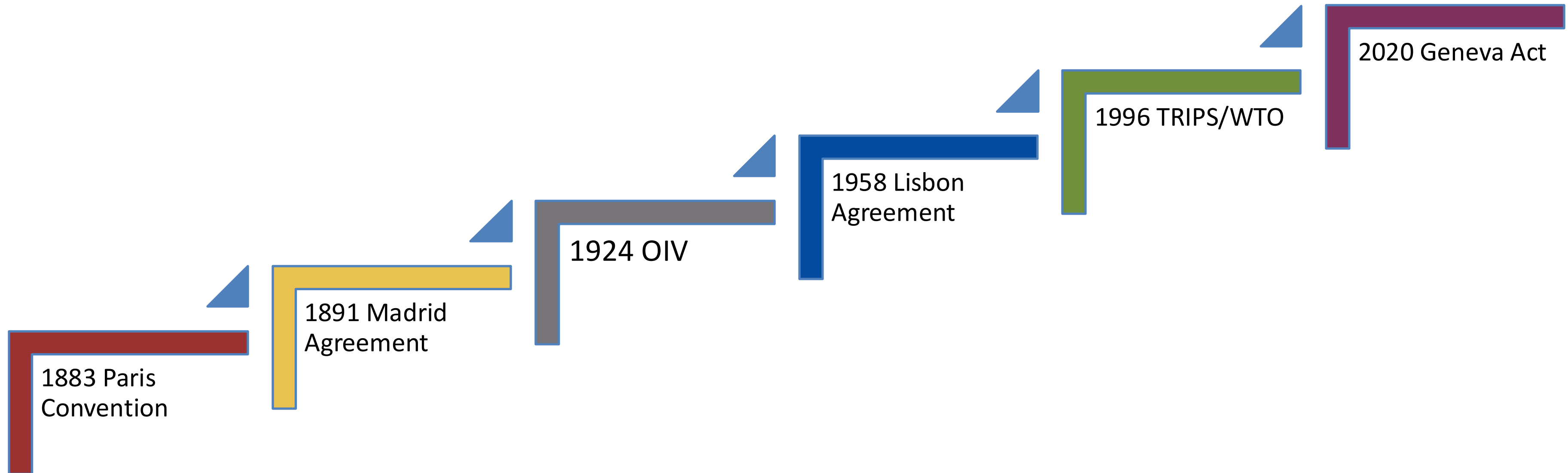
### Division of powers

- For the **MS** to check the application
- For the **Commission** to check that the application contains the information required (i.e. standing orders) and it is not vitiated with errors.
- For the **National Courts** to verify decisions taken by national authorities on minor amendments



## **GI's protection**

# GI International protection



## GI Protection under EU LAW

T- 114/16

Jijona



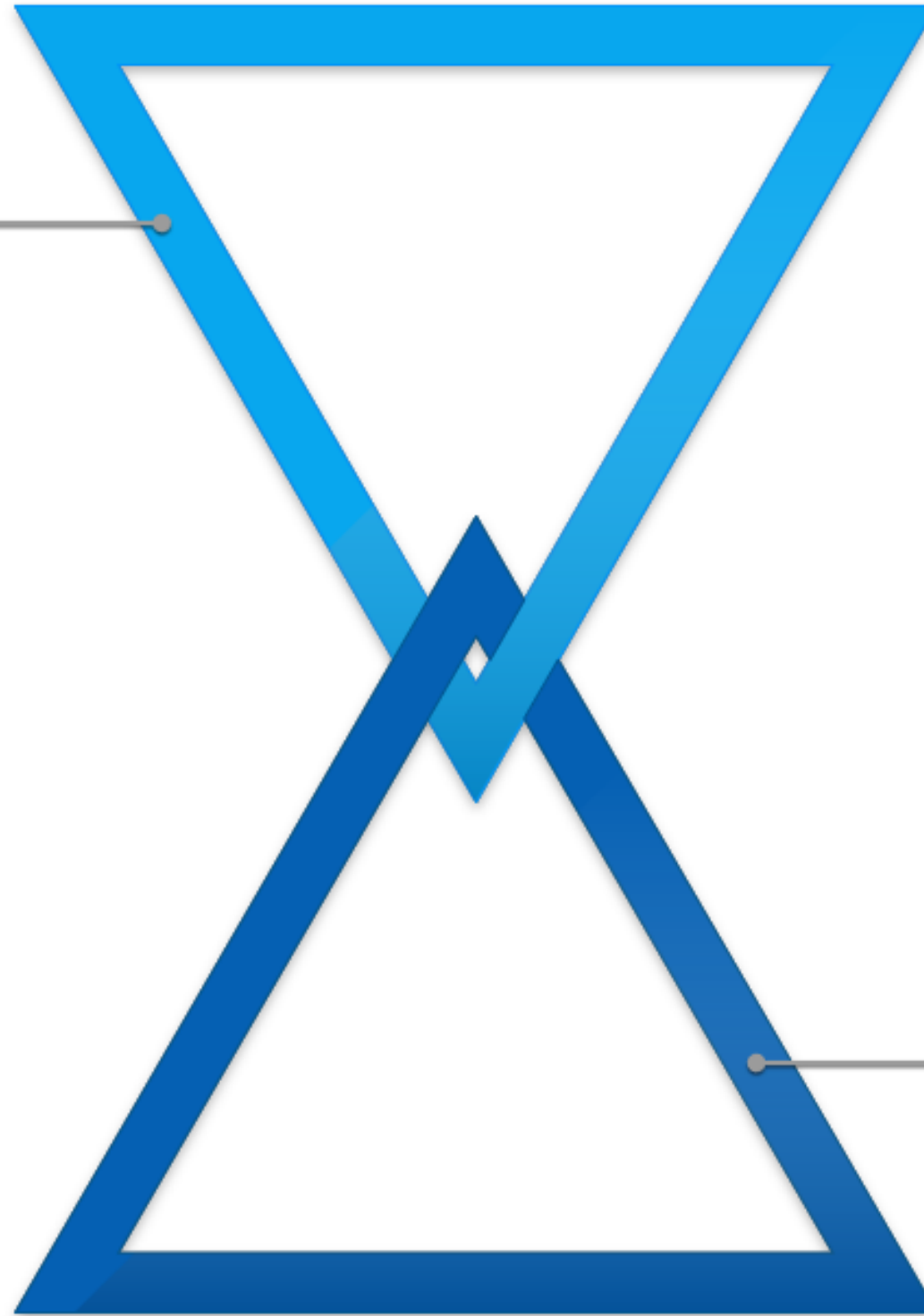
Geographical indications  
are intellectual and  
commercial property



## As an intellectual property right

Exclusive use

Prevent third  
parties from  
using it



## GI Protection: generic terms are excluded

**C-432/18**

**Aceto balsamico di Modena**

L 175/8

EN

Official Journal of the



- (10) It appears that Germany and Greece did not refer to the entire name, i.e. ‘Aceto Balsamico di Modena’ in their objections regarding the generic nature of the name proposed for registration, but only to some elements of it, namely the words ‘aceto’, ‘balsamico’ and ‘aceto balsamico’, or to translations thereof. However, protection is granted to the term ‘Aceto Balsamico di Modena’ as a whole. Individual non-geographical components of that term may be used, even jointly and also in translation, throughout the Community, provided the principles and rules applicable in the Community’s legal order are respected.

## To what extent?

C-614/17

Manchego



N° 375985 W



evocation



By figurative  
elements

## To what extent?

**C-490/19**

**Morbier**



When a design of the product may lead the consumer to confusion.



## To what extent?

**C-783/19**

**Champanillo**



Evocation applies  
independently to national  
unfair competition rules

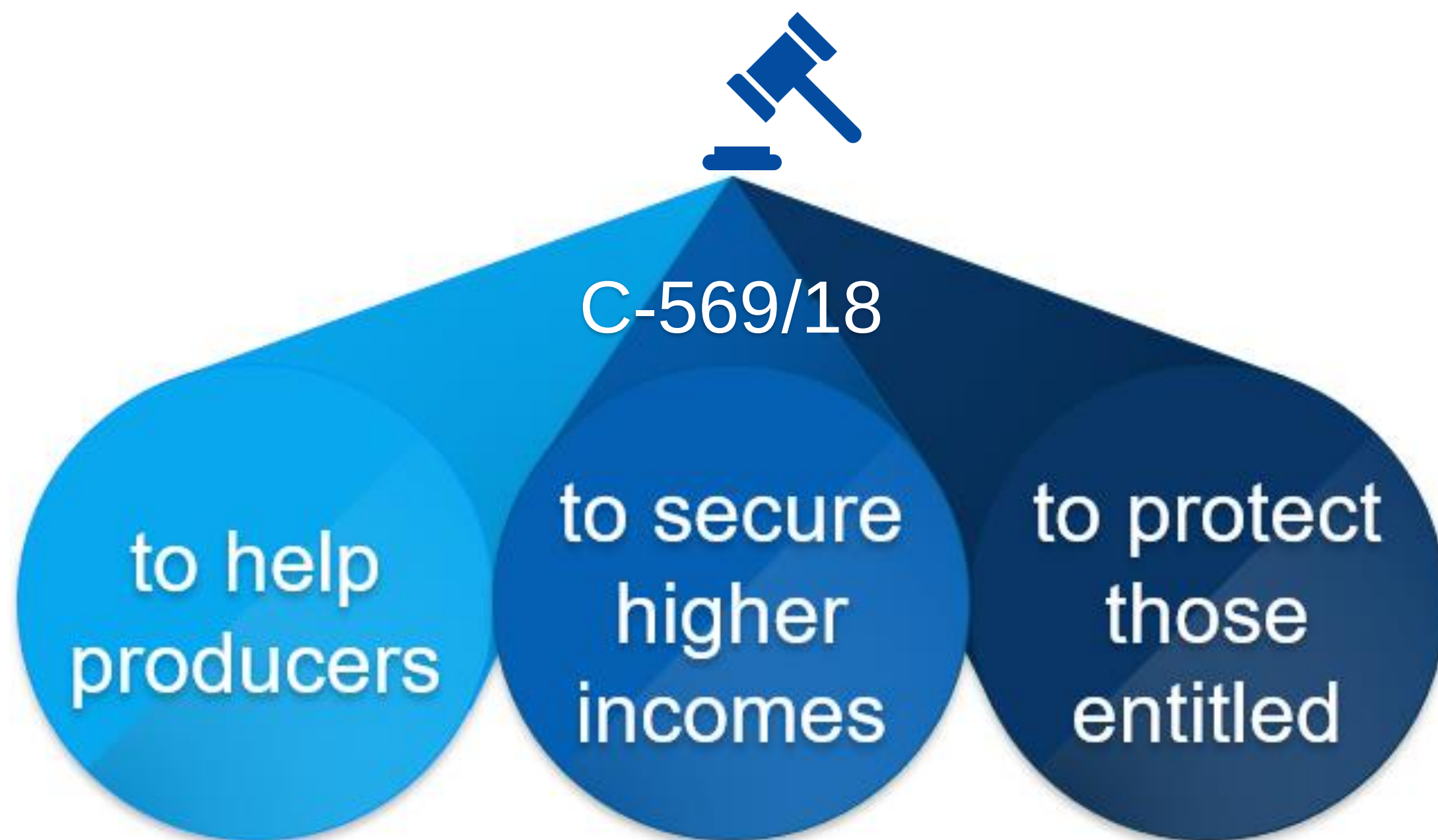
Protection extends to  
services



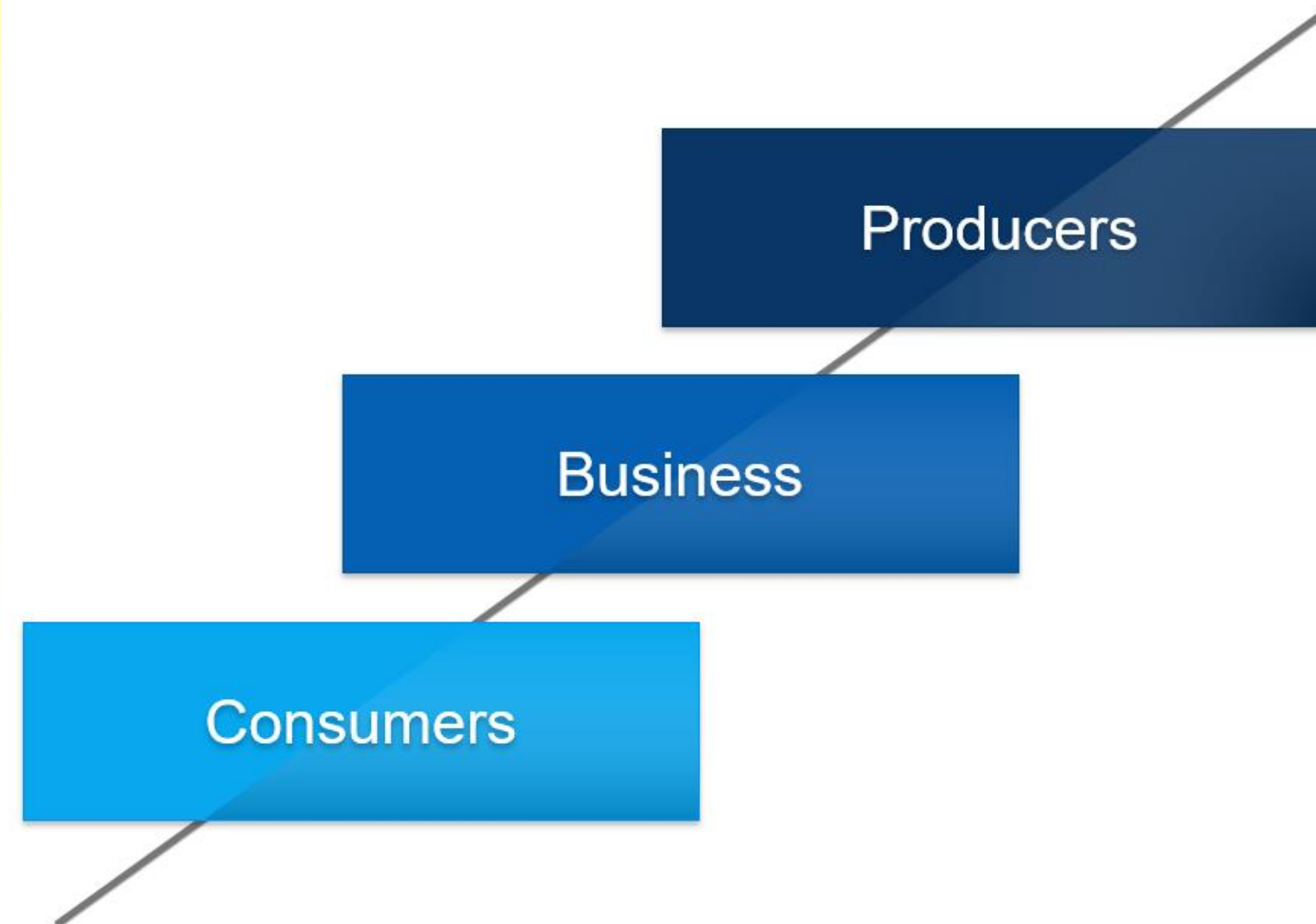


**Why?**

## Why?



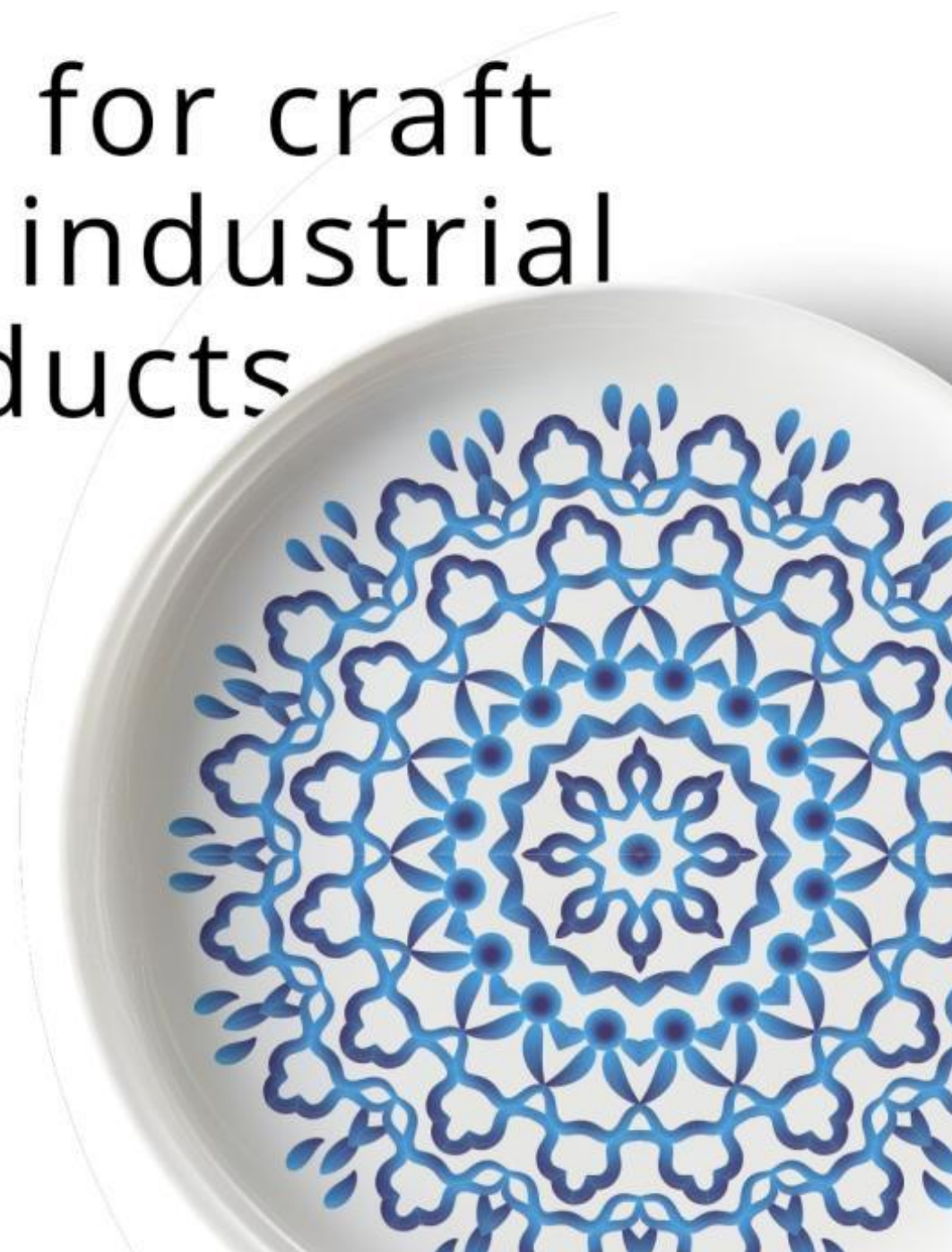
## for whom?



# 4 Craft's GIs

**CI GI's**

**GIs** for craft  
and industrial  
products



## STATE OF PLAY

**“Craft products”** are those made entirely by hand, with the help of hand or digital tools, or by mechanical means, the manual contribution being an important component of the finished product.



**“Industrial products”** are those made in a standardized manner, including mass production and through the use of machines.

Which is the state of the arts for non agricultural Gis in the EU?



There was  
not  
harmonised  
protection  
throughout  
the EU

## STATE OF PLAY

# CRAFT



# AGRI



# GIs for CRAFT AND INDUSTRIAL PRODUCTS

## CRAFT AND INDUSTRIAL PRODUCTS

Regulation (EU) 2023/2411

**ONLY for**  
**Protected**  
**Geographical**  
**Indications**  
**(PGI)**



## WHAT IS A GEOGRAPHICAL INDICATION?



**Geographical Area**

+



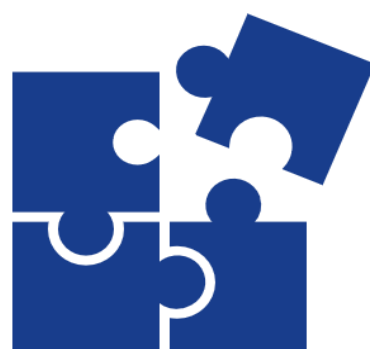
**Product**  
Quality & reputation

+



**Link**

=



at least one production step in the GA

# 5 Getting the real deal!!

## SUBJECT MATTER

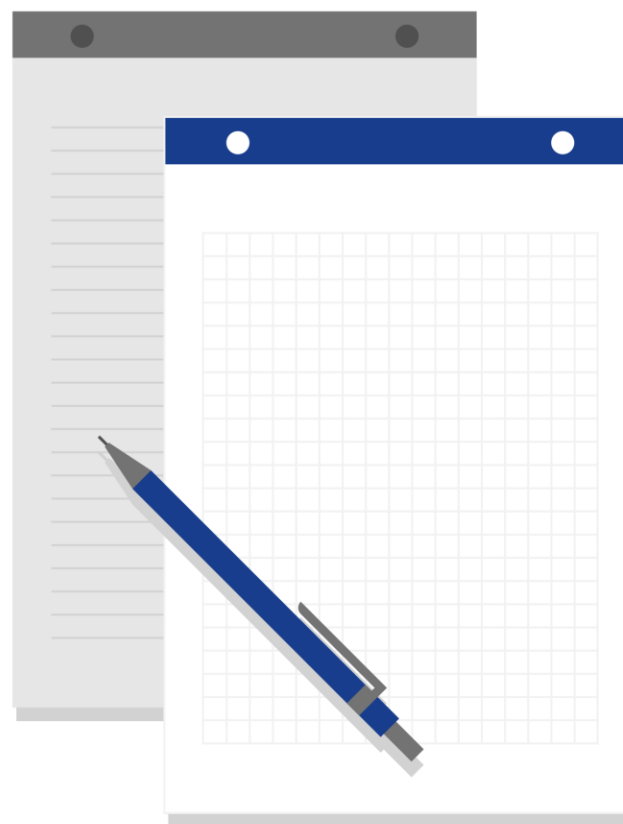


Unitary IPR

Geneva Act

Bilateral agreements

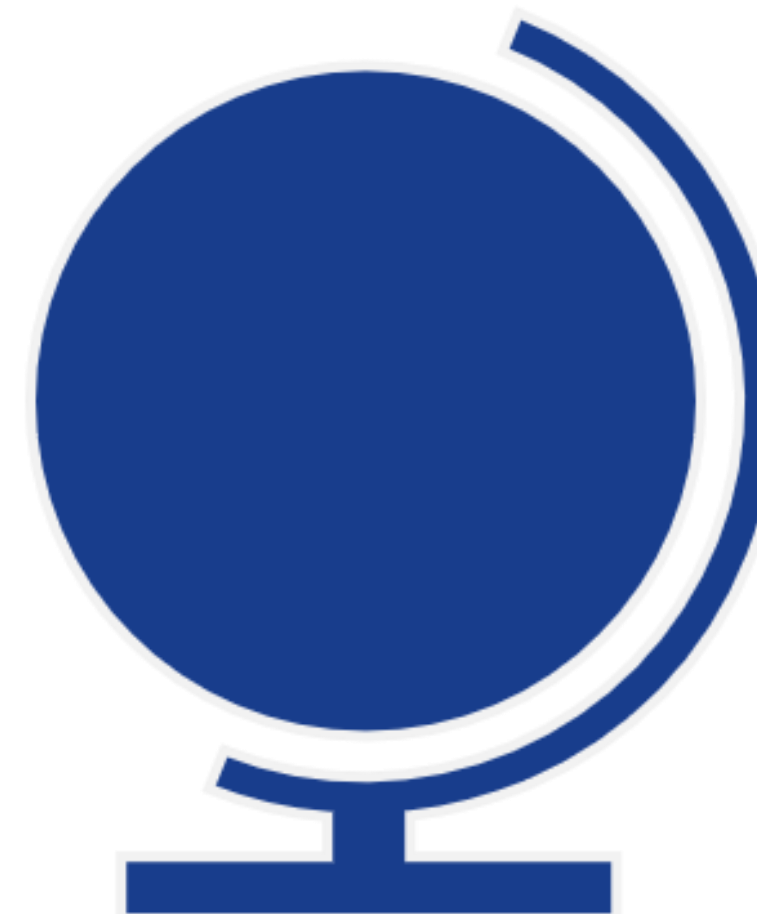
## TYPE OF PROCEDURES



**Standard**



**Direct**



**3C**

## TYPE OF APPLICATIONS



Registration for a new name

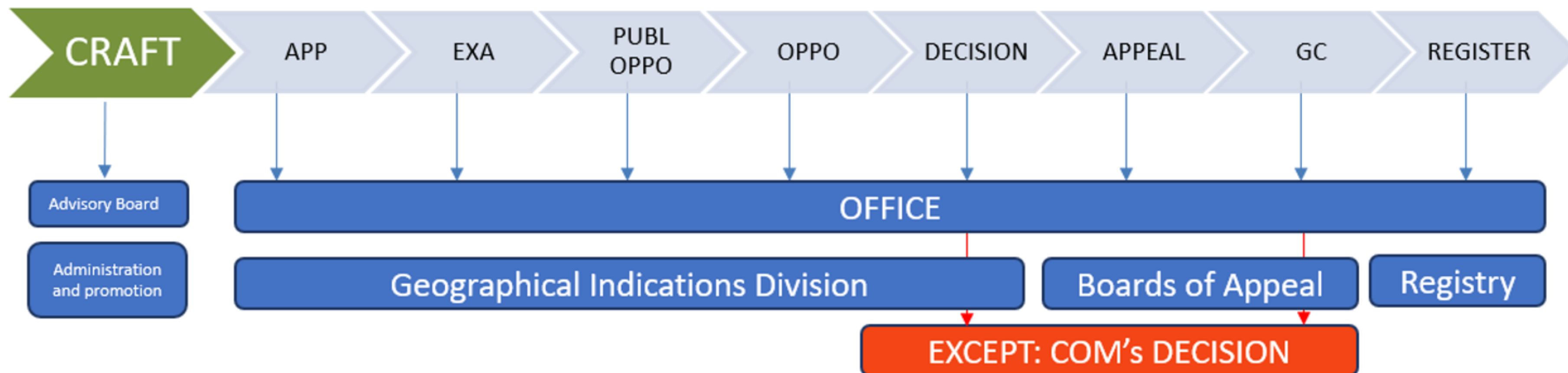
Request for Union amendment

Request for Standard amendment



# OFFICE ROLE

## EUIPO'S FUTURE SERVICE



**IT TOOLS AND SOLUTIONS**

**CUSTOMER SERVICE**

**GENEVA ACT  
COMPETENT AUTHORITY**

**TECHNICAL SUPPORT FOR GIs under  
INTERNATIONAL AGREEMENTS**

## GI DIVISION

### Expert group of GI examiners



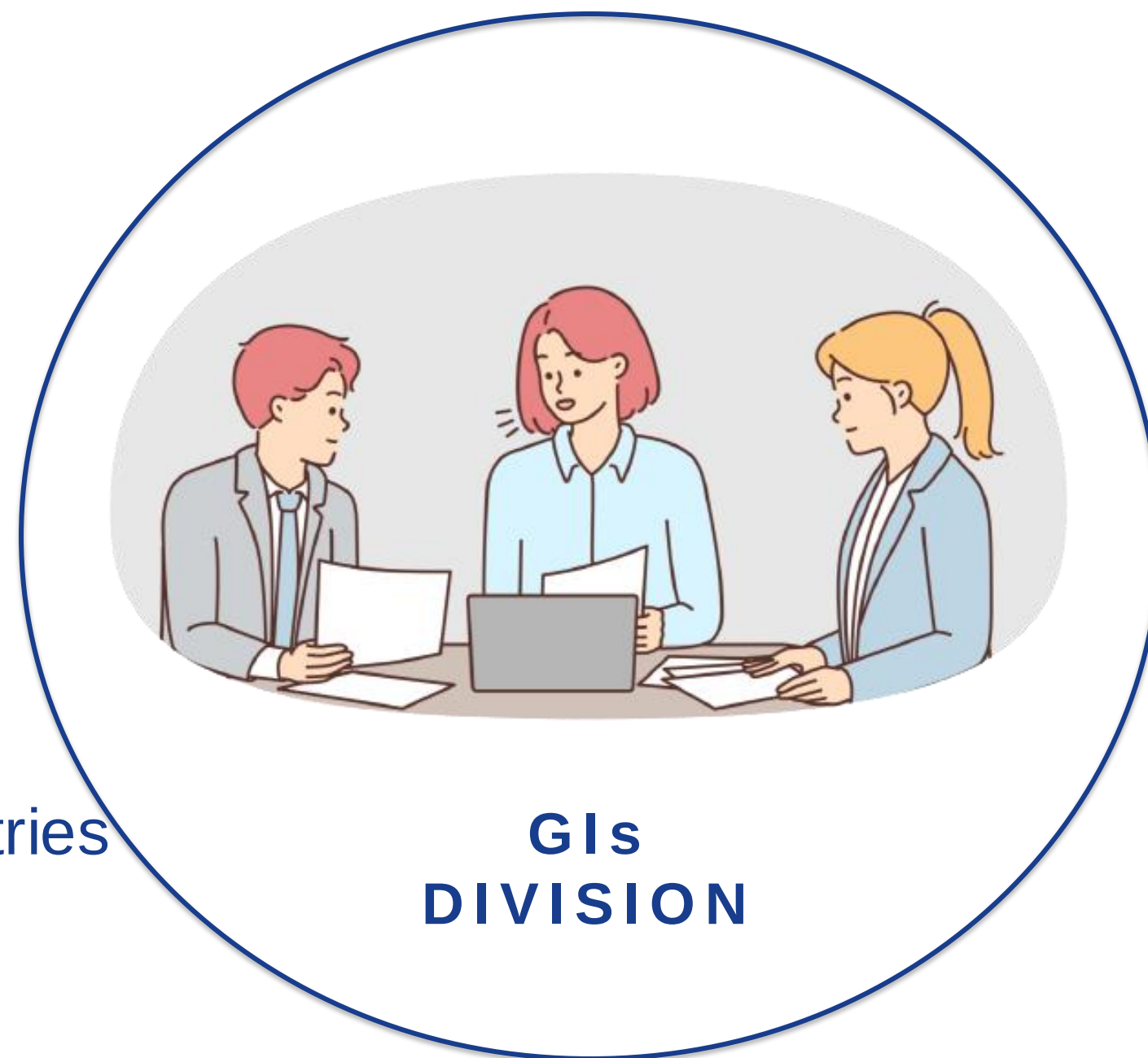
Examination &  
publication



Decisions



Union register entries



Oppositions &  
notice of comments



Cancellation  
requests



Advisory Board  
consultation



Offer ADR services



24 EU languages

# SINGLE DOCUMENT



# GI PORTAL



Digital System



24 EU  
languages



Accessible to  
the public



GI e-filing



Forms  
available



Available to MS



## GI UNION REGISTER



Established  
and maintained  
by the Office



Accessible to  
the public



Public  
information



Protected GI



Type of product



Name of applicant



Decision



Country / countries  
of origin of the product



## GI view



Established  
and maintained  
by the Office

Every GI  
protected at EU  
level

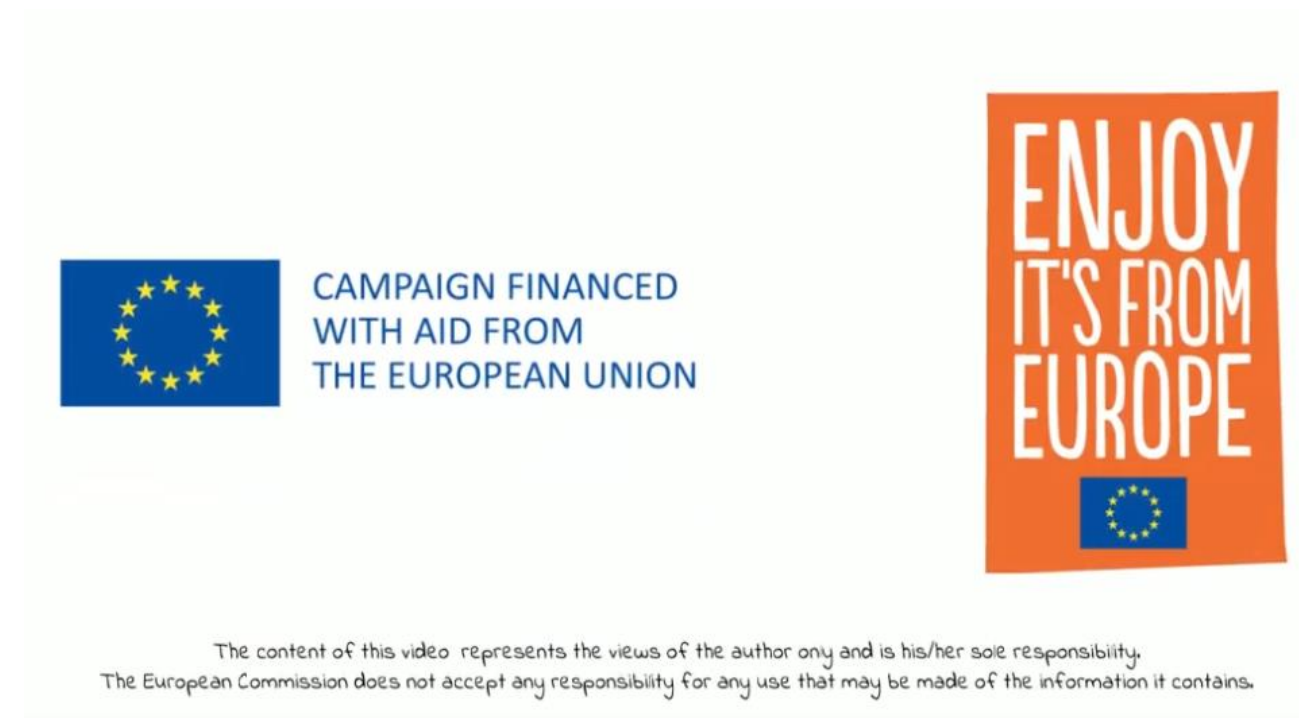


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Public  
information



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Thank you

# Q&A

Open floor for questions and discussion.

# THANK YOU!

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