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ETiDOP[®]

Egyptian Trademarks and Industrial
Designs Office Project

Protection of Geographical Indications (GIs)

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Layout of the Presentation

Definition (What is a GI?)

Examples of GIs

Protection

Recommendations





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Definition

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GIs are defined by the TRIPS Agreement in 1994 as: “indications which identify a good as originating in the territory of a member, or a region or locality in that territory, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin”.



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Indications of sources and GIs

- **Indications of Source:** any expression or sign used to indicate that a product originates in a country, a region or a specific place. They can therefore cover a broad scope. An indication of source does not give any intrinsic guarantee of a specific quality or reputation (WIPO).
- **GIs:** Indications which identify a good as originating in the territory of a member, or a region or locality in that territory, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin.

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Protected Designation of Origin (PDO)

Strong / exclusive link with the geographical area

Raw materials and production steps in the GA



Protected Geographical Indication (PGI)

Raw materials from anywhere

At least one production step in the GA



Traditional Specialty Guaranteed (TSG) (not a GI)

Priority given to production methods / composition

Raw materials and production steps from anywhere



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PDO: Protected Designation of Origin



PGI: Protected Geographical Indication



GIs



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GI	PDO	PGI
Name	Identifies a product originating in a specific place, region or (exception) country	Identifies a product originating in a specific place, region or country
Link with the geographical area	Essentially or exclusive (natural/human factor)	Quality, reputation or other characteristics
Production steps	All in the geographical area	At least one in the geographical area
Raw materials	All in the geographical area	Anywhere



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Africa



Cameroon: Between the 2011 and 2012 campaigns, the price paid for Penja pepper to producers more than doubled and a minimum price was fixed. Producer incomes, production area and employment multiplied more than three times. Source: H. Barry, LadyAgri - 2019



Guinee: Ziamacenta coffee has a higher price on the market, and the income of smallholders has increased from 18 to 58 percent, according to AU (GI Strategy 2018_2023). Source: H. Barry, LadyAgri - 2019



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Value added of GIs





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Egypt

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Three products registered under GIs (Olives -oil, Figs and Grapes).



The income of concerned farmers increased by 30%, the crop selling prices increased by 65% while the costs of production decreased by 40%.



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GIs are ...	What does that mean?
... indications	<i>names of places compound names other names and non-geographical names are possible logo, graphic or visual representation</i>
... which identify a good ...	<i>the indication must be understood by the consumer to describe a specific product</i>
... as originating ...	<i>the indication must show the consumer that the product has a particular origin</i>
... in the territory of a country or region or locality	<i>in a geographical place</i>
... where a given	
... quality of the good	<i>specific chemical composition (sugar level, acidity, ingredients), physical attributes (size, shape, colour, texture, appearance...), microbiological, organoleptic, etc.</i>
... or reputation of the good	<i>the public knows of the specific product originating in that place (agronomic literature, newspapers, books, consumer survey...)</i>
...or other characteristic of the good	<i>other characteristics possible – such as traditional or indigenous knowledge.</i>
... is essentially attributable to its origin.	<i>the quality or reputation must be due to its origin. There is a link between the product and its original place of production. the “essentially attributable” link can be due to environmental factors and/or the traditions or skills or know-how of the local/indigenous population The link to origin must be demonstrated or justified</i>



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How to control origin-linked names

Labelling Laws and Listing Schemes

(e.g., listing the names of origin-linked products as having a reputation or traditional qualities)

Trademarks

- Individual trademarks (owned by a single specified natural or legal person)
- Collective trademarks (owned by a public or private group of more than one legal entity, associations)
- Certification mark (indicate products that meet defined standards)

Geographical indication System



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Geographical indication System

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List of GIs in the territory

Examples of GIs

An administrative process (verification process)

Protection

Products specifications

Recommendations

Control provisions applying to production

Enforcement of the protection by appropriate administrative action

Legal provisions specifying the operators and the protection in place



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List of Potential GIs in the territory

Egypt is rich with traditional knowledge which can be marketed to the wider world, given the appropriate protection provided.

- Cotton of Egypt
- Barki sheep of Matrouh (<http://www.gis-egypt.org/Media.aspx>)
- Figs of Matrouh
- Olive oil of Matrouh, of Sinai...
- Grapes of Barrani, of Fayoum
- Dates of Siwa, of Farafra, of Dakhla, of Bahariya...
- Apricots of Farafra, of Fayoum...
- Fayoumy chicken
- Watermelon of Matrouh
- Etc.

This protection offers new branding strategies for the differentiation of products originating from Egypt.

This protection can apply to Handicraft products also.

(<http://www.gis-egypt.org/Media.aspx>)



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List of Potential GIs Matrouh

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Agriculture: barley, mint, clover, summer watermelon, grape, olive, fig, date.

Fishery: sponges, pearl, coral reefs, mosa and tuna fishes.

Handicrafts: carpets (big size), hewala, bedouin klim, goblan (with draws).

Livestock: barky sheep.



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List of Potential Gis Fayoum

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Bigawy chicken (Fayoum district)

Medical and aromatic plants (e.g. hibiscus, marjoram, chamomile, wormwood, peppermint, chrysanthemum) (Youssef el Seddiq and Ibshawy villages)

Fayoumy grapes (Senours and Ibshawy villages)

Apricot (Fayoum district)

Handmade carpet (Agmeen village); palm products (Al-Elam and Kaabi villages); pottery and ceramic products (Al Nazla and Tunis villages)

An administrative process (verification process)

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Verifying that geographical indications identify a good as originating in a territory, region or locality of one of the parties, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin

<http://www.gis-egypt.org/vocationalmaps.aspx>

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Legal provision:

The GI may be used by any operator marketing the agricultural product or foodstuff conforming to the corresponding specification;

The GI is protected against:

any direct or indirect commercial use of a protected geographical indication for comparable products not compliant with the product specification of the protected name, or in so far as such use exploits the reputation of a geographical indication;

any misuse, imitation or evocation, even if the true origin of the product is indicated or if the protected name is translated, transcribed, transliterated or used together with words such as "kind", "type", "style", "imitation", or similar words or expressions;

any false or misleading indication as to the provenance, origin, nature or essential qualities of the product, on the inner or outer packaging, advertising material or documents relating to the product concerned, and the packaging of that product in a container liable to convey a false impression as to its origin;

any other practices liable to mislead the consumer as to the true origin of the product concerned.



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- To develop a strong legal protection and domestic GI system.
- To draft ad-hoc laws for GIs effective protection at national level.
- To identify the most appropriate modes of protection for GIs in Egypt (e.g., to protect GIs through a *sui generis* system, as an individual or a collective trademark).
- To identify and select the most suitable verification process (system of control) for Egypt.
- To declare the products as “public goods” and register those products under GIs or collective trademark.
- To select additional traditional products for registrations of additional GIs.
- To develop code of practices for selected agricultural GIs products.
- To reinforce organizational and institutional structures among producers.
- To establish association of producers for GIs registration.



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- Useful links

You could use the FAO web tool for identification of origin linked production and GI development potential at
<http://www.fao.org/in-action/quality-and-origin-program/identification-tool/identification-tool/about-olq/en/>

Regulation (EU) No 1151/2012
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:343:0001:0029:en:PDF>

You could use the GI Web tool to download documents and maps on GI in Egypt
<http://www.gis-egypt.org/>
<http://www.gis-egypt.org/Media.aspx>