



ETiDOP[®]

Egyptian Trademarks and Industrial
Designs Office Project

Development of Geographical Indications System in Egypt





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ABBREVIATIONS AND ACRONYMS

ADBS	Association of Development of Barki Sheep
AO	Appellation of Origin
AOP	Appellation d'Origine Protégée
ARC	Agricultural research Centre
CEDARE	Centre for Environment & Development for the Arab Region and Europe
CoP	Code of Practice
DRC	Desert Research Centre
EGP	Egyptian Pound
EU	European Union
EUD	European Union Delegation, Egypt
EU-JRDP	EU-Joint Rural Development Programme
FAO	Food and Agriculture Organisation
GAP	Good Agricultural Practices
GIMC	Geographic Indication of Matrouh Committee
GIs	Geographical Indications
IOC	International Olive Council
IP	Intellectual Property
IPR	Intellectual Property Rights
ITDA	Internal Trade Development Agency (Ministry of Trade and Industry)
M	Million
MADAD	Matrouh Association for Desert Agriculture Development
MALR	Ministry of Agriculture and Land Reclamation
MFAIC	Italian Ministry of Foreign Affairs and International Cooperation
MoIC	Ministry of International Cooperation
MoLD	Ministry of Local Development
MSIT	Ministry of Supply and Internal Trade
MWRI	Ministry of Water Resources and Irrigation
NGO	Non-Government Organisation



PDO	Protected Designation of Origin
PGI	Protected Geographical Indication
SMEs	Small and Medium sized Enterprises
SKP	Sant Katherine Protectorate
TIDO	Trademarks and Industrial Designs Office
TRIPS	Trade Related Aspects of Intellectual Property Right
WIPO	World Intellectual Property Organization
WTO	World Trade Organisation



KEY DEFINITIONS

- **Paris Convention:** the Paris Convention of 1883 (197 signatory States of which 191 are also part of the Paris Agreement), acknowledges “*indications of source or appellations of origin, and the repression of unfair competition*” as forms of intellectual property and makes provision for the seizure upon importation or inside the country of goods “*in cases of direct or indirect use of a false indication of the source of the good.*” While this protection is not identical to the protection of geographical indications, its enforcement would be coextensive with the protection of geographical indications in many instances. In addition, the Paris Convention provides for protection against unfair competition, specifically prohibiting “*indications or allegations the use of which in the course of trade is liable to mislead the public as to the nature, the manufacturing process, the characteristics, the suitability for their purpose, or the quantity, of the goods*” factors that would also affect protection for geographical indications in many instances. Any State that is party to the Paris Convention may accede to the Lisbon Agreement. It must agree to protect the Appellation of Origin of products that are recognized and protected in their country of origin and registered in the WIPO International Bureau.
- **Lisbon Agreement.** The Lisbon Agreement (administered by World Intellectual Property Organization-WIPO) is the most accepted international accord on GIs although few countries (30 as per May 2015) are members. The Lisbon Agreement ensures that in member countries “*appellation of origin*” receive protection when are protected in their country of origin. Lisbon’s effectiveness is limited by low participation. This means that existing GIs, though protected at home and registered in Lisbon are not widely protected globally. Nevertheless, countries find that once a GI is registered under Lisbon it may be more difficult later for the denomination to credibly be called generic. Though the Lisbon Membership is limited, there are about 70 countries that have legal definitions for Appellations of Origin, though these may differ somewhat from the Lisbon definition.
- **TRIPS Agreement:** it sets standards for protection that must be implemented under national law and in a few cases, mandates measures that must be taken to protect geographical indications, such as refusal or invalidation of the registration of a mark that inappropriately includes a geographical indication. However, TRIPS agreement does not specify how countries must implement the levels of protection specified. Those decisions are left to the individual countries, and the various WTO Members have taken different approaches in implementing these obligations.



- Geographical Indications:

GIs “determine the origin of a commodity in an area primarily due to its geographical origin and enjoy a good reputation and quality gained from the prevailing climatic conditions in that region” (ITDA-Egypt¹).

GIs as defined by the TRIPS Agreement of the WTO in 1994 (Article 22) are “indications which serve to identify a product as originating in the territory of a member, or in a region or locality of this territory, in the event that a specific quality, reputation or other characteristic of the product can be attributed essentially to this geographical origin”.

GIs include i) PDO: Protected Designation of Origin and ii) PGI: Protected Geographical Indication.

The term GIs is sometimes used interchangeably with the term “Appellation of Origin (AO),” a closely related concept that is defined as ...

- Appellation of origin (art.2 - Lisbon Agreement 1966) (AO) is “the geographical name of a country, region or locality used to designate a product which originates there and whose quality or characteristics are due exclusively or essentially to the geographical environment including natural and human factors”.

The two terms (GIs and AOs) represent two different approaches to the protection of terms of origin that are associated with qualities or characteristics of goods based on their place of origin.

The protection afforded to appellations of origin under the Lisbon Agreement is favoured by the EU. The primary differences are as follows:

¹ The Internal Trade Development Agency (ITDA) was established in 2008 in order to i) registering all commercial activities, ii) transforming the internal markets into an organised and more competitive and balanced product between producers, traders and consumers.



Geographical indication

Does not require that the indication be a geographical name of a country, region, or locality

Specifically includes reputation

Relevant factors must be essentially attributable to good's "geographic origin"

Does not specify whether relevant factors may be attributable to "natural and human factors"

Protection against use in the designation or presentation that indicates or suggests that the good in question originates in a geographical area other than the true place of origin in a manner which misleads the public as to the geographical origin of the good, or any use which constitutes an act of unfair competition within the meaning of Article 10*bis* of the Paris Convention

Protection even where the true origin of the goods is indicated or the geographical indication is used in translation or accompanied by expressions such as "kind", "type", "style", "imitation" or the like, only for wines or spirits.

Appellation of origin

Requires that the indication be a geographical name of a country, region, or locality

Does not mention reputation

Relevant factors must be due exclusively or essentially to good's "geographical environment"

Specifies that geographical environment includes "natural and human factors"

Protection against any usurpation or imitation

Protection even if the true origin of the product is indicated or if the appellation is used in translated form or accompanied by terms such as "kind," "type," "make," "imitation," or the like.

- **Protected Designation of Origins:** PDOs are geographical names of a region, a locality and exceptionally a country used to identify a product therein, the quality and characteristics of which are due exclusively to the geographical environment, including natural and human factors and the production steps of which all take place in the defined geographical area. In some countries, PDO are designated by the acronym AOP (Appellation d'Origine Protégée).
- **Protected Geographical Indications:** PGIs are geographical names of a region, a locality and a country used to identify a product therein, the quality and characteristics of which are due exclusively to the geographical origin and minimum one production steps of which takes place in the defined geographical area.
- **Private trademark:** is a procedure to be used to protect the product label, which can include the GI and an additional figurative element affixed to the product to indicate to consumers that it complies with the product specifications for the appellation of origin (WIPO).



- Collective trademark: it indicates that given products or services were produced or commercialized by the members of an identified group. Collective marks serve to indicate that the person who uses the collective mark is a member of that collective body. Membership in the association that owns the collective mark is subject to compliance with certain rules, such as the geographical area of production of the goods for which the collective mark is used, or standards of production of such goods.
- Certification: is a procedure by which a third party, the official certification body, provides written assurance that an organization system, a process, a person, a product or a service is in conformity with requirements specified in a standard or other frame of reference. In the case of GIs, the certifying body certifies that the GI product is in conformity with the relative code of practice. Certification may, if appropriate, be based on a range of activities: on-site inspection, auditing of quality assurance systems, examination of finished products etc
- Certification trademark: it may be a word, name, symbol, or device that signals certification by a third party of the characteristics of a product, which may include geographical origin. It conforms to specifications laid out by the owner, which can apply to place of origin and/or methods of production. Use of the mark requires some verification by the owner that prescribed attributes have been met or are presented. Certification marks differ from trademarks in three important ways. First, a certification mark is not used by its owner. Second, any entity that meets the standards set by the owner and undergoes the certification process is entitled to use the certification mark. Third, a certification mark cannot be used for purposes other than to certify the product or service for which it is registered (except to advertise the certification programme services).
- Accreditation: it refers to independent third-party attestation by competent independent authorities that a certification body, a control body or a laboratory has provided formal demonstration of its competence to carry out specific conformity assessment tasks with a view to granting marks or certificates, or establishing relations, in a given field.
- Code of Conduct: the registration of a GI requires local producers to draw up a Code of Practice (CoP) containing the criteria and requirements that allow the specific quality to be achieved. Therefore, the CoP is a document establishing



the rules for use of a GI. Depending on the jurisdiction, it may be called “book of requirements”, “product specifications”, “disciplinary document”, code of conduct or regulations.

- Public goods: A public good can be used simultaneously by multiple actors without this resulting in reduction of its advantages or attributes. By definition, whether or not the public good is produced by the public or private sector, it is not possible to prevent anyone from taking advantage of it. The sustainability of a public good lies in its collective and democratic management. Geographical Indications as intellectual property rights may in some cases be considered as a public good for the residents of the target region and the stakeholders of the GIs in question. Certain public goods may have limitations, the use of a GI name on a product must be limited to certain legitimate or authorized users, and the product must comply with a certain number publicly agreed upon characteristics. Better to consider them as a collective good from which many people will benefit, but not necessarily all. Use abusive or exclusive of a GI by a very limited group is detrimental to the reputation and value of this common resource.
- Slow Food Presidia: projects that support quality food production at risk of extinction, protect unique regions and ecosystems, recover traditional processing methods, and safeguard native breeds and local plant varieties (**Annex D**).



1. INTRODUCTION

1.1 THE PROJECT

The Project, titled the *Trademarks and Industrial Designs Office*, was initiated on the 20th January 2020 and is scheduled to be implemented over a period of 18 months.

The overall objective of the Project is to strengthen the protection of trademarks and industrial designs in Egypt.

The specific objectives are the following: 1) To strengthen the operational capacity of the Trademarks and Industrial Designs Office by supporting its staff to improve their organisational and technical skills; 2) To upgrade and enhance procedures and operational mode of the office through further automation systems and in particular e-filing; 3) To raise public awareness on the importance of the use of trademarks and industrial designs.

Under Activity A1.9 the project is aiming at “Developing the Geographical Indication System.

The Geographical Indication System consists of steps (Cf. Box 1 next page) to be followed for registering and protecting GIs products. These steps are: i) Identify potential GIs; ii) Draft verification process at administrative level; iii) List administrative requirements, iv) Set up control measures, v) Enforce administrative rules for protection, vi) Provide ad-hoc laws/rules avoiding that protected names become generic in the territory.



Box 1: Elements of a Geographical Indications System

(source "Worksheet 2: Protecting rights: the legal framework" - EU April 2019)
<http://www.gis-egypt.org/Docs.aspx>

- 1) A list containing geographical indications protected in the territory.
- 2) An administrative process 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.
- 3) A requirement that a protected geographical indication shall correspond to a specific product or products for which a product specification is laid down, which can only be amended by due administrative processes.
- 4) Control provisions applying to production.
- 5) Enforcement of the protection of geographical indications by appropriate administrative action by the public authorities within the structures and norms that apply to such names.
- 6) Legal provisions laying down that a protected geographical indication:
 - a) may be used by any operator marketing the agricultural product or foodstuff conforming to the corresponding specification.
 - b) 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.
- 7) A rule that protected names shall not become generic in the territory of the Parties.



1.2 PROJECT BENEFICIARIES

The main Beneficiary of the Project is Trademarks and Industrial Designs Office (TIDO). However, other Beneficiaries of the Project include:

- Internal Trade Development Agency (ITDA);
- Ministry of Supply and Internal Trade; and
- Private sector businesses, including Small and Medium sized Enterprises (SMEs).

1.3 PROJECT RESULTS

The expected Results of the Project are:

- Capacity and skills within the TIDO consolidated and improved;
- TIDO's automated systems and procedures upgraded; and
- Public awareness on the importance of trademarks and industrial designs raised.

1.4 PROJECT COMPONENTS

To achieve the Results, the Project has been split into three Components:

- Component 1 - Strengthening the capacity of TIDO;
- Component 2 - Upgrading and enhancing IT procedures; and
- Component 3 - Raising public awareness of trademarks and industrial designs.



Trademarks and Industrial Designs Office
(SIEA) 2018 -
EuropeAid/138778/DH/SER/Multi.
2019/409196/1.



1.5 COMPONENT 1

The aim of Component 1 is to strengthen the capacity of TIDO to protect trademarks, industrial designs and Geographical Indications (GIs). To achieve the aim, the Consortium intends to implement the following Activities:

- Capacity Building for IT Staff;
- Capacity Building for Examiners;
- Capacity Building for Legal Department;
- Development of Best Practice Reference Manuals;
- Development of Examination Manuals;
- Workshops and Study Visit for Legal Experts;
- Workshops and Study Visit for Examiners;
- Review of Legislation; and
- Development of Geographical Indication System



1.6 ACTIVITY A1.9 DEVELOPMENT OF THE GEOGRAPHICAL INDICATION SYSTEM

1. METHODOLOGY

The adopted methodology was based upon the following:

- Kick off meeting with TIDO (Cf. Annex A).
- Collecting and elaborating statistics on agricultural production and export in Egypt (National statistics, FAO, CIRAD, www.statistica.com...).
- Collecting available information on GIs in Egypt (Cf. Annex B).
- Downloading documents on GIs from the GI's forum website (MALR). [Geographical Indications Forum of Egypt \(gis-egypt.org\)](http://Geographical%20Indications%20Forum%20of%20Egypt%20(gis-egypt.org))
- Assessing the potential impact that the development of GIs could have on sustainable rural development processes.
- Analysing data from surveys carried out in the past on GIs by EU-JRDP².
- Consulting other available documents on GIs produced by the EU, FAO, Slow Food, AICS, USAID...
- Contacting resource people (e.g., TIDO, AICS, Focal point GI Egypt, representative of MADAD, CEDARE, Operators in Sinai, Saint Katherine, Dhakla, Farafra, Siwa, Bahareya).
- Assessing vocational maps of GIs in Egypt <http://www.gis-egypt.org/vocationalmaps.aspx>.

² The European Union – Joint Rural Development Programme (EU-JRDP) is an “area-based” initiative taking place in three governorates, namely Matrouh, Minya and Fayoum and implemented by the Italian Ministry of Foreign Affairs and Cooperation and Development, through the Italian Embassy in Egypt with the technical assistance of the Italian Agency for Cooperation (AICS). The said action is funded by the European Union (€ 21.9 M) under the European Neighbourhood Programme for Agriculture and Rural Development (ENPARD) and co-funded in parallel by the AICS (€ 11.0 M) through: i) the “Sustainable Agricultural Mechanization System Improvement in Minya and Fayoum Governorates” (SAMSIMIFA) and ii) the “Social Economic Development of North West Coast of Egypt (SEDNWCE) in Matrouh. The main Egyptian Authorities are the MALR (Lead Ministry), the MWRI and MoLD. The Ministry of International Cooperation is the National Coordinator. EU-JRDP introduced, for the first time in Egypt, the concepts of Geographical Indications (GIs).



2. FINDINGS

2.1 Identify potential GIs

In Egypt there are four main geographic regions:

- The Nile region, encompassing the fertile alluvial lands of Middle and Upper Egypt and the Nile Delta.
- The Western Desert encompassing the North Coastal zone, the oases, and southern remote areas, including East Uweinat, Tushka and Darb El-Arbian areas.
- The Inland Sinai and the Eastern Desert encompassing the Sant Katherine Protectorate (SKP) that includes the elevated southern areas.

Some of the agricultural products with top potentials for GI registration and recommended geographical names are (list non exhaustive):

- Cotton barbadense of Egypt.
- Barki sheep of Matrouh.
- Figs of Matrouh.
- Olive oil of Matrouh.
- Olive oil of Santa Catherine, of Mont Sinai...
- Grapes of Barrani.
- Old grapes of Fayoum.
- Dates of Siwa desert oasis.
- Dates of Farafra, of Dakhla, of Bahareya...
- Apricots of Farafra, of Fayoum...
- Fayoumy chicken.
- Watermelon of Matrouh.
- Honeys (e.g. of Mont Sinai).
- Medical and aromatic plants (e.g. Mont Sinai, Fayoum, Matrouh).
- Oasis rice (e.g., Bahareya).



- Potatoes of western desert.
- Handicrafts (e.g., oasis, Fayoum, Matrouh, Sinai).
- Pottery and ceramic products (e.g., Al Nazla and Tunis villages).
- Palm products (e.g., Al-Elam and Kaabi villages of Fayoum).

The figs of Matrouh, the olive oils of Matrouh, and the Barrani grapes of Matrouh are already registered as “certification marks indicating geographic origin” (in virtue of the Ministerial Decree number 81 of 2019 Issued on 2 May 2019) while the cotton barbadense is registered as a certification mark (Madrid registration number 756059). It is estimated that the dates of Siwa desert oasis will be also registered soon thanks to the financial contribution of AICS (contact person: lsmail.faramawi@aics.gov.it).

Box 2: Trademarks versus Shared Marks

Protection of agricultural products can be achieved through trademark (individual marketing) and shared marks (joint marketing). Collective marketing, Certification marketing and Geographical Indications are all shared marks. In details:

Trademark (Individual marketing): a trademark identifies a good and a service originating from a particular company.

Shared mark: Joint marketing:

- Collective marks: a collective mark may be used by members of the organisation which owns them.
- Certification marks: a certification mark may be used by anybody who complies with the standards defined by the owners.
- Geographical Indications: a GI identifies a good from originating from a particular place.

Main advantages of shared marks:

- Joint marketing reference to the reputation and to certain qualities of the product,
- Small holders can benefit from economies of scale and broader brand name recognition shifting from just production to the marketing in the same manner as larger companies.
- Can generate collective value-adding strategy around a traditional product of regional origin based on quality and differentiation.

To be successful shared marks shall be based on i) careful choice of product to which value is to be added, ii) equitable management and coordination of joined efforts, iii) choice of suitable legal means for protecting, iv) strict quality control are the core elements of success. Cf. Also Annex E.



2.2 Draft verification process at administrative level

The verification process at administrative level shall check if “*geographical indications identify a good as originating in a territory, region or locality (...) where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin*”. EU, April 2019.

The verification process shall be carried out at three levels:

- Producer groups’ level: to verify if the association or group is owning the product and can manage it.
- Product specifications’ level: To verify the validity of the proposed name. The main requirement for a name to be a GI is that it identifies the product as having a specific origin. Second, verify the products’ specifications, particularly the agronomic and geographical aspects.
- Product control’s level: to set up a system of control on production to offer guarantees to the consumer that the product has been produced in accordance with its specification and has the origin claimed on the label.

As mentioned before, the figs of Matrouh, the olive oils of Matrouh, and the Barrani grapes of Matrouh are already registered as “certification marks indicating geographic origin”. The Government IP office (Trademarks and GI unit) verified:

- The validity of the application. The application was made by the Matrouh Association for Desert Agriculture Development (MADAD). MADAD was considered eligible since was proposed by the Directorate of Agriculture, provides services to 165 local producers of the three GIs crops and it hosts the Geographic Indication Matrouh Committee (GIMC).
- The product specifications by analysing the “codes of practices” of the three products prepared by MADAD in association with an NGO called CEDARE.
- The existence of a system of control. The geographic origin of the three products is controlled by the Agricultural Directorate of Matrouh Governorate in connection with MADAD.

To control the origin of the products over the territory, the Directorate of Agriculture prepared three maps (one per product) indicating the location of the three crops. These maps are too broad and non-useful. Additional maps (1 overall suitability map



and 3 vocational maps - one per each crop) were prepared by EU-JRDP (<http://www.gis-egypt.org/vocationalmaps.aspx>).

Said additional maps can be used by the Directorate of Agriculture for land-use planning and can represent the starting point for generating more specific maps with detailed boundaries for each selected GIs.

2.3 List administrative requirement

To specify “*requirement that a protected geographical indication correspond to a specific product for which a product specification is laid down, which can only be amended by due administrative processes*” (source EU, Aril 2019).

The requirement for registration of a name protecting a geographical indication shall follow the following road map:

- Receipt of applications from producer groups.
- Assessment of applications (may involve different departments, for example the agricultural department to assess an application and an intellectual property office to manage oppositions and registration of the names).
- Publication of applications for opposition
- Final assessment of an application
- Registration of the name.

For the three products already registered the steps followed during the registration processes per each concerned organisation are provided here below:

Organisation	Step in the workflow
CEDARE & EU-JRDP	Drafted the “code of practices” for the three products (one per crop)
MADAD (the applicant)	Completed the three applications (one per product) and sent to Trademarks and GI unit (Intellectual property office)
Trademarks and GI unit	Checked the application and consulted the agriculture Department of Matrouh
Agriculture Department of Matrouh	Checked the agronomic information and replied to the trademarks and GI unit
Government trademarks and GI unit	Prepared a simple and generic map indicating the origin for the three products (the maps need to be improved)
Government trademarks and GI unit	Checked for opposition
Government trademarks and GI unit	Registered the three products under “certification marks indicating geographic origin”.



Said steps (followed during the registration processes of the first three products) were adequate. On the contrary, the maps prepared by the Directorate of Agriculture were too generic (cf. 2.2).

2.4 Set up control measures

For an origin-linked product such as a GI, the control on origin and traceability is the fundamental verification needed. The control plan should identify the level to which the verification is needed:

- At individual farm or local community level; or
- At bulking-up centre level, like a packing station; or
- At provincial/country level.

The control on origin and traceability for the three already registered GI was made by the Agricultural Directorate at the level of the Governorate of Matrouh (provincial level). Said Directorate is assisted by MADAD that controls the origin mainly at the level of the bulking-up centre (MADAD is also a bulking-up centre).

Improvements are needed to better control the origin at individual farm or local community level by adopting for instance the “first-party verification approach” (guarantees provided by producers themselves based on auto controls).

2.5 Enforce administrative rules for protection

To set up rules for enforcing the protection of GIs by appropriate administrative action by the public authorities within the structures and norms that apply to such names.

Said rules must ensure that consumers are not misled and producers, holding the rights in the names, are not undercut by non-originating product utilising same GI name.

Since the first three products were registered recently, the administrative authority did not make any action in this respect.



Box 3: the different verification systems FAO, People, places and product

(2nd edition 2010, page 74)

A first-party verification consists of guarantees provided by producers themselves, based on auto controls (by individual producers) or internal controls (by the GI producer organization). Without other external controls, this self-verification system means the producers take responsibility for the reliability of quality attributes. They can sign a formal document (the self-attestation) either individually or through the GI association. Social sanctions and trust relationships based on cultural and geographical proximity contribute to making sure that the rules are respected. Self-verification works when the production system is mainly composed of small-scale agricultural and artisan producers directly selling on local markets.

A second-party verification system involves a trade agent who verifies that suppliers comply with the product specification requirements. Many retailers are using second-party verification systems, also for GI products. The degree of effectiveness of this system depends largely on the agent's reputation.

A participatory "guarantee system" is based on the active participation of stakeholders, both internal and external to the GI value chain (even consumers) and is built on a foundation of trust, social networks and knowledge exchange. Such an alternative is entirely realistic in the context of the small-scale farms and local direct markets. This can be managed by a local association of stakeholders (including producers, local authorities, and buyers) which carries out its own GI supply chain control.

A third-party certification system involves an independent and external body (private, public or joint public-private) without direct interest in the economic relationship between the supplier and the buyer and which provides assurance that the relevant requirements have been followed. Standards for certified products are now recognized worldwide (independent third-party certification - ISO/IEC 65). All countries participating in international trade and negotiations, are establishing, or have established, a national framework for "guarantee systems" which complies with these international standards (official accreditation service, certification bodies, etc.) for products to be exported. This trend is prompted by requests from traders, retailers, and consumers, especially in developed countries.

2.6 Provide ad-hoc laws

In some countries protection is achieved by means of GI-specific laws or sui generis systems (e.g. Tunisia, Algeria, Morocco) in others (including Egypt), protection is achieved through a trademark system or other legal or administrative means (e.g. Libya, Sudan, Saudi Arabia).

Since in Egypt still there is not a specific law protecting the registration of GIs, the protection is achieved through the trademark system (certification trademarks - Law



82/2002). In virtue of said law the three GI-products were registered as “certification marks indicating geographic origin”.

As member of the World Trade Organization (WTO), Egypt is obligated to protect GIs in virtue of the minimum conditions for protection contained in the TRIPS agreement.

2.7 Set up rules avoiding that protected names become generic in the territory

Generic names are common names of products that have lost their geographical association.

If for instance the “Egyptian barbadense cotton” is not protected as GI, Egypt could lose the benefit of this valuable product because other countries could use the same name by arguing that the terms “Egyptian barbadense cotton,” is generic in their countries.

Similarly, if those famous products associated with famous names (e.g. olive oil of Santa Catherine and Mont Sinai, apricot of Farafra, dates of Siwa, olive oil of Siwa are not registered under GIs system, there is a risk that they will be registered by private applicants under individual trademarks.



3. CONCLUSIONS

3.1 Identifying potential GIs

In Egypt, some of the agricultural products produced in the Nile region (e.g., cotton barbadense of the old lands of Nile River, medicinal and aromatic plants of Fayoum) and most of the products obtained in the Western Desert, the Inland Sinai (Cf. Annex C) and in the Eastern Desert have great GI potential. Additional products with high GIs potential are those selected by Slow Food in Egypt (Cf. Annex D). These products in fact:

- Have unique quality and specific characteristics.
- Are known from pharaonic periods (e.g., olives, figs, dates).
- Are mentioned in the Old Testament and in the Coran (e.g., olives, jujube, dates of Mount Sinai).
- Are part of the Berbers' culture and local traditional gastronomy (e.g. Barki sheep of Matrouh, dates and olives of Siwa and mont Sinai).

Since only three products were registered so far in Egypt there is a need of extending the registration of additional GIs starting from those agricultural products obtained in the Western Desert, the Inland Sinai and in the Eastern Desert.

3.2 Draft verification process at administrative level

For the first three products registered in Egypt as “certification marks indicating geographic origin”, the application was made by an already existing association (MADAD). The control over product origin is assured by the Agricultural Directorate of Matrouh Governorate.

Some improvements especially at the level of controlling the origin of the agricultural products over the territory are needed.

EU-JRDP prepared 1 overall suitability map and 3 vocational maps (one per each crop registered under GI) providing information to be used for land-use planning. More detailed maps better indicating the boundaries of GIs producing areas still need to be prepared.

The aim is to better assess if the products (and related quantities) are effectively originating from the assigned territory, region or locality to better facilitate the verification process by the controlling Authority.



3.3 List administrative requirements

The steps followed during the registration processes of the first three products were adequate and are in line with the requirements for registering GIs products.

3.4 Set up control measures

The control measures set up by the Agricultural Directorate at the level of the Governorate are relying on information provided by the bulking-up centre that is under MADAD.

For the future, other options need to be studied such as for instance i) controlling the origin of the products at individual farm level by adopting the “first-party verification approach” (guarantees provided by producers themselves based on auto controls).

3.5 Enforce administrative rules for protection

Since the first three products were registered recently, the administrative authorities did not make any action to ensure that consumers are not misled and producers are not undercut by traders and other producers selling under registered names “non-originating products”.

3.6 Provide ad-hoc laws

Since in Egypt, still there is not a specific law on GIs, the first three GI-products were registered as “certification marks indicating geographic origin”.

As member of the World Trade Organization (WTO), Egypt is obligated to protect GIs in virtue of the minimum conditions for protection contained in the TRIPS agreement.

3.7 Set up rules avoiding that protected names become generic in the territory

There is a need to set up rules avoiding that a protected name become generic abroad. Generic names are common names of products that has lost its geographical association.

“An example of a GI that has become a generic term is Camembert for cheese. This name can now be used to designate any camembert-type cheese. The transformation of a geographical indication into a generic term may occur in different countries and at different times”.

https://www.wipo.int/geo_indications/en/faq_geographicalindications.html



4. RECOMMENDATIONS

4.1 Recommendations to enhance current GI system in Egypt

4.1.1 *To identify, 3-4 potential GIs (in addition to the three already registered)*

The following agricultural products, all associated with history, reputation, tradition, quality, and food safety, are recommended to be registered in priority under GIs.

Products from the old lands of the Nile region – cotton barbadense and Fayoum chicken

Cotton barbadense: The cotton barbadense cultivated in Egypt represents the best cotton in the world in terms of fibre quality and length. Said cotton is mainly cultivated in the old lands of the Nile region. *“Egypt’s year-round moderate climate is perfect for cotton plantation and gives it a superior quality. Among the cottons grown in Egypt, Barbadence cotton is of the highest quality and well renowned for its long fibres and thin yarn. Longer fibres enhance the quality of yarn, and the thin yarn allows higher thread counts per square inches. Another factor that contributes to the unique quality of Egyptian cotton is that it is hand-picked, which reduces the stress on the fibres and preserves the cotton far better than mechanical picking. As a result, the sheets made from Egyptian cotton are soft, strong and durable”*. Source WIPO, January 2015.

The Fayoumy chicken (Bigawi Chicken): It is a rustic and resistant to disease chicken breed, known for the quality of its meat (dark and with a flavour like turkey) as well as their eggs – smaller than those of other breeds, but particularly flavourful. It is a very old breed from the town of Fayoum. The Fayoum chicken is, since 2014, a Slow Food Presidia. The Bigawi chicken breed is at risk of extinction because it is less productive than hybrids and its registration into GI would preserve it from disappearance.

Products from the Western Desert encompassing the North Coastal zone, the oases and southern remote areas

The oases in the western desert: Siwa, Baharia, Farafra, Dakhla and Kharga – dates and olives of Siwa desert oasis.

Dates of Siwa desert oasis: in Siwa oasis, palm dates are considered one of the main sources of income for the inhabitants. Date palm trees occupies about 6,700 feddans (about 280,000 palm trees), representing 6.7% of the total date palm cultivated area in Egypt and 42 % of the



total cultivated area of Siwa. In total the oasis produces about 30,000 tonnes of the common category called Saidi (semi-dry) which represents 17% of the total national production with an average productivity of 90 - 150 kg /palm. In Siwa there are 11 date factories processing about 22,000 tonnes of dates annually; 13 villages are directly related with the production of dates.

The three most important varieties are the local Saidi and Frehi. Additional varieties (Ghazaal, Takdat and Amnzou, Azzawi), highly valued for their qualities, are produced in small quantities. The Ghazaal, Takdat, Amnzou and Azzawi varieties are at risk of extinction because they are less productive although of better quality. The registration of the Siwa dates into GI would preserve these old varieties from disappearance.

The dates full maturation (tamr stage) occurs in September for Amnzou, beginning of October for Saidi and Azzawi, end of October for Ghazaal, between December and January for Takdat.

Dates are used in many local dishes, such as Elhuji (egg, olive oil and dates), Tarfant (bread, olive oil and dates) and Tagilla (flour, olive oil, water and dates). During Ramadan, they are eaten to break the fast (Agua).

Most of the date fruits produced in Siwa have special and unique characteristic suitable to be considered for new unified branding.

“Production and commercialization of the dates is currently organized by the SCDEC (Siwa Community Development Environmental Conservation), established by AICS under the “Siwa Environmental Amelioration Project”. SCDEC has a council of 13 members, representing and elected by each of the 13 villages.”.

The Siwa date is a Slow Food Presidia since many years³.

The Italian Agency for Cooperation and Development (AICS) funded a 24-month project (EGP 9 M) titled “Improve the Value Chain of SIWA date palm production for Branding” to be implemented by the Food and Agro-Industries Technology Centre (FAITC) in Siwa aiming at (among others) registering of a new unified brand for SIWA dates. The project will start during the current year.

³ The Presidium’s goal in Siwa is to promote the oasis’s highest quality dates on the national and international market, protect heritage date varieties at risk of extinction and assist growers to control the entire production chain – from planting to export – and to certify the product as fairtrade and organic.



The Technical Fiche for the "Dates of Siwa desert oasis" as potential GI product is given in Annex F – Fiche 1).

Dates of Siwa desert oasis:

Olive oil of Siwa desert oasis: The olive oil of Siwa oasis is well known in Egypt for its high quality. Olive trees grow in nutrient-deficient, but well-drained, soils, and receive plenty of sun for fruit production. The temperature is mild during the winter period and appropriate for the olive fruits to set. In total 500 feddans are planted for a total of 70,000 trees. The average oil content for the best olive oil variety (e.g. Wateken and Maraki) is 18%; 13 villages in Siwa are growing olive trees.

The production of olive oil in Siwa is increasing since the Government has an ambitious programme at national level of promoting olive production in arid and semi-arid conditions (e.g. on desert lands with poor sandy soils and rainfall below 80 mm/year). The Government is planting 100 million olive trees as part of the country's project of the cultivation of the 1.5 million *feddans* (source MALR, November 2018).

In 2017, Egypt joined the International Agreement on Olive Oil and Table Olives.

The Technical Fiche for the "Olive oil of Siwa desert oasis" as potential GI product is given in Annex F – Fiche 3.

Products from the North Coastal zone of Western Desert - Barki sheep of Matrouh

The Barki sheep of Matrouh: the Barki is one of the main sheep breeds in Egypt, and it is well adapted to the harsh desert conditions in the rain-fed North Coastal Zone as well as to harsh desert conditions. This breed produces high quality meat and wool that are highly appreciated by local, national and international consumers. Barki sheep spread along the North-western coastal zone of Egypt. In total, about 500,000 heads (8.5% of the total Egyptian sheep population) are raised under the transhumant system.

The Technical Fiche for the "Barki sheep of Matrouh" as potential GI product is given in Annex F – Fiche 2.



Products from the Inland Sinai and the Eastern Desert with their elevated southern areas – olive oil of Mont Sinai and Saint Catherine.

Olive oil of Mont Sinai and Saint Catherine: the national park of Saint Katherine Protectorate (SKP) in South Sinai (that includes most of the mountainous areas of Central South Sinai) is by far the agricultural producing area where the natural (e.g., climate, soils, and local varieties) and human factors (e.g., traditional, historical, and cultural) are generating high quality products with high reputation that satisfies all criteria for registration under GIs.

Main products from SKP include medicinal plants, fruit trees (e.g., palm trees, olives, grapes, pomegranate, peaches, almonds, guavas) and honey from endemic plants (cf. also annex C). All these products are of unique quality very high appreciated by local and national consumers.

The agricultural production is confined to limited areas of land in the *wadis* (e.g., Wadi Feiran, Wadi Sa' al, Wadi Sulaf and Wadi Zaghra).

The olive oil of Mont Sinai and of Saint Katherine is as famous as the olive oil from Siwa. Olive productivity is low compared to other Egyptian governorates and ranges between 2 and 3 tonnes/*feddan* which is the lowest productivity, compared to the average productivity in other governorates. The most important production and marketing problems facing olive farmers in Sinai are related with the problem of the exploitation of traders. Olive farmers are also facing many production and marketing problems such as increasing fertilizer prices, irrigation water high salinity, high cost of irrigation wells, absence of marketing extension...

The production of olive oil in Sinai is increasing thanks to the Governmental national programme promoting olive production in arid and semi-arid conditions. Some of the 100 million olive trees to be planted by the Government in Egypt by 2020 are directed to Sinai.

The registration of this product under GI, will help small farmers to market their products directly through their association and most importantly to reduce the exploitation of traders.

The Technical Fiche for the “Olive oil of Mont Sinai and of Saint Katherine” as potential GI product is given in Annex F – Fiche 4.

4.1.2 Draft verification process at administrative level

At producer groups' level

For all products that are declared “public goods” and are produced in remote areas, the application shall be made preferably by producers' groups or a consortium. To avoid that it may take many years and resources for the groups to be formed, it is recommended to start



to register GIs that are proposed by already established groups (e.g. the Siwa Community Development Environmental Conservation group, the Association of Development of Barki Sheep).

For all products that are not “public goods”, individual persons or companies shall be also allowed to apply. Are eligible, producers or traders who have a direct interest in the protected names.

Therefore, it is important to specify which products must be considered “public goods” in Egypt and for which products producers or associations are entitled to submit applications themselves or through their agents and representatives.

At product specifications’ level

The validity of the proposed name shall be verified. The only requirement for a name to be a GI is that it clearly identifies the product as having a specific geographical origin.

During the verification process, make sure that i) all names to be registered are associated with a terroir where the boundaries are well delimited and ii) generic names (e.g., dates of Sinai, or of North Sinai, of South Sinai, Olives of Sinai) are not registered. Concerning the Barki sheep, since the terms Barki is used also in Libya, it is proposed to adopt the register the Barki sheep as Barki sheep of Matrouh.

Detailed products’ specifications (e.g., the agronomic and geographical aspects) shall be well drafted and well verified.

At product control’s level

Systems of control on production are needed to offer guarantees to the consumer that the product has been produced in accordance with its specification and has the origin claimed on the label.

It I recommended to adopt:

- A first-party verification system. This consists of guarantees provided by producers themselves, based on auto controls (by individual producers) or internal controls (by the GI producer organization). Without other external controls, this self-verification system means the producers take responsibility for the reliability of quality attributes. They can sign a formal document (the self-attestation) either individually or through the GI association. Social sanctions and trust relationships based on cultural and geographical proximity contribute to making sure that the rules are



respected. Self-verification works when the production system is mainly composed of small-scale agricultural and artisan producers directly selling on local markets. A first-party verification system is very useful to reduce the costs associated with the control especially for those products that are “public goods”, that are produced in very scattered and remote areas where the control from Governmental entities is very difficult to set up.

In case the registered GIs must be exported abroad, it is recommended to adopt:

- A third-party certification system. This involves an independent and external body (private, public or joint public-private) without direct interest in the economic relationship between the supplier and the buyer and which provides assurance that the relevant requirements have been followed. Standards for certified products are now recognized worldwide (independent third-party certification - ISO/IEC 65). Since Egypt is a big exporter of agricultural products especially in Europe⁴, it must establish, or have established, a national framework which complies with these international standards (official accreditation service, certification bodies, etc.) and, in case of Europe, with the “EU Regulation 1151/2012 for protecting PDOs and PGIs.

More details about the verification process at administrative level are given in table 1 (cf. following pages).

⁴ In Egypt, agriculture is a major sector of its economy. Agriculture accounts for 55% of Egypt’s labour force, 14% of its GDP, and 30% of its commodity exports (source MoIC, July 2020). Citrus (mainly oranges), potatoes, rice and cotton have been among Egypt’s top exports in recent years. Vegetable exports (e.g., grapes, garlic, strawberry, grenade, and green beans) increased in recent years. In 2018, the value of raw cotton exports from Egypt decreased and represented 150 million USD (source: www.statista.com). The European Union is the major importer of Egyptian products. The top export markets for Egyptian cotton are on the contrary India, Pakistan, and China.



Table 1: Draft verification process at administrative level

Verifications	Description	Proposed for Egypt and comments
Verification of GI names	<p>A GI is often a geographical name or contains a geographical name. Non-geographical names can also be GIs – provided they identify to the consumer product coming from a specific geographical zone.</p> <p>Some names of GIs should not be protected if they have become widely used as:</p> <ul style="list-style-type: none"> - the name of a plant variety or the breed of animal that is used outside the original zone and use of the name as a GI would confuse consumers. - generic names (meaning the common name of a product that has lost its geographical association); - private trademarks that are well known and long used so that the consumer would be misled as to the identity of the product if the name were also registered as a GI. In other cases, the earlier trademark and the GI can “coexist” meaning both can be used on the market. 	<p>Proposed eligible names of potential GI products (list non exhaustive):</p> <ul style="list-style-type: none"> - Cotton barbadense of Egypt. - Dates of Siwa desert oasis - Figs of Matrouh. - Olive oil of Matrouh. - Olive oil of Santa Catherine, of Mont Sinai). - Barrani grapes of Matrouh. - Old grapes of Fayoum. - Dates of Siwa desert oasis. - Dates of Farafra desert oasis - Dates of Dakhla desert oasis - Dates of Bahareya desert oasis - Apricots of Farafra desert oasis - Fayoumi apricots - Fayoumy chicken



		<ul style="list-style-type: none"> - Watermelon of Matrou. - Honeys of Mont Sinai - Oasis rice of Bahareya desert oasis - Potatoes of western desert of Egypt <p>Barki sheep. Since the terms Barki is used also in Libya, better using the name Barki sheep of Matrouh</p>
<p>Verification of the descriptions of the agricultural product or foodstuff</p>	<p>The description should be precise and scientific. It describes the specific product as it is produced in the region.</p> <p>The description must be realistic and cover the range of production intended to be covered by the GI, including any variations allowed.</p> <p>The description should exclude product that does not reach the standard to be covered by the GI. If relevant to the specificity of the product and its link with the geographical area, other elements can be included such as:</p> <ul style="list-style-type: none"> - The production method. - Feeding regime for livestock, - Plant varieties and animal breeds used, - Traditional practices. 	<p>Examples of description for selected Egyptian GIs:</p> <ul style="list-style-type: none"> - For dates the description of the products shall, per each variety, specify the quality of the products, the colour, the dimension and weight of the fruit, the total sugar and water contents ... - For the meat, the slaughter age of the animals, the carcass weight, and the quality of the meat (e.g., meat of light red colour. firm and dry, presence and type of fats, the taste and aroma of the meat...). - For olive oil, the chemical characteristics (e.g., free acidity), the organoleptic characteristics (e.g., colour), the sensory profile (e.g., medium fruity and balanced in bitter and spiciness) ...



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<p>Verification of the description of the geographical area</p>	<p>Describe the geographical area in detail, by reference as far as possible to physical boundaries (e.g., rivers, roads) or administrative boundaries.</p> <p>It must be clear to a farmer and to an inspector whether each individual field is in the area or outside the area.</p> <p>Include its boundaries and geographical and environmental features.</p> <p>The geographical area must be delimited about the link between the place and the product.</p> <p>A map may prove useful.</p>	<p>This is the weakest link for the selected agricultural products in Egypt.</p> <p>To make sure that the products originate from the region is important to prepare detailed vocational maps based on the model prepared by EU-JRDP. The above shall be integrated with information provided from field surveys indicating: i) clear boundaries of production and ii) quantities produced in the assigned territory.</p> <p>EU-JRDP prepared 1 overall suitability map and 3 vocational maps (one per each crop registered under GI) providing information to be used for land-use planning. More detailed maps better indicating the boundaries of GIs producing areas still need to be prepared.</p>
<p>Verification of the links provided between a specific quality, the reputation/other characteristic and the geographical origin</p>	<p>The link with the geographical area shall specify:</p> <ul style="list-style-type: none"> - The geographical area (environmental conditions and skills of the local producers) relevant to the production. - The product Identify (e.g., describe what makes the product special compared to similar products). - Causal link between the geographical area and the quality or characteristics or reputation of the product. 	<p>For those products obtained in in the Western Desert including North coast and oases, the Inland Sinai and in the Eastern Desert it is easy to demonstrate the link with history, reputation, tradition, quality, food safety.</p> <p>In these areas, the climate, soil conditions, quality of water, human factors unique and easy to demonstrate.</p>



4.1.3 List administrative requirements

How to secure registration at national level of new Gis

The steps for registering a name of GI in Egypt are those recommended in table 2 at the following pages.

How to secure registration in EU for already registered GI products at national level

- Application: Documents to be sent to the EU Commission.
- Registration: Proof of registration in the country of origin to be attached to the application documents.
- Product specifications. Prepare document (3 max 4 pages) containing the following information:
 - 1) Name to be protected and description of the product,
 - 2) Definition of the geographical area,
 - 3) Packaging (if needed),
 - 4) Production method,
 - 5) Details establishing the link with geographical areas,
 - 6) Authorities or bodies verifying compliance,
 - 7) Any specific labelling rules.
- Application document (single document). Use the templates as per the format used for publications in the Official Journal of the EU. Prepare concise document containing the following:
 - 1) Faithfully summary of the specification (name, description, area, packaging, labelling),
 - 2) Description of the causal link (linking products to their origin); iii) facilitate controls on the marketplace.
- Examination by the Commission: two scenarios are possible: i) Approval or ii) Rejection (in case application is not complying with EU legislation). In case of rejection, applicants can make opposition. If opposition there is consultation between parties (if not agreement the decision is taken by the Commission).
- First publication EU official Journal (C series). Documents to be translated in all EU-languages.
- Opposition period (2 months + 3 months).
- Registration (in case of no opposition).



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Table 2: Recommended step in the workflow for registering a name of GI in Egypt

Who?	Description
Government IP office (Trademarks and GI unit)	To Identify who may file an application for a new GI (e.g., associations or private entities). To assess the applications, publication of applications for opposition, rejection, or approval
Association (for all Egyptian products declared “public goods” or private entities for the other products)	Write the product specifications (better if specifications are made based on results of chemical analysis and by research entities and universities) Complete application and send to Government IP office
Government IP office (Trademarks and GI unit)	Check application is complete Consult Agriculture Department (or other concerned departments)
Agriculture Department (or other concerned departments)	Check the agronomic information and reply to the IP office
Government IP office (Trademarks and GI unit)	Publish the proposal (the GI name and basic information such as the geographical area and the type of product) and invite oppositions from interested parties
Interested parties (other producers, traders, consumers...)	Have opportunity to submit statements of opposition giving details of any difficulties with the application Main oppositions will concern the validity of names and geographical boundaries
Government IP office (Trademarks and GI unit)	Assess and resolve any oppositions



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Government IP office
(Trademarks and GI unit)

An opposition does not necessarily prevent the registration of a name as a GI or other origin-linked name. For example, if there is a prior trademark, the administration can provide that the trademark and the GI can “coexist” – both are used in the market. A prior use of a name that is not protected as a trademark could be permitted to be used for a temporary period after a GI is registered.

The assessment may involve different institutions for example the agricultural department to assess an application and an intellectual property office to manage oppositions and registration of the names.

If the name has passed the checks and the opposition process has been resolved favourably: enter the name in the register or in the list of origin-linked products.

The register should be publicly available and contain the precise name that is registered or listed, in its language(s) of registration.

For GIs, extracts from the register or certificates of registration should be available for producers to display and use in marketing campaigns.

Since still there is a lack of regulatory framework for GIs in Egypt, the new products can be registered provisionally under “collective marks. This to make registration quickly. The registration under collective trademark will assist to protect, as soon as possible, those famous products that have famous names associated with them (e.g. Olives of Santa Catherine and of Mont Sinai, Apricot of Farafra, dates of Siwa, olive oil of Siwa to prevent that these names are registered under individual trademarks. The registration under collective marks applies also for those products that are not eligible yet for GIs (e.g. carpets and ceramics).



4.1.4 Set up control measures

The control over the origin of a products can be assured at i) Individual farm or local community level; ii) at bulking-up centre, like a packing station; or iii) at the Governorate level/country level.

It is recommended (cf. 4.1.2):

- To study the introduction in Egypt, in case of national or regional trade, of the first-party control system. This is the best self-managed control system since the control is made directly by the producers. By applying this system costs of control will be reduced.
- To adopt, in case of international trade, a third-party control system. This must be compatible with ISO standards (for example ISO/IEC Guide 65 on General requirements for bodies operating product certification systems).

4.1.5 Enforce administrative rules for protection

To set up rules for enforcing the protection of GIs by appropriate administrative actions within the structures and norms that apply to protect the GIs' names.

The administrative authorities should provide enforcement commensurate with their capacity and level of enforcement.

It is also crucial that the legal system in place allows GIs' rights to be enforced later.

4.1.6 Promulgation of Law on GIs and its application texts

Since in Egypt, still there is not a specific law protecting the registration of GIs, the protection is achieved so far through the trademark system (certification trademarks - Law 82/2002).

It is therefore recommended to set up legal provisions laying down ad-hoc protection system for GIs products and goods. The legal provision shall specify that the GIs' products may be used by any operator marketing the agricultural product or foodstuff conforming to the corresponding specification and that the products are protected against:

- Any direct or indirect commercial use of comparable products not compliant with the products' specifications of the protected name or exploiting the reputation of the concerned GI.



- 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 concerned product, 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 consumers as to the true origin of the concerned product.

A specific law (and application texts) needs to be promulgated in Egypt. The law shall:

- Set the conditions under which the agricultural and fishery products and foodstuffs are recognized, attributed, used, and protected.
- Determine the obligations and responsibilities of those who intend to benefit from it.
- Determine the composition and the mode of operation of the national GI's commission.
- Establish internal regulations and define Ministries in charge.
- Set the conditions and the procedure to be followed for any request for recognition of a GI.
- Establish the specifications and qualifications required for approval as well as the certification and control bodies in charge.
- Set the conditions for recognizing distinctive signs of origin and quality.
- Define and present the models of identifying signs visuals or "logos" which must be affixed to the products with certification.

The law shall be composed by the following articles:

- Article 1: must specify the objectives of the law (e.g., preserve the diversity, protect the heritage, culture, increase the quality, improve income of small holders, strengthen consumer information).
- Article 2: must define the GIs concepts



- Article 3: must provide the criteria of eligibility of products under GIs.
- Article 4: must specify the criteria of not eligibility under GIs.
- Article 5: must specify the criteria of applicability of law (E.g., the law is applicable only to agricultural and fishery products, to products from the harvesting or gathering of wild species, as well as to animal products such as milk or honey with/without the use of special preparation/preservatives, to food from plants or animals' origin likely to be consumed by humans, to non-food agricultural or fishery products such as cosmetic products, essential oils and medicinal/aromatic plants...).
- Article 6: must specify the criteria of non-applicability of law (E.g., the present law is not applicable to the following products...).
- Article 7: must list the criteria for recognition of distinctive signs of origin and quality.
- Article 8: must lay down the procedures for distinctive signs recognition (E.g., request for recognition of an agricultural label, a geographical indication, together with the draft specifications, is presented to the authority competent government, in regulatory forms, by producers and / or processors formed, in accordance with the legislation in force in association, cooperative or any other professional group, or by local authorities or...).
- Article 9: must provide the specifications for signs recognition and procedures for recognition.
- Article 10: must establish the national commission for distinctive signs of origin and quality and specify its role.
- Article 11: must provide attribution of distinctive signs of origin and quality and engagement from signs holders.
- Article 12: must provide the criteria of eligibility of certification and control bodies.
- Article 13: must identify protection mechanisms of distinctive signs of origin and quality.
- Article 14: must list the sanctions in case of non-respect.
- Article 15: Other dispositions.



4.1.7 A rule that protected names shall not become generic in the territory of the Parties.

“In the context of geographical indications, generic terms are names which, although they denote the place from where a product originates, have become the term customary for such a product”. Source:

https://www.wipo.int/geo_indications/en/faq_geographicalindications.html

To avoid that protected names become generic, Egypt must set up rules in order that concerned names acquires distinctiveness and products maintain a strong connection with a particular region or a territory. Distinctiveness and linkages are easy to prove in case of products from rain fed areas of Egypt.

4.2 Development of strategy to raise awareness of GIs in Egypt

The GIs awareness creation’s strategy shall be fully in line with the specific objectives of the project “FWC SIEA2018 - EuropeAid/138778/DH/SER” such as:

- Objective 1: to strengthen the operational capacity of the Trademarks and Industrial Designs office by supporting (in Egypt this includes GIs) its staff to improve their organizational and technical skills.
- Objective 2: to upgrade and enhance procedures and operational mode of the office through further automation systems (in Egypt this includes GIs) and e-filing.
- Objective 3: to raise public awareness on the importance of the use of trademarks and industrial designs (in Egypt this includes GIs).

In connection with objective 1: Strengthen the operational capacity of the Trademarks and Industrial Designs office

To carry out:

- Awareness creation among trademarks and industrial design operators for the promotion of GIs registration in Egypt and abroad. Main training modules to be developed: i) How to define GIs products according to precise specifications; ii) How to protect GIs at national level; iii) How to promote the registration of GIs at EU level and other countries.



In connection with objective 2: Upgrade and enhance procedures and operational mode of the office through further automation systems

To develop:

- Documents, modules, and forms to facilitate the registration of GIs in Egypt and abroad. Those documents and modules shall be prepared at the level of:
 - Receipt of applications from producer groups. Documents shall provide details about:
 - The applicant and contact details
 - The product specifications.
- Proof of the origin of the concerned GI. To list production steps that must take place in the identified geographical area.
- Procedures and operational mode for registration.

In connection with objective 3: Raise public awareness on the importance of the use of trademarks and industrial designs:

To organise:

- Workshops in key Governorates (Matrouh, SKP, New Valley) for the identification of potential GIs. The workshop shall have a duration of 1.5 day and shall be organised in a participatory fashion.
- Awareness creation campaigns among consumers and producers. Main training modules to be developed:
 - Role of association of producers for GIs registration.
 - Capacity building of association members/ staff for GIs protection and registration.
 - Public awareness and the importance of GIs through different media channels.
 - Code of agricultural practices for selected agricultural GIs.
 - How to protect original lines/varieties of typical Egyptian GIs crops.



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- Trainings on GIs of selected operators. The use of six modules prepared by DG AGRI on:
 - Origin marketing and GIs
 - Protecting rights
 - Developing GIs' specifications for producers
 - Light administration of a GI scheme
 - Traders - marketing GIs
 - Rural development.
- To prepare marketing strategies for potential GIs products (logos, websites, packaging, transportations, permanent selling points).