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To the Agricultural Permanent
Representatives to the European
Union

Brussels, 15 February 2023

RE: GI review – Joint position on the role of the EUIPO

Dear Permanent Representative,

In view of the upcoming meeting of the Special Committee on Agriculture on 20 February, the undersigned organisations, who represent European producers of geographical indication (GI) products and the regions that defend and promote GIs, would like to share with you their views on the delegation of competences in relation to GIs for agricultural products to the European Union Intellectual Property Office (EUIPO).

Our organisations are convinced that it is crucial for the future of the GI policy that the Commission be fully in charge of the applications for registration, amendments, oppositions, and cancellations of GIs. Nonetheless, we believe that the EUIPO's specific expertise in intellectual property rights could and should be put to good use, as delineated in option 2 tabled by the Swedish Presidency. Indeed, the EUIPO could play an important role by managing the Union register, as well as a domain name information and alert system, which could greatly contribute to strengthening GI protection online.

Option 2 would be the best approach for the following reasons:

1. GIs are much more than intellectual property rights, they are a rural development and agricultural policy tool, as well as a public policy instrument delivering public goods to the whole European society. Only DG AGRI has the experience and expertise in agriculture and rural development necessary to ensure that GIs continue to benefit society.
2. All GIs are based on specifications with many different provisions, ranging from specific production and labelling to packaging and/or sustainability rules. Only DG AGRI is equipped to handle such applications.
3. GI specifications include an increasing number of provisions that go beyond the protection of the name and are increasingly becoming a central element in the EU's Green Deal. Again, DG AGRI is the only authority with the expertise to deal with these, as it has the ability to assess elements of GI specifications that touch upon sustainability (inherent to GIs), landscape management, plant varieties and animal breed preservation, quality, fair competition, controls, etc.
4. Keeping GIs in the remit of DG AGRI would ensure consistency with the position the EU has been fiercely defending for years at international level, namely that a collective mark or certification mark regime is not the most effective means of providing TRIPs-consistent protection for GIs (the US position).
5. It would avert the risk of future fees for GI producers being charged by EUIPO for the management of the GI system as is the case for non-agricultural GIs.

6. Lastly, it would lead to the introduction of further subsidiarity, i.e., less Union amendments, thus ensuring the EC is responsible for the proper functioning of the Single Market and to allow Member States and operators to build upon their knowledge and expertise.

We thank you in advance for considering the concerns of the GI producers and **call upon you to support option 2.**

Yours faithfully,

On behalf of the following organisations:

AREPO – The Association of European Regions for Products of Origin

AREV – The Assembly of European Wine Regions (AREV)

CEVI – The European Confederation of Independent Winegrowers

Copa-Cogeca – The united voice of farmers and their cooperatives in the European Union

EFOW – The European Federation of Origin Wines

OriGIn EU – The Organization for an International Geographical Indications Network

AREPO, **the Association of European Regions for Products of Origin** (www.arepoquality.eu), is a network of regions and producer associations that deals with products of origin and EU quality schemes. It represents 33 European regions and over 700 associations of producers for over 60% of European GIs.

AREV, **The Assembly of European Wine Regions** (<http://www.arev.org>), created 33 years ago, is based in Brussels and has some fifty European member regions, represented by a double base: elected regional politicians and representatives of winegrowing professional organisations. This model gives the AREV a unique statutory and historical legitimacy.

CEVI, **the European Confederation of Independents Winegrowers** (www.cevi-eciw.eu) is the only organisation representing and defending the interests of independent winegrowers at European level. CEVI counts today 12 000 members from 12 different States. Independent winegrowers are entrepreneurs at the head of a micro / small enterprise, often a family business. They make everything from the vineyard to the glass meaning that they produce and sell their wines directly to the consumer.

COPA-COGECA, **Copa and Cogeca** (<https://www.copa-cogeca.eu/>) are the united voice of farmers and agri-cooperatives in the EU. Copa represents over 22 million farmers and their families whilst Cogeca represents the interests of 22,000 agricultural cooperatives.

EFOW, **the European Federation of Origin Wines** (<http://www.efow.eu>), is the Brussels-based organisation representing PDO and PGI wines towards European institutions. As the voice of origin wines, our mission is to protect and promote the GI concept in all policy areas.

OriGIn EU is the **European branch of the Geographical Indications (GIs) global alliance** (<https://www.origin-gi.com>). Its mission is to advocate for solid protection as well as promotion of products whose quality and reputation are linked to their geographical origin, a concept known as a geographical indication and/or designation of origin.