

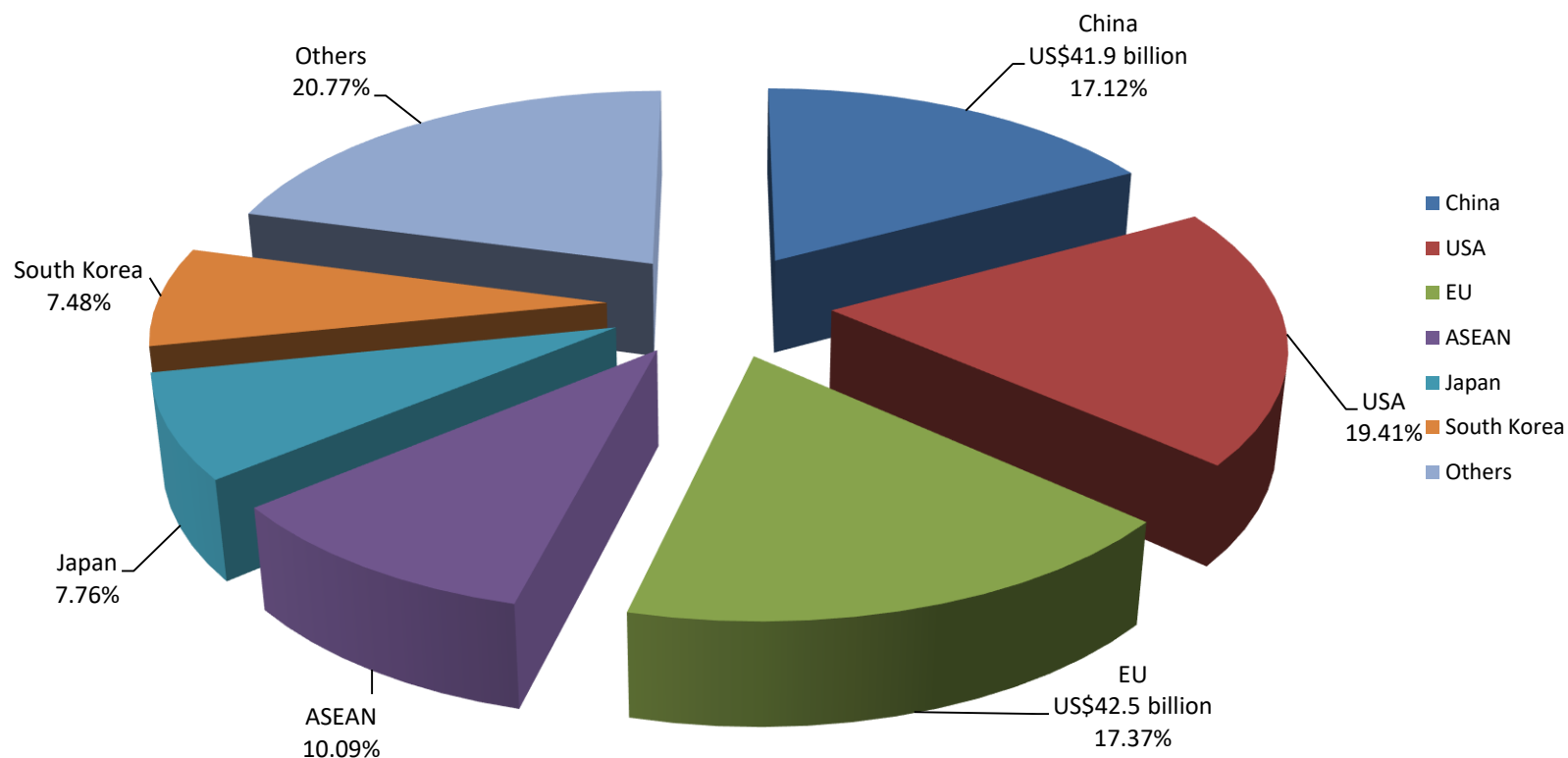


GEOGRAPHICAL INDICATIONS & EU – Vietnam Free Trade Agreement

**Delegation of the European Union to
Viet Nam**



Vietnam's main export markets in 2018



Comprehensive FTA – new generation agreement

Trade in goods/market access

- Market access for goods – tariffs
- Sanitary and Phyto-sanitary Measures
- Rules of Origin
- Export duties
- Technical Barriers to Trade (TBT)
- Customs and Trade Facilitation

Services and investment:

- Trade in services
- E-commerce
- Establishment
- Investment protection
- Investment Tribunal System

Cross-cutting issues

- Intellectual Property Rights
- Geographical Indications
- Trade and Sustainable Development
- Government Procurement
- Trade Remedies
- Competition Policy / State Owned Enterprises
- Cooperation and Capacity building
- Dispute Settlement

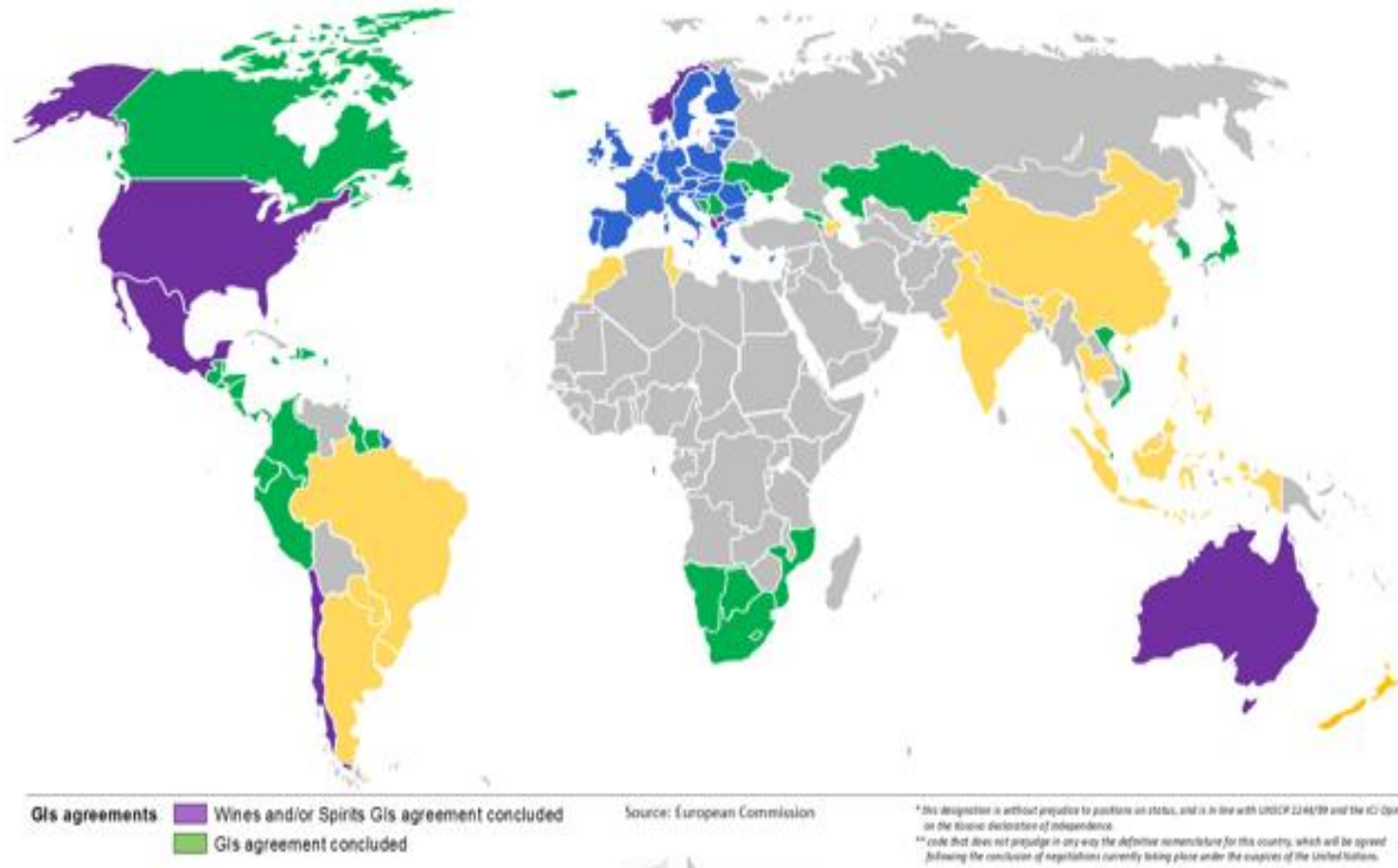
**Link to
Human rights**



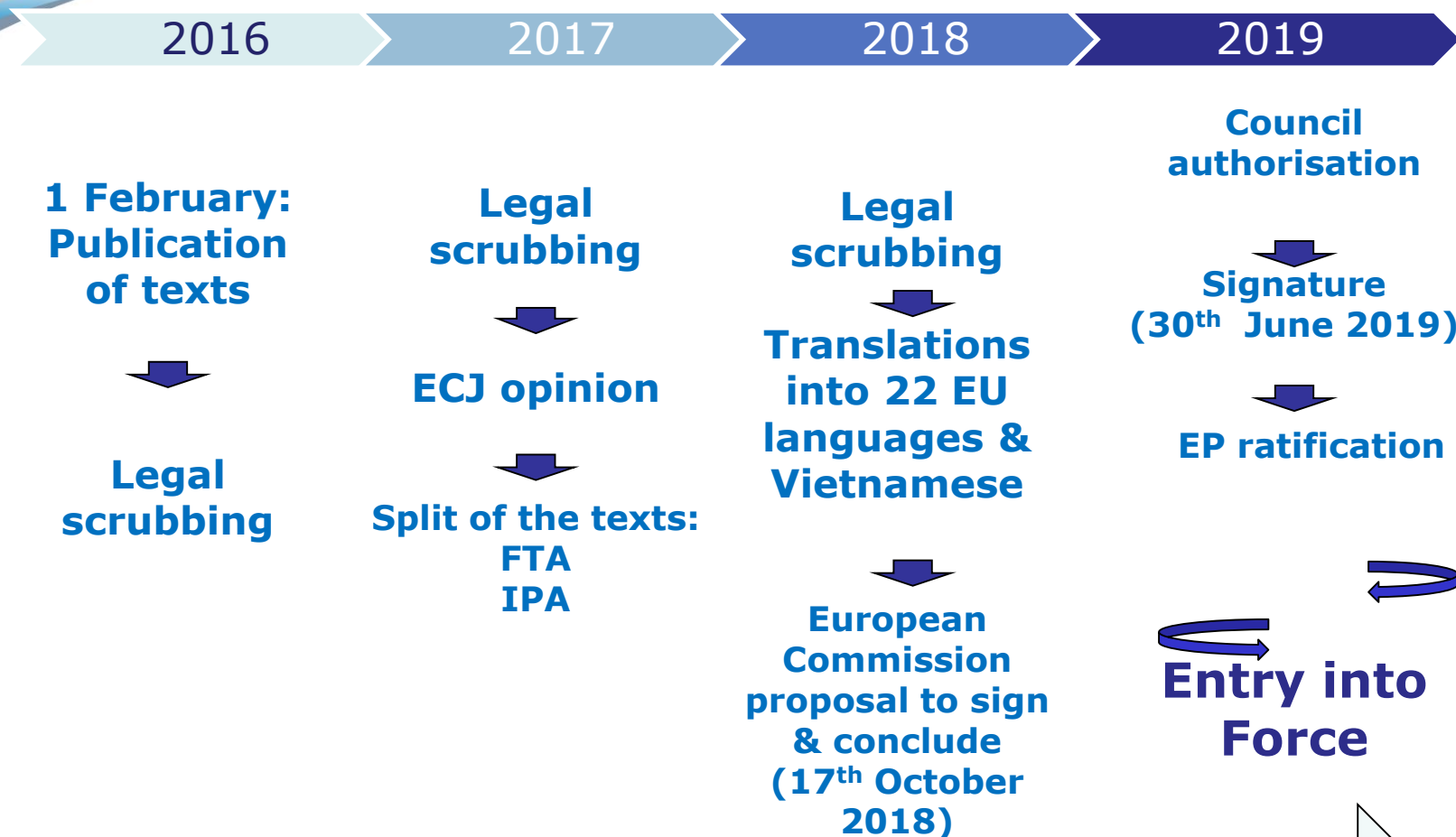


Geographical Indications in FTAs

- **In the FTAs a satisfactory GI chapter is a "must have" for the EU**
- **EU objective is not to impose a mere transposition of its internal legislation to the concerned third countries - not realistic**
- **The objective in EU negotiations is to add value compared to TRIPS basic provisions**
- **The aim is to establish a list of EU/3C agricultural GIs to be protected directly and indefinitely in the respective countries from the entry into force of the agreement**



Timelines: EU-Vietnam FTA



P R E P A R A T I O N



Recognition and high level of protection (direct) of **GIs**, comparable level to the one under the EU GI legislation

169 EU GIs and **39 Vietnamese products** enjoy direct protection through the FTA



- GIs can coexist with prior registered trademarks
- Cannot become generic
- New GIs can be added in the future

What is a GI?



1. Defined
**geographical
area**

+

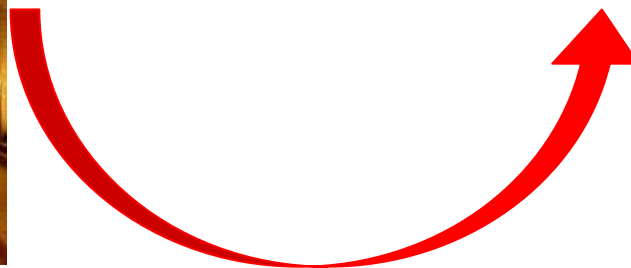
2. **Specific
product**

+

3. **Link** between
1. and 2.

=

GI



3.263 registered GIs in the EU – August 2019

- Valuable **intellectual property right** (collective right)
- Protect the **name**
- **Prohibits** misuse, imitation or evocation and any other practice liable to mislead the consumer
- Protection **unlimited in time**



2 types of GIs in the EU



PDO: Protected Designation of Origin



PGI: Protected Geographical Indication



**Geographical
Indications
(GIs)**

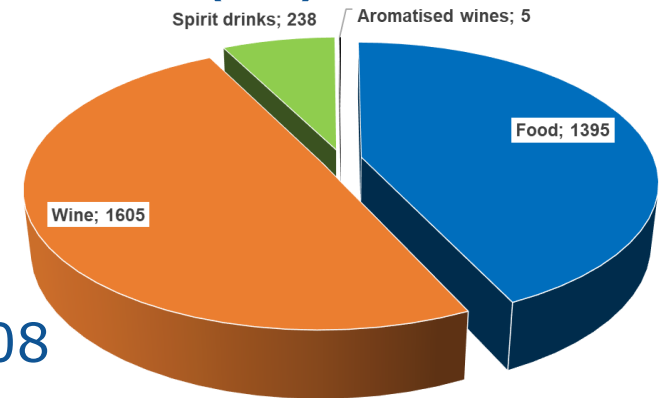
What products are covered by GI?

Agricultural products and foodstuffs - Regulation (EU) No 1151/2012

Wines – Regulation (EC) No 1308/2013

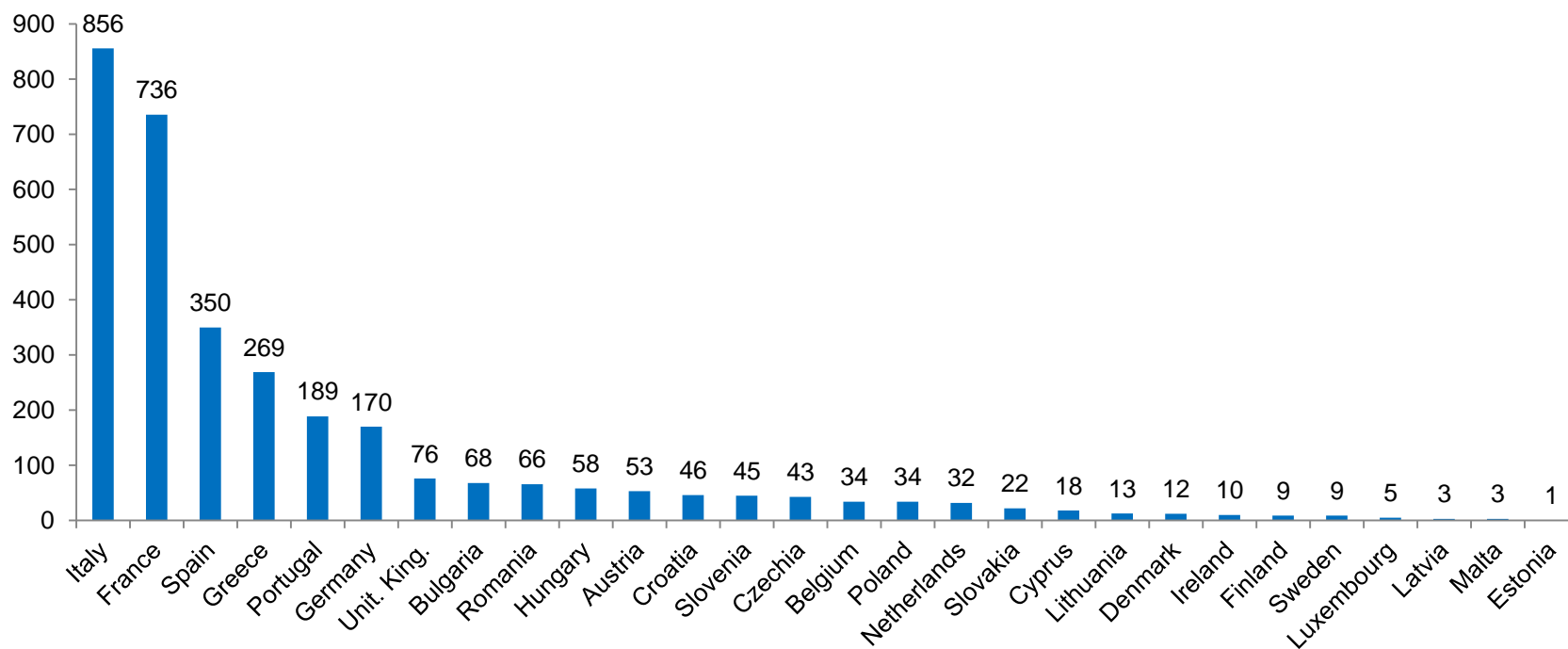
Spirit drinks – Regulation (EC) No 110/2008

Aromatised wines – Regulation (EU) No 251/2014





Registered GIs by EU Member State – August 2019





Non-EU countries (**Food**, **Wine**, **Spirit drinks**)

• *33 names registered*

- | | | |
|---------------------------------|-------------------|----------------------|
| • China (10) | USA (1) | Guatemala (1) |
| • Thailand (4) | Brazil (1) | Peru (1) |
| • Turkey (3) | | Mexico (1) |
| • Cambodia (2) | | |
| • Norway (2) | | |
| • Andorra (1) | | |
| • Armenia (1) | | |
| • Colombia (1) | | |
| • Dominican Republic (1) | | |
| • India (1) | | |
| • Indonesia (1) | | |
| • Vietnam (1) – Phú Quốc | | |



- Registration provides **protection**
- "One-stop shop" for **EU wide protection**
- Recognised **value added** to products
- **Better price: x 2,23 price** of standard product on average
- Stronger position in the food chain

General benefits

- GI maintain **jobs** in rural areas
- You can't re-locate GI and move production abroad
- GI help the **local economy** (e.g. processing, tourism)
- GI protect & reassure **consumers** about origin
- GI protect **diversity & heritage** in a globalised world





- Estimated **sales value** of EU GIs: **€ 54.3 billion** in 2010 (estimated at wholesale stage in the region of production)
 - = 5.7% of the total EU food and drink sector
- Estimated **exports value** of EU GIs: **€ 11.5 billion** in 2010
 - = 15% of EU food and drink industry exports



Challenges and opportunities for Vietnam

