



Promoting Intellectual
Property Rights in the
ASEAN Region

Case Study: The Experience of the EU in Using Geographical Indications to Promote Development

Olivier BEUCHERIE | 27th January 2022



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THE CHALLENGES OF GEOGRAPHICAL INDICATIONS IN EUROPE

14.12.2012

EN

Official Journal of the European Union

L 343/1

I

(Legislative acts)

REGULATIONS

REGULATION (EU) No 1151/2012 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 21 November 2012
on quality schemes for agricultural products and foodstuffs

Whereas:

- The quality and diversity of the Union's agricultural, fisheries and aquaculture production is one of its important strengths, giving a competitive advantage to the Union's producers and making a major contribution to its living cultural and gastronomic heritage.



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Whereas:



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Operating quality schemes for producers which reward them for their efforts to produce a diverse range of quality products can benefit the rural economy. This is particularly the case in less favoured areas, in mountain areas and in the most remote regions, where the farming sector accounts for a significant part of the economy and production costs are high. In this way quality schemes are able to contribute to and complement rural development policy as well as market and income support policies of the common agricultural policy. In particular, they may contribute to areas in which the farming sector is of greater economic importance and, especially, to disadvantaged areas.

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Whereas:

The Europe 2020 policy priorities: A strategy for smart, sustainable and inclusive growth', include the aims of achieving a competitive economy based on knowledge and innovation and fostering a high-employment economy delivering social and territorial cohesion. Agricultural product quality policy should therefore provide producers with the right tools to better identify and promote those of their products that have specific characteristics while protecting those producers against unfair practices.



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The specific objectives of protecting designations of origin and geographical indications are securing a fair return for farmers and producers for the qualities and characteristics of a given product, or of its mode of production, and providing clear information on products with specific characteristics linked to geographical origin, thereby enabling consumers to make more informed purchasing choices.

Whereas:



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An agricultural product or foodstuff bearing such a geographical description should meet certain conditions set out in a specification, such as specific requirements aimed at protecting the natural resources or landscape of the production area or improving the welfare of farm animals.

Whereas:



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THE CHALLENGES OF GEOGRAPHICAL INDICATIONS IN EUROPE

- It is therefore a territorial development policy.
- The issues are linked to culture, heritage, the maintenance of human activity in disadvantaged areas and economic development.
- The identification and protection of agricultural and food products by official quality schemes should allow the creation of added value thanks to the prices agreed by consumers.



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REGULATION (EU) No 1151/2012 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 21 November 2012

on quality schemes for agricultural products and foodstuffs

Article 1

Objectives

1. This Regulation aims to help producers of agricultural products and foodstuffs to communicate the product characteristics and farming attributes of those products and foodstuffs to buyers and consumers, thereby ensuring:

- (a) fair competition for farmers and producers of agricultural products and foodstuffs having value-adding characteristics and attributes;
- (b) the availability to consumers of reliable information pertaining to such products;
- (c) respect for intellectual property rights; and
- (d) the integrity of the internal market.

2. This Regulation establishes quality schemes which provide the basis for the identification and, where appropriate, protection of names and terms that, in particular, indicate or describe agricultural products with:

(a) value-adding characteristics; or

(b) value-adding attributes as a result of the farming or processing methods used in their production, or of the place of their production or marketing.

REGULATION (EU) No 1151/2012 OF THE EUROPEAN
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PROTECTED DESIGNATIONS OF ORIGIN AND PROTECTED
GEOGRAPHICAL INDICATIONS

Article 4

Objective

A scheme for protected designations of origin and protected geographical indications is established in order to help producers of products linked to a geographical area by:

- (a) securing fair returns for the qualities of their products;
- (b) ensuring uniform protection of the names as an intellectual property right in the territory of the Union;
- (c) providing clear information on the value-adding attributes of the product to consumers.

**REGULATION (EU) No 1151/2012 OF THE EUROPEAN
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Article 7

Product specification

Article 5

Requirements for designations of origin and geographical indications

1. For the purpose of this Regulation, 'designation of origin' is a name which identifies a product:

- (a) originating in a specific place, region or, in exceptional cases, a country;
- (b) whose quality or characteristics are essentially or exclusively due to a particular geographical environment with its inherent natural and human factors; and
- (c) the production steps of which all take place in the defined geographical area.

1. A protected designation of origin or a protected geographical indication shall comply with a specification which shall include at least:

- (a) the name to be protected as a designation of origin or geographical indication, as it is used, whether in trade or in common language, and only in the languages which are or were historically used to describe the specific product in the defined geographical area;
- (e) a description of the method of obtaining the product and, where appropriate, the authentic and unvarying local methods as well as information concerning packaging, if the applicant group so determines and gives sufficient product-specific justification as to why the packaging must take place in the defined geographical area to safeguard quality, to ensure the origin or to ensure control, taking into account Union law, in particular that on the free movement of goods and the free provision of services;

THE CHALLENGES OF GEOGRAPHICAL INDICATIONS IN EUROPE

Geographical Indications – a European treasure worth €75 billion

- Agri-food and drink products whose names are protected by the European Union as “Geographical Indications” (GIs) represent a sales value of €74.76 billion
- The sales value of a product with a protected name is on average double that for similar products without a certification.
- The study was based on all 3,207 product names protected across the 28 EU Member States at the end of 2017 (by the end of March 2020, the total number of protected names increased to 3,322).
- There is a clear economic benefit for producers in terms of marketing and increase of sales thanks to high quality and reputation of these products, and willingness of consumers to pay to get the authentic product.

Public policies to promote development through GIs

To deal with these numerous and important issues, public policies are mobilized at different territorial levels:

- **European union**
- **State members**
- **Regions, provinces, departments**
- **Cities**

Various intervention levers are mobilised:

- **Financial levers to support the establishment, development and promotion of GIs**
- **Regulatory levers to encourage the purchase of products benefiting from a GI**

Policies based on GI support funding – Some examples

- At local level:



The image shows a document cover for the 'PROGRAMME DE DEVELOPPEMENT RURAL RHONE-ALPES 2014-2022'. It features the logo of 'L'EUROPE S'ENGAGE en region Auvergne-Rhône-Alpes avec le FEADER' on the left and the European Union flag on the right. A stamp indicates it was received on '25 FEV. 2021' by the 'DIRECTION DES AFFAIRES JURIDIQUES ET DE L'ADMINISTRATION LOCALE'. The main title is 'APPEL A CANDIDATURES - SOUTIEN A LA CERTIFICATION EN AGRICULTURE BIOLOGIQUE ET AUTRES SIGNES OFFICIELS DE LA QUALITE ET DE L'ORIGINE (SIQO)'. Below this, it states 'Participation des agriculteurs à des systèmes de qualité applicables aux produits agricoles et denrées alimentaires' and 'Mesure 3.10 du Programme de Développement Rural Rhône-Alpes'. The bottom right corner features the logo of 'La Région Auvergne-Rhône-Alpes'.

Recu le 25 FEV. 2021
DIRECTION DES AFFAIRES JURIDIQUES
ET DE L'ADMINISTRATION LOCALE

**PROGRAMME DE
DEVELOPPEMENT
RURAL RHONE-ALPES
2014-2022**

APPEL A CANDIDATURES
-

**SOUTIEN A LA CERTIFICATION EN AGRICULTURE BIOLOGIQUE ET AUTRES
SIGNES OFFICIELS DE LA QUALITE ET DE L'ORIGINE (SIQO)**

**Participation des agriculteurs à des systèmes de qualité applicables aux produits agricoles et denrées
alimentaires**

Mesure 3.10 du Programme de Développement Rural Rhône-Alpes

La Région
Auvergne-Rhône-Alpes

Policies based on GI support funding – Some examples

The European Union supports rural development in the Member States with the EAFRD (European Fund for Agriculture and Rural Development) on the basis of Regulation (EU) No 1305/2013 of the European Parliament and of the Council of 17 December 2013 extended by Regulation (EU) No 2020/2220 of the European Parliament and of the Council of 23 December 2020. The EAFRD thus co-finances national agricultural and rural development policies included in the Rural Development Programmes.

This call for applications is part of measure 3.10 relating to the participation of farmers in quality systems and targets the payment of certification costs for the official signs of quality and origin.



Policies based on GI support funding – Some examples

- At local level:



Developing my walnut farm with PDO Grenoble Walnuts

Subsidy of 30 to 70% of the following expenses:

- purchase of in-vitro PDO plants,
- establishment of windbreak hedges or plant cover,
- purchase of walnut pruning equipment,
- purchase of a branch grinder,
- study prior to the creation of hill reservoirs

Necessary conditions:

- be a member of the Interprofessional Committee for Walnuts PDO
- justify at least 60% of walnut surfaces in PDO.

Policies based on GI support funding – Some examples

- At local level:

SUPPORT FOR THE EMERGENCE OF OFFICIAL SIGNS IDENTIFYING FOOD QUALITY AND ORIGIN

The aid makes it possible to finance the salaries linked to the animation necessary for the emergence of the management bodies.

The amount of the subsidy is capped at 100,000 euros.



Policies based on GI support funding – Some examples

- At local level:

INVESTMENT AID FOR THE PROCESSING AND MARKETING OF AGRICULTURAL PRODUCTS BY AGRI-FOOD INDUSTRIES

The device aims to improve the viability and resilience of packaging, storage and processing or marketing of agricultural products, through support for investment projects designed to improve the economic, social and environmental performance of agri-food companies.

Three-year productive investment programs integrating equipment, materials, excluding rolling stock, second-hand equipment, identical renewal equipment, land and administrative premises; the acquisition of real estate is also excluded. **Priority for products under SIQO**

Maximum eligible base : from 2,7 M€ to 10 M€

Preferential allocation of subsidies for products with certified GI – Some examples

- At local level:



Products that can benefit from collective promotion actions and budgets must be certified with a GI or a other official sign of quality



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Policies based on GI support funding – Some examples

- At European level:



The European Commission launched the 2022 calls for proposals for European agri-food promotion programmes, in the EU and abroad. Similarly to 2021, this year puts a special focus on the promotion of products and methods that support more directly the European Green Deal objectives.

Campaigns should also highlight the high safety and quality standards, as well as the diversity and traditional aspects of EU agri-food products, including EU quality schemes: PDO, PGI...

Policies based on GI support funding – Some examples

- At European level:



€185.9 million is allocated to the promotion of EU agri-food products inside and outside the EU. Out of the total budget, €176.4 million is dedicated to the co-financing of promotion programmes to be selected from the proposals responding to the calls published on January 20, 2022.

€5 million is dedicated to Union quality schemes

Grant

Support for simple programmes - Union quality schemes (Topic 1)

Open for submission

Programme

Promotion of Agricultural Products (AGRIP)

Deadline model

single-stage

ID

AGRIP-SIMPLE-2022-IM-EU-QS

Opening date

20 January 2022

Types of action

AGRIP Project Grants

Deadline date

21 April 2022 17:00:00 Brussels time



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Policy to support the consumption of certified quality products – The EGALIM LAW

- At French level:



**MINISTÈRE
DE L'AGRICULTURE
ET DE L'ALIMENTATION**

*Liberté
Égalité
Fraternité*

#EGalim



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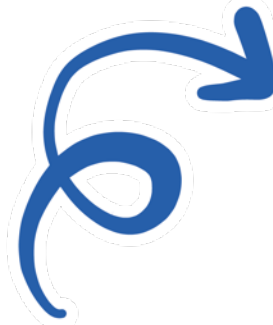


**ÉTATS
GÉNÉRAUX
ALIMENTATION**



50%

produits issus de
filières de qualité
durable en montant
de vos achats



**DONT
20%**





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Olivier BEUCHERIE
C o n s e i l

THANK YOU

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