WORLD TRADE

ORGANIZATION

TN/IP/W/3 24 June 2002

(02-3488)

Council for Trade-Related Aspects of Intellectual Property Rights Special Session Original: English

COMMUNICATION FROM BULGARIA, CYPRUS, THE CZECH REPUBLIC, THE EUROPEAN COMMUNITIES AND THEIR MEMBER STATES, GEORGIA, HUNGARY, ICELAND, MALTA, MAURITIUS, MOLDOVA, NIGERIA, ROMANIA, THE SLOVAK REPUBLIC, SLOVENIA, SRI LANKA, SWITZERLAND AND TURKEY

The following document was received on 19 June 2002 from the Permanent Delegation of the European Commission on behalf of the delegations of Bulgaria, Cyprus, the Czech Republic, the European Communities and their Member States, Georgia, Hungary, Iceland, Malta, Mauritius, Moldova, Nigeria, Romania, the Slovak Republic, Slovenia, Sri Lanka, Switzerland and Turkey, with the request that it be circulated to the Special Session of the Council for TRIPS.

Negotiations Relating to the Establishment of a Multilateral System of Notification and Registration of Geographical Indications

- 1. Pursuant to Article 23.4 of the TRIPS Agreement, WTO Members shall negotiate in the TRIPS Council, "the establishment of a multilateral system of notification and registration of geographical indications".
- 2. Paragraph 18 of the Doha Ministerial Declaration proposes that negotiations relating to such a system shall be completed by the Fifth Ministerial Conference.
- 3. Compliance with the mandate of Article 23.4 of the TRIPS Agreement shall entail the establishment of a mechanism that helps producers and consumers to avail themselves of, and administrations to implement, the legal protection enshrined in Section 3 of Part II of the TRIPS Agreement on "geographical indications".
- 4. Facilitating the legal protection as requested by the TRIPS Agreement must carry effects going beyond the mere reproduction of a list of names for informative purposes.
- 5. To date, only the proposals made by the EC and their Member States (IP/C/W/107/Rev.1) and Hungary (IP/C/W/255) make a genuine attempt to fulfil this requirement.
- 6. Other delegations are encouraged to work towards the establishment of a multilateral system that constitutes a meaningful instrument towards a more effective protection for geographical indications. The objectives sought by the aforementioned two proposals are fully endorsed.
- 7. Support is also lent to the views expressed in document JOB(02)/70 on the issues set out in the Note by the Chairperson (JOB(02)/49) for discussion and consideration of the Special Session of 28 June 2002.