

**Council for Trade -Related Aspects  
of Intellectual Property Rights  
Special Session**

**DISCUSSIONS ON THE ESTABLISHMENT OF A MULTILATERAL SYSTEM OF  
NOTIFICATION AND REGISTRATION OF GEOGRAPHICAL INDICATIONS  
FOR WINES AND SPIRITS: COMPILATION OF ISSUES AND POINTS**

Note by the Secretariat

Corrigendum

*This document has been prepared under the Secretariat's own  
responsibility and without prejudice to the positions of Members  
and to their rights and obligations under the WTO.*

The last sentence of paragraph 110 is moved to before the fourth sentence starting with "Registration in the multilateral register ...". Paragraph 110 should read as follows:

"110. At the fifth meeting of the Special Session, it was proposed that the registration on the multilateral system would provide prima facie evidence to prove three issues:

- (a) ownership;
- (b) that the indication is within the definition of geographical indications under Article 22.1 of the TRIPS Agreement; and
- (c) that it is protected in the country of origin.

The effect would be that the three issues are deemed to have been proved unless evidence to the contrary is produced by the other party to the proceedings. In other words, a rebuttable presumption is created in relation to the three relevant issues. Questions relating to the applicability of the exceptions under Article 24 of the TRIPS Agreement would continue to be decided by Members' domestic authorities having regard to the relevant local circumstances. Registration in the multilateral register would not have any legal effect or create any presumption in relation to these issues, except if it related to Article 24.9. The system would not deal with competing claims for geographical indications. These would continue to be dealt with under national laws. Under the proposed framework, the legal effect of registration would be limited in scope, i.e., registration on the multilateral register would provide prima facie evidence to prove the three issues cited above. Under

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\* In English only

this proposal, there is therefore no need for putting in place a process of substantive examination or opposition at the multilateral level.<sup>255</sup>"

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<sup>255</sup> TN/IP/M/5, para. 98. (This proposal was subsequently reflected and circulated in document TN/IP/W/8.)