

INFORMATION NOTICE — PUBLIC CONSULTATION**Geographical Indications from Colombia to be protected as Geographical Indications in the European Union**

(2018/C 187/09)

In the framework of the Trade Agreement between the European Union, and its Member States, and Colombia, Peru ⁽¹⁾ and Ecuador ⁽²⁾, the Colombian authorities have presented the annexed list of Geographical Indications, protected as Geographical Indications in Colombia, for protection under the Agreement. The European Commission is currently considering whether these Geographical Indications shall be also protected in the EU.

The Commission invites any Member State or third country or any natural or legal person having a legitimate interest, resident or established in a Member State or in a third country, to submit oppositions to such protection by lodging a duly substantiated statement.

Statements of opposition must reach the Commission within two months of the date of this publication. Statements of opposition should be sent to the following email address: AGRI-A3@ec.europa.eu

Statements of opposition shall be examined only if they are received within the time-limit set out above and if they show that the protection of the name proposed would:

- (a) conflict with the name of a plant variety or an animal breed and as a result is likely to mislead the consumer as to the true origin of the product;
- (b) be wholly or partially homonymous with that of a name already protected in the Union under 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 ⁽³⁾, or contained in the agreements the Union has concluded with the following countries:
 - SADC EPA States (comprising Botswana, Lesotho, Mozambique, Namibia, Swaziland and South Africa) ⁽⁴⁾
 - Switzerland ⁽⁵⁾
 - Republic of Korea ⁽⁶⁾
 - Central America ⁽⁷⁾
 - Colombia, Peru and Ecuador ⁽⁸⁾

⁽¹⁾ OJ L 354, 21.12.2012, p. 1.

⁽²⁾ OJ L 356, 24.12.2016, p. 1.

⁽³⁾ OJ L 343, 14.12.2012, p. 1.

⁽⁴⁾ Council Decision (EU) 2016/1623 of 1 June 2016 on the signing, on behalf of the European Union and provisional application of the Economic Partnership Agreement between the European Union and its Member States, of the one part, and the SADC EPA States, of the other part (OJ L 250, 16.9.2016, p. 1).

⁽⁵⁾ Decision of the Council, and of the Commission 2002/309/EC as regards the Agreement on Scientific and Technological Cooperation of 4 April 2002 on the conclusion of seven Agreements with the Swiss Confederation (OJ L 114, 30.4.2002, p. 1) and in particular the Agreement between the European Community and the Swiss Federation on trade in agricultural products — Annex 7.

⁽⁶⁾ Council Decision 2011/265/EU of 16 September 2010 on the signing, on behalf of the European Union, and provisional application of the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part (OJ L 127, 14.5.2011, p. 1).

⁽⁷⁾ Council Decision 2012/734/EU of 25 June 2012 on the signing, on behalf of the European Union, of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, and the provisional application of Part IV thereof concerning trade matters (OJ L 346, 15.12.2012, p. 1).

⁽⁸⁾ Council Decision 2012/735/EU of 31 May 2012 on the signing, on behalf of the Union, and provisional application of the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part (OJ L 354, 21.12.2012, p. 1) and Council Decision (EU) 2016/2369 of 11 November 2016 on the signing, on behalf of the Union, and provisional application of the Protocol of Accession to the Trade Agreement between the European Union and its Member States, of the one part, and Colombia and Peru, of the other part, to take account of the accession of Ecuador (OJ L 356, 24.12.2016, p. 1).

— Canada ⁽¹⁾

— Georgia ⁽²⁾;

- (c) in the light of a trade mark's reputation and renown and the length of time it has been used, be liable to mislead the consumer as to the true identity of the product;
- (d) jeopardise the existence of an entirely or partly identical name or of a trade mark or the existence of products which have been legally on the market for at least five years preceding the date of the publication of this notice;
- (e) or if they can give details from which it can be concluded that the name for which protection is considered is generic.

The criteria referred to above shall be evaluated in relation to the territory of the Union, which in the case of intellectual property rights refers only to the territory or territories where the said rights are protected. The protection of these names in the European Union is subject to the successful conclusion of this procedure and subsequent legal act adding these names to the abovementioned Agreement.

List of Geographical Indications from Colombia to be protected as Geographical Indications in the European Union for agricultural products and foodstuffs ⁽³⁾

Name	Short description
'CAFÉ DE SANTANDER'	Coffee
'ARROZ DE LA MESETA DE IBAGUÉ'	Rice

⁽¹⁾ Council Decision (EU) 2017/37 on the signing on behalf of the European Union of the Comprehensive Economic and Trade Agreement (CETA) between Canada, of the one part, and the European Union and its Member States, of the other part (OJ L 11, 14.1.2017, p. 1).

⁽²⁾ Council Decision 2014/494/EU of 16 June 2014 on the signing, on behalf of the European Union, and provisional application of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part (OJ L 261, 30.8.2014, p. 1).

⁽³⁾ List provided by the Colombian authorities.