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(Announcements)

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EUROPEAN COMMISSION

INFORMATION NOTICE – PUBLIC CONSULTATION

Geographical Indications from Ecuador to be protected as Geographical Indications in the European Union

(2022/C 192/08)

As provided in Article 209 of the Trade Agreement between the European Union, and its Member States, and Colombia, Peru ⁽¹⁾ and Ecuador ⁽²⁾, the Ecuadorian authorities have presented the annexed list of Geographical Indications, protected as Geographical Indications in Ecuador, for protection under the Agreement. The European Commission is currently considering whether these Geographical Indications shall be protected under the Agreement.

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 e-mail address:

AGRI-THE-AMERICAS@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:

- (a) the protection of the name proposed would 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) the name proposed would 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 with one of the geographical indications from non-EU countries protected in the EU under bilateral/multilateral agreements publicly available at the following address:
<https://www.tmdn.org/giview/>
- (c) in the light of a trade mark's reputation and renown and the length of time it has been used, the protection of the name proposed would be liable to mislead the consumer as to the true identity of the product;
- (d) the protection of the name would jeopardise the existence of an entirely or partly identical name, the existence 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 the opponents can give details from which it can be concluded that the name for which protection is considered is generic.

⁽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.

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 above mentioned Agreement.

List of Geographical Indications from Ecuador to be protected as Geographical Indications in the European Union for agricultural products and foodstuffs ⁽⁴⁾

Name	Short description
CAFÉ DE GALAPAGOS	Coffee
MANÍ DE TRANSKUTUKÚ	Peanut
PITAHAYA AMAZÓNICA DE PALORA	Fruit

⁽⁴⁾ List provided by the authorities of Ecuador.