

## OTHER ACTS

## EUROPEAN COMMISSION

## INFORMATION NOTICE – PUBLIC CONSULTATION

## Geographical indications from Japan

(2023/C 262/07)

Pursuant to Article 14.30 of the EU-Japan Economic Partnership Agreement, the Japanese authorities have presented a list of additional geographical indications to be protected 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-G3@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
  - a. with that of a name already protected in the Union
    - i. 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 <sup>(1)</sup>,
    - ii. under Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products <sup>(2)</sup>,
    - iii. under Regulation (EU) 2019/787 on the definition, description, presentation, labelling of spirit drinks, the use of names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications of spirit drinks and the use of ethyl alcohol distillates of agricultural origin in alcoholic beverages <sup>(3)</sup>,
  - b. or with one of the geographical indications from non-EU countries protected in the EU under bilateral agreements available at the following address: <https://www.tmdn.org/giview/>
- (c) in the light of a trademark'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 proposed would jeopardise
  - a. the existence of an entirely or partly identical name,
  - b. the existence of a trademark

<sup>(1)</sup> OJ L 343, 14.12.2012, p. 1.

<sup>(2)</sup> OJ L 347, 20.12.2013, p. 671.

<sup>(3)</sup> OJ L 130, 17.5.2019, p. 1.

c. 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 possible protection of these names in the European Union is subject to the successful conclusion of the discussions led under Article 14.30 of the Agreement and subsequent legal act.

#### List of Geographical Indications <sup>(4)</sup>

No	Protected name in Japan	Transcription into Latin alphabet (for information purposes)	Category of products and short description [in square brackets, for information purposes]
1	はかた地どり / Hakata Jidori	Hakata Jidori	Fresh Meat [chicken, offal meat]
2	阿波尾鶏 / Awaodori	Awaodori	Fresh Meat [chicken, offal meat]
3	十勝ラクレット / Tokachi Raclette	Tokachi Raclette	Processed livestock product [cheese]
4	徳島すだち / Tokushima Sudachi	Tokushima Sudachi	Agricultural product [Sudachi (citrus)]
5	深蒸し菊川茶・菊川深蒸し茶 / Kikugawa deep steamed green tea / Deep steamed Kikugawa tea / Fukamushi Kikugawacha / Kikugawa Fukamushicha	Fukamushi Kikugawacha / Kikugawa Fukamushicha	Processed Products of Agricultural Origin [tea leaves]
6	行方かんしょ / Namegata Kansho / Namegata Sweet Potato	Namegata Kansho	Agricultural product [sweet potato]

<sup>(4)</sup> List of GIs registered in Japan provided by the Japanese authorities in the framework of the on-going discussions according to Article 14.30 of the Agreement.