

## OTHER ACTS

## EUROPEAN COMMISSION

## INFORMATION NOTICE – PUBLIC CONSULTATION

**Names from Azerbaijan to be protected as Geographical Indications in the European Union**

(2019/C 167/08)

Within the on-going negotiations with Azerbaijan for a new Agreement between the European Union and its Member States, and Azerbaijan, the protection in the European Union, as geographical indication, of the Azeri names set out below is under consideration.

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 opposition to such protection by lodging a duly substantiated statement.

Statements of opposition must reach the Commission within one month of the date of this publication. Statements of opposition should be sent to the following email address:

AGRI-A5-GI@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 <sup>(1)</sup> or 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>, or contained in the agreements the Union has concluded with the following countries:
  - Korea <sup>(3)</sup>
  - Central America <sup>(4)</sup>
  - Colombia, Peru and Ecuador <sup>(5)</sup>
  - Montenegro <sup>(6)</sup>
  - Bosnia and Herzegovina <sup>(7)</sup>
  - Serbia <sup>(8)</sup>

<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> 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).

<sup>(4)</sup> Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other (OJ L 346, 15.12.2012, p. 3).

<sup>(5)</sup> 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. 3), and 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. 3).

<sup>(6)</sup> Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Montenegro, of the other part (OJ L 108, 29.4.2010, p. 3).

<sup>(7)</sup> Stabilisation and Association Agreement between the European Community, of the one part, and Bosnia and Herzegovina, of the other part (OJ L 164, 30.6.2015, p. 2).

<sup>(8)</sup> Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Serbia, of the other part (OJ L 278, 18.10.2013, p. 16).

- Georgia <sup>(9)</sup>
- Moldova <sup>(10)</sup>
- South Africa <sup>(11)</sup>
- CARIFORUM <sup>(12)</sup>
- Ukraine <sup>(13)</sup>
- Switzerland <sup>(14)</sup>
- Armenia <sup>(15)</sup>
- Australia <sup>(16)</sup>
- Chile <sup>(17)</sup>
- Canada <sup>(18)</sup>
- United States <sup>(19)</sup>
- Albania <sup>(20)</sup>
- Japan <sup>(21)</sup>

- (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 eventual protection of these names in the European Union is subject to the successful conclusion of these negotiations and subsequent legal act.

<sup>(9)</sup> Council Decision 2012/164/EU of 14 February 2012 on the conclusion of the Agreement between the European Union and Georgia on the protection of geographical indications of agricultural products and foodstuffs (OJ L 93, 30.3.2012, p. 1).

<sup>(10)</sup> Council Decision 2013/7/EU of 3 December 2012 on the conclusion of the Agreement between the European Union and the Republic of Moldova on the protection of geographical indications of agricultural products and foodstuffs (OJ L 10, 15.1.2013, p. 1).

<sup>(11)</sup> 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. 3).

<sup>(12)</sup> Economic Partnership Agreement between the CARIFORUM States, of the one part, and the European Community and its Member States, of the other part (OJ L 289, 30.10.2008, p. 3).

<sup>(13)</sup> Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part (OJ L 161, 29.5.2014, p. 3).

<sup>(14)</sup> 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, and in particular the Agreement between the European Community and the Swiss Confederation on trade in Agricultural products (OJ L 114, 30.4.2002, p. 132).

<sup>(15)</sup> Comprehensive And Enhanced Partnership Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Armenia, of the other part (OJ L 23, 26.1.2018, p. 4).

<sup>(16)</sup> Council Decision 2009/49/EC of 28 November 2008 concerning the conclusion of an Agreement between the European Community and Australia on trade in wine (OJ L 28, 30.1.2009, p. 1).

<sup>(17)</sup> Council Decision 2002/979/EC of 18 November 2002 on the signature and provisional application of certain provisions of an Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part (OJ L 352, 30.12.2002, p. 1).

<sup>(18)</sup> Council Decision 2004/91/EC of 30 July 2003 on the conclusion of the Agreement between the European Community and Canada on trade in wines and spirit drinks (OJ L 35, 6.2.2004, p. 1).

<sup>(19)</sup> Council Decision 2006/232/EC of 20 December 2005 on the conclusion of the Agreement between the European Community and the United States of America on trade in wine (OJ L 87, 24.3.2006, p. 1).

<sup>(20)</sup> Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Albania, of the other part (OJ L 107, 28.4.2009, p. 166).

<sup>(21)</sup> Council Decision (EU) 2018/1907 of 20 December 2018 on the conclusion of the Agreement between the European Union and Japan for an Economic Partnership (OJ L 330, 27.12.2018, p. 1).

**Geographical Indication from Azerbaijan to be protected as geographical indications in the European Union  
for agricultural products, foodstuffs and wines <sup>(22)</sup>**

Name to be protected in Azeri	Transcription in Latin characters	Type of product
Abşeron	Absheron	Olive dolma
Bakı	Baku	Dolma
Duzdağ	Duzdagh	Salt
İsmayılı	Ismayilli	Dolma (pip dolma)
Kəngərli	Kengerli	Apple dolma
Ləkəran	Lekoran	Lemon dolma
Ordubad	Ordubad	Dolma (gupa dolma)
Qax	Gakh	Dry-filled dolma
Qəbələ	Gabala	Nut, walnut dolma
Quba	Guba	Melon dolma
Salyan	Salyan	Fish dolma
Azərbaycan**	Azerbaijan	Wine
Meysəri**	Meysari	Wine
Naxçıvan**	Nakhchivan	Plum
Naxçıvan**	Nakhchiivan	Meat product (govurma)
Şəki**	Sheki	Confisery (khalva)
Zirə**	Zira	Olives
Zirə**	Zira	Tomatoes

<sup>(22)</sup> List provided by the Azeri authorities in the framework of the ongoing negotiations, registered in Azerbaijan or in the process of being registered (\*\*).