

INFORMATION NOTICE — PUBLIC CONSULTATION

Geographical indications proposed by Indonesia to be protected in the EU

(2021/C 24/20)

Within the framework of negotiations with Indonesia for a Comprehensive Economic Partnership Agreement (hereafter 'the Agreement') including a chapter on geographical indications, the authorities of Indonesia have presented, for protection under the Agreement, a third batch of two (2) geographical indications. The European Commission is currently considering whether these Geographical Indications shall be protected under the future Agreement as Geographical Indications within the meaning of Article 22(1) of the Agreement on Trade-Related Aspects of Intellectual Property Rights.

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 publication of this notice. Statements of opposition should be sent to the following e-mail address: AGRI-A4@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 ⁽¹⁾, or with one of the geographical indications from non-EU countries protected in the EU under bilateral agreements publicly available at the following address:
https://ec.europa.eu/info/sites/info/files/food-farming-fisheries/food_safety_and_quality/documents/list-gis-non-eu-countries-protected-in-eu_en.pdf
- (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 possible protection of these names in the European Union is subject to the successful conclusion of these negotiations and subsequent legal act.

List of Geographical Indications ⁽²⁾

Geographical indications proposed by Indonesia to be protected in the EU	Product category
Kopi Robusta Pagar Alam	Other products of Annex I of the Treaty (spices etc.) - Coffee
Salak Sibatana Karangasem Bali	Fruits, vegetables and cereals, fresh or processed – Snake Fruit

⁽¹⁾ OJ L 343, 14.12.2012, p. 1.

⁽²⁾ Names provided by the authorities of Indonesia in the framework of the negotiations, and registered in Indonesia.