



The WIPO Lisbon System – EU accession to the Geneva Act

Lisbon Agreement and Geneva Act –
EU accession

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Pre-history of the Lisbon System

- *Paris Convention of 1883 for the Protection of Industrial Property:*
 - *National treatment*
 - *Priority given to registered IP rights*
 - *Minimum standards of protection*
- *Madrid Agreement of 14 April 1891 for the Repression of False or Deceptive Indications of Source of Goods*
- *Madrid Agreement Concerning the International Registration of Marks (1891)*

The Lisbon System

- *Lisbon Agreement for the Protection of Appellations of Origin and their International Registration (1958, 1967)*
- *Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (2015)*
- Established to facilitate the international protection of appellations of origin (AOs) and geographical indications (GIs) through a **single registration procedure (“simple and accessible”)**
- Administered by WIPO, which keeps the **International Register**

The Lisbon System



The Lisbon System : review of the Lisbon Agreement

Objectives of the revision:

- (i) refinement of the legal framework;
- (ii) extension of the Lisbon System to all GIs;
- (iii) possibility of accession by intergovernmental organizations;

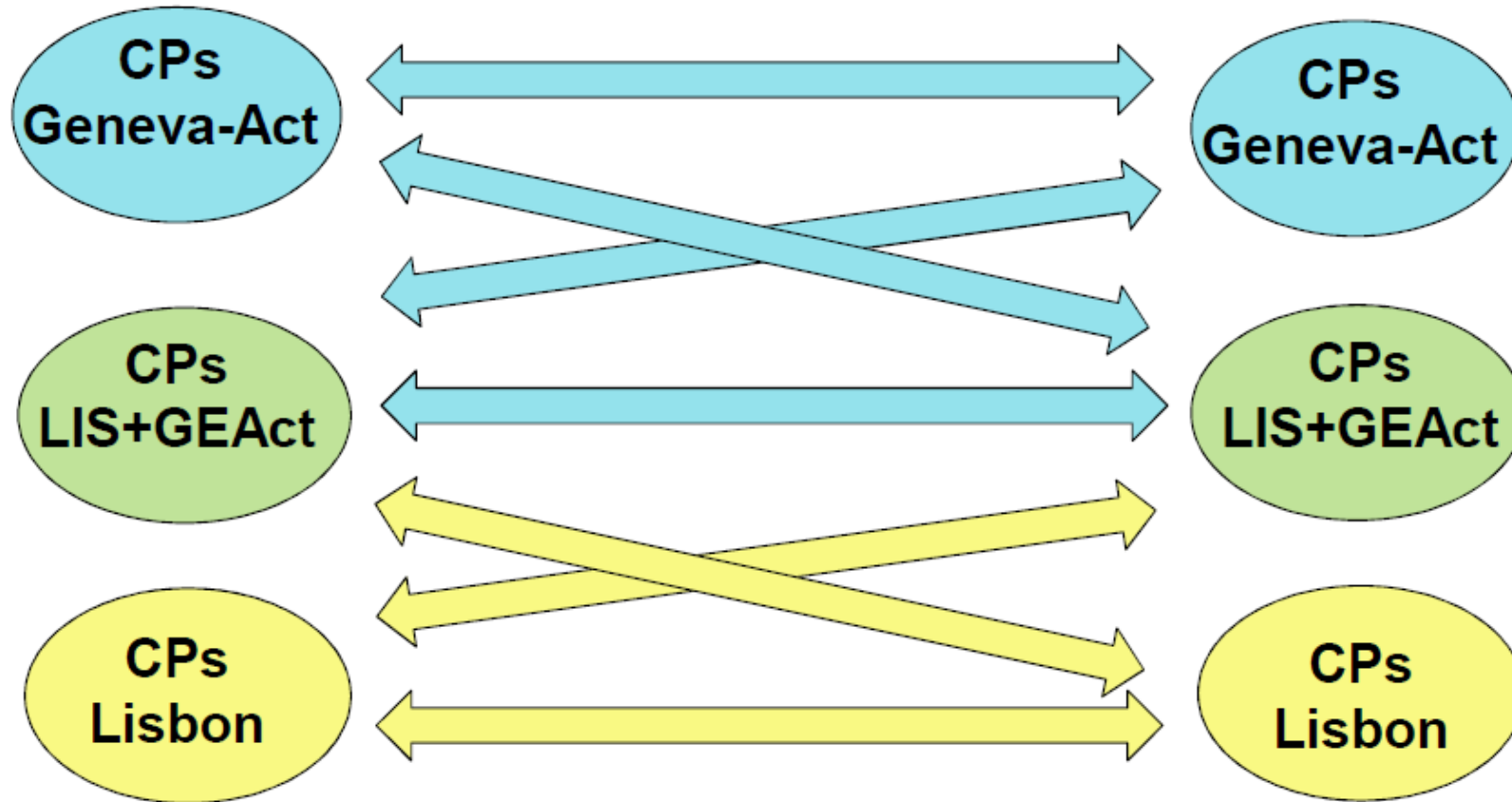
making the system **more attractive** for users and prospective new Members, while **preserving its principles and objectives**.

Geneva Act : new features

1. Accession for **intergovernmental organizations** possible
2. Definition of **geographical indications** in Article 2 (1)
3. Enhanced **recognition of the different means of protection** of AOs and GIs at national and regional level: *sui generis*, trademarks (collective/certification marks), administrative systems (e.g. labelling), legislation on unfair competition
4. Precision regarding **exceptions** and **limitations** of protection
5. Possibility to request **payment of individual fees**

The Lisbon System after the accession of the European Union

Relationship among Contracting Parties to the Lisbon Agreement and/or the Geneva Act



= Geneva Act

= Lisbon Agreement (1967 Act)

Geneva Act – Regulation (EU) 1753/2019

Principles

- European Commission is the Competent Authority referred to in Article 3 of the Geneva Act, responsible for the administration of the Geneva Act in the territory of the Union and for communications with the International Bureau of the WIPO under the Geneva Act.
- Therefore, COM files applications with the WIPO International Bureau for the international registration of agricultural GIs, wines and spirits GIs
- Member States may request the Commission to register EU GIs in the Geneva Act on their own initiative or following a request by GI holders.

Geneva Act – Regulation (EU) 1753/2019

Transition from Lisbon Agreement

- Transition to the Geneva Act of appellations of origin that were registered in the old Lisbon Agreement by the seven EU MS parties to that agreement:
- Regulation 2019/1753 distinguishes between those already protected under an EU GI regulation, those falling within the scope of EU protection but not protected, and those falling outside the scope of the EU protection (i.e. non-Agri GIs).

Thank you



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