



Organización Internacional del Café
Organização Internacional do Café
Organisation Internationale du Café

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Geographical indications

Executive Board
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**Draft terms of reference for a seminar
on geographical indications for coffee**

Background

The attached document contains draft terms of reference for a seminar on geographical indications, as provided for in the programme of activities for 2007/08. Appropriate speakers will be identified and contacted once the terms of reference have been agreed.

Action

The Executive Board is requested to consider and approve the attached draft terms of reference, and to suggest names of speakers who could be invited to participate in the seminar.

DRAFT TERMS OF REFERENCE FOR A SEMINAR ON GEOGRAPHICAL INDICATIONS FOR COFFEE

Introduction

1. Geographical indications identify a product as originating in a specific geographical territory, region or locality, where a given quality, reputation or other characteristic is essentially attributable to its geographical origin. In other words, the concept of geographical indications is used to differentiate a product that has a specific geographical origin and possesses special features that are due to that place of origin. This concept can be used in marketing strategies to develop an image of a product grown or produced in certain geographical areas to enhance consumer awareness and, under some circumstances, receive premiums above the market price. Some coffee producers have followed the lead of a number of companies and producers of other commodities in implementing this marketing strategy.

2. This issue has been discussed within the World Trade Organization through the Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS), which specifically states in its Article 22 that Members shall provide the legal means to prevent:

- “(a) the use of any means in the designation or presentation of a good that indicates or suggests that the good in question originates in a geographical area other than the true place of origin in a manner which misleads the public as to the geographical origin of the good;
- (b) any use which constitutes an act of unfair competition within the meaning of Article 10bis of the Paris Convention (1967).”

Objective

3. The objective of the seminar is to inform Members about the concept of geographical indications and their development and possible importance for the coffee industry. The seminar will further inform Members about approaches to product differentiation, which can be an important marketing tool in a competitive market.

Proposed structure

4. The seminar will cover the following issues:

- (a) *Overview of key issues*

This introductory session will look at key issues associated with geographical indications; their impacts; the relationship between geographical indications and intellectual property protection systems; the relationship between geographical indications and coffee quality; and other relevant issues such as the possibility of anti-competitive practices, barriers to new entrants, regulation, etc.

(b) Use of geographical indications: various experiences

Speakers from exporting and importing countries will share their experiences with geographical indications.

(c) Issues of labelling, traceability and certification

This section will address practical and technical issues associated with the use of geographical indications.

(d) Current legal issues relating to geographical indications

Speakers will review legal issues at the national level, the international level (WTO and international legal protection), as well as enforcement mechanisms of geographical indications and trademarks.

Suggested speakers

5. It is proposed that organizations from the following categories could be approached to provide speakers:

- Research institutions/universities
- Coffee industry/farmers' associations in exporting countries
- Coffee industry in importing countries
- Legal experts from a representative array of legal regimes
- Relevant international organizations