



AREPO AMENDMENTS PROPOSAL TO JURI COMMITTEE DRAFT OPINION* ON GI REVIEW**

* 2022/0089(COD)

Rapporteur for opinion: Adrián Vázquez Lázara

** COM(2022) 134 final

Amendment 1

Recital 15

Text proposed by the Commission	JURI draft opinion	AREPO amendment
(15) To ensure transparency and uniformity across Member States, it is necessary to establish and maintain an electronic Union register of geographical indications, registered as protected designations of origin or protected geographical indications. The register should provide information to consumers and to those involved in trade. The register should be an electronic database stored within an information system, and should be accessible to the public.	(15) To ensure transparency and uniformity across Member States, it is necessary to establish and maintain an electronic Union register of geographical indications, registered as protected designations of origin or protected geographical indications. The register should provide information to consumers and to those involved in trade. The register should be an electronic database stored within an information system, and should be accessible to the public. <i>It should be developed, kept-up-to date and maintained by the European Union Intellectual Property Office (EUIPO).</i>	<i>We support Amendment 1.</i>

Amendment 2

Recital 39

Text proposed by the Commission	JURI draft opinion	AREPO amendment
(39) The procedures for registration, amendment and cancellation of geographical indications, including the scrutiny and the opposition procedure, should be carried out in the most efficient	(39) The procedures for registration, amendment and cancellation of geographical indications, including the scrutiny and the opposition procedure, should be carried out in the most efficient	(39) The procedures for registration, amendment and cancellation of geographical indications, including the scrutiny and the opposition procedure, should be <i>free of charges and</i> carried out in the most efficient way, <i>without further</i>



<p>way. This can be achieved by using the assistance for the scrutiny of the applications provided by the <i>European Union Intellectual Property Office</i> (EUIPO). While a partial outsourcing <i>to EUIPO</i> has been considered, the Commission <i>would</i> remain responsible for <i>registration</i>, amendment and cancellation, due to a strong relation with the Common Agricultural Policy and to the expertise needed to ensure that specificities of wine, spirit drinks and agricultural products are adequately assessed.</p>	<p>way. This can be achieved by using the assistance for the scrutiny of the applications provided by the <i>EUIPO</i>. <i>The involvement of the EUIPO should not lead to delays or unnecessary administrative burden.</i> While a partial outsourcing has been considered, the Commission <i>should</i> remain responsible for <i>the product specification</i>, <i>Union</i> amendment and cancellation, due to a strong relation with the Common Agricultural Policy and to the expertise needed to ensure that specificities of wine, spirit drinks and agricultural products are adequately assessed.</p>	<p><i>delays or unnecessary administrative burden. This can be achieved by using the assistance for the scrutiny of the applications provided by the EUIPO. The involvement of the EUIPO should not lead to delays or unnecessary administrative burden. While a partial outsourcing to EUIPO has been considered, The Commission should will</i> remain responsible for <i>the product specification</i>, registration, <i>Union</i> amendment and cancellation, due to a strong relation with the Common Agricultural Policy and to the expertise needed to ensure that specificities of wine, spirit drinks and agricultural products are adequately assessed.</p>
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Justification	
GIs are more than intellectual property rights. Given their close link to rural development policy, GIs should not be managed as trademarks. Furthermore, according to the Court of Auditors' report ¹ , the intervention of the EUIPO has not reduced the duration of the procedure.	

Amendment 3
Recital 39 a (new)

Text proposed by the Commission	JURI draft opinion	AREPO amendment
	<i>(39a) Clear deadlines and faster procedures for amending specifications,</i>	<i>We support Amendment 3.</i>

¹ [Special report 06/2022: EU intellectual property rights - Protection not fully waterproof](#)



	<p><i>by dividing amendments into Union amendments and standard amendments, will help improve the effectiveness of the system.</i></p>	
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Amendment 4
Recital 39 b (new)

Text proposed by the Commission	JURI draft opinion	AREPO amendment
	<p><i>(39b) The role of the EUIPO should be reinforced in order for the registration procedure to be more efficient. Namely, the EUIPO should be tasked with scrutinising the application for registration, informing applicants in the event of delay in the scrutiny process and seeking supplementary information from the applicant if necessary. The EUIPO should be entrusted with the publication of the single document in the Union register, after its verification by the Commission. The EUIPO should support the Commission in the opposition procedure. It should carry out the tasks related to the amendments to a product specification and makes public the standard amendments. Similarly to its role in protecting domain names in trade marks, the EUIPO should establish and manage an alert system that provides information about the availability of a geographical indication as a domain name. The EUIPO should carry out the scrutiny of third-country geographical indications and updates to the list of international agreement protecting them. Finally, the EUIPO and the competent</i></p>	<p><i>(39b) The EUIPO will participate in the functioning of the Union's Geographical Indications system by offering its expertise in the intellectual property domain. The role of the EUIPO should be reinforced in order for the registration procedure to be more efficient. Namely, the EUIPO should be tasked with scrutinising the application for registration, informing applicants in the event of delay in the scrutiny process and seeking supplementary information from the applicant if necessary. The EUIPO should be entrusted with the publication of the single document in the Union register, after its verification by the Commission. The EUIPO should support the Commission in the opposition procedure. It should carry out the tasks related to the amendments to a product specification and makes public the standard amendments. carry out tasks related to the protection of geographical indications, including on the Internet, in the mutual recognition provided for by bilateral agreements with third countries and in international disputes. The EUIPO should update the list of international agreement</i></p>



	<p><i>authorities of the Member States should cooperate with each other to promote convergence of practices and tools in the field of geographical indications.</i></p>	<p><i>protecting third-country geographical indications. Similarly to its role in protecting domain names in trademarks, the EUIPO should establish and manage an alert system that provides information about the availability of a geographical indication as a domain name. The EUIPO should carry out the scrutiny of third-country geographical indications and updates to the list of international agreement protecting them. Finally, the EUIPO and the competent authorities of the Member States should cooperate with each other to promote tools and convergence of IPR practices and tools in the field of geographical indications.</i></p>
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Justification

The technical IPR expertise and resources of the EUIPO could provide invaluable support to strengthening GI protection. For example, the EUIPO could complement DG AGRI's competences in agriculture and rural development with IPR expertise.

Amendment 5

Recital 56

Text proposed by the Commission	JURI draft opinion	AREPO amendment
<p>(56) In order to supplement or amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of defining sustainability standards and laying down criteria for the recognition of existing</p>	<p>(56) In order to supplement or amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of defining sustainability standards and laying down criteria for the recognition of existing sustainability</p>	<p>(56) In order to supplement or amend certain non-essential elements of this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of <i>defining sustainability standards and laying down criteria for the recognition of existing</i></p>

<p>sustainability standards; clarifying or adding items to be supplied as part of accompanying information; entrusting the EUIPO with the tasks related to scrutiny for opposition and the opposition procedure, operation of the register, publication of standard amendments to a product specification, consultation in the context of cancellation procedure, establishment and management of an alert system informing applicants about the availability of their geographical indication as a domain name, scrutiny of third country geographical indications other than geographical indications under the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications, proposed for protection pursuant to international negotiations or international agreements; establishing appropriate criteria for monitoring performance of the EUIPO in the execution of the tasks entrusted to it; laying down additional rules on the use of geographical indications to identify ingredients in processed products; laying down additional rules for determining the generic status of terms; establishing the restrictions and derogations with regard to the sourcing of feed in the case of a designation of origin; establishing restrictions and derogations with regard to the slaughtering of live animals or with regard to the sourcing of raw materials; laying down rules for determining the use of the denomination of a plant variety or of an animal breed; laying down rules which limit the information contained in the product specification for geographical indications and traditional specialities guaranteed; laying down further details of the eligibility criteria for traditional specialities guaranteed; laying down additional</p>	<p>standards; clarifying or adding items to be supplied as part of accompanying information; entrusting the EUIPO with the tasks related to scrutiny for opposition and the opposition procedure, operation of the register, publication of standard amendments to a product specification, consultation in the context of cancellation procedure, establishment and management of an alert system informing applicants about the availability of their geographical indication as a domain name, scrutiny of third country geographical indications other than geographical indications under the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications, proposed for protection pursuant to international negotiations or international agreements; establishing appropriate criteria for monitoring performance of the EUIPO in the execution of the tasks entrusted to it; laying down additional rules on the use of geographical indications to identify ingredients in processed products; laying down additional rules for determining the generic status of terms; establishing the restrictions and derogations with regard to the sourcing of feed in the case of a designation of origin; establishing restrictions and derogations with regard to the slaughtering of live animals or with regard to the sourcing of raw materials; laying down rules for determining the use of the denomination of a plant variety or of an animal breed; laying down rules which limit the information contained in the product specification for geographical indications and traditional specialities guaranteed; laying down further details of the eligibility criteria for traditional specialities guaranteed; laying down additional rules to provide for appropriate certification and accreditation procedures to apply in respect of product certification bodies; laying down additional</p>	<p>sustainability standards; clarifying or adding items to be supplied as part of accompanying information; entrusting the EUIPO with the tasks related to scrutiny for opposition and the opposition procedure, operation of the register, publication of standard amendments to a product specification, consultation in the context of cancellation procedure, establishment and management of an alert system informing applicants about the availability of their geographical indication as a domain name, scrutiny of third country geographical indications other than geographical indications under the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications, proposed for protection pursuant to international negotiations or international agreements; establishing appropriate criteria for monitoring performance of the EUIPO in the execution of the tasks entrusted to it; laying down additional rules on the use of geographical indications to identify ingredients in processed products; laying down additional rules for determining the generic status of terms; establishing the restrictions and derogations with regard to the sourcing of feed in the case of a designation of origin; establishing restrictions and derogations with regard to the slaughtering of live animals or with regard to the sourcing of raw materials; laying down rules for determining the use of the denomination of a plant variety or of an animal breed; laying down rules which limit the information contained in the product specification for geographical indications and traditional specialities guaranteed; laying down further</p>
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<p>rules to provide for appropriate certification and accreditation procedures to apply in respect of product certification bodies; laying down additional rules to further detail protection of traditional specialities guaranteed; laying down for traditional specialities guaranteed additional rules for determining the generic status of terms, conditions for use of plant variety and animal breed denominations, and relation to intellectual property rights; defining additional rules for joint applications concerning more than one national territory and complementing the rules of the application process for traditional specialities guaranteed guaranteed; complementing the rules for the opposition procedure for traditional specialities guaranteed to establish detailed procedures and deadlines; supplementing the rules regarding the amendment application process for traditional specialities guaranteed; supplementing the rules regarding the cancellation process for traditional specialities guaranteed; laying down detailed rules relating to the criteria for optional quality terms; reserving an additional optional quality term, laying down its conditions of use; laying down derogations to the use of the term ‘mountain product’ and establishing the methods of production, and other criteria relevant for the application of that optional quality term, in particular, laying down the conditions under which raw materials or feedstuffs are permitted to come from outside the mountain areas. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal</p>	<p>rules to further detail protection of traditional specialities guaranteed; laying down for traditional specialities guaranteed additional rules for determining the generic status of terms, conditions for use of plant variety and animal breed denominations, and relation to intellectual property rights; defining additional rules for joint applications concerning more than one national territory and complementing the rules of the application process for traditional specialities guaranteed guaranteed; complementing the rules for the opposition procedure for traditional specialities guaranteed to establish detailed procedures and deadlines; supplementing the rules regarding the amendment application process for traditional specialities guaranteed; supplementing the rules regarding the cancellation process for traditional specialities guaranteed; laying down detailed rules relating to the criteria for optional quality terms; reserving an additional optional quality term, laying down its conditions of use; laying down derogations to the use of the term ‘mountain product’ and establishing the methods of production, and other criteria relevant for the application of that optional quality term, in particular, laying down the conditions under which raw materials or feedstuffs are permitted to come from outside the mountain areas. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States’ experts, and their experts systematically have access to meetings of</p>	<p>details of the eligibility criteria for traditional specialities guaranteed; laying down additional rules to provide for appropriate certification and accreditation procedures to apply in respect of product certification bodies; laying down additional rules to further detail protection of traditional specialities guaranteed; laying down for traditional specialities guaranteed additional rules for determining the generic status of terms, conditions for use of plant variety and animal breed denominations, and relation to intellectual property rights; defining additional rules for joint applications concerning more than one national territory and complementing the rules of the application process for traditional specialities guaranteed guaranteed; complementing the rules for the opposition procedure for traditional specialities guaranteed to establish detailed procedures and deadlines; supplementing the rules regarding the amendment application process for traditional specialities guaranteed; supplementing the rules regarding the cancellation process for traditional specialities guaranteed; laying down detailed rules relating to the criteria for optional quality terms; reserving an additional optional quality term, laying down its conditions of use; laying down derogations to the use of the term ‘mountain product’ and establishing the methods of production, and other criteria relevant for the application of that optional quality term, in particular, laying down the conditions under which raw materials or feedstuffs are permitted to come from outside the mountain areas. It is of particular importance that the Commission carry out appropriate consultations during its</p>
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<p>participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>	<p>Commission expert groups dealing with the preparation of delegated acts.</p>	<p>preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.</p>
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<i>Justification</i>	
Some essential elements of the system must be defined in the Regulation and not by delegated acts.	

Amendment 6
Article 17 – title

Text proposed by the Commission	JURI draft opinion	AREPO amendment
Scrutiny by the <i>Commission</i> and publication for opposition	Scrutiny by the <i>EU IPO</i> and publication for opposition	Scrutiny by the <i>EU IPO</i> <i>Commission</i> and publication for opposition

<i>Justification</i>	
DG AGRI's competences in agriculture and rural development are pivotal to carry out these processes. As a consequence, DG Agri should remain responsible.	



Amendment 7
Article 17 – paragraph 1

Text proposed by the Commission	JURI draft opinion	AREPO amendment
<p>1. The <i>Commission</i> shall scrutinise any application for registration that it receives pursuant to Article 16(1). Such scrutiny shall consist of a check that there are no manifest errors, that the information provided in accordance with Article 15 is complete and that the single document referred to in Article 13 is precise and technical in nature. It shall take into account the outcome of the national procedure carried out by the Member State concerned. It shall focus in particular on the single document referred to in Article 13.</p>	<p>1. The <i>EUIPO</i> shall scrutinise any application for registration that it receives pursuant to Article 16(1). Such scrutiny shall consist of a check that there are no manifest errors, that the information provided in accordance with Article 15 is complete and that the single document referred to in Article 13 is precise and technical in nature. It shall take into account the outcome of the national procedure carried out by the Member State concerned <i>and the opinion of the Commission</i>. It shall focus in particular on the single document referred to in Article 13.</p>	<p>1. The <i>EUIPO Commission</i> shall <i>scrutinise</i> <i>conduct the examination of the</i> <i>any</i> application for registration that it receives pursuant to Article 16(1). Such scrutiny shall consist of a check that there are no manifest errors. ; <i>The Commission shall verify</i> that the information provided in accordance with Article 15 is complete and that the single document referred to in Article 13 is precise and technical in nature. It shall take into account the outcome of the national procedure carried out by the Member State concerned <i>and the opinion of the Commission</i>. It shall focus in particular on the single document referred to in Article 13.</p>

Justification

DG AGRI's competences in agriculture and rural development are pivotal to carry out these processes. As a consequence, DG Agri should remain responsible.

Amendment 8
Article 17, paragraph 2

Text proposed by the Commission	JURI draft opinion	AREPO amendment
<p>2. Scrutiny should not exceed a period of 6 months. In the event that the scrutiny period exceeds or is likely to exceed 6</p>	<p>2. Scrutiny should not exceed a period of 6 months. In the event that the scrutiny period exceeds or is likely to exceed 6</p>	<p>2. Scrutiny <i>should shall</i> not exceed a period of 6 5 months. <i>In duly justified cases, the scrutiny period may be extended by a maximum of 3</i></p>



months the <i>Commission</i> shall inform the applicant of the reasons for the delay in writing.	months the <i>EUIPO</i> shall inform the applicant of the reasons for the delay in writing.	<i>months</i> . In the event that the scrutiny period exceeds <i>is extended</i> or is likely to <i>be extended</i> the EUIPO <i>Commission</i> shall inform the applicant of the reasons for the delay in writing.
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Justification

We support the proposal of MEP De Castro concerning the deadline for the scrutiny of GI applications.

Amendment 9

Article 17, paragraph 3

Text proposed by the Commission	JURI draft opinion	AREPO amendment
3. The <i>Commission</i> may seek supplementary information from the applicant.	3. The <i>EUIPO</i> may seek supplementary information from the applicant.	3. The <i>EUIPO</i> <i>Commission</i> may seek supplementary information from the applicant.

Amendment 10

Article 17, paragraph 5

Text proposed by the Commission	JURI draft opinion	AREPO amendment
<i>5. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 supplementing this Regulation by rules on entrusting EUIPO with the tasks set out in this Article.</i>	<i>deleted</i>	<i>We support Amendment 10.</i>



Amendment 11

Article 17 – paragraph 5 a (new)

Text proposed by the Commission	JURI draft opinion	AREPO amendment
	<i>5a. The EUIPO shall perform all the necessary technical scrutiny tasks.</i>	<i>Delete</i>

Amendment 12

Article 18 – paragraph 2 – introductory part

Text proposed by the Commission	JURI draft opinion	AREPO amendment
2. The <i>Commission</i> shall be exempted from the obligation to meet the deadline to perform the scrutiny referred to in Article 17(2) and <i>to</i> inform the applicant of the reasons for the delay where it receives a communication from a Member State, concerning an application for registration in accordance with Article 9(6), which:	2. The <i>EUIPO</i> shall be exempted from the obligation to meet the deadline to perform the scrutiny referred to in Article 17(2) and <i>shall</i> inform the applicant of the reasons for the delay where it receives a communication from a Member State, concerning an application for registration in accordance with Article 9(6), which:	2. The <i>EUIPO Commission</i> shall be exempted from the obligation to meet the deadline to perform the scrutiny referred to in Article 17(2) and <i>shall</i> inform the applicant of the reasons for the delay where it receives a communication from a Member State, concerning an application for registration in accordance with Article 9(6), which:

Amendment 13

Article 19 – paragraph 1

Text proposed by the Commission	JURI draft opinion	AREPO amendment
1. Within 3 months from the date of publication in the Official Journal of the European Union of the single document and the reference to the product specification pursuant to Article 17(4), the authorities of a Member State or of a third country, or a natural or legal person having a legitimate interest, established or resident in a third country, may lodge an opposition	1. Within 3 months from the date of publication in the Official Journal of the European Union of the single document and the reference to the product specification pursuant to Article 17(4), the authorities of a Member State or of a third country, or a natural or legal person having a legitimate interest, established or resident in a third country, may lodge an opposition	<i>We support Amendment 13.</i>



<i>or a notice of comment</i> with the Commission.	with the Commission.	
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Amendment 14

Article 19 – paragraph 2

Text proposed by the Commission	JURI draft opinion	AREPO amendment
2. Any natural or legal person having a legitimate interest, established or resident in a Member State other than the one from which the Union application for registration was submitted, may lodge an opposition with the Member State, in which it is established or resident, within a time limit permitting an opposition <i>or notice of comments</i> to be lodged pursuant to paragraph (1).	2. Any natural or legal person having a legitimate interest, established or resident in a Member State other than the one from which the Union application for registration was submitted, may lodge an opposition with the Member State, in which it is established or resident, within a time limit permitting an opposition to be lodged pursuant to paragraph (1).	<i>We support Amendment 14.</i>

Amendment 15

Article 19 – paragraph 9

Text proposed by the Commission	JURI draft opinion	AREPO amendment
9. After completion of the opposition procedure, the Commission shall finalise its assessment of the Union application for registration, taking into account any request for transitional periods, the outcome of the opposition procedure, <i>any notice of comments</i> received and any other matters arising subsequently to its scrutiny that may imply a change of the single document.	9. After completion of the opposition procedure, the Commission shall finalise its assessment of the Union application for registration, taking into account any request for transitional periods, the outcome of the opposition procedure received and any other matters arising subsequently to its scrutiny that may imply a change of the single document.	<i>We support Amendment 15.</i>



Amendment 16
Article 19 – paragraph 10

Text proposed by the Commission	JURI draft opinion	AREPO amendment
<p><i>10. The Commission shall be empowered to adopt delegated acts, in accordance with Article 84 supplementing this Regulation by detailed procedures and deadlines for the opposition procedure, for the official submission of comments by national authorities and persons with a legitimate interest, which will not trigger the opposition procedure and by rules on entrusting its tasks set out in this Article to EUIPO.</i></p>	<p><i>deleted</i></p>	<p><i>We support Amendment 16.</i></p>

Amendment 17
Article 19 – paragraph 10 a (new)

Text proposed by the Commission	JURI draft opinion	AREPO amendment
	<p><i>10a. The EUIPO shall support the Commission in:</i></p> <ul style="list-style-type: none"> <i>(a) providing technical assistance in opposition procedures;</i> <i>(b) receiving the oppositions referred to in paragraph 1;</i> <i>(c) checking the admissibility of the oppositions;</i> <i>(d) inviting the authority or the person that lodged the opposition and the authority or the applicant producer group that lodged the application to engage in appropriate consultations if the opposition is admissible;</i> 	<p><i>Delete</i></p>

	<p><i>(e) extending the deadline for the consultation;</i> <i>(f) receiving the notification of the result of consultation and of the opponent's position at the end of the consultation, or any consequent changes to the application for registration;</i> <i>(g) repeating the scrutiny and publishing once more the application in the cases referred to in paragraph 7 (repetition of the scrutiny in the event that, following the end of the consultations, the data published in the single document have been modified, and, where the application for registration has been modified in a substantial manner and meets the conditions for registration, re-publication of the single document);</i> <i>(h) providing an assessment of the Union application for registration.</i></p>	
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Amendment 18
Article 20 a (new)

Text proposed by the Commission	JURI draft opinion	AREPO amendment
	<p><i>Article 20a</i> <i>Notice of comment procedure</i> <i>1. In order to correct inaccuracies in an ongoing registration procedure for a geographical indication, a competent authority of a Member State or of a third country, or a natural or legal person having a legitimate interest and established or resident in a third country or in another Member State may lodge a notice of comment with the EUIPO within</i></p>	<p>Delete</p>



	<p><i>three months of the date of publication of the single document and the product specification reference in the Union register.</i></p> <p><i>2. The notice of comment referred to in paragraph 1 of this Article shall not be based on the grounds for opposition referred to in Article 19. The competent authority or person that lodges a notice of comment shall not be considered to be a party to the procedure.</i></p> <p><i>3. The EUIPO shall share the notice of comment with the applicant and shall take the notice of comment into consideration when deciding on the application of the registration, unless it is unclear or obviously incorrect.</i></p> <p><i>4. In order to facilitate the management of the notice of comment procedure, the Commission may adopt implementing acts laying down rules on the submission of such notice of comments and specifying their format and online presentation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 53(2).</i></p>	
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Amendment 19

Article 23 – paragraph 1 a (new)

Text proposed by the Commission	JURI draft opinion	AREPO amendment
	<p><i>1a. The Union register as referred to in paragraph 1 shall be developed, kept up-to-date and maintained by the EUIPO for the management of geographical</i></p>	<p><i>We support Amendment 19.</i></p>



Amendment 20

Article 23 – paragraph 5

Text proposed by the Commission	JURI draft opinion	AREPO amendment
5. The Commission shall make public and regularly update the list of the international agreements referred to in paragraph (3) as well as the list of geographical indications protected under those agreements.	5. The Commission shall make public and, <i>in the event of changes</i> , update the list of the international agreements referred to in paragraph (3) as well as the list of geographical indications protected under those agreements.	<i>We support Amendment 20.</i>

Amendment 21

Article 23 – paragraph 7

Text proposed by the Commission	JURI draft opinion	AREPO amendment
<i>7. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 supplementing this Regulation by rules on entrusting EUIPO to operate the Union register of geographical indications.</i>	<i>deleted</i>	<i>We support Amendment 21.</i>

Amendment 22

Article 24 – paragraph 2

Text proposed by the Commission	JURI draft opinion	AREPO amendment
2. Where a producer group has been recognised by the national authorities in accordance with Article 33, that group shall be identified as the rights' holder of the geographical indication in the Union register of geographical indications and in the official extract referred to in paragraph (1).	2. Where a producer group has been recognised by the national authorities in accordance with Article 33 <i>or by an authority of a third country</i> , that group shall be identified as the rights' holder of the geographical indication in the Union register of geographical indications and in the official extract referred to in paragraph (1).	<i>We support Amendment 22.</i>



Amendment 23

Article 25 – paragraph 5

Text proposed by the Commission	JURI draft opinion	AREPO amendment
<p>5. A <i>standard</i> amendment shall be considered as a <i>temporary</i> amendment when it concerns a temporary change in the product specification resulting from the imposition of obligatory sanitary and phytosanitary measures by the public authorities or a temporary amendment necessary because of a natural disaster <i>or</i> adverse weather conditions formally recognised by the competent authorities.</p>	<p>5. A <i>temporary</i> amendment shall be considered as a <i>standard</i> amendment when it concerns a temporary change in the product specification resulting from the imposition of obligatory sanitary and phytosanitary measures by the public authorities or a temporary amendment necessary because of a natural disaster, adverse weather conditions <i>or the consequences of an exceptional geopolitical event</i> formally recognised by the competent authorities.</p>	<p><i>We support Amendment 23.</i></p>

Amendment 24

Article 25 – paragraph 6

Text proposed by the Commission	JURI draft opinion	AREPO amendment
<p>6. Union amendments shall be approved by the Commission. The approval procedure shall follow, mutatis mutandis, the procedure laid down from Article 8 to Article 22.</p>	<p>6. Union amendments shall be <i>assessed and</i> approved by the Commission. The approval procedure shall follow, mutatis mutandis, the procedure laid down from Article 8 to Article 22.</p>	<p><i>We support Amendment 24.</i></p>

Amendment 25

Article 25 – paragraph 9

Text proposed by the Commission	JURI draft opinion	AREPO amendment
<p>9. Standard amendments shall be approved by Member States or third countries in whose territory the</p>	<p>9. Standard amendments shall be approved by Member States or third countries in whose territory the</p>	<p>9. Standard amendments shall be <i>scrutinised and</i> approved by Member States or third countries in whose territory the</p>



geographical area of the product concerned is located and communicated to the Commission. The Commission shall make those amendments public.	geographical area of the product concerned is located and communicated to the Commission. <i>Following such approval, the Commission shall transmit those amendments to the EUIPO, which</i> shall make those amendments public	geographical area of the product concerned is located and communicated to the Commission. <i>Following such approval, The Commission shall transmit those amendments to the EUIPO, which</i> shall make those amendments public
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Justification

The publication of standard amendments should remain in the Official Journal of the European Union. Transferring this task to EUIPO would result in the publication of standard amendments in the EUIPO data base.

Amendment 26

Article 25 – paragraph 10

Text proposed by the Commission	JURI draft opinion	AREPO amendment
<i>10. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 supplementing this Regulation by provisions entrusting EUIPO with the publication of standard amendments referred to in paragraph (9).</i>	<i>deleted</i>	<i>We support Amendment 26.</i>

Amendment 27

Article 25 – paragraph 10 a (new)

Text proposed by the Commission	JURI draft opinion	AREPO amendment
	<i>10a. The EUIPO shall be responsible for the publication of standard amendments referred to in paragraph 9. The EUIPO shall perform the technical scrutiny of the Union amendments and prepare the observations, which shall be verified</i>	<i>Delete</i>



	<i>and sent to the applicants by the Commission.</i>	
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Justification

The publication of standard amendments should remain in the Official Journal of the European Union. Transferring this task to EUIPO would result in the publication of standard amendments in the EUIPO data base.

Amendment 28
Article 26, paragraph 5

Text proposed by the Commission	JURI draft opinion	AREPO amendment
5. Before adopting the implementing acts referred to in paragraphs 1 and 2, the Commission shall consult the authorities of the Member State, the authorities of the third country or, where possible, the third country producer which had originally applied for the registration of the geographical indication concerned, unless the cancellation is directly requested by those original applicants.	5. Before adopting the implementing acts referred to in paragraphs 1 and 2, the Commission shall consult the authorities of the Member State, the authorities of the third country or, where possible, the third country producer which had originally applied for the registration of the geographical indication concerned, unless the cancellation is directly requested by those original applicants. <i>The registration of the name on the market and its protection under another intellectual property right shall be prohibited for a period of at least 10 years following the date of cancellation of a geographical indication.</i>	<i>We support Amendment 28.</i>

Amendment 29
Article 26, paragraph 6

Text proposed by the Commission	JURI draft opinion	AREPO amendment
6. The <i>Commission shall be empowered to adopt delegated acts in</i>	6. The <i>EUIPO shall carry out</i> the tasks set out in <i>Article 26(5)</i> .	<i>Delete both.</i>



<i>accordance with Article 84 supplementing this Regulation by rules entrusting EUIPO with the tasks set out in paragraph (5).</i>		
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Amendment 30
Article 27 – paragraph 1

Text proposed by the Commission	JURI draft opinion	AREPO amendment
1. Geographical indications entered in the Union register of geographical indications shall be protected against:	1. Geographical indications entered in the Union register of geographical indications <i>and those protected by international agreements in the Union</i> shall be protected against:	1. Geographical indications entered in the Union register of geographical indications and those protected by international agreements in the Union shall be protected against:

Justification

The protection granted to third country GIs through international agreements is not always the same as the one provided under EU law.

Amendment 31
Article 35 – title

Text proposed by the Commission	JURI draft opinion	AREPO amendment
<i>Conflicting</i> trade marks	<i>Conflict between</i> trade marks <i>and geographical indications</i>	<i>We support Amendment 31</i>

Amendment 32
Article 35 – paragraph 2

Text proposed by the Commission	JURI draft opinion	AREPO amendment
2. Trade marks registered in breach of paragraph		2. Trade marks registered in breach of paragraph



(1) shall be invalidated by EUIPO and, when applicable, the competent national authorities.		(1) shall be invalidated <i>ex officio</i> by EUIPO and, when applicable, the competent national authorities.
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Amendment 33

Article 35 – paragraph 2 a (new)

Text proposed by the Commission	JURI draft opinion	AREPO amendment
	<i>2a. An application for the registration of a geographical indication shall be rejected where, in the light of a wellknown trade mark and its reputation, the name proposed as a geographical indication is liable to mislead the consumer as to the true identity of the product.</i>	<i>We support Amendment 33.</i>

Amendment 34

New article after Article 45

<i>Text proposed by the Commission</i>	JURI draft opinion	<i>AREPO amendment</i>
	<i>Not included</i>	<ol style="list-style-type: none"> <li data-bbox="1424 1024 2054 1311"><i>1. The EUIPO may participate in the EU Geographical Indications system by offering technical assistance to the European Commission in the cases and in the ways provided for in this Regulation, not exceeding its domain of expertise concerning intellectual property rights.</i> <li data-bbox="1424 1311 2054 1471"><i>2. The EUIPO may support the European Commission in carrying out the following tasks:</i> <ol style="list-style-type: none"> <li data-bbox="1424 1423 2054 1471"><i>a) protection of geographical indications,</i>



		<p><i>including on the Internet;</i></p> <p><i>b) Operation of the GI Register;</i></p> <p><i>c) setting up and managing an alert system informing applicants of the availability of their geographical indication as a domain name.</i></p>
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<i>Justification</i>
Chapter 5 of the proposed Regulation is the appropriate place to better clarify and list in a transparent manner the types of tasks for which the EUIPO can assist the Commission. In this way, the EUIPO could complement DG AGRI's competences in agriculture and rural development with expertise in IPR.

Amendment 35
Article 46 – paragraph 1

Text proposed by the Commission	JURI draft opinion	AREPO amendment
The <i>Commission</i> shall <i>be empowered to adopt delegated acts in accordance with Article 84 supplementing this Regulation by rules on entrusting EUIPO with the</i> scrutiny of third country geographical indications, other than geographical indications under the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications, proposed for protection pursuant to international negotiations or international agreements.	The <i>EUIPO</i> shall <i>carry out the technical</i> scrutiny of third country geographical indications, other than geographical indications under the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications, proposed for protection pursuant to international negotiations or international agreements.	<i>Delete both.</i>



Justification

Same treatment between scrutiny of EU GIs and third countries' GIs must be given to not incur in issues with WTO.

Amendment 37

Article 47 – paragraph 1

Text proposed by the Commission	JURI draft opinion	AREPO amendment
<p>1. <i>Where the Commission exercises any of the empowerments provided for in this Regulation to entrust tasks to EUIPO, it shall also be empowered to adopt delegated acts in accordance with Article 84 to supplement this Regulation by criteria for monitoring performance in the execution of such tasks. Such criteria may include:</i></p>	<p>1. The Commission shall be empowered to adopt delegated acts in accordance with Article 84 to supplement this Regulation by criteria for monitoring performance in the execution of <i>the tasks entrusted to the EUIPO in accordance with this Regulation</i>. Such criteria may include:</p>	<p>1. <i>Where the Commission relies on the assistance of the EUIPO to carry out the tasks mentioned, it shall also be empowered to adopt delegated acts in accordance with Article 84 to supplement this Regulation by criteria for monitoring performance in the execution of such tasks entrusted to the EUIPO in accordance with this Regulation</i>. Such criteria may include:</p> <p><i>(a) the extent of integration of agricultural factors in the scrutiny process;</i></p> <p><i>(b) quality of assessments;</i></p> <p><i>(c) coherence of assessments of geographical indications from different sources;</i></p> <p>(d) efficiency of tasks; and</p> <p>(e) user satisfaction.</p>

Justification

The EUIPO's contribution to the performance of these tasks will be limited to IPR aspects and its intervention will also have to be assessed.

Amendment 38

Article 47 – paragraph 1 – point d a (new)



Text proposed by the Commission	JURI draft opinion	AREPO amendment
	<i>(da) reduction of processing time for the scrutiny of applications;</i>	<i>Delete</i>

Amendment 39
Article 47 – paragraph 2

Text proposed by the Commission	JURI draft opinion	AREPO amendment
2. No later than 5 years after the <i>first delegation of any tasks to EUIPO</i> , the Commission shall prepare and submit a report to the European Parliament and to the Council on the results and experience of the exercise of these tasks by EUIPO.	2. No later than ... [5 years after the <i>date of entry into force of this Regulation</i>], the Commission shall prepare and submit a report to the European Parliament and to the Council on the results and experience of the exercise of these tasks by EUIPO. <i>That report may be accompanied, where necessary, by legislative proposals.</i>	<i>We support the proposed amendment</i>

Amendment 40
Article 151 – paragraph 1 – point f

Text proposed by the Commission	JURI draft opinion	AREPO amendment
(f) administration of geographical indications, <i>notably</i> the tasks conferred on it by means of <i>Commission delegated acts adopted in accordance with Article [...] of Regulation (EU) .../... of the European Parliament and of the Council</i> [Regulation on GIs]	(f) administration <i>and promotion</i> of geographical indications, and the tasks conferred on it by means of Regulation (EU) .../... of the European Parliament and of the Council [Regulation on GIs].	<i>Delete</i>



Justification

The parallelism with Art.61 of the Proposal for a Regulation of the European Parliament and of the Council on geographical indication protection for craft and industrial products made in the justification for the JURI amendment is not relevant.

EUIPO cannot be in charge of the promotion of agricultural GIs that is done through the EU Agricultural Promotion Policy. Within this framework, the European Commission also carries out own-initiative programmes to promote GIs (online, cooking shows, degustation's etc.).