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Mr Ondřej BENEŠÍK
Chair of the Committee on European Affairs
of the Poslanecká sněmovna
Sněmovní 4
CZ – 118 26 PRAGUE 1

Cc Ms Markéta PEKAROVÁ ADAMOVÁ
President of the Poslanecká sněmovna
Sněmovní 4
CZ – 118 26 PRAGUE 1

Dear Chair,

The Commission would like to thank the Poslanecká sněmovna for its Opinion on the proposal for a Regulation of the European Parliament and of the Council on geographical indication protection for craft and industrial products and amending Regulations (EU) 2017/1001 and (EU) 2019/1753 of the European Parliament and of the Council and Council Decision (EU) 2019/1754 {COM(2022) 174 final}.

We would like to provide some clarifications on behalf of the Commission within this letter. The Poslanecká sněmovna's Opinion has also been shared with the relevant Commission services and will form part of the briefing files during the ongoing legislative process, involving both the European Parliament and the Council.

First of all, with respect to the background of the proposal, the Commission is delivering on its 2020 Communication, which is entitled 'Making the most of the EU's innovative potential – An intellectual property action plan to support the EU's recovery and resilience'. Within this Communication, the Commission announced that it would consider, on the basis of an impact assessment, whether to propose an EU protection system for "non-agricultural" geographical indications. The Commission is also responding to the Council Conclusions of 10 November 2020¹ and of 25 June 2021² and the European Parliament Report on the Intellectual Property action plan of 14.10.2021³.

The proposal is based on an impact assessment and has various objectives. The primary objective is to establish a directly applicable geographical indication protection for craft and industrial products at Union level. Creating a set of rules designed to put in place a self-standing, coherent system for geographical indications will empower producers to protect their products at Union level through the establishment of a uniform EU specific scheme.

¹ [Council conclusions](#) on intellectual property policy and the revision of the industrial designs system in the Union of 10 November 2020.

² [Council conclusions](#) on intellectual property policy of 25 June 2021.

³ 2021/2007(INI)

The proposal also seeks to improve the visibility of authentic craft and industrial products on consumer markets by creating an EU GI logo, which is a valuable marketing tool. In addition, it aims to develop the potential for tourism, attract and keep qualified work force, as well as safeguard the cultural heritage of the regions in which producers operate, by promoting the authenticity of these products and by enhancing the reputation of the geographical areas from where these products originate. This proposal also takes into account the special needs of micro, small or medium-sized enterprises by establishing an affordable and applicant-friendly registration procedure.

Furthermore, the proposal aims to ensure that producers can fully benefit from the protection granted by EU trade agreements that currently only cover agricultural geographical indication products. It also seeks to ensure an international framework for the registration and protection of geographical indications by enabling the producers who hold a registered craft and industrial geographical indication to protect their products in all countries that are signatories to the Geneva Act of the Lisbon Agreement on Appellations of Origins and Geographical Indications.

In addition, the proposal links the new EU protection scheme to the Lisbon system. At Union level the European Union Intellectual Property Office and at national level, the Member States' public authorities will administer the registration procedures provided by the new EU protection scheme.

The Commission welcomes the Poslanecká sněmovna's support in particular with respect to the aims of the proposal to help small and medium-sized enterprises, support tourism and jobs in rural areas. It notes that if the proposal is fully consistent with the current EU programming priorities, producers of craft and industrial products should fully benefit from the international framework for the registration and protection of geographical indications enshrined in the Geneva Act. Indeed, efforts must be made to reduce as much as possible the administrative burden associated with the new Regulation for Member States that do not have a specific protection and the appropriate administrative apparatus in place.

We hope that the clarifications provided in this reply address the issues raised by the Poslanecká sněmovna. The Commission looks forward to continuing the political dialogue in the future. The Czech Presidency of the Council seeks to achieve as soon as possible a general approach on the proposal.

Yours faithfully,

*Maroš Šefčovič
Vice-President*

*Thierry Breton
Member of the Commission*