

## Indications of geographical origin

With the provision (EU) No. 1151/2012 issued by the European Parliament and the Council dated 21 November 2012 concerning quality regulations for agricultural products and foodstuff, certain food and agricultural products can be protected as being from a geographic location. The respective implementation statutes in Germany are found in Section 126 et seq. of the German Trademark Act. This is intended to ensure the quality and variety of products in agriculture, fishery, and aquaculture within the European Union and to protect certain food and agricultural products by specific identifiable features, in particular those that indicate a link to their geographic origin.

A differentiation is made between two instruments for establishing a connection between a product and its geographical origin. Firstly, there is the protected designation of origin (PDO) and, secondly, the protected geographical indication (PGI). In both cases the name of a specific geographical place, a certain region, or a certain country must be reflected in the name of the product.

In the case of PDO it is absolutely essential that the creation, processing, and production of the commodity in the respective geographical area follow a recognized and defined procedure.

In the case of PGI it is sufficient if at least one stage of the creation, processing and production has a connection with the area of origin, whereby the special features of the product that has such a connection to its geographic origin must be attributable primarily to said region of origin.

The application for the registration of a geographical indication, which can as a rule be prepared by the trade association of food producers or processors, has to be filed with the German Patent and Trademark Office, wherein said application must include a product purchasing specification showing the link between the product and the geographical origin.

A product protected by geographic indication is recognizable by one of the following certification marks:



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