



Council of the
European Union

Brussels, 22 March 2023
(OR. en)

7673/23

Interinstitutional File:
2022/0115(COD)

PI 39
COMPET 250
MI 224
IND 132
AGRI 151
IA 49
CODEC 438

NOTE

From: Presidency
To: Delegations

No. prev. doc.: 14703/22
No. Cion doc.: 8205/22 + ADD1-5

Subject: 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
- Four-column document

Delegations will find attached the text of the four-column document for the above-mentioned proposal, containing the initial positions of the institutions.

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 (Text with EEA relevance)

2022/0115(COD)

www.parliament.gv.at

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
1	2022/0115 (COD)	2022/0115 (COD)	2022/0115 (COD)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Proposal Title				
2	<p>Proposal for a</p> <p>REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL</p> <p>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</p> <p>(Text with EEA relevance)</p>	<p>Proposal for a</p> <p>REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL</p> <p>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</p> <p>(Text with EEA relevance)</p>	<p>Proposal for a</p> <p>REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL</p> <p>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</p> <p>(Text with EEA relevance)</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
Citation 1				
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 118(1), as well as Article 207(2), thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 118(1), as well as Article 207(2), thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular the first subparagraph of Article H18(1)118 , as well as Article 207(2), thereof,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Citation 2				
5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	
Citation 3				
6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	
Citation 4				
7				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Having regard to the opinion of the European Economic and Social Committee¹,</p> <p>_____</p> <p>1. OJ C [...], [...], p. [...].</p>	<p>Having regard to the opinion of the European Economic and Social Committee¹,</p> <p>_____</p> <p>1. OJ C [...], [...], p. [...].</p>	<p>Having regard to the opinion of the European Economic and Social Committee¹,</p> <p>_____</p> <p>1. OJ C [...], [...], p. [...].</p>	
Citation 5				
8	<p>Having regard to the opinion of the Committee of the Regions¹,</p> <p>_____</p> <p>1. OJ C [...], [...], p. [...].</p>	<p>Having regard to the opinion of the Committee of the Regions¹,</p> <p>_____</p> <p>1. OJ C [...], [...], p. [...].</p>	<p>Having regard to the opinion of the Committee of the Regions¹,</p> <p>_____</p> <p>1. OJ C [...], [...], p. [...].</p>	
Citation 6				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
9	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	
Formula				
10	Whereas:	Whereas:	Whereas:	
Recital 1				
11	(1) On 10 November 2020, the Council adopted conclusions ¹ on intellectual property policy indicating that it was ready to	(1) On 10 November 2020, the Council adopted conclusions ¹ on intellectual property policy indicating that it was ready to	(1) On 10 November 2020, the Council adopted conclusions ¹ on intellectual property policy indicating that it was ready to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>consider the introduction of a system for specific protection of non-agricultural products, based on a thorough impact assessment of its potential costs and benefits.</p> <p>_____</p> <p>1. Council conclusions on intellectual property policy and the revision of the industrial designs system in the Union, 10 November 2020.</p>	<p>consider the introduction of a system for specific protection of non-agricultural products, based on a thorough impact assessment of its potential costs and benefits.</p> <p>_____</p> <p>1. Council conclusions on intellectual property policy and the revision of the industrial designs system in the Union, 10 November 2020.</p>	<p>consider the introduction of a system for specific geographical indication protection of non-agricultural products, based on a thorough impact assessment of its potential costs and benefits.</p> <p>_____</p> <p>1. Council conclusions on intellectual property policy and the revision of the industrial designs system in the Union, 10 November 2020 (OJ C 379 I, 10.11.2020, p. 1).</p>	
Recital 2				
12	(2) In its Communication of 25 November 2020 entitled ‘Making the most of the EU’s innovative	(2) In its Communication of 25 November 2020 entitled ‘Making the most of the EU’s innovative	(2) In its Communication of 25 November 2020 entitled ‘Making the most of the EU’s innovative	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	potential – An intellectual property action plan to support the EU’s recovery and resilience’, the Commission committed itself to considering, based on an impact assessment, whether to propose a Union system of geographical indications (GIs) protection for non-agricultural products.	potential – An intellectual property action plan to support the EU’s recovery and resilience’, the Commission committed itself to considering, based on an impact assessment, whether to propose a Union system of geographical indications (GIs) protection for non-agricultural products.	potential – An intellectual property action plan to support the EU’s recovery and resilience’, the Commission committed itself to considering, based on an impact assessment, whether to propose a Union system of geographical indications (GIs) indication protection for non-agricultural products.	
12a		<u>(2a) In its Resolution of 11 November 2021 on an intellectual property action plan to support the EU’s recovery and resilience, Parliament highlighted that</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>recognition of GIs for non-agricultural products is relevant for the priorities of EU programmes currently in development, citing the fact that Parliament is supporting the Commission in its initiative to establish, based on a thorough impact assessment, an effective and transparent EU-level protection of GIs for non-agricultural products, in order to align with, inter alia, the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications, which the EU has signed and which includes the option to protect GIs for both agricultural and non-agricultural products.</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
12b			<p>(2a) In order for the Union to be able to exercise fully its exclusive competence in relation to the common commercial policy of the Union, and in full compliance with its commitments under the Agreement on the Trade-Related Aspects of Intellectual Property Rights (TRIPS) of the World Trade Organization, on 26 November 2019, the Union acceded to the 2015 Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications¹ ('the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>Geneva Act'), which is administered by the World Intellectual Property Organization (WIPO). The Geneva Act offers a means to obtain protection of geographical indications, regardless of the nature of the goods to which they apply, and therefore includes craft and industrial products. In order to comply fully with these international obligations, ensuring uniform recognition and protection throughout the Union for geographical indications for craft and industrial products is therefore a priority for the Union.</p> <p>_____</p> <p>1. OJ L 271, 24.10.2019, p. 15.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved from recital (6))	
Recital 3				
13	(3) For many years, geographical indication protection has been established at Union level for wines, spirit drinks ¹ , aromatised wines ² , as defined at Union level, as well as agricultural products and foodstuffs ³ , as protected at Union level. It is appropriate to provide Union-wide geographical indication protection in respect of products falling outside the scope of existing regulations, while	(3) For many years, geographical indication protection has been established at Union level for wines, spirit drinks ¹ , aromatised wines ² , as defined at Union level, as well as agricultural products and foodstuffs ³ , as protected at Union level. It is appropriate to provide Union-wide geographical indication protection in respect of products falling outside the scope of existing regulations, while	(3) For many years, geographical indication protection has been established at Union level for wines ¹ , spirit drinks ¹² , aromatised wines ² , as defined at Union level ³ , as well as agricultural products and foodstuffs ³ , as protected at Union level ⁴ . It is appropriate to provide Union-wide geographical indication protection in respect of products falling outside the scope of existing regulations, while	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>ensuring convergence, and aiming at encompassing a large variety of craft and industrial products, such as natural stones, jewellery, textiles, lace, cutlery, glass and porcelain.</p> <hr/> <p>1. Regulation (EU) 2019/787 of the European Parliament and of the Council of 17 April 2019 on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No 110/2008 (OJ L 130, 17.5.2019, p. 1).</p> <p>2. Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common</p>	<p>ensuring convergence, and aiming at encompassing a large variety of craft and industrial products, such as natural stones, jewellery, textiles, lace, cutlery, glass and porcelain. <u>The introduction of this kind of protection system would bring benefits for consumers, by facilitating knowledge of the authenticity of products, have a positive economic impact on micro-enterprises and small and medium enterprises (SMEs) by encouraging competitiveness, and have a general impact on employment, development and tourism in rural and less developed areas. Furthermore, such a system of protection of geographical indication for craft and industrial products would also</u></p>	<p>ensuring convergence, and aiming at encompassing a large variety of craft and industrial products, such as natural stones, woodwork, jewellery, textiles, lace, cutlery, glass, porcelain, hides and skins and raw cotton and porcelain.</p> <hr/> <p>1. Regulation (EU) 2019/787 No 1308/2013 of the European Parliament and of the Council of 17 April 2019 on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No 110/2008 (OJ L 130, 17.5.2019, p. 1) December 2013 establishing a common organisation of the markets in agricultural products and repealing</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347 20.12.2013, p. 671).</p> <p>3. Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).</p>	<p><u><i>facilitate access to third country markets through trade agreements with the Union and would materialise their full potential when considered as a tool for public policy and not solely an intellectual property tool.</i></u></p> <hr/> <p>1. Regulation (EU) 2019/787 of the European Parliament and of the Council of 17 April 2019 on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No 110/2008 (OJ L 130, 17.5.2019, p. 1).</p> <p>2. Regulation (EU) No 1308/2013 of the European Parliament and of the Council of</p>	<p>Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671).</p> <p>2. Regulation (EU) No 1308/20132019/787 of the European Parliament and of the Council of 17 December 2013 April 2019 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347 20.12.2013, p. 671) on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No 110/2008 (OJ L 130, 17.5.2019, p. 1).</p> <p>3. No 1308/2013 of the European</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p>17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347 20.12.2013, p. 671).</p> <p>3. Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).</p>	<p>Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347, 20.12.2013, p. 671). Regulation (EU) No 1151/2012 No 251/2014 of the European Parliament and of the Council of 21 November 2012 26 February 2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products and repealing Council Regulation (EEC) No 1601/91 (OJ L 84, 20.3.2014, p. 14). Geographical indication protection in relation to aromatised wines was repealed by Regulation (EU) 2021/2117 of the European Parliament and of the Council of 2 December 2021, amending Regulations (EU) No 1308/2013 establishing a common organisation of the markets in agricultural products, (EU) No 1151/2012 on quality schemes for</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>agricultural products and foodstuffs, (EU) No 251/2014 on the definition, description, presentation, labelling and the protection of geographical indications of aromatised wine products and (EU) No 228/2013 laying down specific measures for agriculture in the outermost regions of the Union (OJ L 435, 6.12.2011, p. 262)-(OJ L 343, 14.12.2012, p. 1).</p> <p>4. Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).</p>	
Recital 4				
14	(4) Several Member States have national regimes for the protection	(4) Several Member States have national regimes for the protection	(4) Several Member States have national regimes for the protection	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>of national geographical indications for craft and industrial products. These regimes differ in terms of protection, administration and fees, and do not offer protection beyond the national territory. Other Member States do not provide for geographical indication protection at national level for such products. That complex landscape of various protection regimes at Member States level may result in increased costs and legal uncertainty for producers and be a disincentive to investment in the traditional crafts in the Union.</p>	<p>of national geographical indications for craft and industrial products. These regimes differ in terms of protection, administration and fees, and do not offer protection beyond the national territory. Other Member States do not provide for geographical indication protection at national level for such products. That <i>fragmented and</i> complex landscape of various protection regimes at Member States level may result in increased costs and legal uncertainty for producers and be a disincentive to investment in the traditional crafts in the Union.</p> <p><i>Harmonised protection at Union level is essential for creating the legal certainty necessary for all players, while guaranteeing</i></p>	<p>of national geographical indications for craft and industrial products. These regimes differ in terms of protection, administration and fees, and do not offer protection beyond the national territory. Other Member States do not provide for geographical indication protection at national level for such products. That complex landscape of various protection regimes at Member StatesState level may result in increased costs and legal uncertainty for producers and be a disincentive to investment in the traditional crafts in the Union.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>prevention of intellectual property rights violations for manufactured and artisanal products so that the EU can better protect its interests, including at international level.</i></u>		
14a			(4a) Making geographically linked products is often based on local know-how and follows local production methods that are rooted in the cultural and social heritage of the home region of such products. Efficient intellectual property protection has the potential to contribute to increased profitability and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>attractiveness of the traditional craft professions. Specific geographical indication protection is recognised, so as to safeguard and develop cultural heritage both in the agricultural and the craft and industrial areas. Efficient procedures should thus be established for the registration of Union geographical indications protecting the names of craft and industrial products, which take into account regional and local specificities. The geographical indication system for craft and industrial products should ensure that production and marketing traditions are maintained and enhanced.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved from recital (7))	
Recital 5				
15	(5) Unitary protection throughout the Union for the intellectual property rights related to geographical indications can contribute to incentives for the production of quality products, the wide availability of such products for consumers and the creation of valuable and sustainable jobs including in rural and less-developed regions. In particular in view of the potential of	(5) Unitary protection throughout the Union for the intellectual property rights related to geographical indications can contribute to incentives for the production of quality products, <u>to fight against product counterfeiting</u> , the wide availability of such products for consumers and the creation of valuable and sustainable jobs including in rural and less-	(5) Unitary Uniform protection throughout the Union for the this intellectual property rights related to geographical indications can contribute to incentives for right could incentivise the production of quality products, the wide availability of such products for consumers and the creation of valuable and sustainable jobs, notably including in rural and less-developed regions. In particular In	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>geographical indications to contribute to sustainable and highly skilled jobs in rural and less developed regions, producers should aim at creating a substantial proportion of the value of the product designated by a geographical indication within the defined geographical area.</p>	<p>developed regions <u>which would help counter depopulation trends</u>. In particular in view of the potential of geographical indications to contribute to sustainable and highly skilled jobs in rural and less developed regions, producers should aim at <u>entirely creating the product designated by a geographical indication within the defined geographical area</u>. <u>Should this not be possible, only a minor</u>a substantial proportion of the value of the product designated by a geographical indication within the defined<u>should originate from without the</u> geographical area. <u>This might be the case in particular for raw materials</u>.</p>	<p>view of the potential of geographical indications to contribute to sustainable and highly skilled jobs in rural and less developed regions, producers should aim at creating to create a substantial proportion of the value of the product designated by a geographical indication within the defined geographical area.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 6				
16	<p>(6) On 26 November 2019, the Union acceded to the 2015 Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications¹ ('Geneva Act') which is administered by the World Intellectual Property Organization. The Geneva Act offers a means to obtain protection of geographical indications regardless of the nature of the goods to which they apply, including handicrafts and industrial products.</p> <p>_____</p> <p>1. OJ L 271, 24.10.2019, p. 15.</p>	<p>(6) On 26 November 2019, the Union acceded to the 2015 Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications¹ ('Geneva Act') which is administered by the World Intellectual Property Organization. The Geneva Act offers a means to obtain protection of geographical indications regardless of the nature of the goods to which they apply, including handicrafts and industrial products.</p> <p>_____</p> <p>1. OJ L 271, 24.10.2019, p. 15.</p>	<p>(6) On 26 November 2019, the Union acceded to the 2015 Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications ('Geneva Act') which is administered by the World Intellectual Property Organization. The Geneva Act offers a means to obtain protection of geographical indications regardless of the nature of the goods to which they apply, including handicrafts and industrial products.</p> <p>_____</p> <p>1. OJ L 271, 24.10.2019, p. 15.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved to recital (2a))	
Recital 7				
17	(7) Making geographically linked products is often based on local know-how and follows local production methods that are rooted in the cultural and social heritage of the home region of such products. Efficient intellectual property protection has the potential to contribute to increased profitability and attractiveness of the traditional craft professions. Specific geographical indication	(7) Making geographically linked products is often based on local know-how and follows local production methods that are rooted in the cultural and social heritage of the home region of such products. Efficient intellectual property protection has the potential to contribute to increased profitability and attractiveness of the traditional craft professions, <u>the preservation of traditions of</u>	(7) Making geographically linked products is often based on local know-how and follows local production methods that are rooted in the cultural and social heritage of the home region of such products. Efficient intellectual property protection has the potential to contribute to increased profitability and attractiveness of the traditional craft professions. Specific geographical indication	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>protection is acknowledged so as to safeguard and develop cultural heritage both in the agricultural and the craft and industrial areas. Efficient procedures should be established for the registration of Union geographical indications protecting the names of craft and industrial products, which take into account regional and local specificities. The geographical indication system for craft and industrial products should ensure that the production and marketing traditions are maintained and enhanced.</p>	<p><u>production in a known and established way and the promotion of cultural heritage. Geographical indications are collective rights and</u> -specific geographical indication protection is acknowledged so as to safeguard and develop cultural heritage both in the agricultural and the craft and industrial areas. Efficient procedures should be established for the registration of Union geographical indications protecting the names of craft and industrial products, which take into account regional and local specificities. The geographical indication system for craft and industrial products should ensure that the production and marketing traditions are maintained, <u>enhanced, and also</u></p>	<p>protection is acknowledged so as to safeguard and develop cultural heritage both in the agricultural and the craft and industrial areas. Efficient procedures should be established for the registration of Union geographical indications protecting the names of craft and industrial products, which take into account regional and local specificities. The geographical indication system for craft and industrial products should ensure that the production and marketing traditions are maintained and enhanced.</p> <p>(moved to recital (4a))</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>promoted</u> and enhanced .		
Recital 8				
18	(8) It is therefore necessary to firstly, ensure fair competition for producers of craft and industrial products in the internal market; secondly, guarantee the availability to consumers of reliable information pertaining to such products; thirdly, safeguard and develop cultural heritage and traditional know-how; fourthly ensure an efficient registration of geographical indications for craft and industrial products both for the Union and at international level;	(8) It is therefore necessary to firstly, ensure <u>legal certainty</u> , fair competition for producers of craft and industrial products in the internal market; secondly, guarantee the availability to consumers of reliable information pertaining to such products; thirdly, safeguard and develop <u>and promote</u> cultural heritage and traditional know-how; fourthly ensure an efficient registration of geographical indications for craft and industrial products both for the	(8) It is therefore necessary to , firstly, to ensure fair competition for producers of craft and industrial products in the internal market; secondly, guarantee to ensure the availability to consumers of reliable information pertaining to such products; thirdly, to safeguard and develop cultural heritage and traditional know-how; fourthly, to ensure ensure an efficient registration of geographical indications for craft and industrial products both for the , at both	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	fifthly provide for an effective enforcement of intellectual property rights throughout the Union and in electronic commerce within the internal market, and lastly, ensure the link with the international registration and protection system based on the Geneva Act.	Union and at international level; fifthly provide for an effective enforcement of intellectual property rights throughout the Union and in electronic commerce within the internal market, and lastly, ensure the link with the international registration and protection system based on the Geneva Act.	Union and at international level; fifthly, to provide for an effective enforcement of intellectual property rights throughout the Union and in electronic commerce with controls of geographical indications for craft and industrial products throughout the internal market, including in electronic commerce ; and lastly, ensure the to establish a link with the international registration and protection system based on the Geneva Act.	
Recital 9				
19	(9) To provide for a full coverage	(9) To provide for a full coverage	(9) To provide for a full coverage	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>of craft and industrial products eligible for GI protection (i.e. those having characteristics, attributes or reputation linked to their place of production or manufacturing), the scope of this Regulation needs to be determined in line with the relevant international framework, namely, the World Trade Organization. Hence, the use of the Combined Nomenclature should be established through direct reference to Annex I to Council Regulation No 2658/87¹. This approach ensures coherence with the scope of the revised GI Regulation for agricultural products, foodstuff, wine and spirits.</p> <p>_____</p>	<p>of craft and industrial products eligible for GI protection (i.e. those having characteristics, attributes or reputation linked to their geographical origin, place of production or manufacturing), the scope of this Regulation needs to be determined in line with the relevant international framework, namely, the World Trade Organization. <i>Hence, the use of the Combined Nomenclature should be established through direct reference to Annex I to Council Regulation No 2658/87¹. This approach ensures coherence with the scope of the revised GI Regulation for agricultural products, foodstuff, wine and spirits.</i></p> <p>_____</p>	<p>of craft and industrial products eligible for GI protection (i.e. those having characteristics, attributes or reputation linked to their place of production or manufacturing), the scope of this Regulation needs to be determined in line with the relevant international framework, namely, the World Trade Organization. Hence, the use of the Combined Nomenclature should be established through direct reference to Annex I to Council Regulation No 26¹58/87. This approach ensures coherence with the scope of the revised GI Regulation for agricultural products, foodstuff, wine and spirits.</p> <p>_____</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. Council Regulation (EEC) No 2685/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff Regulation (OJ L 256, 7.9.1987 p.1).	1. Council Regulation (EEC) No 2685/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff Regulation (OJ L 256, 7.9.1987 p.1).	1. Council Regulation (EEC) No 2685/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff Regulation (OJ L 256, 7.9.1987 p.1).	
Recital 10				
20	(10) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter. Accordingly, this Regulation should be interpreted and applied in accordance with those rights and principles including the right to protection of personal data, the	(10) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter. Accordingly, this Regulation should be interpreted and applied in accordance with those rights and principles including the right to protection of personal data, the	(10) This Regulation respects the fundamental rights and observes the principles recognised in particular by the Charter. Accordingly, this Regulation should be interpreted and applied in accordance with those rights and principles including the right to protection of personal data, the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	freedom to conduct a business and the right to property, including intellectual property.	freedom to conduct a business and the right to property, including intellectual property.	freedom to conduct a business and the right to property, including intellectual property. (moved to recital (62a))	
Recital 11				
21	(11) The tasks assigned by this Regulation to Member States' authorities, the Commission and the European Union Intellectual Property Office, hereinafter the 'Office', may require the processing of personal data, in particular where this is needed to identify applicants in a registration	(11) The tasks assigned by this Regulation to Member States' authorities, the Commission and the European Union Intellectual Property Office, hereinafter the 'Office', may require the processing of personal data, in particular where this is needed to identify applicants in a registration	(11) The tasks assigned by this Regulation to Member States' authorities, the Commission and the European Union Intellectual Property Office, hereinafter the 'Office', may require the processing of personal data, in particular where this is needed to identify applicants in a registration	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>amendment or cancellation procedure, opponents in an opposition procedure or beneficiaries of transitional period granted to derogate from the protection of a registered name..</p> <p>Processing of such personal data is therefore necessary for the performance of a task carried out in the public interest. Any processing of personal data under this Regulation should respect fundamental rights, including the right to respect for private and family life and the right to protection of personal data under Articles 7 and 8 of the Charter and it is essential that Member States comply with Regulation (EU) 2016/679¹ of the European Parliament and of the Council and</p>	<p>amendment or cancellation procedure, opponents in an opposition procedure or beneficiaries of transitional period granted to derogate from the protection of a registered name..</p> <p>Processing of such personal data is therefore necessary for the performance of a task carried out in the public interest. Any processing of personal data <u>and making public</u> of personal data <u>received in the course of the procedures</u> under this Regulation, <u>like for example for registration, approval of amendments, cancellation, opposition, granting of transitional period and control,</u> should respect fundamental rights, including the right to respect for private and family life and the right to protection of personal data under</p>	<p>amendment or cancellation procedure, opponents in an opposition procedure or beneficiaries of transitional period granted to derogate from the protection of a registered name..</p> <p>Processing of such personal data is therefore necessary for the performance of a task carried out in the public interest. Any processing of personal data under this Regulation should respect fundamental rights, including the right to respect for private and family life and the right to protection of personal data under Articles 7 and 8 of the Charter and it is essential that Member States comply with Regulation (EU) 201¹6/679 of the European Parliament and of the Council and</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Directive 2002/58/EC², and the Commission and the Office with Regulation (EU) 2018/1725 of the European Parliament and of the Council³.</p> <hr/> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1).</p> <p>2. Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31. 7.2002, p. 37).</p> <p>3. Regulation (EU) 2018/1725 of the</p>	<p>Articles 7 and 8 of the Charter and it is essential that Member States comply with Regulation (EU) 2016/679¹ of the European Parliament and of the Council and Directive 2002/58/EC², and the Commission and the Office with Regulation (EU) 2018/1725 of the European Parliament and of the Council³. <u>Where the Commission and the Office jointly determine the purposes and means of the data processing, they should be considered joint controllers.</u></p> <hr/> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive</p>	<p>Directive 2002/58/EC, and the Commission and the Office with Regulation (EU) 2018/1725 of the European Parliament and of the Council.</p> <hr/> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1).</p> <p>2. Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31. 7.2002, p. 37).</p> <p>3. Regulation (EU) 2018/1725 of the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).</p>	<p>95/46/EC (OJ L 119, 4.5.2016, p. 1).</p> <p>2. Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31. 7.2002, p. 37).</p> <p>3. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).</p>	<p>European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).</p> <p>(moved to recital (62a))</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
21a		<p><u>(11a) Recognising that in certain geographical areas there is only one producer who wants to submit an application for the registration of a name as geographical indication, the possibility for a single producer to be considered an applicant should be ensured. However, a single producer should not be allowed to apply for protection for its own land or workshop; the geographical area should always refer to natural features and not private property boundaries.</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
21b			<p>(11a) Geographical indications for craft and industrial products, which have characteristics, attributes or a reputation linked to their place of production or manufacturing, are a collective right accessible to be used by all eligible producers in a designated area willing to adhere to a product specification, in accordance with this Regulation. Producers acting collectively have more market power than individual producers and can make use of synergies when managing their geographical indications. Geographical indications reward producers for their efforts to produce a diverse</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			range of quality products.	
21c			<p>(11b) Applications for registration of geographical indications should therefore be submitted by producer groups. By way of exception, a local or regional authority or a private entity designated by a Member State may be an applicant if it is not feasible for the producers to form a group, for example, due to their number, geographical location or organisational characteristics. In such cases, the application for registration of a</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			geographical indication should state these reasons for such designation.	
21d			(11c) The system of geographical indications aims at enabling consumers to make more informed purchasing choices and, in this context, labelling and advertising helps them to identify correctly quality products on the market. Geographical indications, as an intellectual property right, help operators and companies to valorise their intangible assets. To avoid	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>creating unfair conditions of competition and to sustain the internal market, any producer, including a third-country producer, should be able to use a registered name and to market products designated as geographical indications throughout the Union and in electronic commerce, provided that the product concerned complies with the requirements of the relevant specification and that the producer is subject to a system of controls.</p>	
21e				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>(11d) A product is eligible for protection as a geographical indication if it complies with three cumulative criteria: the product should be rooted in or have its origin in a specific place, region, locality or country; at least one of the production steps should take place in this geographical area; and the given quality, reputation or other characteristic of the product is essentially attributable to this geographical origin. To fulfil these criteria, it needs to be demonstrated that the geographical origin is an essential factor in the quality, reputation or other characteristic of the product. These criteria are in line with the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>requirements for geographical indications as set out in the Geneva Act and in Union legislation on the protection of geographical indications for agricultural products, foodstuff, wine and spirits. However, products that are contrary to public policy should be excluded from being the subject of a ‘protected geographical indication’. The necessity to apply the public policy exception should be assessed on a case-by-case basis, and the exception should be applied in accordance with the Treaty on the Functioning of the European Union and the relevant case law of the Court of Justice of the European Union.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 12				
22	(12) Where applicable, the information included in the single document shall be made available through the Digital Product Passport as set out by the Regulation establishing a framework for ecodesign requirements for sustainable products and repealing Directive 2009/125/EC.	(12) Where applicable, the information included in the single document shall <u>may</u> be made available through the Digital Product Passport as set out by the Regulation <u>Regulation .../...</u> establishing a framework for ecodesign requirements for sustainable products and repealing Directive 2009/125/EC.	(12) [Where applicable, the information included in the single document shall <u>should</u> be made available through the Digital Product Passport as set out by the Regulation <u>Regulation .../...</u> establishing a framework for ecodesign requirements for sustainable products and repealing Directive 2009/125/EC ¹ .] 1. [Final wording of this recital subject to outcome of negotiations on COM(2022)142 final of 30.3.2022.]	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
22a		<p><u>(12a) Micro, small and medium-sized enterprises (MSMEs) often have limited resources to deal with administrative tasks. The competent authorities should, therefore, upon request draw up the single document for them on the basis of their product specifications and send it for their approval and the competent authority should also provide all necessary support tools, including financial support and assist MSMEs during the registration procedure.</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 13				
23	<p>(13) Member States should have the possibility to charge a registration fee to cover their costs of managing the geographical indication system for craft and industrial products. Member States should charge lower fees for micro, small or medium-sized enterprises (MSMEs). The Office should not charge a fee for the management of the Union application process. However, the Office should have the possibility to charge a fee for the direct registration. In that case, the fees charged by the Office</p>	<p>(13) Member States should have the possibility to charge a registration fee to cover their costs of managing the geographical indication system for craft and industrial products. Member States should charge lower fees for micro, small or medium-sized enterprises (MSMEs). The Office should not charge a fee for the management of the Union application process. However, the Office should have the possibility to charge a fee for the direct registration. In that case, the fees charged by the Office</p>	<p>(13) Member States should have the possibility to charge a registration fee to cover their costs of managing the geographical indication system for craft and industrial products. Member States should charge lower fees for micro, small or medium-sized enterprises (MSMEs). The Office should not charge a fee for the management of the Union application process. However, the Office should have the possibility to charge a fee for the direct registration. In that case, the fees charged by the Office</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>should be laid down by an implementing act in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <hr/> <p>1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</p>	<p>should be laid down by an implementing act in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹ <u>and the fees charged by the Office should be a lower amount for MSMEs so as not to lead to any discontinuation of the registration procedure.</u></p> <hr/> <p>1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</p>	<p>should be laid down by an implementing act in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <hr/> <p>1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</p> <p>(moved to recital (57a))</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
23a		<p><u>(13a) The Member States should establish details concerning the national stage procedure. However, the admissibility of the opposition and the reasons for denying registration of a geographical indication should be aligned with those at the Union stage.</u></p>		
Recital 14				
24	(14) To qualify for protection in the Member States, geographical indications should be registered only at Union level. However, with	(14) To qualify for ensure protection in <u>all</u> the Member States, geographical indications should be registered only at Union	(14) To qualify for obtain protection in the Member States, geographical indications should be registered only at Union level only .	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>effect from the date of application for such registration at Union level, Member States should be able to grant temporary protection at national level without affecting the internal market of the Union or international trade. The protection afforded by this Regulation upon registration should be equally available to geographical indications of third countries that meet the corresponding criteria and that are protected in their country of origin. The Office should carry out the corresponding procedures for geographical indications originating in third countries.</p>	<p>level. However, with effect from the date of application for such registration at Union level, Member States should be able to grant temporary protection at national level without affecting the internal market of the Union or international trade. The protection afforded by this Regulation upon registration should be equally available to geographical indications of third countries that meet the corresponding criteria and that are protected in their country of origin. The Office should carry out the corresponding procedures for geographical indications originating in third countries.</p>	<p>The standard procedure for an application for registration of a geographical indication under this Regulation should comprise two phases: However, with effect from the date of application for such registration at Union level, Member States should be able to grant temporary protection at national level without affecting the internal market of the Union or international trade responsible for the first phase and the European Union Intellectual Property Office ('the Office') should be responsible for the second phase. Where a Member State has been granted a derogation from the standard procedure, it should be possible for an applicant from that Member State to submit an</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>application for registration directly to the Office. The protection afforded by this Regulation upon registration should be equally available to geographical indications of third countries that meet the corresponding criteria and that are protected in their country of origin. The Office should carry out the corresponding procedures for geographical indications originating in third countries.</p> <p>(second sentence deleted and integrated into recital 19a)</p>	
Recital 15				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
25	<p>(15) The procedures for registration, amendments to the product specification and cancellation of the registration in respect of geographical indications originating in the Union under this Regulation should be carried out by the Member States and the Office. The Member States and the Office should be responsible for distinct stages of the procedures. Member States should be responsible for the first stage, which consists of receiving the application from the applicants, assessing it, running the national opposition procedure, and, following the positive results of the assessment, submitting the Union</p>	<p>(15) The procedures for <u>examination, opposition,</u> registration, amendments to the product specification and cancellation of the registration <u>and appeals</u> in respect of geographical indications originating in the Union under this Regulation should be carried out by the Member States and the Office <u>and this procedure should respond to the transparency requirements</u>. The Member States and the Office should be responsible for distinct stages of the procedures. Member States should be responsible for the first stage, which consists of receiving the application from the applicants, assessing it, running the</p>	<p>(15) The procedures for registration, amendments to the product specification and cancellation of the registration in respect of geographical indications originating in the Union under this Regulation should be carried out by the Member States and the Office. The Member States and the Office should respectively be responsible for the distinct stages of the those procedures. Member States should be responsible for the first stage phase (i.e. the national phase), which consists of receiving the application from the applicants, assessing it, running the national opposition procedure; and, following the positive</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>application to the Office. The Office should be responsible for examining the applications in the second stage of the procedure, running the worldwide opposition procedure and taking a decision on granting or refusing the protection to the geographical indication. The Office should also carry out the corresponding procedures for geographical indications originating in third countries, without prejudice to the direct registration procedure.</p>	<p>national opposition procedure, and, following the positive results of the assessment, submitting the Union application to the Office. The Office should be responsible for examining the applications in the second stage of the procedure, running the worldwide opposition procedure and taking a decision on granting or refusing the protection to the geographical indication. The Office should also carry out the corresponding procedures for geographical indications originating in third countries, without prejudice to the direct registration procedure.</p>	<p>resultscompletion of the assessmentfirst phase, submitting the Union application to the Office to launch the second phase. Member States should establish the detailed procedural arrangements for the national phase, which may include consultations between the applicant and national opponents, as well as the submission by the applicant of a report on the outcome of these consultations, and of any changes made to the application. The Office should be responsible for examining the applications in the second stagephase of the procedure (i.e. the Union phase), running the worldwide opposition procedure and taking a decision on</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			granting or refusing the protection to the geographical indication. The Office should also carry out the corresponding procedures for geographical indications originating in third countries, without prejudice to the direct registration procedure.	
Recital 16				
26	(16) In order to facilitate the management of GI applications by national authorities, it should be possible for two or more Member States to: (i) cooperate in the management of the national phase of the procedures, including those	(16) In order to facilitate the management of GI applications by national authorities, it should be possible for two or more Member States to: (i) cooperate in the management of the national phase of the procedures, including those	(16) In order to facilitate the management of GI geographical indication applications by national authorities, it should be possible for two or more Member States to: (i) cooperate in the management of the national phase of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>procedures for registration, examination, national opposition, submission of the Union application to the Office, amendments to the product specification and cancellation of the registration, and (ii) decide that one of them manages these procedures also on behalf of the other Member State or Member States concerned. In those cases, all the Member States concerned should inform the Commission without delay, providing the necessary information.</p>	<p>procedures for registration, examination, national opposition, submission of the Union application to the Office, amendments to the product specification and cancellation of the registration, and (ii) decide that one of them manages these procedures also on behalf of the other Member State or Member States concerned. In those cases, all the Member States concerned should inform the Commission without delay, providing the necessary information.</p>	<p>procedures, including those procedures for registration, examination, national opposition, submission of the Union application to the Office, amendments to the product specification and cancellation of the registration;; and (ii) decide that one of them manages these procedures also on behalf of the other Member State or Member States concerned. In those cases, all the these Member States concerned should inform the Commission, without delay, providing the necessary information inform the Commission accordingly.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 17				
27	<p>(17) It is possible for certain Member States to obtain a derogation from the Member States' obligation to designate a national authority in respect of geographical indications for craft and industrial products to take charge of the procedures for registration, national opposition, amendments to the product specification and cancellation of the registration under certain circumstances specified in this Regulation. That derogation, that should take the form of a Commission Decision, takes into account the fact that certain</p>	<p>(17) It is possible for certain Member States to obtain a derogation from the Member States' <u>opt out from their</u> obligation to designate a national authority in respect of geographical indications for craft and industrial products to take charge of the procedures for registration, national opposition, amendments to the product specification and cancellation of the registration under certain circumstances specified in this Regulation. That derogation, that should take the form of a Commission Decision, <u>takes can also take</u> into account</p>	<p>(17) Under certain circumstances, it should be is possible for certain Member States to obtain a derogation from the Member States' obligation to designate a national authority in respect of geographical indications for craft and industrial products to take charge run the national phase of the procedures for registration, including national opposition, amendments to the product specification and cancellation of the registration under certain circumstances specified in this Regulation. That derogation, that should take the form of a</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Member States do not have a specific national system for the management of geographical indications for craft and industrial products and that the local interest in these countries to protect these geographical indications is minimal. Under these circumstances, it would not be justified to oblige the respective Member State to set up an infrastructure, employ the necessary personnel and purchase facilities for the management of these geographical indications. It is more effective and economical to provide an alternative procedure for the producer groups from these Member States to protect their products by a geographical indication. The "direct registration</p>	<p>the fact that certain Member States do not have a specific national system for the management of geographical indications for craft and industrial products and that the local interest in these countries to protect these geographical indications is minimal. <i>Under these circumstances, it would not be justified to oblige the respective Member State to set up an infrastructure, employ the necessary personnel and purchase facilities for the management of these geographical indications.</i> It is more effective and economical to provide an alternative procedure for the producer groups from these Member States to protect their products by a geographical indication. The "direct registration</p>	<p>Commission Decision, takes into account the fact that certain Member States do not have a specific national system for the management protection of geographical indications for craft and industrial products and, that the local interest in these countries to protect these geographical indications is minimal, and that, under these circumstances, it would not be justified to oblige the respective Member State in question to set up an infrastructure, employ the necessary personnel and purchase facilities for the management of these geographical indications. It is more effective and economical all the infrastructure needed . It would be more efficient and cost-</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>procedure” has cost advantages reaped by Member States. Pursuant to this derogation, procedures for registration, amendments to the product specification and cancellation should be managed directly by the Office. In this regard the Office should receive the effective assistance of the administrative authorities of that Member State when required by the Office, through designation of a contact point, as regards in particular aspects related to the examination of the application. In those cases, the Office should be entitled to charge a registration fee, considering that this procedure generates more work for the Office than the management of Union applications. However, the</p>	<p>procedure" has cost advantages reaped by Member States. Pursuant to this derogation, procedures for registration, amendments to the product specification and cancellation should be managed directly by the Office. In this regard the Office should receive the effective assistance of the administrative authorities of that Member State when required by the Office, through designation of a contact point, as regards in particular aspects related to the examination of the application. In those cases, the Office should be entitled to charge a registration fee, considering that this procedure generates more work for the Office than the management of Union applications. However, the</p>	<p>effective to provide an alternative procedure for the path for producer groups from these Member States to protect their products, namely a ‘by a geographical indication. The "direct registration procedure" has cost advantages reaped by Member States. Pursuant to this derogation, procedures for registration, amendments to the product specification and cancellation should be managed directly by’ with the Office. In this regard the Office should receive the effective assistance of the administrative authorities of that Member State when required by the Office, through designation of a contact point, as regards in particular aspects related to the examination of the application. In those cases,</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>application of the “direct registration procedure” should not exempt Member States from the obligation to designate a competent authority for the controls and enforcement and to take the necessary actions to enforce the rights set out in this Regulation. The competent authority maintained or designated for the management of the geographical indications and the competent authority designated for the controls and enforcement may differ, when a Member State so decides.</p>	<p>application of the "direct registration procedure" should not exempt Member States from the obligation to designate a competent authority for the controls and enforcement and to take the necessary actions to enforce the rights set out in this Regulation. The competent authority maintained or designated for the management of the geographical indications and the competent authority designated for the controls and enforcement may differ, when a Member State so decides.</p>	<p>the Office should be entitled to charge a registration fee, considering that this procedure generates more work for the Office than the management of Union applications. However, the application of the "direct registration procedure" should not exempt This alternative would also yield cost advantages for Member States from the obligation to designate a competent authority for the controls and enforcement and to take the necessary actions to enforce the rights set out in this Regulation. The competent authority maintained or designated for the management of the geographical indications and the competent authority designated for the controls and enforcement may</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>differ, when a Member State so decides..</p> <p>(final 2 sentences moved to recitals 18a and 18b)</p>	
Recital 18				
28	<p>(18) The Commission, after reviewing the information provided by the Member State, should adopt a Commission Decision establishing the right of the Member State to opt for the exceptional direct registration procedure. Accordingly, the Commission should retain the right</p>	<p><i>deleted</i></p>	<p>(18) The Commission, after reviewing the information provided by the Member State, should adopt a Commission decision establishing the right of the Member State to opt for the exceptional direct registration procedure. Accordingly, The Commission, when examining a</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>to modify and withdraw a Decision allowing a Member State to opt for the “direct registration procedure”, should the conditions not be met by the Member State concerned. This is, for example, the case should the number of direct applications submitted by applicants from that Member State exceed the original number estimated by that Member State in a recurrent manner over time.</p>		<p>request for a derogation, should assess all relevant circumstances, including for instance the number of existing protected products, the number of potentially interested producers and producer groups in the respective Member State, the size of the population of the respective Member State, information on sales, manufacturing capacities, markets for the products in question, and other data that the Member State considers as relevant information to demonstrate low interest at national level. Information gathered via a public consultation, a market survey, market analysis, or letters from</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>relevant professional chambers or from any other relevant official instances may for instance be used by the Commission to take a decision.</p> <p>The Commission should retain the right to modify and or to withdraw a decision allowing a Member State to opt for the "direct registration procedure", should the conditions not cease to be met by the Member State concerned. This is, for example, would be the case should the number of direct applications submitted by applicants from that Member State exceed, in a recurrent manner over time, the original number estimated by that Member State in a recurrent manner over time.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
28a			<p>(18a) Pursuant to this derogation, procedures for registration, amendments to the product specification and cancellation should be managed directly by the Office. In this regard, the Office should receive the assistance of the administrative authorities of the Member State concerned when needed by the Office, through designation of a national single point of contact, as regards, in particular, aspects related to the examination of the application.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>The single point of contact should have the necessary expertise and local knowledge on geographical indications. The single point of contact, when assisting the Office, may consult other experts with product- and/or sector-specific knowledge.</p> <p>(moved from recital (17))</p>	
28b			<p>(18b) However, the application of the direct registration procedure should not exempt Member States from the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>obligation to designate a competent authority for controls and to take the necessary action to enforce the rights set out in this Regulation.</p> <p>(moved from recital (17))</p>	
Recital 19				
29	(19) To ensure coherent decision-making as regards applications for protection and judicial challenges against them, submitted in the national procedure, the Office should be informed in a timely and regular manner when procedures	(19) To ensure <i>efficient and</i> coherent decision-making as regards applications for protection and judicial challenges against them, submitted in the national procedure, the Office should be informed in a timely and regular	(19) To ensure coherent consistent decision-making as regards applications for protection and judicial challenges against them, submitted in the national procedure, the Office should be informed in a timely and regular	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>are launched before national courts or other bodies concerning an application for registration forwarded by the Member State to the Office and of their final results. For the same reason, where a Member State considers that a national decision on which the application for protection is based is likely to be invalidated as a result of national judicial proceedings, it should inform the Office of that assessment. If the Member State requests the suspension of the examination of an application at Union level, the Office should be exempted from the obligation to meet the deadline for examination established therein. In order to protect the applicant from vexatious legal</p>	<p>manner when procedures are launched before national courts or other bodies concerning an application for registration forwarded by the Member State to the Office and of their final results. For the same reason, where a Member State considers that a national decision on which the application for protection is based is likely to be invalidated as a result of national judicial proceedings, it should inform the Office of that assessment <i>without undue delay</i>. If the Member State requests the suspension of the examination of an application at Union level, the Office should be exempted from the obligation to meet the deadline for examination established therein. In order to</p>	<p>manner when of procedures are launched before national courts or other bodies concerning an application for registration forwarded submitted by the competent authority of a Member State to the Office, and of their final results. For the same reason, where a Member State considers that a national decision on which the application for protection is based is likely to be invalidated as a result of national judicial proceedings, it the competent authority should inform keep the Office of that assessment. If the Member State requests the suspension of the examination of an application at Union level, the Office should be exempted from the obligation to meet the deadline</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	actions and to preserve the applicant's right to secure the protection of a name within a reasonable time, the exemption should be limited to cases in which the application for registration has been invalidated at national level by an immediately applicable but not final judicial decision or in which the Member State considers that the action to challenge the validity of the application is based on valid grounds.	protect the applicant from vexatious legal actions and to preserve the applicant's right to secure the protection of a name within a reasonable time, the exemption should be limited to cases in which the application for registration has been invalidated at national level by an immediately applicable but not final judicial decision or in which the Member State considers that the action to challenge the validity of the application is based on valid grounds.	for examination established therein. In order to protect the applicant from vexatious legal actions and to preserve the applicant's right to secure the protection of a name within a reasonable time, the exemption should be limited to cases in which the application for registration has been invalidated at national level by an immediately applicable but not final judicial informed of any national administrative and judicial proceedings against the said competent authority's decision or in which the Member State considers that the action to challenge the validity of the application is based on valid grounds that may affect the registration of a geographical	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			indication.	
29a			<p>(19a) With effect from the date of the submission of an application by a Member State for registration at Union level, Member States should be able to grant temporary protection to a geographical indication at national level prior to the completion of the Union phase, without affecting the internal market or the Union's trade policy. Temporary national protection is not possible in the event of direct registration.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 20				
30	(20) To allow operators, whose interests are affected by the registration of a name, to continue to use that name for a limited period of time, while contravening the protection regime, specific derogations for the use of the names in the form of transitional periods should be granted. Such periods can also be allowed to overcome temporary difficulties and with the long-term objective of ensuring that all producers comply with the product specification. Without prejudice to the rules	(20) To allow operators, whose interests are affected by the registration of a name, to continue to use that name for a limited period of time, while contravening the protection regime, specific derogations for the use of the names in the form of transitional periods should be granted. Such periods can also be allowed to overcome temporary difficulties and with the long-term objective of ensuring that all producers comply with the product specification. Without prejudice to the rules	(20) To allow operators, whose interests are affected by the registration of a name geographical indication , to continue to use that name the name of the geographical indication for a limited period of time, while contravening the protection regime, specific derogations for the use of the such names in the form of for transitional periods should be granted by the Office. Such transitional . Such periods can also be allowed in order to overcome temporary difficulties	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	governing conflicts between geographical indications and trademarks, names, which would otherwise contravene the protection of geographical indication, may continue to be used under certain conditions and for a transitional period.	governing conflicts between geographical indications and trademarks, names, which would otherwise contravene the protection of geographical indication, may continue to be used under certain conditions and for a transitional period.	and , with the long-term objective of ensuring that all producers comply with the product specification. Without prejudice to the rules governing conflicts between geographical indications and trademarks, names, which that would otherwise contravene the protection of a geographical indication, may continue to be used under certain conditions and for a transitional period.	
Recital 21				
31	(21) The Commission should have the right to take over from the Office the power to decide	(21) The Commission should have the right to take over from the Office the power to decide	(21) The Commission should, in duly justified cases , have the right to take over from the Office the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	concerning individual applications for registration, amendments to the product specification or cancellation. The Office should remain responsible for the examination of the file, the opposition procedure, when needed, and based on technical considerations, it shall submit a proposal for an implementing act to the Commission. Any Member State or the Office may request the Commission to exercise this prerogative. The Commission may also act on its own initiative.	concerning individual applications for registration, amendments to the product specification or cancellation. The Office should remain responsible for the examination of the file, the opposition procedure, when needed, and based on technical considerations, it shall submit a proposal for an implementing act to the Commission. Any Member State or the Office may request the Commission to exercise this prerogative. The Commission may also act on its own initiative.	power to decide concerning on individual applications for registration, on amendments to the product specification or on cancellation. Any Member State or the Office may request the Commission to exercise this prerogative. The Commission may also act on its own initiative. The Office should in any event remain responsible for the examination of the file, the opposition procedure, when needed, and and , based on technical considerations, it shall submit a proposal should provide a draft for an implementing act to the Commission. Any Member State or the Office may request the Commission to exercise this prerogative. The Commission may	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			also act on its own initiative.	
31a			<p>(21a) For the optimal functioning of the internal market, it is important that producers and other operators concerned, authorities and consumers have quick and easy access to relevant information concerning geographical indications.</p> <p>(moved from recital (24))</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 22				
32	<p>(22) To ensure transparency and uniformity across Member States, it is necessary to establish and maintain an electronic Union register of geographical indications for craft and industrial products. The register should be an electronic database stored within an information system, and should be accessible to the public. The Union register of geographical indications for craft and industrial products should be developed, kept and maintained by the Office and also the personnel for its operation should be provided by the Office.</p>	<p>(22) To <i>avoid fragmentation and</i> ensure transparency and uniformity across Member States, it is necessary to establish and maintain an electronic Union register of geographical indications for craft and industrial products. The register should be an electronic database stored within an information system, and should be <i>easily</i> accessible to the public <i>in machine-readable formats</i>. The Union register of geographical indications for craft and industrial products should be developed, kept and maintained by the Office and also the personnel for its operation</p>	<p>(22) To ensure transparency and uniformity across Member States, it is necessary to establish and maintain an electronic Union register of geographical indications for craft and industrial products: (‘the Union The register’) that is should be an electronic database stored within an information system, and should be accessible to the public. The Union register of geographical indications for craft and industrial products should be developed, kept and maintained by the Office, and also the personnel for its operation should be provided by the Office.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		should be provided by the Office <u>while considering the use of existing databases in order to avoid unnecessary administrative burden.</u>		
Recital 23				
33	(23) The Union negotiates international agreements, including those concerning the protection of geographical indications, with its trade partners. Protection of geographical indications for craft and industrial products throughout the Union can also stem from those agreements, irrespective of the international registrations provided	(23) The Union negotiates international agreements, including those concerning the protection <u>of</u> geographical indications, with its trade partners. Protection of geographical indications for craft and industrial products throughout the Union can also stem from those agreements, irrespective of the international registrations provided	(23) The Union negotiates international agreements, including those concerning the protection of geographical indications, with its trade partners. Protection of geographical indications for craft and industrial products throughout the Union can also stem from those such agreements, irrespective of the international registrations	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>under the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications or the application and registration system set out in this Regulation. In order to facilitate the provision to the public of information about the geographical indications protected in the Union either by virtue of the international registrations provided under the Geneva Act or by virtue of the international agreements with the Union trade partners, and in particular to ensure protection and control of the use to which those geographical indications are put, those geographical indications should be entered in the Union register of geographical indications for craft and industrial products.</p>	<p>under the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications or the application and registration system set out in this Regulation. In order to facilitate the provision to the public of information about the geographical indications protected in the Union either by virtue of the international registrations provided under the Geneva Act or by virtue of the international agreements with the Union trade partners, and in particular to ensure protection and control of the use to which those geographical indications are put, those geographical indications should be entered in the Union register of geographical indications for craft and industrial products.</p>	<p>provided for under the Geneva Act and of the Lisbon Agreement on Appellations of Origin and Geographical Indications or the application and registration system set out in this Regulation. In order to facilitate the provision to the public of information about the Geographical indications protected in the Union either by virtue of the international registrations provided under the Geneva Act or by virtue of the under international agreements with the Union Union's trade partners, and in particular to ensure protection and control of the use to which those geographical indications are put, those geographical indications should be entered in the Union register of should be entered in the Union</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>register in order to facilitate the provision of information to the public and, in particular, to ensure protection and control of the use to which those</p> <p>geographical indications for craft and industrial products are put.</p>	
Recital 24				
34	<p>(24) For the optimal functioning of the internal market, it is important that producers and other operators concerned, authorities and consumers may quickly and easily have access to the relevant information concerning a registered protected geographical</p>	<p>(24) For the optimal functioning of the internal market, it is important that producers and other operators concerned, authorities and consumers may quickly and easily have access to the relevant information concerning a registered protected geographical</p>	<p>(24) For the optimal functioning of the internal market, it is important that producers and other operators concerned, authorities and consumers may quickly and easily have access to the relevant information concerning a registered protected geographical</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	indication.	indication.	indication. (moved to recital (21a))	
Recital 25				
35	(25) It is necessary to ensure that parties that are affected by decisions made by the Office are protected by the law. To that end, provision should be made to allow for an appeal of decisions of the Office, taken in proceedings under this Regulation, before an appeal body of the Office. A Boards of Appeal of the Office should decide on the appeal. Decisions of the	(25) It is necessary to ensure that parties that are affected by decisions made by the Office are protected by the law. To that end, provision should be made to allow for an appeal of decisions of the Office, taken in proceedings under this Regulation, before an appeal body of the Office. A Boards of Appeal of the Office should decide on the appeal. Decisions of the	(25) It is necessary to ensure that parties that are Any party adversely affected by decisions made by a decision of the Office are protected by the law. To that end, provision should be made to allow for an should have the right of appeal of decisions of the Office, taken in proceedings under this Regulation, before an appeal body of the Office. A the Boards	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Boards of Appeal should, in turn, be amenable to actions before the General Court, which has jurisdiction to annul or to alter the contested decision.	Boards of Appeal should, in turn, be amenable to actions before the General Court, which has jurisdiction to annul or to alter the contested decision.	of Appeal of the Office should decide on the appeal . Decisions of the Boards of Appeal should be in turn, be amenable to actions subject to judicial remedy before the General Court of the European Union , which has jurisdiction to annul or to alter the contested decision.	
Recital 26				
36	(26) The Office should establish an information and alert system against the abusive use of craft and industrial geographical indications in the domain name system. This system should inform applicants,	(26) The Office should establish an information and alert system against the abusive use of craft and industrial geographical indications in the domain name system. This system should inform applicants,	(26) The Office should establish an information and alert system against the abusive use of craft and industrial geographical indications in the domain name system. This system should inform applicants,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>on the one hand, about the availability of the geographical indication as a domain name and, on the other hand, provide them with information once a domain name that is conflicting with their geographical indication is registered. Receiving such alerts would allow producers to take appropriate action more quickly and effectively. Registries of country-code top-level domain names, established in the Union, should provide the Office with all the information and data in their possession necessary to run the system as a task carried out in public interest, namely information on the availability of the geographical indication as a domain name and, as far as the</p>	<p>on the one hand, about the availability of the geographical indication as a domain name and, on the other hand, provide them with information once a domain name that is conflicting with their geographical indication is registered. Receiving such alerts would allow producers to take appropriate action more quickly and effectively. Registries of country-code top-level domain names, established in the Union, should provide the Office with all the information and data in their possession necessary to run the system as a task carried out in public interest, namely information on the availability of the geographical indication as a domain name and, as far as the</p>	<p>on the one hand, about the availability of the geographical indication as a domain name and, on the other hand, provide them with information once a domain name that is conflicting with their geographical indication is registered. Receiving such alerts would allow producers to take appropriate action more quickly and effectively. Registries of country-code top-level domain names, established in the Union, should provide the Office with all the information and data in their possession necessary to run the system as a task carried out in public interest, namely information on the availability of the geographical indication as a domain name and, as far as the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>alerts are concerned, the particulars of conflicting domain names, the dates of its application and registration. The information and data should be provided in a machine readable format. Making the information and data available to the Office is proportionate as it serves the legitimate purpose of ensuring better protection and enforcement of geographical indications as intellectual property in the online environment. This is even more so as regarding the alerts the transfer of domain name registration data is explicitly limited to those domain names that are identical or similar and therefore potentially capable of infringing the geographical indication concerned.</p>	<p>alerts are concerned, the particulars of conflicting domain names, the dates of its application and registration. The information and data should be provided in a machine readable format. Making the information and data available to the Office is proportionate as it serves the legitimate purpose of ensuring better protection and enforcement of geographical indications as intellectual property in the online environment. This is even more so as regarding the alerts the transfer of domain name registration data is explicitly limited to those domain names that are identical or similar and therefore potentially capable of infringing the geographical indication concerned.</p>	<p>alerts are concerned, the particulars of conflicting domain names, the dates of its application and registration. The information and data should be provided in a machine readable format. Making the information and data available to the Office is proportionate as it serves the legitimate purpose of ensuring better protection and enforcement of geographical indications as intellectual property in the online environment. This is even more so as regarding the alerts the transfer of domain name registration data is explicitly limited to those domain names that are identical or similar and therefore potentially capable of infringing the geographical indication concerned.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 27				
37	(27) It is necessary to establish an Advisory Board, which is a pool of experts, composed of representatives from Member States and the Commission. The purpose of the Advisory Board is to provide the necessary local knowledge and expertise concerning certain products and knowledge about the local circumstances that may influence the outcome of the procedures laid down in this Regulation. In order to support the Office on its assessment of individual	(27) It is necessary to establish an Advisory Board, which is a pool of experts, composed of representatives from Member States and the Commission. The purpose of the Advisory Board is to provide the necessary local <u>and sectoral</u> knowledge and expertise concerning certain products and knowledge about the local circumstances that may influence the outcome of the procedures laid down in this Regulation. In order to support the Office on its assessment of individual	(27) It is necessary to establish An Advisory Board, which is a pool of composed of experts, composed of representatives from Member States and the Commission. The purpose of the Advisory Board is, should be established to provide the necessary local knowledge and expertise concerning certain products and knowledge about the local circumstances that may influence the outcome of the procedures laid down in this Regulation. In order to support the Office on in its assessment of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>applications at any stage of the examination, opposition, appeal or other procedures with specific technical knowledge, the Geographical Indications Division or the Boards of Appeal, at its own initiative or at the request of the Commission, should have the possibility to consult the Advisory Board. The consultation, when necessary, should also include a general opinion on assessing quality criteria, establishing reputation and renown, determining generic nature of a name, and assessing fair competition in commercial transactions and the risk of confusing consumers. The opinion of the Advisory Board should not be binding. The appointment</p>	<p>applications at any stage of the examination, opposition, appeal or other procedures with specific technical knowledge, the Geographical Indications Division or the Boards of Appeal, at its own initiative or at the request of the Commission, should have the possibility to consult the Advisory Board. The consultation, when necessary, should also include a general opinion on assessing quality criteria, establishing <u>the reputation and renown of a geographical indication</u>, determining generic nature of a name, and assessing fair competition in commercial transactions and the risk of confusing consumers. The opinion of the Advisory Board should not</p>	<p>individual applications at any stage of the examination, opposition, appeal or other procedures with specific technical knowledge, the Geographical Indications Division or the Boards of Appeal, at its own initiative or at the request of the Commission, should have the possibility to consult the Advisory Board. The consultation, when necessary, should also include a general opinion on assessing quality criteria, establishing the reputation and renown of the geographical indication, determining the generic nature of a name, and assessing fair competition in commercial transactions and of the geographical indication, and assessing the risk of confusing</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	procedure of the experts and the operation of the Advisory Board should be specified in the rules of procedure of the Advisory Board approved by the Management Board.	be binding. <u>The Advisory Board should also include experts in the field of the product category concerned, including from academia.</u> The appointment procedure of the experts and the operation of the Advisory Board should be specified in the rules of procedure of the Advisory Board approved by the Management Board.	consumers. The opinion of the Advisory Board should not be binding. The appointment procedure of the experts and the operation of the Advisory Board should be specified in the rules of procedure of the Advisory Board, adopted approved by the Management Board.	
Recital 28				
38	(28) Protection should be granted to names included in the Union register of geographical indications for craft and industrial products to	(28) Protection should be granted to names included in the Union register of geographical indications for craft and industrial products to	(28) Protection should be granted to names included geographical indications entered in the Union register of geographical indications	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>ensure that they are used fairly and in order to prevent practices liable to mislead consumers. In order to strengthen geographical indication protection and to combat more effectively counterfeiting, the protection of geographical indications should also apply to domain names on the internet. Concerning the protection of geographical indications, it is also important to have due regard to the Agreement on Trade-Related Aspects of Intellectual Property Rights, and in particular Articles 22 and 23 thereof, and to the General Agreement on Tariffs and Trade including Article V thereof on freedom of transit, which were approved by Council Decision 94/800/EC¹. Within such legal</p>	<p>ensure that they are used fairly and in order to prevent practices liable to mislead consumers, <u>therefore phonetic or visual similarity to a registered geographical indication should also be taken into consideration</u>. In order to strengthen geographical indication protection and to combat more effectively counterfeiting, the protection of geographical indications should also apply to domain names on the internet. Concerning the protection of geographical indications, it is also important to have due regard to the Agreement on Trade-Related Aspects of Intellectual Property Rights, and in particular Articles 22 and 23 thereof, and to the General Agreement on Tariffs and</p>	<p>for craft and industrial products, to ensure that they are used fairly and in order to prevent practices liable to mislead consumers. In order to strengthen geographical indication protection and to combat more effectively counterfeiting, the protection of geographical indications should also apply to domain names on the internet. Concerning the protection of, in particular as regards comparable products. To establish whether products are comparable to products protected by geographical indications, it is also important to have due regard to the Agreement on Trade-Related Aspects of Intellectual Property Rights, and in particular Articles 22 and 23</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>framework, in order to strengthen geographical indication protection and to combat counterfeiting more effectively, such protection should also apply with regard to goods entering the customs territory of the Union without being released for free circulation, and placed under special customs procedures such as those relating to transit, storage, specific use or processing.</p> <p>_____</p> <p>1. Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994) (OJ L 336, 23.12.1994, p. 1).</p>	<p>Trade including Article V thereof on freedom of transit, which were approved by Council Decision 94/800/EC¹. Within such legal framework, in order to strengthen geographical indication protection and to combat counterfeiting more effectively, such protection should also apply with regard to goods entering the customs territory of the Union without being released for free circulation, and placed under special customs procedures such as those relating to transit, storage, specific use or processing.</p> <p>_____</p> <p>1. Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay</p>	<p>thereof, and to the General Agreement on Tariffs and Trade including Article V thereof on freedom of transit, which were approved by Council Decision 94/800/EC¹. Within such legal framework, in order to strengthen geographical indication protection and to combat counterfeiting more effectively, such protection should also apply with regard to goods entering the customs territory of the Union without being released for free circulation, and placed under special customs procedures such as those relating to transit, storage, specific use or processing</p> <p>account should be taken of all relevant factors. Those factors should include: whether the products have</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		Round multilateral negotiations (1986-1994) (OJ L 336, 23.12.1994, p. 1).	<p>common objective characteristics, such as method of production, physical appearance or use of the same raw material; under which circumstances the products are utilised from the point of view of the relevant public; whether they are frequently distributed through the same channels; and whether they are subject to similar marketing rules.</p> <p>_____</p> <p>†. Council Decision 94/800/EC of 22 December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994) (OJ L 336, 23.12.1994, p. 1).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(deleted sentences moved to recital (28a))	
38a			(28a) In order to strengthen geographical indication protection and to combat counterfeiting effectively, the protection of geographical indications should also apply to domain names on the internet. It is also important to have due regard to the Agreement on Trade-Related Aspects of Intellectual Property Rights, and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>in particular Articles 22 and 23 thereof, and to the General Agreement on Tariffs and Trade, including Article V thereof, on freedom of transit, which was approved by Council Decision 94/800/EC¹. Within that legal framework, to combat counterfeiting more effectively, such protection should also apply with regard to goods entering the customs territory of the Union without being released for free circulation, and placed under special customs procedures such as those relating to transit, storage, specific use or processing.</p> <p>_____</p> <p>1. Council Decision 94/800/EC of 22</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>December 1994 concerning the conclusion on behalf of the European Community, as regards matters within its competence, of the agreements reached in the Uruguay Round multilateral negotiations (1986-1994) (OJ L 336, 23.12.1994, p. 1).</p> <p>(moved from recital (28))</p>	
Recital 29				
39	(29) Clarity is required on the use of a geographical indication in the sale name of a manufactured product of which the product designated by the geographical indication is a part or component.	(29) Clarity is required on the use of a geographical indication in the sale name of a manufactured product of which the product designated by the geographical indication is a part or component.	(29) Clarity is required on It should be ensured that the use of a geographical indication in the sale name of a manufactured product of which the product designated by the geographical	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>It should be ensured that such use is made in accordance with fair commercial practices and does not weaken, does not dilute, or is not detrimental to the reputation of the product designated by the geographical indication. The consent of the producers group or the individual producer of the geographical indication concerned should be required to allow such use.</p>	<p>It should be ensured that such use is made in accordance with fair commercial practices and does not weaken, does not dilute, or is not detrimental to the reputation of the product designated by the geographical indication. The consent of the producers group or the individual producer of the geographical indication concerned should be required to allow such use.</p>	<p>indication is – that contains, as a part or a component. It should be ensured that such use, the product designated by the geographical indication. – is made in accordance with fair commercial practices and does not weaken, does not or dilute, or is not nor is detrimental to the reputation of, the product designated by the geographical indication. The consent of the producers producer group or the individual producer of the geographical indication concerned should be required to allow such use.</p>	
Recital 30				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
40	(30) Generic terms that are similar to, or form part of, a name or term that is protected by a geographical indication should retain their generic status.	(30) Generic terms that are similar to, or form part of, a name or term that is protected by a geographical indication should retain their generic status.	(30) Generic terms that are similar to, or form part of, a name or term that is protected by a geographical indication should retain their generic status. Homonymous names ('homonyms') that are liable to mislead the consumer as to the true identity or geographical origin of the product should not be registered as a geographical indication.	
40a		<u>(30a) Homonymous indications are spelled or pronounced in the</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>same way, but refer to different geographical areas. A name which is wholly or partly homonymous with a geographical indication registered or applied for earlier, should not be registered, unless certain circumstances make its protection justified, considering the need for equal treatment of the producers and the need for consumers not to be misled as to the true origin of the products.</u></p>		
Recital 31				
41	(31) The protection of geographical indications needs to		(31) The protection of relationship between trade marks and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>balance with the protection of homonymous names registered as geographical indications as well as renowned trademarks, in particular in light of the fundamental right to property as set out in Article 17 of the Charter of Fundamental Rights of the European Union as well as obligations resulting from international law.</p>	<p><i>deleted</i></p>	<p>geographical indications needs to balance with the protection of homonymous names registered as should be clarified in relation to criteria for the rejection of trade mark applications, the invalidation of trade marks and coexistence between trade marks and geographical indications. The protection of geographical indications needs to be balanced against the protection of as well as renowned trademarks with a reputation and of well-known marks, in particular in light of the fundamental right to property as set out in Article 17 of the Charter of Fundamental Rights of the European Union, as well as obligations resulting from international law. When assessing</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>the relationship between a geographical indication and a trade mark, any continuity of the protection of a geographical indication established by registration or usage in a Member State, where the geographical indication has been transferred to Union protection in accordance with this Regulation, and any priority claimed in a trade mark application, shall be taken into account.</p> <p>(first sentence moved from recital (34))</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 32				
42	(32) Producer groups play an essential role in the application process for the registration of geographical indications, as well as in the amendment of specifications and cancellation requests. They should be equipped with the necessary means to better identify and market the specific characteristics of their products. The role of the producer group should therefore be clarified.	(32) Producer groups play an essential role in the application process for the registration of geographical indications, as well as in the amendment of specifications and cancellation requests. They should be equipped with the necessary means to better identify and market the specific characteristics of their products. The role of the producer group should therefore be clarified.	(32) Producer groups play an essential role in the application process for the registration of geographical indications, as well as in the amendment of amendments to product specifications and in cancellation requests. They should be equipped with the necessary means to better identify and market better the specific characteristics of their products. The role of the producer group groups should therefore be clarified specified .	
Recital 33				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
43	<p>(33) The relationship between internet domain names and geographical indications should be clarified as regards the scope of the application of the remedy measures, the recognition of geographical indications in dispute resolution, and the fair use of domain names. Persons having a legitimate interest in a registered geographical indication should be empowered to request for the revocation or the transfer of the domain name in case the conflicting domain name has been registered by its holder without rights or legitimate interest in the geographical indication or if it has been registered or is being used in</p>	<p>(33) The relationship between internet domain names and geographical indications should be clarified as regards the scope of the application of the remedy measures, the recognition of geographical indications in dispute resolution, and the fair use of domain names. <i>Persons having a legitimate interest in a registered geographical indication</i> <u>The holders of a registered geographical indication or a producer group having a legitimate interest in it</u> should be empowered to request for the revocation or the transfer of the domain name in case the conflicting domain name has been</p>	<p>(33) The relationship between internet Country-code top-level domain names and geographical indications should be clarified as regards the scope of the application of the remedy measures, the recognition of geographical indications in dispute resolution, and the fair use of domain names. Persons having a legitimate interest in a registered geographical indication should be empowered to request for the revocation or the name registries established in the Union and offering alternative dispute resolution procedures to solve disputes relating to the registration of domain names should be encouraged to ensure</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	bad faith and its use contravenes the protection of a geographical indication. Alternative dispute resolution procedures should not prejudice the possibility of bringing domain name disputes before a national court.	registered by its holder without rights or legitimate interest in the geographical indication or if it has been registered or is being used in bad faith and its use contravenes the protection of a geographical indication. Alternative dispute resolution procedures should not prejudice the possibility of bringing domain name disputes before a national court.	that such procedures also cover geographical indications. Following an appropriate alternative dispute resolution procedure or judicial procedure, country-code top-level domain name registries established in the Union may revoke or transfer of the domain name in case the conflicting registered under a country-code top-level domain, where a domain name registration contravenes the protection of a name has been registered by its holder without rights or legitimate interest in the geographical indication, or the domain name or if it has been registered or is being used in bad faith, or it has been registered by its holder without having a right	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>or a legitimate interest in the geographical indication. and its use contravenes the protection of a geographical indication.</p> <p>Alternative dispute resolution procedures should not prejudice the possibility of bringing domain name disputes before a national court.</p> <p>(partly moved from Article 41)</p>	
Recital 34				
44	(34) The relationship between trade marks and geographical indications should also be clarified	(34) <u>Even though the link between a product and a region should be protected by a</u>	(34) The relationship between trade marks and geographical indications should also be clarified	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	in relation to criteria for the rejection of trade mark applications, the invalidation of trade marks and the coexistence between trade marks and geographical indications.	<u>geographical indication for craft and industrial products</u> , the relationship between trade marks and geographical indications should also be clarified in relation to <u>could be confusing. It is therefore of utmost importance to clarify the</u> criteria for the rejection of trade mark applications, the invalidation of trade marks and the coexistence between trade marks and geographical indications.	in relation to criteria for the rejection of trade mark applications, the invalidation of trade marks and the coexistence between trade marks and geographical indications. (moved to recital (31))	
Recital 35				
45	(35) In order to avoid creating unfair conditions for competition, any producer, including a third-	(35) In order to avoid creating unfair conditions for competition, any producer, including a third-	(35) In order to avoid creating unfair conditions for competition, any producer, including a third-	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	country producer, should be able to use a registered geographical indication, provided that the product concerned complies with the requirements of the relevant product specification, or single document or equivalent to the latter i.e. a complete summary of the product specification. The system set up by the Member States should also guarantee that producers complying with the rules are covered by the verification of compliance of the product specification.	country producer, should be able to use a registered geographical indication, provided that the product concerned complies with the requirements of the relevant product specification, or single document or equivalent to the latter i.e. a complete summary of the product specification. The system set up by the Member States should also guarantee that producers complying with the rules are covered by the verification of compliance of the product specification.	country producer, should be able to use a registered geographical indication, provided that the product concerned complies with the requirements of the relevant product specification, or single document or equivalent to the latter i.e. a complete summary of the product specification. The system set up by the Member States should also guarantee that producers complying with the rules are covered by the verification of compliance of the product specification.	
Recital 36				
46				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>(36) As it is the first time that an Union-wide geographical indication protection system for craft and industrial product is implemented, it is important to raise awareness among consumers, producers, especially MSMEs and public authorities at national, regional and local level about the initiative.</p>	<p>(36) As it is the first time that an Union-wide geographical indication protection system for craft and industrial product is implemented, it is important<u>the Commission, Member States, the Office and relevant stakeholders are encouraged</u> to raise awareness among consumers, producers, especially MSMEs and public authorities at national, regional and local level about the initiative.</p>	<p>(36) As it is the first time that anthe Union-wide geographical indication protection system for craft and industrial product as provided for in this Regulation is new is implemented, it is important to raise awareness about this initiative among consumers, producers – especially micro, small and medium-sized enterprises –, especially MSMEs and public authorities at nationallocal, regional, national and international and local level. To this end, promotional activities should be carried out on a regular basis by the Office to raise awareness about the initiative.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 37				
47	(37) The symbols, indications and abbreviations identifying a registered geographical indication, and the rights therein pertaining to the Union, should be protected in the Union as well as in third countries with the aim of ensuring that they are used on genuine products and that consumers are not misled as to the qualities of products.	(37) The symbols, indications and abbreviations identifying a registered geographical indication, and the rights therein pertaining to the Union, should be protected in the Union as well as in third countries with the aim of ensuring that they are used on genuine products and that consumers are not misled as to the qualities of products.	(37) The Union symbols, indications and abbreviations identifying a registered geographical indication indications , and the rights therein pertaining to the Union, should be protected in the Union as well as in third countries, with the aim of ensuring that they are used on genuine products and that consumers are not misled as to the qualities of products.	
Recital 38				
48				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(38) The use of Union symbols and indications on the packaging of craft and industrial products designated by a geographical indication should be recommended in order to make this category of products, and the guarantees attached to them, better known to consumers and to permit easier identification of these products on the market, thereby facilitating checks. The use of such symbols or indications should remain voluntary for third-country geographical indications.	(38) The use of Union symbols and indications on the packaging of craft and industrial products designated by a geographical indication should be recommended, <u>also on online sales websites</u> , in order to make this category of products, and the guarantees attached to them, better known to consumers and to permit easier identification of these products on the market, thereby facilitating checks. The use of such symbols or indications should remain voluntary for third-country geographical indications.	(38) The use of Union symbols and indications on the packaging of craft and industrial products designated by a geographical indication should be recommended in order to make this category of products, and the guarantees attached to them, better known to consumers and to permit easier identification of these products on the market, thereby facilitating checks. The use of such symbols or indications should remain voluntary for third-country geographical indications.	
Recital 39				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
49	<p>(39) For the sake of clarity for consumers and to maximise coherence with the revised Regulation for protection of geographical indications for agricultural products, foodstuff, wine and spirits, the Union symbol used on the packaging of craft and industrial products designated by a geographical indication should be identical to the one used on the packaging of agricultural products and foodstuffs, wines and spirit drinks designated by a geographical indication established under Commission Delegated Regulation (EU) 664/2014¹.</p> <p>_____</p>	<p>(39) For the sake of clarity for consumers and to maximise coherence with the revised Regulation for protection of geographical indications for agricultural products, foodstuff, wine and spirits, the Union symbol used on the packaging of craft and industrial products designated by a geographical indication should be identical to the one used on the packaging of agricultural products and foodstuffs, wines and spirit drinks designated by a geographical indication established under Commission Delegated Regulation (EU) 664/2014¹.</p> <p>_____</p>	<p>(39) For the sake of clarity for consumers and to maximise coherence with the revised Regulation Union's rules for protection of geographical indications for agricultural products, foodstuff, wine and spirits, the Union symbol used on the packaging of craft and industrial products designated by a geographical indication should be identical to the one used on the packaging of agricultural products and foodstuffs, wines and spirit drinks designated by a geographical indication established under Commission Delegated Regulation (EU) 664/2014¹.</p> <p>_____</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. Commission Delegated Regulation (EU) No 664/2014 of 18 December 2013 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the establishment of the Union symbols for protected designations of origin, protected geographical indications and traditional specialities guaranteed and with regard to certain rules on sourcing, certain procedural rules and certain additional transitional rules (OJ L 179, 19.6.2014, p. 17).	1. Commission Delegated Regulation (EU) No 664/2014 of 18 December 2013 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the establishment of the Union symbols for protected designations of origin, protected geographical indications and traditional specialities guaranteed and with regard to certain rules on sourcing, certain procedural rules and certain additional transitional rules (OJ L 179, 19.6.2014, p. 17).	1. Commission Delegated Regulation (EU) No 664/2014 of 18 December 2013 supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the establishment of the Union symbols for protected designations of origin, protected geographical indications and traditional specialities guaranteed and with regard to certain rules on sourcing, certain procedural rules and certain additional transitional rules (OJ L 179, 19.6.2014, p. 17).	
	Recital 40			
50	(40) The added value of geographical indications is based	(40) The added value of geographical indications is based	(40) The added value of geographical indications is based	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	on consumer trust. Such trust can only be well-founded if the registration of geographical indications is accompanied by effective verification and controls, including the producer's due diligence.	on consumer trust. Such trust can only be well-founded if the registration of geographical indications is accompanied by effective <u>and reasonable</u> verification and controls. <u>Citizens and consumers should expect that any geographical indication is covered by robust verification and control systems, regardless of whether the products originate from the Union or a third country,</u> including the producer's due diligence.	on consumer trust. Such trust can only be well-founded if the registration of geographical indications is accompanied by effective verification and controls control mechanisms , including the producer's due diligence responsibilities for producers.	
Recital 41				
51	(41) In order to guarantee	(41) In order to guarantee	(41) In order to guarantee	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>consumers of the specific characteristics of craft and industrial products protected by geographical indications, producers should be subject to a system that verifies compliance with the product specification before the product is put on the market. Member States should be free to establish a third-party verification system operated by the competent authorities, and the product certification bodies, to which those authorities delegate certain official control tasks or a verification system based on a producer's self-declaration. The self-declaration should be submitted to the competent authorities assuring conformity with the product specification.</p>	<p>consumers of the specific characteristics of craft and industrial products protected by geographical indications, producers should be subject to a system that verifies compliance with the product specification before the product is put on the market. Member States should be free to establish a third-party verification system operated by the competent authorities, and the product certification bodies, to which those authorities delegate certain official control tasks or a verification system based on a producer's self-declaration. The self-declaration should be submitted to the competent authorities assuring conformity with the product specification.</p>	<p>consumers of ensure consumer trust in the specific characteristics of craft and industrial products protected by geographical indications, producers should be subject to a system based on a producer's self-declaration that verifies compliance with the product specification before and after the product is put on the market. For the purposes of control, Member States should be free to establish a third-party designate competent authorities for verification system operated by of compliance and monitoring. The competent authorities, and the product certification bodies, to which those authorities delegate certain official control tasks or a verification</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>system based on a producer's self-declaration. The self-declaration authority designated for the national phase and the competent authority designated for the controls may differ, when a Member State so decides. Member States should be submitted to the competent authorities assuring conformity with the product specification free to delegate certain control tasks to product certification bodies or natural persons.</p> <p>(second last sentence moved from recital (17))</p> <p>(final sentence moved to beginning of recital (44))</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 42				
52	(42) To guarantee compliance with the product specification after the product has been put on the market, competent authorities should perform official controls in the marketplace on a risk analysis and with appropriate frequency considering the likelihood of non-compliances including fraudulent or deceptive practices.	(42) To guarantee compliance with the product specification after the product has been put on the market, competent authorities should perform official controls in the marketplace <u>market, including in electronic commerce</u> , on a risk analysis and with appropriate frequency considering the likelihood of non-compliances including fraudulent or deceptive practices.	(42) To guarantee compliance with the product specification after the product has been put on the market, competent authorities should perform official controls in the marketplace on a risk analysis and with appropriate frequency considering the likelihood of non-compliances including fraudulent or deceptive practices. (moved to recital (46a))	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 43				
53	(43) Enforcement of geographical indications in the marketplace is important to prevent fraudulent and deceptive practices thus ensuring that the producers of products designated by a geographical indication are properly rewarded for the added value of their products bearing a geographical indication and that illegal users of those geographical indications are prevented from selling their products. Therefore, apart from controls concerning the producers, Member States should also take appropriate administrative and judicial steps to prevent or stop the	(43) Enforcement of geographical indications in the marketplace <u>market</u> is important to prevent fraudulent and deceptive practices thus ensuring that the producers of products designated by a geographical indication are properly rewarded for the added value of their products bearing a geographical indication and that illegal users of those geographical indications are prevented from selling their products. Therefore, apart from controls concerning the producers, Member States should also take appropriate administrative and judicial steps to	(43) Enforcement of geographical indications in the marketplace is important to prevent fraudulent and deceptive practices thus ensuring that the producers of products designated by a geographical indication are properly rewarded for the added value of their products bearing a geographical indication and that illegal users of those geographical indications are prevented from selling their products. Therefore, apart from controls concerning the producers, Member States should also take appropriate administrative and judicial steps to prevent or stop the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>use of names on products or services that contravene the protected geographical indications, where such products are produced, marketed or such services are marketed, in their territory. For the purposes of enforcing geographical indications, measures, procedures and remedies set out in Directive 2004/48/EC¹ of the European Parliament and of the Council are available as they are applicable to any infringement of intellectual property rights.</p> <p>_____</p> <p>1. Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights.</p>	<p>prevent or stop the use of names on products or services that contravene the protected geographical indications, where such products are produced, marketed or such services are marketed, in their territory. For the purposes of enforcing geographical indications, measures, procedures and remedies set out in Directive 2004/48/EC¹ of the European Parliament and of the Council are available as they are applicable to any infringement of intellectual property rights.</p> <p>_____</p> <p>1. Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights.</p>	<p>use of names on products or services that contravene the protected geographical indications, where such products are produced, marketed or such services are marketed, in their territory. For the purposes of enforcing geographical indications, measures, procedures and remedies set out in Directive 2004/48/EC of the European Parliament and of the Council are available as they are applicable to any infringement of intellectual property rights.</p> <p>_____</p> <p>1. Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved to recital (47a) and recital 47c))	
Recital 44				
54	(44) Member States should have the possibility to allow producers to fulfil their obligation to perform due diligence by submitting a self-declaration to the competent authorities every three years, demonstrating their continued compliance. Producers should be required to renew their self-declaration immediately where there is an amendment to the product specification or a change affecting the concerned product.	(44) Member States should have the possibility to allow producers to fulfil their obligation to perform due diligence continuously comply by submitting a self-declaration to the competent authorities every three years, demonstrating their continued compliance. Producers should be required to renew their self-declaration immediately where there is an amendment to the product specification or a change affecting the concerned product.	(44) Member States The self-declaration should have the possibility to allow producers to fulfil their obligation to perform due diligence by submitting a self-declaration to the competent authorities be submitted by the producer to the competent authority responsible for verifying conformity with the product specification. To demonstrate continued compliance, such self-declaration	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	The use of self-declaration should not prevent producers from having their conformity fully or partially certified by eligible third parties. A third-party certification should be able to supplement a self-declaration but not replace it.	The use of self-declaration should not prevent producers from having their conformity fully or partially certified by eligible third parties. A third-party certification should be able to supplement a self-declaration but not replace it.	should be submitted every three years, demonstrating their continued compliance. Producers should be required to renew their submit an updated self-declaration immediately where when there is an amendment to the product specification or a change affecting them in a way that affects the product concerned product. The use of. Verification based on self-declaration should does not prevent producers from having their conformity fully or partially certified verified by eligible third parties. ASuch third-party certification should be able to verification can supplement a self-declaration, but not replace it.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(first sentence is moved from end of recital (41))	
Recital 45				
55	(45) The self-declaration should provide competent authorities with all necessary information on the product and on its compliance with the product specification. To ensure that the information provided in the self-declaration is comprehensive, a harmonised structure for such declarations should be laid down in Annex. It is important to ensure that the self-declaration is filled in truthfully and accurately. Therefore, the	(45) The self-declaration should provide competent authorities with all necessary information on the product and on in order to check its compliance with the product specification. To ensure that the information provided in the self-declaration is comprehensive, a harmonised structure for such declarations should be laid down in Annex. It is important to ensure that the self-declaration is filled in truthfully and accurately.	(45) The self-declaration should provide the competent authorities authority with all necessary information on regarding the product and on its compliance with the product specification. To ensure that the information provided in the self-declaration is comprehensive, a harmonised structure for such declarations should be laid down in Annex . It is important to ensure that the self-declaration is filled in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	producer should take full responsibility for the information provided in the self-declaration, and should be able to provide the necessary evidence to allow for the verification of that information.	Therefore, the producer should take full responsibility for the information provided in the self-declaration, and should be able to provide the necessary evidence to allow for the verification of that information <u>though without, through the information provided, affecting the provisions on the protection of know-how and trade secrets.</u>	truthfully and accurately. Therefore, The producer should take full responsibility for that the information provided in the self-declaration is correct , and should be able to provide the necessary evidence to allow for the verification of that information.	
Recital 46				
56	(46) Where a self-declaration certification procedure is in place, competent authorities should carry out random controls.	(46) Where a self-declaration certification procedure is in place, competent authorities should carry out random controls.	(46) Where a Upon receipt of the self-declaration, competent authorities should conduct an examination of the self-	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>declaration that includes at least a check of the completeness and consistency of the self-declaration. Obvious inconsistencies should be clarified and missing information should be requested from the producer. If the result of the check of the self-declaration is positive, the authority certification procedure is in place, competent authorities should carry out random controls, or renew, an official certificate of authorisation to produce the product designated by the geographical indication.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
56a			<p>(46a) To ensure compliance with the product specification and also to check the correctness of the information provided in the self-declaration, the competent authority should, with appropriate frequency, perform conformity checks, based on a risk analysis and taking into account the risk of non-compliance, including fraudulent or deceptive practices.</p> <p>(moved from recital (42))</p>	
Recital 47				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
57	(47) In the event of non-compliance with the product specification, the competent authorities should take appropriate measures to ensure that the producers concerned remedy the situation and to prevent further non-compliances. In addition, Member States should provide for a set of effective, proportionate and dissuasive penalties aimed at deterring possible fraudulent behaviour by producers.	(47) In the event of non-compliance with the product specification, the competent authorities should take appropriate <u>and reasonable</u> measures to ensure that the producers concerned remedy the situation and to prevent further non-compliances. In addition, Member States should provide for a set of effective, proportionate and dissuasive penalties aimed at deterring possible fraudulent behaviour by producers.	(47) In the event of non-compliance with the product specification, the competent authorities authority should take appropriate measures to ensure that the producers concerned remedy the situation and to prevent further non-compliances. In addition, Member States should provide for a set of effective, proportionate and dissuasive penalties aimed at deterring possible fraudulent behaviour by producers non-compliance.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
57a			<p>(47a) As an alternative to the verification procedure based on self-declaration, Member States may provide for a verification procedure based on verification of compliance by a competent authority or a designated third party. Such verification procedure should include controls of compliance with the product specification both before and after the product has been placed on the market.</p>	
57b				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>(47b) Monitoring the use of geographical indications in the market is important to prevent fraudulent and deceptive practices, thus ensuring that the producers of products designated by a geographical indication are properly rewarded for the added value of their products bearing a geographical indication and that persons infringing those geographical indications are prevented from selling such products. Therefore, Member States should monitor the market for the detection of any misuse of geographical indications, and carry out controls based on a risk analysis. If necessary, competent authorities should be free to delegate to certification</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>bodies or natural persons certain control tasks related to checking the origin, or the production process, of the product concerned. In the event of a detected misuse of the geographical indication, the competent authority should take appropriate administrative and judicial steps to prevent or stop the use of names on products or services that contravene the protected geographical indications, where such products are produced or marketed, or such services are marketed, in their territory. To this end, Member States should designate competent authorities to monitor the market, which may be the same as the authorities</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>designated for the verification of compliance with the product specification. Such monitoring may be undertaken by authorities carrying out product controls or controls in the market in another context, for example customs control, market surveillance or law enforcement.</p> <p>(some of this text is moved from recital (43))</p>	
57c			(47c) In any event, the measures, procedures and remedies set out	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>in Directive 2004/48/EC¹ of the European Parliament and of the Council are applicable to any infringement of intellectual property rights, including geographical indications. At the same time, Regulation (EU) No 608/2013² of the European Parliament and of the Council sets out the conditions and procedures for action by the customs authorities where goods suspected of infringing an intellectual property right, including geographical indications, are, or should have been, subject to customs supervision or customs control within the customs territory of the Union. Likewise, Regulation (EU) No 386/2012³ of the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>European Parliament and of the Council sets out tasks and activities of the Office related to the enforcement of intellectual property rights, including fostering cooperation with and between relevant Member State authorities.</p> <hr/> <p>1. Directive 2004/48/EC of the European Parliament and of the Council of 29 April 2004 on the enforcement of intellectual property rights (OJ L 157, 30.4.2004, p. 45).</p> <p>2. Regulation (EU) No 608/2013 of the European Parliament and of the Council of 12 June 2013 concerning customs enforcement of intellectual property rights and repealing Council Regulation (EC) No 1383/2003 (OJ L 181, 29.6.2013, p. 15).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>3. Regulation (EU) No 386/2012 of the European Parliament and of the Council of 19 April 2012 on entrusting the Office for Harmonization in the Internal Market (Trade Marks and Designs) with tasks related to the enforcement of intellectual property rights, including the assembling of public and private-sector representatives as a European Observatory on Infringements of Intellectual Property Rights (OJ L 129, 16.5.2015, p. 1).</p> <p>(first sentence moved from recital 43)</p>	
57d			(47d) For the optimal functioning of the internal	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>market, it is important that producers can quickly and easily demonstrate that they are authorised to use a name that is protected as a geographical indication, for example in the context of customs controls or market inspections, or at the request of business partners or consumers. To this end, an official certificate of authorisation to produce the product designated by the geographical indication put at the disposal of the producer should be used.</p> <p>(moved from recital (54))</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 48				
58	(48) Control and verification fees or charges should cover, but not exceed, the costs, including overhead costs, incurred by the competent authorities to perform official controls. Overhead costs could include the costs of the organisation and support necessary for planning and carrying out the official controls. Such costs should be calculated on the basis of each individual official control or on the basis of all official controls performed over a given period of time. Where fees or charges are applied on the basis of the actual cost of individual official controls,	(48) Control and verification fees or charges should cover, but not exceed, the costs, including overhead costs, incurred by the competent authorities to perform official controls. Overhead costs could include the costs of the organisation and support necessary for planning and carrying out the official controls. Such costs should be calculated on the basis of each individual official control or on the basis of all official controls performed over a given period of time. Where fees or charges are applied on the basis of the actual cost of individual official controls,	(48) Control and verification fees or charges should cover, but not exceed, the costs, including overhead costs, incurred by the competent authorities to perform official controls. Overhead costs could include the costs of the organisation and support necessary for planning and carrying out the official controls. Such costs should be calculated on the basis of each individual official control or on the basis of all official controls performed over a given period of time. Where fees or charges are applied on the basis of the actual cost of individual official controls,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>producers with a good record of compliance should bear lower overall charges than non-compliant ones, as such producers with a good record of compliance should be subject to less frequent official controls. In order to promote compliance with Union legislation by all producers irrespective of the method (based on actual costs or on a flat rate) that each Member States has chosen for the calculation of the fees or charges, where fees or charges are calculated on the basis of overall costs incurred by the competent authorities over a given period of time, and imposed on all producers irrespective of whether they are subject to an official control during the reference period, those fees or</p>	<p>producers with a good record of compliance should bear lower overall charges than non-compliant ones, as such producers with a good record of compliance should be subject to less frequent official controls. In order to promote compliance with Union legislation by all producers irrespective of the method (based on actual costs or on a flat rate) that each Member States has chosen for the calculation of the fees or charges, where fees or charges are calculated on the basis of overall costs incurred by the competent authorities over a given period of time, and imposed on all producers irrespective of whether they are subject to an official control during the reference period, those fees or</p>	<p>producers with a good record of compliance should bear lower overall charges than non-compliant ones, as such producers with a good record of compliance should be subject to less frequent official controls. In order to promote compliance with Union legislation by all producers irrespective of the method (based on actual costs or on a flat rate) that each Member States has chosen for the calculation of the fees or charges, where fees or charges are calculated on the basis of overall costs incurred by the competent authorities over a given period of time, and imposed on all producers irrespective of whether they are subject to an official control during the reference period, those fees or</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	charges should be calculated so as to reward producers with a consistently good record of compliance. No fee should be charged for the submission of the self-declaration and its processing.	charges should be calculated so as to reward producers with a consistently good record of compliance. No fee should be charged for the submission of the self-declaration and its processing.	charges should be calculated so as to reward producers with a consistently good record of compliance. No fee should be charged for the submission of the self-declaration and its processing. (moved to recital (57c))	
Recital 49				
59	(49) To ensure impartiality and effectiveness, the competent authorities designated to perform the verification of the compliance with the product specification should meet a number of	(49) To ensure impartiality and effectiveness, the competent authorities designated to perform the verification of the compliance with the product specification should meet a number of	(49) To ensure impartiality and effectiveness, the competent authorities designated to perform the verification of the compliance with the product specification should meet a number of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	operational criteria. To facilitate the task of controls and to make the system more effective competent authorities should be able to delegate competences regarding the performance of specific control tasks to a legal person which certifies that products designated by geographical indications comply with the product specification ('product certification body'). A delegation of such competences to natural persons should also be envisaged.	operational criteria. To facilitate the task of controls and to make the system more effective competent authorities should be able to delegate competences regarding the performance of specific control tasks to a legal person which certifies that products designated by geographical indications comply with the product specification ('product certification body'). A delegation of such competences to natural persons should also be envisaged.	operational criteria. To facilitate the task of controls and to make the system more effective competent authorities should be able to delegate competences regarding the performance of specific control tasks to a legal person which certifies that products designated by Since the control system laid down in this Regulation follows a public-private approach, producers themselves should also contribute to the protection of geographical indication by fulfilling due diligence responsibilities. They should perform compliance checks with the product specification, accompanied, as applicable, by internal compliance checks managed and organised by the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>producer groups. In addition, producers should be encouraged to support public authorities in monitoring the use of geographical indications comply with the product specification ('product certification body'). A delegation of such competences to natural persons should also be envisaged in the market. Producers should also be encouraged to notify any non-compliance or possible infringements to the competent authorities.</p> <p>(covered by recital (41))</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Recital 50				
60	(50) Information on the competent authorities and on product certification bodies should be made public by Member States and the Office to ensure the transparency and allow interested parties to contact them.	(50) Information on the competent authorities and on product certification bodies should be made public by Member States and the Office to ensure the transparency and allow interested parties to contact them.	(50) Information on the competent authorities, and on product certification bodies and natural persons to which certain control tasks have been delegated , should be made public by Member States and the Office to ensure the transparency and allow interested parties to contact them.	
Recital 51				
61	(51) European standards (EN standards) developed by the	(51) European standards (EN standards) developed by the	(51) European standards (EN standards) developed by the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>European Committee for Standardisation (CEN) and international standards developed by the International Organization for Standardization (ISO) should be used for the accreditation of product certification bodies as well as by those bodies for their operations. The accreditation of those bodies should take place in accordance with Regulation (EC) No 765/2008 of the European Parliament and of the Council¹. Natural persons should have the expertise, equipment and infrastructure required to perform those official control tasks delegated to them; should be suitably qualified and experienced, and act impartially and free from any conflict of interest as regards</p>	<p>European Committee for Standardisation (CEN) and international standards developed by the International Organization for Standardization (ISO) should be used for the accreditation of product certification bodies as well as by those bodies for their operations. The accreditation of those bodies should take place in accordance with Regulation (EC) No 765/2008 of the European Parliament and of the Council¹. Natural persons should have the expertise, equipment and infrastructure required to perform those official control tasks delegated to them; should be suitably qualified and experienced, and act impartially and free from any conflict of interest as regards</p>	<p>European Committee for Standardisation Standardization (CEN) and international standards developed by the International Organization for Standardization (ISO) should be used for the accreditation of product certification bodies as well as by those bodies for their operations. The accreditation of those bodies should take place in accordance with Regulation (EC) No 765/2008¹ of the European Parliament and of the Council⁴. Product certification bodies established outside the Union should demonstrate their compatibility with Union or internationally recognised standards based on a certificate issued by a body that is a</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>the exercise of those official control tasks delegated to them. Product certification bodies established outside the Union should demonstrate their compatibility with Union or internationally recognised standards based on a certificate issued by a body that is a signatory of a multilateral recognition agreement under the auspices of the International Accreditation Forum.</p> <p>_____</p> <p>1. Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and repealing Regulation (EEC) No 339/93 (OJ L 218 13.8.2008, p. 30).</p>	<p>the exercise of those official control tasks delegated to them. Product certification bodies established outside the Union should demonstrate their compatibility with Union or internationally recognised standards based on a certificate issued by a body that is a signatory of a multilateral recognition agreement under the auspices of the International Accreditation Forum.</p> <p>_____</p> <p>1. Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and repealing Regulation (EEC) No 339/93 (OJ L 218 13.8.2008, p. 30).</p>	<p>recognised signatory of a multilateral recognition agreement under the auspices of the International Accreditation Forum (IAF) or a member of the International Laboratory Accreditation Cooperation (ILAC). Natural persons should have the expertise, equipment and infrastructure required to perform those official control tasks delegated to them; they should be suitably qualified and experienced, and act impartially and free from any conflict of interest as regards the exercise of those official control tasks delegated to them. Product certification bodies established outside the Union should demonstrate their compatibility with Union or</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>internationally recognised standards based on a certificate issued by a body that is a signatory of a multilateral recognition agreement under the auspices of the International Accreditation Forum.</p> <p>_____</p> <p>1. Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and repealing Regulation (EEC) No 339/93 (OJ L 218 13.8.2008, p. 30).</p>	
Recital 52				
62	(52) In order to strengthen	(52) In order to strengthen	(52) In order to strengthen	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>geographical indication protection and to combat counterfeiting more effectively, the protection of geographical indications should apply to both, the offline and online environment including domain names on the internet.</p> <p>Intermediary services, in particular online platforms have become increasingly used for the sale of products, including those designated by geographical indications, and in some cases online platforms might represent an important space as regards preventing fraud. In this regard, information related to the advertising, promotion and sale of goods that contravenes the protection of geographical indications provided for in Article</p>	<p>geographical indication protection and to combat counterfeiting more effectively, the protection of geographical indications should apply to both, the offline and online environment including domain names on the internet.</p> <p>Intermediary services, in particular online platforms have become increasingly used for the sale of products, including those designated by geographical indications, and in some cases online platforms might represent an important space as regards preventing fraud. In this regard, information related to the advertising, promotion and sale of goods that contravenes the protection of geographical indications provided for in Article</p>	<p>geographical indication protection and to combat counterfeiting more effectively, the protection of geographical indications should apply to both, the offline and online environment, including domain names on the internet.</p> <p>Intermediary services, in particular online platforms, are increasingly being have become increasingly used for the sale of products, including those designated by geographical indications, and in some cases online platforms might represent an important space as regards preventing fraud. In this regard, information related to the advertising, promotion and sale of goods that contravenes the protection of geographical indications provided for in Article</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>35, should be considered illegal content within the meaning of Article 2 (g) of Regulation (EU) No xxxx/2022¹ of the European Parliament and of the Council and be subject of obligations and measures under that Regulation.</p> <p>_____</p> <p>1. Regulation of the European Parliament and of the Council on a Single Market For Digital Services (DSA) and amending Directive 2000/31/EC.</p>	<p>35, should be considered illegal content within the meaning of Article 2 (g) of Regulation (EU) No xxxx/2022¹ of the European Parliament and of the Council and be subject of obligations and measures under that Regulation.</p> <p><u><i>Efficient controls should not just refer to physical markets but also comprise the online platforms.</i></u></p> <p>_____</p> <p>1. Regulation of the European Parliament and of the Council on a Single Market For Digital Services (DSA) and amending Directive 2000/31/EC.</p>	<p>35,this Regulation should be considered illegal content within the meaning of Article 2 (g)3(h) of Regulation (EU) No xxxx/20222022/2065¹ of the European Parliament and of the Council and be subject of obligations and measures under that Regulation.</p> <p>_____</p> <p>1. Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services (DSA) and amending Directive 2000/31/EC (OJ L 277, 27.10.2022, p. 1).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
62a			(52a) Member States should provide for effective, proportionate and dissuasive penalties aimed at deterring possible fraudulent behaviour by producers of products designating a geographical indication and persons infringing the geographical indication.	
Recital 53				
63	(53) Taking into account that a product designated by the geographical indication produced in one Member State might be sold	(53) Taking into account that a product designated by the geographical indication produced in one Member State might be sold	(53) Taking into account that the production steps of a product designated by the a geographical indication might take place in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	in another Member State, administrative assistance between Member States should be ensured to allow effective controls and its practicalities should be laid down.	in another Member State, <u>cooperation and</u> administrative assistance between Member States should be ensured to allow effective <u>and reasonable</u> controls and its practicalities should be laid down.	more than one Member State, and taking into account that products produced in one Member State might be sold in another Member State, administrative assistance and cooperation between Member States should be ensured to allow for effective controls and its practicalities should be laid down control.	
Recital 54				
64	(54) For the optimal functioning of the internal market, it is important that producers quickly and easily demonstrate in several contexts that they are authorised to use a	(54) For the optimal functioning of the internal market, it is important that producers quickly and easily demonstrate in several contexts that they are authorised to use a	(54) For the optimal functioning of the internal market, it is important that producers quickly and easily demonstrate in several contexts that they are authorised to use a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	protected name, such as at customs controls, market inspections or on demand by trade operators. To this end, an official certificate, or other proof of certification, of entitlement to produce the product designated by the geographical indication should be put at the disposal of the producer.	protected name, such as at customs controls, market inspections or on demand by trade operators. To this end, an official certificate, or other proof of certification, of entitlement to produce the product designated by the geographical indication should be put at the disposal of the producer.	protected name, such as at customs controls, market inspections or on demand by trade operators. To this end, an official certificate, or other proof of certification, of entitlement to produce the product designated by the geographical indication should be put at the disposal of the producer. (moved to recital (47d))	
Recital 55				
65	(55) The action of the Union following its accession to the Geneva Act is governed by	(55) The action of the Union following its accession to the Geneva Act is governed by	(55) The action of the Union following its accession to the Geneva Act is governed by	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Regulation (EU) 2019/1753 of the European Parliament and of the Council¹. Certain provisions of that Regulation should be amended to ensure coherence with the introduction of geographical indication protection for craft and industrial products at the Union level, in accordance with this Regulation. In this context, the Office should play the role of the Union's competent authority in respect of geographical indications for craft and industrial products under the Geneva Act. Provisions of Regulation (EU) 2019/1753 applicable to geographical indications falling outside the scope of regulations on the EU's protection schemes for agricultural geographical indications should be</p>	<p>Regulation (EU) 2019/1753 of the European Parliament and of the Council¹. Certain provisions of that Regulation should be amended to ensure coherence with the introduction of geographical indication protection for craft and industrial products at the Union level, in accordance with this Regulation. In this context, the Office should play the role of the Union's competent authority in respect of geographical indications for craft and industrial products under the Geneva Act. Provisions of Regulation (EU) 2019/1753 applicable to geographical indications falling outside the scope of regulations on the EU's protection schemes for agricultural geographical indications should be</p>	<p>Regulation (EU) 2019/1753¹ of the European Parliament and of the Council¹. Certain provisions of that Regulation should be amended to ensure coherence with the introduction of geographical indication protection for craft and industrial products at the Union level, in accordance with this Regulation. In this context, the Office should play the role of the Union's competent authority in respect of geographical indications for craft and industrial products under the Geneva Act. Provisions of Regulation (EU) 2019/1753 applicable to geographical indications falling outside the scope of regulations on the EU Union's protection schemes for agricultural geographical</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>aligned with this Regulation.</p> <p>_____</p> <p>1. Regulation (EU) 2019/1753 of the European Parliament and of the Council of 23 October 2019 on the action of the Union following its accession to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (OJ L 271, 24.10.2019, p. 1).</p>	<p>aligned with this Regulation.</p> <p>_____</p> <p>1. Regulation (EU) 2019/1753 of the European Parliament and of the Council of 23 October 2019 on the action of the Union following its accession to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (OJ L 271, 24.10.2019, p. 1).</p>	<p>indications should be aligned with this Regulation.</p> <p>_____</p> <p>1. Regulation (EU) 2019/1753 of the European Parliament and of the Council of 23 October 2019 on the action of the Union following its accession to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (OJ L 271, 24.10.2019, p. 1).</p>	
Recital 56				
66	<p>(56) Regulation (EU) 2017/1001 of the European Parliament and of the Council¹ should be amended. Article 151 of that Regulation sets out the tasks of the Office. The</p>	<p>(56) Regulation (EU) 2017/1001 of the European Parliament and of the Council¹ should be amended. Article 151 of that Regulation sets out the tasks of the Office. The</p>	<p>(56) Likewise, to ensure coherence with this Regulation, Regulation (EU) 2017/1001¹ of the European Parliament and of the Council⁺ should be amended.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>administration and promotion of geographical indications, in particular the tasks conferred on the Office under this Regulation should be added to Article 151 of that Regulation. In addition, in order to ensure coherence with this Regulation, a provision on the establishment of a domain name information and alert system for EU trade marks should also be inserted in that Regulation.</p> <p>_____</p> <p>1. Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark (OJ L 154, 16.6.2017, p. 1).</p>	<p>administration and promotion of geographical indications, in particular the tasks conferred on the Office under this Regulation should be added to Article 151 of that Regulation. In addition, in order to ensure coherence with this Regulation, a provision on the establishment of a domain name information and alert system for EU trade marks should also be inserted in that Regulation.</p> <p>_____</p> <p>1. Regulation (EU) 2017/1001 of the European Parliament and of the Council of 14 June 2017 on the European Union trade mark (OJ L 154, 16.6.2017, p. 1).</p>	<p>Article 151 of that Regulation sets out the tasks of the Office. The tasks conferred on the Office under this Regulation as regards the administration and promotion of geographical indications, in particular the tasks conferred on the Office under this Regulation should be added to Article 151 of that Regulation. In addition, in order to ensure coherence with this Regulation, a provision on the establishment of a domain name information and alert system for EU trade marks should also be inserted in the list of the tasks of the Office set out in Article 151 of that Regulation.</p> <p>_____</p> <p>1. Regulation (EU) 2017/1001 of the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			European Parliament and of the Council of 14 June 2017 on the European Union trade mark (OJ L 154, 16.6.2017, p. 1).	
Recital 57				
67	(57) For the tasks conferred on the Office under this Regulation, the languages of the Office should be all the official languages of the Union. The Office may accept verified translations into one of the official languages of the Union of documents and information with respect to applications for registration, amendment for product specification and cancellation procedures submitted from third countries. The Office	(57) For the tasks conferred on the Office under this Regulation, the languages of the Office should be all the official languages of the Union. The Office may accept verified translations into one of the official languages of the Union of documents and information with respect to applications for registration, amendment for product specification and cancellation procedures submitted from third countries. The Office	(57) For the tasks conferred on the Office under this Regulation, the languages of the Office should be all the official languages of the Union. With respect to applications for registration, amendments to product specifications and cancellation procedures submitted from third countries, the Office may should accept verified translations, into one of the official languages of the Union, of documents and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	may, if appropriate, use verified machine translations.	may, if appropriate, use verified machine translations.	information with respect to applications for registration, amendment for product specification and cancellation procedures submitted from third countries. The Office may, if appropriate, use verified machine translations.	
67a			(57a) Member States should have the possibility to charge a fee to cover their costs of managing the geographical indication system for craft and industrial products. Member States may charge lower fees for	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>micro, small or medium-sized enterprises. The Office should not charge a fee for applications submitted by competent authorities of the Member States after the completion of the national phase of the procedure. However, the Office should charge a fee for procedures relating to direct registration, considering that this procedure generates more work for the Office than the processing of applications already examined in the national phase. The Office should also charge fees for third-country applications and appeals. The fees charged by the Office should be laid down by a Commission implementing act¹.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>_____</p> <p>1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</p> <p>(this new recital is drawn from recital 13 and partly from recital 17)</p>	
67b			<p>(57b) The necessary set-up costs of the IT system that is envisaged</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>under this Regulation - namely the digital system for applications, the Union register, and the digital portal - should be financed from the Office's accumulated budgetary surplus. The running costs arising from the tasks entrusted to the Office by this Regulation should be covered by the operational budget of the Office.</p>	
67c			<p>(57c) Control fees or charges should cover, but not exceed, the costs, including overhead costs, incurred by the competent</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>authorities that perform controls. Overhead costs could include the costs of the organisation and support necessary for planning and carrying out controls, and where applicable, the use of certification bodies or natural persons. No fee should be charged for the submission of the self-declaration and its processing.</p> <p>(moved from part of recital 48)</p>	
Recital 58				
68				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>(58) The digital system should include a front and back office and allow for smooth connection, interface with and integration to IT systems of national authorities, the Union GI register of geographical indications for craft and industrial products and the IT system of the World Intellectual Property Office for the protection through the Geneva Act of the Lisbon Agreement. The Union register of geographical indications designed by the Office for craft and industrial products should be similar in appearance and have at least those functionalities to the Register of geographical indications for wines, foodstuff and agricultural products.</p>	<p>(58) The digital system should include a front and back office and allow for smooth connection, interface with and integration to IT systems of national authorities, the Union GI register of geographical indications for craft and industrial products and the IT system of the World Intellectual Property Office for the protection through the Geneva Act of the Lisbon Agreement. The Union register of geographical indications designed by the Office for craft and industrial products should be similar in appearance and have at least those functionalities to the Register of geographical indications for wines, foodstuff and agricultural products.</p>	<p>(58) The digital system should include a front and back office and allow for smooth connection, interface with and integration to IT systems of national authorities, the Union GI register of geographical indications for craft and industrial products and the WIPO IT system of the World Intellectual Property Office for the protection through administration of the Geneva Act of the Lisbon Agreement. The Union register of geographical indications designed by the Office for craft and industrial products should be similar in appearance and have at least the same those functionalities to the as the Union register of geographical indications for wines, foodstuff and</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			agricultural products.	
68a			<p>(58a) In order to amend or supplement 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) specifying the requirements in relation to documentation accompanying the application for registration; (ii) listing additional items of the accompanying documentation</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>for the application for registration; (iii) specifying the criteria for the direct registration procedure; (iv) defining procedures and conditions applicable to the preparation and submission of applications for registration at the Union phase; (v) the content of the notice of appeal and the procedure for the filing and the examination of an appeal; (vi) the content and the form of the Boards of Appeal's decisions; and (vii) modifications to the information and requirements in relation to the self-declaration in the form set out in Annex I. It is of particular importance that the Commission carry out appropriate consultations during its</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<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-Making¹. 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> <p>_____</p> <p>1. Interinstitutional Agreement between</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1).</p> <p>(moved from recital (60))</p>	
Recital 59				
69	(59) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards: (i) laying down rules which limit the information contained in the product specification, where such a	(59) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards: (i) laying down rules which limit the information contained in the product specification, where such a	(59) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards: (i) laying down rules which that limit the information contained in the product specification, where such a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>limitation is necessary to avoid excessively voluminous applications for registration; (ii) laying down rules on the form of the product specification; (iii) specifying the format and online presentation of the relevant single document; (iv) specifying the format and online presentation of the accompanying documentation; (v) determining the amounts of the fees and the ways in which they are to be paid; (vi) specifying further details on the criteria to lodge direct applications and on the procedures for the preparation and submission of the direct applications; (vii) specifying the procedures, and criteria for preparation and submission of the applications, and their form and</p>	<p>limitation is necessary to avoid excessively voluminous applications for registration; (ii) laying down rules on the form of the product specification; (iii) specifying the format and online presentation of the relevant single document; (iv) specifying the format and online presentation of the accompanying documentation; (v) determining the amounts of the fees and the ways in which they are to be paid; (vi) specifying further details on the criteria to lodge direct applications and on the procedures for the preparation and submission of the direct applications; (vii) specifying the procedures, and criteria for preparation and submission of the applications, and their form and</p>	<p>limitation is necessary to avoid excessively voluminous applications for registration; (ii) laying down rules on the form of the product specification; (iii) specifying the format and online presentation of the relevant single document; (iv) specifying the format and online presentation of the accompanying documentation; (v) determining the amounts of the fees and the ways in which they are to be paid; (vi) specifying further details on the criteria to lodge direct applications and laying down detailed rules on the procedures for the preparation and submission of the direct applications; (vii) specifying the procedures, and criteria for preparation and submission of applications for</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>presentation, in order to facilitate the application process, including for applications concerning more than one national territory; (viii) laying down the necessary rules to provide for the submission of official comments by national authorities and persons with a legitimate interest in order to facilitate the official submission of comments and to improve management of the opposition process; (ix) specifying the format and online presentation of oppositions and any comments procedure; (x) specifying rules on the protection of the geographical indication; (xi) deciding on the protection of geographical indications pertaining to products of third countries that are protected</p>	<p>presentation, in order to facilitate the application process, including for applications concerning more than one national territory; (viii) laying down the necessary rules to provide for the submission of official comments by national authorities and persons with a legitimate interest in order to facilitate the official submission of comments and to improve management of the opposition process; (ix) specifying the format and online presentation of oppositions and any comments procedure; (x) specifying rules on the protection of the geographical indication; (xi) deciding on the protection of geographical indications pertaining to products of third countries that are protected</p>	<p>registration at the Union phase the applications, and their form and presentation, in order to facilitate the application process, including for applications concerning more than one national territory; (viii) laying down the necessary rules to provide for the submission of official comments by national authorities and persons with a legitimate interest in order to facilitate the official submission of comments and to improve management and specifying the format and online presentation of the opposition process; notice of comments; (ix) specifying the format and online presentation of oppositions and any comments procedure setting out the procedures applicable to</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>in the Union under an international agreement to which the Union is a contracting party; (xii) specifying the content and presentation of the Union register of geographical indications; (xiii) specifying the format and online presentation of extracts from the Union register of geographical indications for craft and industrial products; (xiv) laying down detailed rules on procedures, form and presentation of an amendment application for Union amendment and on procedures, form and communication of standard amendments to the Office; (xv) laying down detailed rules on procedures and form of the cancellation process, as well as on the presentation of the requests;</p>	<p>in the Union under an international agreement to which the Union is a contracting party; (xii) specifying the content and presentation of the Union register of geographical indications; (xiii) specifying the format and online presentation of extracts from the Union register of geographical indications for craft and industrial products; (xiv) laying down detailed rules on procedures, form and presentation of an amendment application for Union amendment and on procedures, form and communication of standard amendments to the Office; (xv) laying down detailed rules on procedures and form of the cancellation process, as well as on the presentation of the requests;</p>	<p>situations where the Commission may take over an application for registration from the Office; (x) specifying rules on the protection of the geographical indication; (xi) deciding on the protection of geographical indications pertaining to products of third countries that are protected in the Union under an international agreement – other than under the Geneva Act – to which the Union is a contracting party; (xii) specifying the content setting out the IT architecture and presentation of the Union register of geographical indications; (xiii) specifying the format and online presentation of extracts from the Union register of geographical indications for craft and industrial products; (xiv)</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>(xvi) setting out the technical characteristics of the Union symbol and indications as well as the rules of their use on the products marketed under a registered geographical indication, including rules concerning the appropriate linguistic versions to be used;</p> <p>(xvii) specifying the nature and the type of the information to be exchanged and the methods for exchanging information under mutual assistance. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>_____</p> <p>1. OJ L 55, 28.2.2011, p. 13.</p>	<p>(xvi) setting out the technical characteristics of the Union symbol and indications as well as the rules of their use on the products marketed under a registered geographical indication, including rules concerning the appropriate linguistic versions to be used;</p> <p>(xvii) specifying the nature and the type of the information to be exchanged and the methods for exchanging information under mutual assistance. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>_____</p> <p>1. OJ L 55, 28.2.2011, p. 13.</p>	<p>laying down detailed rules on procedures, form and presentation of an amendment application for Union substantial amendment and on procedures, form and communication of standard non-substantial amendments to the Office; (xv) laying down detailed rules on procedures and form of the cancellation process, as well as on the presentation of the requests;</p> <p>(xvi) setting out the technical characteristics of the Union symbol and indications as well as the rules of their use on the products marketed under a registered geographical indication, including rules concerning the appropriate linguistic versions to be used; and</p> <p>(xvii) specifying the nature and the type of the information to be</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>exchanged and the methods for exchanging information under mutual assistance for the purposes of controls. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>_____</p> <p>1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).</p>	
Recital 60				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
70	(60) In order to amend or supplement 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 the requirements or listing additional items of the accompanying documentation, defining procedures and conditions applicable to the preparation and submission of Union applications for registration, rules on entrusting the Office to operate the Union register of geographical indications for craft and industrial products; the formal content of the notice of	(60) In order to amend or supplement 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 the requirements or listing additional items of the accompanying documentation, defining procedures and conditions applicable to the preparation and submission of Union applications for registration, rules on entrusting the Office to operate the Union register of geographical indications for craft and industrial products; the formal content of the notice of	(60) In order to amend or supplement 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 the requirements or listing additional items of the accompanying documentation, defining procedures and conditions applicable to the preparation and submission of Union applications for registration, rules on entrusting the Office to operate the Union register of geographical indications for craft and industrial products; the formal content of the notice of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>appeal, the procedure for the filing and the examination of an appeal as well as the formal content and the form of the Board of Appeal's decisions; the information and requirements of the self-declaration and the technical assistance of the Office. 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-Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at</p>	<p>appeal, the procedure for the filing and the examination of an appeal as well as the formal content and the form of the Board of Appeal's decisions; the information and requirements of the self-declaration and the technical assistance of the Office. 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-Making¹. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at</p>	<p>appeal, the procedure for the filing and the examination of an appeal as well as the formal content and the form of the Board of Appeal's decisions; the information and requirements of the self-declaration and the technical assistance of the Office. 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</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>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> <hr/> <p>1. Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1).</p>	<p>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> <hr/> <p>1. Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1).</p>	<p>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> <hr/> <p>1. Interinstitutional Agreement between the European Parliament, the Council of the European Union and the European Commission on Better Law-Making (OJ L 123, 12.5.2016, p. 1).</p> <p>(moved to recital (58a))</p>	
Recital 61				
71				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>(61) The current protection of geographical indications at national level is based on various regulatory approaches. Having two parallel systems at Union and national levels might carry the risk of confusing consumers and producers. The replacement of national specific geographical indication protection systems by the Union wide regulatory framework will create legal certainty, reduce administrative burden for national authorities, ensure fair competition between the producers of the products bearing such indications as well as predictable and relatively low costs and enhance the credibility of the products in the consumers' eyes. To this end, the national specific</p>	<p>(61) The current protection of geographical indications at national level is based on various regulatory approaches. Having two parallel systems at Union and national levels might carry the risk of confusing consumers and producers. The replacement of national specific geographical indication protection systems by the Union wide regulatory framework will create legal certainty, reduce administrative burden for national authorities, ensure fair competition between the producers of the products bearing such indications as well as predictable and relatively low costs and enhance the credibility of the products in the consumers' eyes. To this end, the national specific</p>	<p>(61) The current protection of geographical indications at national level is based on various regulatory approaches. Having two parallel systems at Union and national levels might carry carries the risk of confusing consumers and producers. The replacement of national specific geographical indication protection systems by the Union wide a Union-wide regulatory framework will would create legal certainty, reduce administrative burden for national authorities, ensure fair competition between the producers of the products bearing such indications as well as predictable and relatively low costs, and enhance the credibility of the products in the consumers' eyes. To this end,</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>protection for geographical indications for craft and industrial products will cease to exist one year after the entry into force of this Regulation. The protection may be extended in time until the registration process is finalised for those national GIs identified by interested Member States. Some Member States that are party to the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration have registered geographical indications for craft and industrial products and protected geographical indications for craft and industrial products originating from third countries under that Agreement. Regulation (EU) 2019/1753 should therefore</p>	<p>protection for geographical indications for craft and industrial products will cease to exist one year after the entry into force of this Regulation. The protection may be extended in time until the registration process is finalised for those national GIs identified by interested Member States. Some Member States that are party to the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration have registered geographical indications for craft and industrial products and protected geographical indications for craft and industrial products originating from third countries under that Agreement. Regulation (EU) 2019/1753 should therefore</p>	<p>the national specific protection for geographical indications for craft and industrial products willshould cease to exist one yeartwelve months after the date of applicationentry into force of this Regulation. The protection may be extended in time until the registration process is finalised for those national GIsgeographical indications identified by interested Member States. Some Member States, namely those that are party to the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration, have registered, under that Agreement, geographical indications for craft and industrial products and protected geographical indications</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	be amended so as to allow for the continued protection of those geographical indications for craft and industrial products.	be amended so as to allow for the continued protection of those geographical indications for craft and industrial products.	for craft and industrial products originating from third countries under that Agreement . Regulation (EU) 2019/1753 should therefore be amended so as to allow for the continued protection of those geographical indications for craft and industrial products.	
Recital 62				
72	(62) Since a period of time is required to ensure that the framework for the proper functioning of this Regulation is in place to create a Union and international registration system (including IT system, setting up	(62) Since a period of time is required to ensure that the framework for the proper functioning of this Regulation is in place to create a Union and international registration system (including IT system, setting up	(62) Since Given that a period of time is required to ensure that the framework for the proper functioning of this Regulation is in place to create a Union and international registration system, (including the IT system, setting	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and managing the Union register of geographical indications for craft and industrial products, the EU alert system against the abusive use of geographical indications for craft and industrial products in the internet, etc.), this Regulation should start to apply [XX] months following the date of its entry into force.	and managing the Union register of geographical indications for craft and industrial products, the EU alert system against the abusive use of geographical indications for craft and industrial products in the internet, etc.), this Regulation should start to apply [XX] months following the date of its entry into force.	up and managing the Union register of geographical indications for craft and industrial products, the EU alert system against the abusive use of geographical indications for craft and industrial products in the internet, etc.), this Regulation should start to apply from [OJ: the first day of the twentyfifth month after the [XX] months following the date of its entry into force of this Regulation].	
72a			(62a) This Regulation respects the fundamental rights and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>observes the principles recognised in particular by the Charter of Fundamental Rights of the European Union. Accordingly, the Regulation should be interpreted and applied in accordance with those rights and principles including the right to protection of personal data, the freedom to conduct a business and the right to property, including intellectual property.</p> <p>(moved from recital (10))</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
72b			<p>(62b) The tasks assigned by this Regulation to Member State authorities, the Commission and the Office, may require the processing of personal data, in particular where this is needed to identify applicants in a registration amendment or cancellation procedure, opponents in an opposition procedure or beneficiaries of transitional period granted to derogate from the protection of a registered name. Processing of such personal data is therefore necessary for the performance of a task carried out in the public interest. Any processing of personal data under this</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>Regulation should respect fundamental rights, including the right to respect for private and family life and the right to protection of personal data under Articles 7 and 8 of the Charter. In that context, Regulation (EU) 2016/679¹ of the European Parliament and of the Council and Directive 2002/58/EC² of the European Parliament and of the Council place certain obligations on Member States, while Regulation (EU) 2018/1725³ of the European Parliament and of the Council places certain obligations on the Commission and the Office. Where the Commission and the Office jointly determine the purposes and means of the data</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>processing, they should be considered joint controllers.</p> <hr/> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (OJ L 119, 4.5.2016, p. 1).</p> <p>2. Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31.7.2002, p. 37).</p> <p>3. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).</p> <p>(moved from recital (11))</p>	
72c			<p>(62c) Since the objectives of this Regulation, namely the creation of uniform protection of geographical indications for craft and industrial products, cannot be sufficiently achieved by the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>Member States, but can rather, by reason of the scale and effects of this Regulation, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity, as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.</p>	
Recital 63				
73	(63) The European Data	(63) The European Data	(63) The European Data	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on (...),	Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on (...),	Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on (...) 2 June 2022,	
Formula				
74	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:	
TITLE I				
75	TITLE I	TITLE I	TITLE I	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	GENERAL PROVISIONS	GENERAL PROVISIONS	GENERAL PROVISIONS	
Article 1				
76	Article 1 Subject matter	Article 1 Subject matter	Article 1 Subject matter	
Article 1, first paragraph				
77	This Regulation lays down rules on:	This Regulation lays down rules on:	This Regulation lays down rules on:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (a)				
78	(a) the registration, protection, control and enforcement of certain names that identify craft and industrial products with given quality, reputation or other characteristics linked to their geographical origin and,	(a) the registration, protection, control and enforcement of <i>certain</i> names that identify craft and industrial products with given quality, reputation or other characteristics linked to their geographical origin and,	(a) the registration, protection, control and enforcement of certain and control of names that identify craft and industrial products with given quality, reputation or other characteristics linked to their geographical origin, and,	
Article 1, first paragraph, point (b)				
79	(b) geographical indications entered in the international register established under the international registration and protection system	(b) geographical indications entered in the international register established under the international registration and protection system	(b) geographical indications entered in the international register established under the international registration and protection system	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	based on the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications administered by the World Intellectual Property Organisation (WIPO).	based on the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications administered by the World Intellectual Property Organisation (WIPO).	based on the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (‘the Geneva Act’) administered by the World Intellectual Property Organisation Organization (WIPO).	
79a		<p><u>Article 1a</u></p> <p><u>Objectives</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
79b		<u><i>1. This Regulation creates unitary and exclusive protection for the geographical indication of craft and industrial products, ensuring the following:</i></u>		
79c		<u><i>(a) necessary powers and responsibilities for the producers acting collectively to manage their geographical indication, including to respond to societal demands for products resulting from sustainable production;</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
79d		<u>(b) fair competition for producers in the commercial chain;</u>		
79e		<u>(c) reliable information and a guarantee of authenticity of such products for the consumer;</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
79f		<u>(d) simple and efficient registration of geographical indications, taking into account the appropriate protection of intellectual property rights;</u>		
79g		<u>(e) effective enforcement and marketing throughout the Union and in electronic commerce, ensuring the integrity of the internal market;</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
79h		<u>(f) local economic development, which guarantees the protection of know-how and of common heritage.</u>		
Article 2				
80	Article 2 Scope	Article 2 Scope	Article 2 Scope	
Article 2(1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
81	<p>1. This Regulation applies to craft and industrial products listed under the combined nomenclature set out in Annex I to Council Regulation (EEC) No 2658/87¹</p> <hr/> <p>1. Council Regulation (EEC) N0 2685/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff Regulation (OJ L 256, 7.9.1987 p.1)</p>	<p>1. This Regulation applies to craft and industrial products listed under the combined nomenclature set out in Annex I to Council Regulation (EEC) No 2658/87¹.</p> <hr/> <p>1. Council Regulation (EEC) N0 2685/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff Regulation (OJ L 256, 7.9.1987 p.1)</p>	<p>1. This Regulation applies to craft and industrial products listed under the combined nomenclature set out in Annex I to Council Regulation (EEC) No 2658/87¹.</p> <hr/> <p>1. Council Regulation (EEC) N0 2685/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff Regulation (OJ L 256, 7.9.1987 p.1)</p>	
Article 2(2)				
82	<p>2. This Regulation does not apply to spirit drinks as referred in</p>	<p>2. This Regulation does not apply to spirit drinks as referred in</p>	<p>2. This Regulation does not apply to spirit drinks as referred to in</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Regulation (EU) 2019/787 of the European Parliament and of the Council¹, wines as defined in Regulation (EU) No 1308/2013 of the European Parliament and of the Council², nor to agricultural products and foodstuffs as protected by Regulation (EU) No 1151/2012 of the European Parliament and of the Council³.</p> <p>_____</p> <p>1. Regulation (EU) 2019/787 of the European Parliament and of the Council of 17 April 2019 on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No</p>	<p>Regulation (EU) 2019/787 of the European Parliament and of the Council¹, wines as defined in Regulation (EU) No 1308/2013 of the European Parliament and of the Council², nor to agricultural products and foodstuffs as protected by Regulation (EU) No 1151/2012 of the European Parliament and of the Council³.</p> <p>_____</p> <p>1. Regulation (EU) 2019/787 of the European Parliament and of the Council of 17 April 2019 on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of agricultural origin in alcoholic beverages, and repealing Regulation (EC) No</p>	<p>Regulation (EU) 2019/787¹ of the European Parliament and of the Council¹, to wines as defined referred to in Regulation (EU) No 1308/2013² of the European Parliament and of the Council², nor or to agricultural products and foodstuffs as protected by referred to in Regulation (EU) No 1151/2012³ of the European Parliament and of the Council³.</p> <p>_____</p> <p>1. Regulation (EU) 2019/787 of the European Parliament and of the Council of 17 April 2019 on the definition, description, presentation and labelling of spirit drinks, the use of the names of spirit drinks in the presentation and labelling of other foodstuffs, the protection of geographical indications for spirit drinks, the use of ethyl alcohol and distillates of</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>110/2008 (OJ L 130, 17.5.2019, p. 1).</p> <p>2. Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347 20.12.2013, p. 671).</p> <p>3. Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).</p>	<p>110/2008 (OJ L 130, 17.5.2019, p. 1).</p> <p>2. Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347 20.12.2013, p. 671).</p> <p>3. Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).</p>	<p>agricultural origin in alcoholic beverages, and repealing Regulation (EC) No 110/2008 (OJ L 130, 17.5.2019, p. 1).</p> <p>2. Regulation (EU) No 1308/2013 of the European Parliament and of the Council of 17 December 2013 establishing a common organisation of the markets in agricultural products and repealing Council Regulations (EEC) No 922/72, (EEC) No 234/79, (EC) No 1037/2001 and (EC) No 1234/2007 (OJ L 347 20.12.2013, p. 671).</p> <p>3. Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs (OJ L 343, 14.12.2012, p. 1).</p>	
Article 2(3)				
83	3. Registrations and protection of	3. Registrations and protection of	3. Registrations Registration and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	geographical indications are without prejudice to the obligation of producers to comply with other Union rules, in particular relating to the placing of products on the market and, in particular, to product labelling requirements, to product safety, consumer protection and market surveillance.	geographical indications are without prejudice to the obligation of producers to comply with other Union rules, in particular relating to the placing of products on the market and, in particular, to product labelling requirements, to product safety, consumer protection and market surveillance.	protection of geographical indications are without prejudice to the obligation of producers to comply with other Union rules, in particular relating to the placing of products on the market and, in particular, to, product labelling requirements, to product safety, consumer protection and market surveillance.	
Article 2(4)				
84	4. The geographical indications system laid down in this Regulation shall apply notwithstanding Directive (EU) No 2015/1535 of the European	4. The geographical indications system laid down in this Regulation shall apply notwithstanding Directive (EU) No 2015/1535 of the European Parliament and of the	4. The geographical indications system laid down in this Regulation shall apply notwithstanding Directive (EU) No 2015/1535 ¹ of the European	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Parliament and of the Council¹.</p> <hr/> <p>1. Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241, 17.9.2015, p. 1).</p>	<p>Council¹ <u>shall not apply to the geographical indication system laid down in this Regulation.</u></p> <hr/> <p>1. Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241, 17.9.2015, p. 1).</p>	<p>Parliament and of the Council⁺ shall not apply to geographical indications protected under this Regulation.</p> <hr/> <p>1. Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (OJ L 241, 17.9.2015, p. 1).</p>	
Article 3				
85	<p>Article 3</p> <p>Definitions</p>	<p>Article 3</p> <p>Definitions</p>	<p>Article 3</p> <p>Definitions</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 3, first paragraph				
86	For the purposes of this Regulation, the following definitions shall apply:	For the purposes of this Regulation, the following definitions shall apply:	For the purposes of this Regulation, the following definitions shall apply:	
Article 3, first paragraph, point (a)				
87	(a) ‘craft products’ means products produced either totally by hand or with the aid of manual tools or by mechanical means, whenever the direct manual contribution is the most important	(a) ‘craft products’ means products produced either totally by hand or with the aid of manual <u>or digital</u> tools or by mechanical means, <i>whenever the direct manual contribution is the most important</i>	(a) ‘craft and industrial products’ means products produced either totally by hand or with the aid of manual tools or by mechanical means, whenever the direct manual contribution is the most important	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	component of the finished product;	<i>component of the finished product;</i>	component of the finished product;	
87a			(i) produced either totally by hand, or with the aid of manual or digital tools, or by mechanical means, whenever the direct manual contribution is the most important component of the finished product; or	
87b				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(ii) produced in a standardised way, typically on a mass scale and through the use of machines;	
87c			(aa) 'producer' means an operator engaged in any production step of a craft and industrial product; (moved from point (g))	
Article 3, first paragraph, point (b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
88	(b) 'industrial products' means products produced in a standardised way, typically on mass scale and through the use of machines;	(b) 'industrial products' means products produced in a standardised way, <i>typically on mass scale and</i> through the use of machines;	(b) 'industrial products' means products produced in a standardised way, typically on mass scale and through the use of machines; (moved to indent (ii) of point (a))	
88a		<u>(ba) "geographical indication" means an indication consisting of or containing the name of a geographical area, or another indication known as referring to</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>such area, which identifies a good as originating in that geographical area, where a given quality, reputation or other characteristic of the good is essentially attributable to its geographical origin;</u>		
Article 3, first paragraph, point (c)				
89	(c) 'combined nomenclature' means combined nomenclature as established in Article 1 of Regulation (EEC) No 2658/87;	<i>deleted</i>	(e) 'combined nomenclature' means combined nomenclature as established in Article 1 of Regulation (EEC) No 2658/87;	
Article 3, first paragraph, point (d)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
90	(d) ‘producer group’ means any association, irrespective of its legal form, mainly composed of producers or processors working with the same product;	(d) ‘producer group’ means any association, irrespective of its legal form, mainly composed of producers, <u>manufacturers and/or</u> or processors working with the same product;	(d) ‘producer group’ means any association, irrespective of its legal form, mainly composed of producers or processors working with the same product;	
Article 3, first paragraph, point (e)				
91	(e) ‘production step’ means any stage of production, processing or preparation, up to the point, where the product is in a form to be placed on the internal market;	(e) ‘production step’ means any stage of production, <u>manufacturing, and/or</u> processing and/or preparation, <u>as set out in the product specification of the relevant geographical indication product</u> , up to the point, where the	(e) ‘production step’ means any stage of production, including processing, obtaining, extracting, cutting or preparation, up to the point, where the product is in a form to be placed on the internal market;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		product is in a form to be placed on the internal market;		
Article 3, first paragraph, point (f)				
92	(f) 'traditional' and 'tradition', when associated with a product originating in a geographical area, means proven historical usage by producers in a community for a period that allows transmission between generations;	(f) 'traditional' and 'tradition', when associated with a product originating in a geographical area, means proven historical usage by producers in a community for a period that allows transmission between generations;	(f) 'traditional' and "tradition", when associated with a product originating in a geographical area, means proven historical usage by producers in a community for a period that allows transmission between generations;	
Article 3, first paragraph, point (g)				
93				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(g) 'producer' means an operator engaged in any production step of a product the name of which is protected as a geographical indication, including processing activities, covered by the product specification;	(g) 'producer' means an operator engaged in <u>anyone or more</u> production <u>step and/or</u> <u>manufacturing steps</u> of a product the name of which is protected as a geographical indication, including processing <u>and/or preparation</u> activities, covered by the product specification;	(g) 'producer' means an operator engaged in any production step of a product the name of which is protected as a geographical indication, including processing activities, covered by the product specification; (moved to point (aa))	
Article 3, first paragraph, point (h)				
94	(h) 'generic terms' means:	(h) 'generic terms' means:	(h) 'generic terms' means:	
Article 3, first paragraph, point (h)(i)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
95	(i) the names of products which, although relating to the place, region or country where the product was originally produced or marketed, have become the common name of a product in the Union or	(i) the names of products which, although relating to the place, region or country where the product was originally produced, <u>manufactured</u> or marketed, have become the common name of a product in the Union or	(i) the names of products which, although relating to the place, region or country where the product was originally produced or marketed, have become the common name of a product in the Union- or ;	
Article 3, first paragraph, point (h)(ii)				
96	(ii) a common term descriptive of the type of product, product attributes or other terms that do not refer to specific product;	(ii) a common term descriptive of the type of product, product attributes or other terms that do not refer to specific product;	(ii) a common term descriptive of the type of product, product attributes or other terms that do not refer to specific term common within the Union, which is descriptive of the type of product	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			or of the product attributes; or	
Article 3, first paragraph, point (h)(iii)				
96a			(iii) other terms that do not refer to a specific product; (moved from point (ii) above)	
Article 3, first paragraph, point (i)				
97	(i) ‘product certification body’ means a legal person which certifies that products designated	(i) ‘product certification body’ means a <u>body, irrespective of its</u> legal <u>personform</u> , which <u>certifiesis</u>	(i) ‘product certification body’ means a body, irrespective of its legal personform , which certifiesis	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	by geographical indications comply with the product specification, whether in performance of a delegated official control task or any other mandate;	<u>entrusted to certify</u> that products designated by geographical indications comply with the product specification, whether in performance of a delegated official control task or any other mandate;	entrusted to certify that products designated by geographical indications comply with the product specification, whether in performance of a delegated official control task or any other mandate;	
Article 3, first paragraph, point (j)				
98	(j) ‘self-declaration’ means a document in which a producer, or an authorised representative, indicates on his or her sole responsibility that the product is compliant with the corresponding product specification and that all necessary controls and checks for the proper determination of	(j) ‘self-declaration’ means a document in <u>a harmonised format as set out in Annex I in</u> which a producer, <u>manufacturer</u> or an authorised representative, indicates on his or her sole responsibility that the product is compliant with the corresponding product specification and that all necessary	(j) ‘self-declaration’ means a document in which a producer, or an authorised representative, indicates on his or her sole responsibility that the product is compliant with the corresponding product specification and that all necessary controls and checks for the proper determination of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	conformity have been carried out in order to demonstrate the lawful use of the geographical indication to the competent authorities of Member States.	controls and checks for the proper determination of conformity have been carried out in order to demonstrate the lawful <u>right of</u> use of the geographical indication to the competent authorities of Member States.	conformity have been carried out in order to demonstrate the lawful use of the geographical indication to the competent authorities of Member States.;	
98a		<u>(ja) "The Office" means the European Union Intellectual Property Office as provided for in Regulation (EU) 2017/1001.</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
98b			(ja) ‘the Office’ means the European Union Intellectual Property Office as defined under Regulation (EU) 2017/1001;	
Article 3, first paragraph, point (k)				
99	(k) ‘notice of comment’ means a written observation lodged with the European Union Intellectual Property Office (‘the Office’) indicating at inaccuracies in the application without triggering the opposition procedure.	(k) ‘notice of comment’ means a written observation lodged with the European Union Intellectual Property Office (‘ the Office ’) indicating at inaccuracies in the application without triggering the opposition procedure.	(k) ‘notice of comment’ means a written observation lodged with the European Union Intellectual Property Office (‘ the Office ’) indicating at inaccuracies in the application, without triggering the opposition procedure.;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
99a		<p><u>(ka) ‘national specific protection for geographical indications for craft and industrial products’ means an intellectual property title under national, regional or local law specifically protecting names that identify craft and industrial products with a given quality, reputation or other characteristics linked to their geographical origin, with the exception of trade marks.</u></p>		
Article 3, first paragraph, point (l)				
99b				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(l) ‘national specific protection for geographical indications for craft and industrial products’ means an intellectual property title under national, regional or local law specifically protecting names that identify craft and industrial products with a given quality, reputation or other characteristics linked to their geographical origin, with the exception of trade marks.	
Article 4				
100	Article 4 Data protection	Article 4 Data protection	Article 4 Data protection	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved to Article 62b)	
Article 4(1)				
101	<p>1. The Commission and the Office shall be considered controllers within the meaning of Article 3, point (9), of Regulation (EU) 2018/1725 of the European Parliament and of the Council¹ in relation to the processing of personal data in the procedure it is competent for in accordance with this Regulation.</p> <p>_____</p> <p>1. Regulation (EU) 2018/1725 of the European Parliament and of the Council of</p>	<p>1. The Commission and the Office shall be considered controllers within the meaning of Article 3, point (9)(8), of Regulation (EU) 2018/1725 of the European Parliament and of the Council¹ (EUDPR) in relation to the processing of personal data in the procedure it is competent for in accordance with this Regulation.</p> <p>_____</p> <p>1. Regulation (EU) 2018/1725 of the European Parliament and of the Council of</p>	<p>1. The Commission and the Office shall be considered controllers within the meaning of Article 3, point (9), of Regulation (EU) 2018/1725 of the European Parliament and of the Council¹ in relation to the processing of personal data in the procedure it is competent for in accordance with this Regulation.</p> <p>_____</p> <p>1. Regulation (EU) 2018/1725 of the European Parliament and of the Council of</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).	23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).	23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39). (moved to Article 62b)	
Article 4(2)				
102	2. The competent authorities of Member States shall be considered controllers within the meaning of Article 4, point (7), of Regulation (EU) 2016/679 of the European	2. The competent authorities of Member States shall be considered controllers within the meaning of Article 4, point (7), of Regulation (EU) 2016/679 of the European	2. The competent authorities of Member States shall be considered controllers within the meaning of Article 4, point (7), of Regulation (EU) 2016/679 of the European	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Parliament and of the Council¹ in relation to the processing of personal data in the procedures for which they are competent in accordance with this Regulation.</p> <p>_____</p> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC , OJ L 119, 4.5.2016, p. 1–88.</p>	<p>Parliament and of the Council¹ (GDPR) in relation to the processing of personal data in the procedures for which they are competent in accordance with this Regulation.</p> <p>_____</p> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC , OJ L 119, 4.5.2016, p. 1–88.</p>	<p>Parliament and of the Council¹ in relation to the processing of personal data in the procedures for which they are competent in accordance with this Regulation.</p> <p>_____</p> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC , OJ L 119, 4.5.2016, p. 1–88.</p> <p>(moved to Article 62b)</p>	
Article 5				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
103	Article 5 Requirements for a geographical indication	Article 5 Requirements for a geographical indication	Article 5 Requirements for a geographical indication	
Article 5, first paragraph				
104	For the name of a craft and industrial product to qualify for "geographical indication" protection, the product shall comply with the following requirements:	For the name of a craft and/or industrial product to qualify for "geographical indication" protection, the product shall comply with the following requirements:	1. For the name of a craft and industrial product to qualify for "geographical indication" protection, the product shall comply with the following requirements:	
Article 5, first paragraph, point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
105	(a) The product originates in a specific place, region or country;	(a) The product originates in a specific place, region or country;	(a) the product originates in a specific place, region or country;	
Article 5, first paragraph, point (b)				
106	(b) Its given quality, reputation or other characteristic is essentially attributable to its geographical origin; and	(b) Its given quality, reputation or other characteristic is essentially attributable to its geographical origin; and	(b) its given quality, reputation or other characteristic is essentially attributable to its geographical origin; and	
Article 5, first paragraph, point (c)				
107	(c) at least one of the production	(c) <i>at least one of</i> the <u>main</u>	(c) at least one of the production	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	steps of the product takes place in the defined geographical area.	production steps of the product takes <u>take</u> place in the defined geographical area.	steps of the product takes place in the defined geographical area.	
Article 5, second paragraph, introductory part				
107a			2. Products that are contrary to public policy are excluded from being the subject of geographical indication protection.	
TITLE II				
108	TITLE II	TITLE II	TITLE II	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	REGISTRATION OF GEOGRAPHICAL INDICATIONS	REGISTRATION OF GEOGRAPHICAL INDICATIONS	REGISTRATION OF GEOGRAPHICAL INDICATIONS	
Chapter 1				
109	Chapter 1 General Provisions	Chapter 1 General Provisions	Chapter 1 General Provisions	
109a		Article 5a Registration procedure		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
109b		<p><u>1. The registration procedure shall comprise two stages. The first stage shall take place at national level in accordance with Articles 11 to 16. The second stage shall take place at the level of the Office in accordance with Articles 17 to 31.</u></p>		
109c		<p><u>2. By way of derogation from</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>paragraph 1, Member States may opt out of the national stage of the procedure referred to in paragraph 1 and choose a direct registration in accordance with Article 15 in which only the Office is responsible for the registration.</u></p>		
109d		<p><u>3. Member States and the Office shall ensure that the administrative burden associated with the procedures for registering geographical indications is kept to a minimum in order to facilitate the registration.</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 6				
110	Article 6 Applicant	Article 6 Applicant	Article 6 Applicant	
Article 6(1)				
111	1. Applications for the registration of geographical indications shall only be submitted by a producer group of a product ('applicant producer group'), the name of which is proposed for registration.	1. Applications for the registration of geographical indications shall only be submitted by a producer group. <u>Upon request from the</u> of a product ('applicant producer group'), the name of which is	1. Applications for the registration of geographical indications shall only be submitted by a producer group of a product ('applicant producer group'), the name of which is proposed for registration.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Regional or local public entities may help in the preparation of the application and in the related procedure.	proposed for registration. regional or local public entities may <u>shall</u> help in the preparation of the application and in the related procedure.	Regional or local public entities may help in the preparation of the application and in the related procedure.	
Article 6(2)				
112	2. An authority designated by a Member State may be deemed to be an applicant producer group for the purposes of this Title, if it is not feasible for the producers concerned to form a group by reason of their number, geographical location or organisational characteristics. Where such representation takes	2. An authority designated by a Member State, <u>in particular a regional or local authority</u> , may be deemed to be an applicant producer group for the purposes of this Title, if it is not feasible for the producers concerned to form a group by reason of their number, geographical location or organisational characteristics.	2. An authority designated by a Member State may be deemed to be an applicant producer group for the purposes of this Title, if it is not feasible for the producers concerned to form a group by reason of their number, geographical location or organisational characteristics. Where such representation takes	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	place, the application referred to in Article 11(3) shall state these reasons for such representation.	Where such representation takes place, the application referred to in Article 11(3) shall state these reasons for such representation.	place, the application referred to in Article 11(3) shall state these reasons for such representation. (moved to paragraph 3a and 3b)	
Article 6(3)				
113	3. A single producer may be deemed to be an applicant producer group for the purposes of this Title, where both of the following conditions are fulfilled:	3. <u>By way of derogation from paragraph 1,</u> a single producer may <u>shall</u> be deemed to be an applicant producer group for the purposes of this Title, where both of the following conditions are fulfilled:	3. A single producer may be deemed to be an applicant By way of derogation from paragraph 1, a single producer group for the purposes of this Title, may be an applicant where both of the following conditions are fulfilled:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 6(3)(a)				
114	(a) the person concerned is the only producer willing to submit an application for the registration of a geographical indication;	(a) the person concerned is the only producer willing to submit an application for the registration of a geographical indication;	(a) the person concerned is the only producer willing to submit an application for the registration of a geographical indication;	
Article 6(3)(b)				
115	(b) the geographical area concerned is defined by natural features without reference to property boundaries and has characteristics which differ appreciably from those of neighbouring areas or the	(b) the geographical area concerned is defined by natural features <u>a particular portion of territory</u> without reference to <u>private</u> property boundaries and has characteristics which differ appreciably from those of	(b) the geographical area concerned is defined by natural features without reference to property boundaries and has characteristics which <u>that</u> differ appreciably from those of neighbouring areas, or the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	characteristics of the product are different from those produced in neighbouring areas.	neighbouring areas or the characteristics of the product are different from those produced in neighbouring areas.	characteristics of the product are different from those the characteristics of products produced in neighbouring areas.	
115a			3a. Upon request by the producer group or the single producer, a public or private entity may assist in the preparation of the application and in the related procedure.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
115b			<p>3b. A local or regional authority, other than any of the authorities referred to in Articles 11(1) and 45(1), designated by a Member State, or a private entity designated by a Member State, may be deemed to be an applicant within the meaning of paragraph 1. The application referred to in Article 6a shall state the reasons for such designation.</p>	
Article 6(4)				
116	4. In the case of a geographical	4. In the case of a geographical	4. In the case of a geographical	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>indication that designates a cross-border geographical area, producer groups from different Member States may lodge a joint application for the registration of a geographical indication from either Member State. When the cross-border geographical area concerns a Member State and a third country, they may lodge a joint application for registration with the national authority of the Member State concerned. When the cross-border geographical area concerns several third countries, several producer groups may lodge a joint application with the Office.</p>	<p>indication that designates a cross-border geographical area, producer groups from different Member States may lodge a joint application for the registration of a geographical indication from either Member State. When the cross-border geographical area concerns a Member State and a third country, they may lodge a joint application for registration with the national authority of the Member State concerned. When the cross-border geographical area concerns several third countries, several producer groups may lodge a joint application with the Office.</p>	<p>indication that designates a cross-border geographical area, producer groups several applicants, from different Member States may lodge a joint application for the registration of a geographical indication from either, from Member State. When the cross-border geographical area concerns a Member State and a States and third countries, or from third country, they countries, may lodge a joint application for registration with the national authority of the Member State concerned. When the cross-border the registration of a geographical area concerns several third countries, several producer groups may lodge a joint application with the Office indication.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
116a		<p><u>4a. The access to a geographical indication shall be open to any new producer complying with the respective product specification.</u></p>		
116b			<p>Article 6a</p> <p>Application</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved from Article 11(3))	
116c			The application for registration of a geographical indication shall comprise:	
116d			(a) the product specification referred to in Article 7;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
116e			(b) the single document referred to in Article 8; and	
116f			(c) the accompanying documentation referred to in Article 9.	
Article 7				
117				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 7 Product specification	Article 7 Product specification	Article 7 Product specification	
Article 7(1)				
118	1. Craft and industrial products the names of which are registered as a geographical indication shall comply with a product specification, which shall include at least:	1. Craft and industrial products the names of which are <u>In order for the name of a craft or industrial product to be</u> registered as a geographical indication, <u>the product concerned</u> shall comply with <u>an objective and non-discriminatory</u> product specification, which shall include at least:	1. Craft and industrial products the names of which are registered In order for the name of a craft or industrial product to be protected as a geographical indication, the product shall comply with the product specification, which shall include at least:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 7(1), point (a)				
119	(a) the name to be protected as geographical indication which may be either a geographical name of the place of production of a specific product, or a name used in trade or in common language to describe the specific product in the defined geographical area;	(a) the name to be protected as geographical indication which may be either a geographical name of the place of production of a specific product, or a name used in trade or in common language to describe <u>or to refer to</u> the specific product in the defined geographical area;	(a) the name to be protected as a geographical indication, which may be either a geographical name of the place of production of a specific product, or a name used in trade or in common language to describe the specific product in the defined geographical area;	
119a		<u>(aa) the type of product or products covered by the name;</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 7(1), point (b)				
120	(b) a description of the product, including, if appropriate, the raw materials;	(b) a description of the product, including, if appropriate, the raw materials;	(b) a description of the product, including, if where appropriate, the raw materials;	
Article 7(1), point (c)				
121	(c) the specification of the defined geographical area creating the link referred to in point (g),	(c) the specification of the defined geographical area creating as <u>referred to in Article 5, point (b), and details establishing</u> the link referred to in point (g) <u>between the geographical area and a given</u>	(c) the specification of the defined geographical area creating the link referred to in point (g);;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>quality, the reputation or other characteristic of the product;</u></p> <p>(moved from Article 7(1) point (g))</p>		
Article 7(1), point (d)				
122	(d) evidence that the product originates in the defined geographical area specified in Article 5, point (c);	(d) evidence that the product originates in the defined geographical area specified in Article 5, point (e) (a);	(d) evidence that the product originates, and that at least one of the production steps takes place, in the defined geographical area as specified in Article 5, point 5(1), points (a) and (c);	
Article 7(1), point (e)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
123	(e) a description of the method of producing or obtaining the product and, where appropriate, the traditional methods and specific practices used;	(e) a description of the method of producing or obtaining the product and, where appropriate, the traditional methods and specific practices used;	(e) a description of the method of producing or obtaining the product and, where appropriate, the traditional methods and specific practices used;	
Article 7(1), point (f)				
124	(f) information concerning packaging, where the applicant producer group so determines and gives sufficient product-specific justification as to why the packaging must take place in the defined geographical area to safeguard quality, to ensure the	(f) information concerning packaging, where the applicant producer group so determines and gives sufficient product-specific justification as to why the packaging must take place in the defined geographical area to safeguard quality, to ensure the	(f) information concerning packaging, where the applicant producer group so determines and gives sufficient product-specific justification as to why where the packaging must has to take place in the defined geographical area to safeguard quality, to ensure the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	origin or to ensure control, taking into account Union law, in particular that on the free movement of goods and the free movement of services;	origin or to ensure control, taking into account Union law, in particular that on the free movement of goods and the free movement of services;	origin or to ensure control, taking into account Union law, in particular that on the free movement of goods and the free movement of services, in which case the applicant shall give sufficient product-specific justification as to why the packaging must take place in that area;	
Article 7(1), point (g)				
125	(g) details establishing the link between a given quality, the reputation or other characteristic of the product and the geographical origin as referred to in Article 5,	<i>deleted</i>	(g) details establishing the link between a given quality, the reputation or other characteristic of the product and the geographical origin as referred to in Article 5,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	point (b);	<i>(moved to Article 7 (1) point (c))</i>	point (b);	
Article 7(1), point (h)				
126	(h) any specific labelling rule for the product in question;	(h) any specific labelling rule for the product in question;	(h) any specific labelling rule for the product in question;	
126a			(ha) indication and specific provisions for the verification of compliance of any individual production step that is carried out by one or more producers in a Member State or third country	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			other than the Member State or third country in which the geographical indication originates;	
126b		<p><u>(ha) the name and contact details of the competent authority and/or product certification body that verifies compliance with the provisions of the product specification;</u></p> <p>(moved from Article 9 (1) point (c))</p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 7(1), point (i)				
127	(i) other applicable requirements where provided for by Member States or by a producer group, if applicable, having regard to the fact that such requirements must be objective, non-discriminatory and compatible with Union law.	(i) other applicable requirements where provided for by Member States or by a producer group, if applicable, having regard to the fact that such requirements must be objective, non-discriminatory and compatible with Union law.	(i) other applicable requirements where provided for by Member States or by a producer group, if as applicable, having regard to the fact that such requirements must be objective, non-discriminatory and compatible with national and Union law.	
Article 7(2)				
128	2. The Commission may adopt implementing acts laying down rules, which limit the information	2. The Commission may adopt implementing acts laying down rules, which limit the information	2. The Commission may adopt implementing acts laying down rules, which that limit the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	contained in the product specification referred to in paragraph 1, where such a limitation is necessary to avoid excessively voluminous applications for registration and rules on the form of the product specification. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	contained in the product specification referred to in paragraph 1, where such a limitation is necessary to avoid excessively voluminous applications for registration and rules on the form of the product specification. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	information contained in the product specification referred to in paragraph 1, where such a limitation is necessary to avoid excessively voluminous applications for registration and rules on the form of the product specification. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	
Article 8				
129	Article 8 Single document	Article 8 Single document	Article 8 Single document	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 8(1)				
130	1. The single document shall comprise:	1. The single document, <u>as set out in Annex II</u> , shall comprise <u>the following information</u> : (moved from Article 8 (1) point (a) introductory part)	1. The single document shall be drawn up by using the form set out in Annex II and comprise:	
Article 8(1), point (a), introductory part				
131	(a) the following main points of the product specification:		(a) the following main points of the product specification:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><i>deleted</i></p> <p><i>(moved to Article 8(1))</i></p>		
Article 8(1), point (a)(i)				
132	(i) the name;	<p>(i)(a) the name <u>to be protected as a geographical indication</u>;</p>	(i) the name that is requested to be protected as a geographical indication ;	
132a		<p>(aa) <u>the type of product (craft or</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>industrial</u>);		
Article 8(1), point (a)(ii)				
133	(ii) a description of the product, including, where appropriate, specific rules concerning packaging and labelling,	(ii) (b) a description of the product, including, where appropriate, specific rules <u>information</u> concerning packaging and labelling, <u>and the main stages of the production process</u> ;	(ii) a description of the product, including, where appropriate, specific rules the raw materials and information concerning the packaging and labelling;;	
Article 8(1), point (a)(iii)				
134	(iii) a concise definition of the	(iii) (c) a concise definition of the	(ii) a concise definition of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	geographical area;	geographical area;	geographical area;	
Article 8(1), point (b)				
135	(b) a description of the link between the product and the geographical origin referred to in Article 7(1), point (g), including, where appropriate, the specific elements of the product description or production method justifying that link.	(b) (d) a description of the link between the product and the geographical origin referred to in Article 7(1), point (g) (c), including, where appropriate, the specific elements of the product description or production method justifying that link.	(b) a description of the link between the product and the geographical origin referred to in Article 7(1), point (g), including, where appropriate, the specific elements of the product description or production method justifying that link.	
135a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u><i>1a. Where the applicant is a micro, small or medium-sized enterprise (MSME) or is a producer group consisting only of MSMEs, the single document shall, at the request of the applicant, be prepared by the competent authority of the Member State from where the producer group originates, on the basis of the information provided in accordance with Articles 7 and 9. In the case of cross-border applications, the single document may be prepared by any of the competent authorities concerned. Where a Member State decides to use the direct registration procedure referred to in Article 15, the single document shall be prepared by the Office and the</i></u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>deadline for the examination shall be extended to eight months. The competent authority shall send the single document to the applicant for approval.</i></u>		
Article 8(2)				
136	2. The Commission may adopt implementing acts setting out the format and online presentation of the single document provided for in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	2. The Commission may adopt implementing acts setting out the format and online presentation of the single document provided for in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	2. The Commission may adopt implementing acts setting out the format and online presentation of the single document provided for in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(deleted – as the form of the single document is finalised in Annex II)	
Article 9				
137	Article 9 Documentation accompanying the application for registration	Article 9 Documentation accompanying the application for registration	Article 9 Documentation accompanying the application for registration	
Article 9(1)				
138	1. The documentation	1. The documentation	1. The documentation	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	accompanying the application for registration ('accompanying documentation') shall comprise:	accompanying the application for registration ('accompanying documentation') shall comprise:	accompanying the application for registration ('accompanying documentation') shall comprise:	
Article 9(1), point (a)				
139	(a) information concerning any proposed limitations on the use or protection of the geographical indication, as well as any transitional measures proposed by the applicant producer group or by the national authorities notably following the national examination and opposition procedure;	(a) information concerning any proposed limitations on the use or protection of the geographical indication, as well as any transitional measures proposed by the applicant producer group or by the national <u>competent</u> authorities notably following the national examination and opposition procedure;	(a) information concerning any proposed limitations on the use or protection of the geographical indication, as well as any transitional measures proposed by the applicant producer group or by the national authorities notably following the national examination and opposition procedure;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved to point (ca))	
Article 9(1), point (b)				
140	(b) the name and contact details of the applicant producer group;	(b) the name and contact details of the applicant producer group ;	(b) the name and contact details of the applicant producer group ;	
Article 9(1), point (c)				
141	(c) the name and contact details of the competent authority and/or product certification body verifying compliance with the provisions of the product	<i>deleted</i>	(c) the name and contact details of the competent authority and/or referred to in Article 45(1) and, if applicable, of the product certification body or natural person verifying compliance with	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	specification;	<i>(moved to Article 7(1) (ha))</i>	the provisions of the product specification product specification referred to in Articles 46(6)(b), 46a(1)(b) and 46b(b);	
141a			(ca) information concerning any proposed limitations on the use or protection of the geographical indication, as well as any transitional measures proposed by the applicant or by the national competent authority, notably following the national examination and opposition procedure;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 9(1), point (d)				
142	(d) a statement as to whether the applicant wants to receive domain name alerts within the meaning of Article 31;	(d) a statement as to whether the applicant wants to receive domain name alerts within the meaning of Article 31;	(d) a statement as to whether the applicant wants to receive domain name alerts within the meaning of Article 31;	
Article 9(1), point (e)				
143	(e) any other information deemed appropriate by the Member State, or by the applicant.	(e) any other information deemed appropriate by the Member State, or by the applicant.	(e) any other information deemed appropriate by the Member State, or by or the applicant.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 9(2)				
144	2. The Commission shall be empowered to adopt delegated acts supplementing this Regulation by provisions clarifying the requirements or listing additional items of the accompanying documentation to be supplied.	<i>deleted</i>	2. The Commission shall be empowered to adopt delegated acts supplementing this Regulation by provisions clarifying specifying the requirements or listing additional items of the accompanying documentation to be supplied. set out in paragraph 1 (deleted words moved to paragraph 2a)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
144a			2a. The Commission shall be empowered to adopt delegated acts amending this Regulation listing additional items of the accompanying documentation to be supplied.	
Article 9(3)				
145	3. The Commission may adopt implementing acts defining the format and online presentation of the accompanying documentation. Those implementing acts shall be adopted in accordance with the examination procedure referred to	3. The Commission may adopt implementing acts defining the format and online presentation of the accompanying documentation. Those implementing acts shall be adopted in accordance with the examination procedure referred to	3. The Commission may adopt implementing acts defining the format and online presentation of the accompanying documentation. Those implementing acts shall be adopted in accordance with the examination procedure referred to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	in Article 65(2).	in Article 65(2).	in Article 65(2).	
Article 10				
146	Article 10 Registration fees	Article 10 Registration fees	Article 10 Registration fees (deleted – moved to Article 62a)	
Article 10(1)				
147	1. Member States may charge a fee to cover the costs of managing	1. Member States may charge a fee to cover the costs of managing	1. Member States may charge a fee to cover the costs of managing	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the geographical indication system for craft and industrial products provided for in this Regulation, including those incurred in processing applications, statements of opposition, applications for amendments and requests for cancellations.	the geographical indication system for craft and industrial products provided for in this Regulation, including those incurred in processing applications, statements of opposition, applications for amendments and requests for cancellations <u>and appeals</u> .	the geographical indication system for craft and industrial products provided for in this Regulation, including those incurred in processing applications, statements of opposition, applications for amendments and requests for cancellations. (deleted - moved to Article 62a)	
Article 10(2)				
148	2. Where a Member State charges a fee, the level of the fees shall be reasonable, foster the competitiveness of the producers of	2. Where a Member State charges a fee <u>covering administrative costs</u> , the level of the fees shall be reasonable, foster the	2. Where a Member State charges a fee, the level of the fees shall be reasonable, foster the competitiveness of the producers of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the geographical indications and shall take into account the situation of micro, small and medium-sized enterprises.	competitiveness of the producers <u>and proportionate to the means</u> of the geographical indications and shall take into account the situation of micro, small and medium-sized enterprises. <u>businesses in order to foster the competitiveness of the producers of the geographical indications</u>	the geographical indications and shall take into account the situation of micro, small and medium-sized enterprises. (deleted - moved to Article 62a)	
Article 10(3)				
149	3. The Office shall not charge any fee for any procedure under this Regulation.	3. The Office shall not charge any fee for any procedure under this Regulation.	3. The Office shall not charge any fee for any procedure under this Regulation.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(deleted - moved to Article 62a)	
Article 10(4)				
150	4. By way of derogation to paragraph 3 of this Article, the Office shall charge a fee in the direct registration procedure referred to in Article 15, in the procedure referred to in Article 17(3) and for the appeals before the Boards of Appeal referred to in Article 30. Fees may be charged also for the amendment of the product specification and cancellation if the procedure concerns a name that was registered under Article 15 or	4. By way of derogation to paragraph 3 of this Article, the Office shall charge a fee in the direct registration procedure referred to in Article 15, in the procedure referred to in Article 17(3) and for the appeals before the Boards of Appeal referred to in Article 30. Fees may be charged also for the amendment of the product specification and cancellation if the procedure concerns a name that was registered under Article 15 or	4. By way of derogation to paragraph 3 of this Article, the Office shall charge a fee in the direct registration procedure referred to in Article 15, in the procedure referred to in Article 17(3) and for the appeals before the Boards of Appeal referred to in Article 30. Fees may be charged also for the amendment of the product specification and cancellation if the procedure concerns a name that was registered under Article 15 or	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 17(3).	Article 17(3).	Article 17(3). (deleted - moved to Article 62a)	
150a		<u>4a. The fees referred to in paragraph 2 and 4 shall not exceed the costs incurred for the provision of the services in exchange for which the fees are paid. In addition, the fees shall be of a lower amount for MSMEs, in order to enable their full access to the protection of geographical indications and the safeguarding of their intellectual property</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		rights.		
Article 10(5)				
151	5. The Commission shall adopt implementing acts to determine the amounts of the fees charged by the Office and the ways in which they are to be paid or, in case of the fee for appeals before the Boards of Appeal, reimbursed. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	5. The Commission shall adopt implementing acts to determine the amounts of the fees charged by the Office and the ways in which they are to be paid or, in case of the fee for appeals before the Boards of Appeal, reimbursed. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	5. The Commission shall adopt implementing acts to determine the amounts of the fees charged by the Office and the ways in which they are to be paid or, in case of the fee for appeals before the Boards of Appeal, reimbursed. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(deleted - moved to Article 62a)	
Chapter 2				
152	Chapter 2 National stage of the registration	Chapter 2 National stage of the registration	Chapter 2 National stage of the phase of registration	
Article 11				
153	Article 11 Designation of competent authority and procedure for national	Article 11 Designation of competent authority and procedure for national	Article 11 Designation of competent authority and procedure for the national	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	application	application	phase of registration -application	
Article 11(1)				
154	1. Without prejudice to paragraph 4 of this Article and Article 15, each Member State shall maintain or designate a competent authority for the management of the national phase of the registration and other procedures for geographical indications for craft and industrial products.	1. Without prejudice to paragraph 4 of this Article and Article 15, each Member State shall maintain or designate a competent authority for the management of the national phase of the registration and other procedures for geographical indications for craft and industrial products.	1. Without prejudice to paragraph 4 of this Article and to Article 15, each Member State shall maintain or -designate a competent authority for the management of national phase of registration of geographical indications for craft and industrial products. That competent authority shall also be responsible for the national phase of the registration and other procedures for geographical indications for craft and industrial products procedures regarding	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			any amendments to the product specification or regarding the cancellation of the registration.	
Article 11(2)				
155	2. Without prejudice to paragraph 4 of this Article and Article 15, an application for registration of a geographical indication originating in the Union shall be addressed to the competent authorities of the Member State in which the product concerned originates.	2. Without prejudice to paragraph 4 of this Article and Article 15, an application for registration of a geographical indication originating in the Union shall be addressed to the competent authorities of the Member State in which the product concerned originates.	2. Without prejudice to paragraph 4 of this Article and to Article 15a(1), an application for registration of a geographical indication of a product originating in the Union shall be addressed to the competent authorities authority of the Member State in which the product concerned originates.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 11(3)				
156	3. Applications shall comprise:	3. Applications shall comprise:	3. Applications shall comprise: (moved to Article 6a)	
Article 11(3), point (a)				
157	(a) the product specification referred to in Article 7,	(a) the product specification referred to in Article 7,	(a) the product specification referred to in Article 7, (moved to Article 6a)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 11(3), point (b)				
158	(b) the single document referred to in Article 8	(b) the single document referred to in Article 8	(b) the single document referred to in Article 8 (moved to Article 6a)	
Article 11(3), point (c)				
159	(c) the accompanying documentation referred to in Article 9.	(c) the accompanying documentation referred to in Article 9.	(e) the accompanying documentation referred to in Article 9. (moved to Article 6a)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
159a		<p><u>3a. The competent authority shall ensure that applicants can submit their applications electronically via the digital system of the Office provided for in Article 18(1) and Article 64.</u></p>		
Article 11(4)				
160	4. Two or more Member States may agree that the competent authority of one Member State is in	4. Two or more Member States may agree that the competent authority of one Member State is in	4. Two or more Member States may agree that the competent authority of one Member State is in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	charge of the national phase of the registration and other procedures, including the submission of the Union application to the Office, also on behalf of the other Member State, or Member States.	charge of the national phase of the registration and other procedures, including the submission of the Union application to the Office, also on behalf of the other Member State, or Member States.	charge of the national phase of the registration and other procedures referred to in paragraph 1 , including the submission of the Union application to the Office, also on behalf of the other Member State, or Member States.	
Article 11(5)				
160a			5. Member States shall inform the Commission and the Office by [the date of application of this Regulation] of the names and addresses of the designated competent authorities, and keep that information updated. They shall inform the Commission and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>the Office, by the same date, if they decide to cooperate with each other on a permanent basis in relation to the processing of applications, as provided for in paragraph (4).</p> <p>(moved from Article 68(3))</p>	
Article 12				
161	<p>Article 12</p> <p>Examination by competent authorities</p>	<p>Article 12</p> <p>Examination by competent authorities</p>	<p>Article 12</p> <p>Examination by the competent authorities authority</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 12, first paragraph				
162	<p>The competent authority shall examine the application and shall check that the product complies with the requirements for geographical indications referred to in Article 5 and provides the necessary information for registration referred to in Articles 7, 8 and 9.</p>	<p>The competent authority shall examine the application <u>through effective and transparent mechanisms</u> and shall check <u>within six months of the submission of the application</u> that the product complies with the requirements for geographical indications referred to in Article 5 and provides the necessary information for registration referred to in Articles 7, 8 and 9. <u>Where the examination period exceeds or is likely to exceed six months, the competent authority shall inform the applicant of the reasons for the delay in writing.</u></p>	<p>1. The competent authority shall examine the application and shall check that the product to verify that it complies with the requirements for geographical indications referred to in Article 5 and 6, and that the application provides the necessary information for registration, as referred to in Articles 7, 8 and 9.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>The total examination period shall not exceed one year.</i></u>		
162a		<u><i>Where Article 8(1a) applies, the competent authority shall prepare the single document on the basis of the information provided in accordance with Articles 7 and 9 and send it to the applicant for approval.</i></u>		
Article 12, second paragraph				
162b				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>2. Where the competent authority finds that the application is incomplete, it shall give the applicant the possibility to correct or complete the application within a set time limit.</p>	
Article 12, third paragraph				
162c			<p>3. Where, following the examination of the application, the competent authority finds that the application does not fulfill the requirements or provide the necessary information for registration, it shall reject the application.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Otherwise, it shall proceed to the national opposition procedure referred to in Article 13.	
Article 13				
163	Article 13 National opposition procedure	Article 13 National opposition procedure	Article 13 National opposition procedure	
Article 13(1)				
164	1. After the conclusion of the examination referred to in Article 12, the competent authority shall	1. After the conclusion of the examination referred to in Article 12, the competent authority shall	1. After the conclusion of Following the examination referred to in Article 12 12(1) , the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>conduct a national opposition procedure. That procedure shall ensure publication of the application and provide for a period of at least 60 days from the date of publication within which any person having a legitimate interest and established or resident on the territory of the Member State in charge of the national phase of the registration or of the Member States in which the product concerned originates ('national opponent') may lodge an opposition to the application with the competent authority of the Member State in charge of the national phase of the registration.</p>	<p>conduct a national opposition procedure. That procedure shall ensure publication of the application and provide for a period of at least 60 days from the date of publication within which any person having a legitimate interest and established or resident on the territory of the Member State in charge of the national phase of the registration or of the Member States in which the product concerned originates ('national opponent') may lodge an opposition to the application with the competent authority of the Member State in charge of the national phase of the registration.</p>	<p>competent authority shall conduct a national opposition procedure. That procedure shall ensure provide for the publication of the application and provide for a period of at least 60 days two months from the date of publication within which any person having a legitimate interest and established or resident on the territory of in the Member State in charge of the national phase of the registration or of in the Member States in which the product concerned originates ('national opponent') may lodge an opposition to the application with the competent authority of the Member State in charge of the national phase of the registration.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 13(2)				
165	<p>2. The competent authority shall establish the detailed arrangements of the opposition procedure. Those detailed arrangements may include criteria for the admissibility of an opposition, a period of consultation between the applicant and each national opponent, and submission of a report from the applicant on the outcome of the consultations including any changes the applicant has made to the application.</p>	<p>2. The competent authority shall establish the detailed arrangements <u>check the admissibility</u> of the opposition. <u>If it considers that the opposition is admissible, it shall, within 30 days of the receipt of that</u> procedure. Those detailed arrangements may include criteria for the admissibility of an opposition, a period of consultation between <u>invite the opponent and</u> the applicant and each national opponent, and submission of a report from the applicant on the outcome of the consultations including any changes the</p>	<p>2. The competent authority shall establish the detailed arrangements for the opposition procedure. Those detailed arrangements may include criteria for the admissibility of an opposition, a period of consultation between the applicant and each national opponent, and submission of a report from the applicant on with a view to a friendly settlement. The outcome of thesuch consultations, including any possible changes to the application agreed, shall be communicated the applicant has made to the application competent authority by the applicant.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p>applicant has made to the application <u>to engage in consultations for a reasonable period not exceeding three months. At any time during that period, the competent authority may, at the request of either party, extend the time limit for the consultations by a maximum of three months.</u></p>		
165a		<p><u>2a. An opposition shall be based on one or more of the following grounds for opposition:</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
165b		<u>(a) the proposed geographical indication does not comply with the requirements for protection laid down in this Regulation;</u>		
165c		<u>(b) the registration of the proposed geographical indication would be contrary to Article 37, 38 or 39;</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
165d		<p><u>(c) the registration of the proposed geographical indication would be detrimental to the use of an identical or similar name or of a trade mark, or the use of products which have been legally on the market for at least five years preceding the date of the publication provided for in Article 18(3).</u></p>		
Article 13(3)				
165e			<p>3. An opposition lodged shall be admissible only if it is based on one or more of the following</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			grounds for opposition:	
Article 13(3)(a)				
165f			(a) the proposed geographical indication does not comply with the requirements for protection laid down in this Regulation;	
Article 13(3)(b)				
165g			(b) the registration of the proposed geographical indication would be contrary to Articles 37	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			and 38 or Article 39(1); or	
Article 13(3)(c)				
165h			(c) the registration of the proposed geographical indication would jeopardise the existence of an identical or similar name used in trade or of a trade mark, or the existence of products that have been legally on the market for at least five years preceding the date of the publication provided for in paragraph 1.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
165i		<u><i>2b. All aspects of the opposition procedure other than those covered by paragraphs 2 and 2a shall be decided upon by the competent authority.</i></u>		
Article 14				
166	Article 14 Decision on national application	Article 14 Decision on national application	Article 14 Decision on the national application phase	
Article 14(1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
167	<p>1. If the competent authority, after the examination of the application and the assessment of the results of any oppositions received, and any changes to the application agreed with the applicant, finds that the requirements of this Regulation are met, it shall take a favourable decision and lodge a Union application for registration in accordance with Article 17.</p>	<p>1. If the competent authority, after the examination of the application and the assessment of the results of any oppositions received, and any changes to the application agreed with the applicant, finds that the requirements of this Regulation are met, it shall take a favourable decision <u>within four months of that finding and shall</u> and lodge, <u>within two months of the favourable decision,</u> a Union application for registration in accordance with Article 17.</p>	<p>1. IfWhere the competent authority, after the examination of the application and the assessment of the results of any oppositions received, andthe opposition procedure, including, where applicable, any changes to the application agreed with the applicant, finds that the requirements of this Regulation are met, it shall take a favourable decision and lodge a Union submit the application for registration, in accordance with Article 17(1), to the Office. Otherwise, it shall reject the application.</p>	
Article 14(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
168	2. The competent authority shall ensure that its decision is made public and that any person having a legitimate interest has an opportunity to lodge an appeal. The competent authority shall ensure that the product specification on which its favourable decision is based is published, and shall provide electronic access to the product specification.	2. The competent authority shall ensure that <u>make</u> its decision is made public and <u>publicly available</u> and ensure that any person having a legitimate interest has an opportunity to lodge an appeal. The competent authority shall ensure that the product specification on which its favourable decision is based is published, and shall provide electronic access to the product specification.	2. The competent authority shall ensure that <u>make</u> its decision is made public and that any person having a legitimate interest has an opportunity to lodge an appeal. The competent authority. It shall ensure that <u>publish electronically</u> the product specification on which its favourable decision is based is published, and shall provide electronic access to the product specification.	
Article 14(3)				
168a			3. The applicant and any other	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>party to the opposition procedure shall have the right to lodge an appeal against the decision taken under paragraph 1.</p>	
168b			<p>Article 14a</p> <p>Temporary national protection</p> <p>(ex Article 16)</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
168c			<p>1. A Member State may, on a temporary basis, grant transitional protection to a geographical indication at national level, with effect from the date on which an application for registration is submitted to the Office.</p>	
168d			<p>2. The temporary national protection shall cease on the date on which either a decision on the application for registration is adopted or the application is</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			withdrawn.	
168e			<p>3. Where a geographical indication is not registered under this Regulation, the consequences of the temporary national protection shall be the sole responsibility of the Member State concerned.</p>	
168f			<p>4. The measures taken by</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Member States in accordance with this Article shall produce effects at national level only, and they shall have no effect on the internal market of the Union or international trade.	
Chapter 2a				
168g			Chapter 2a Derogation from the national phase or registration	
Article 15				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
169	Article 15 Direct registration	Article 15 Direct registration	Article 15 Direct registration Derogation from the national phase	
Article 15(1)				
170	1. By way of derogation from Article 11, the Commission shall be empowered to exempt a Member State from the obligation to designate a competent authority in accordance with Article 11(1) and to handle the management of the applications of geographical indications for craft and industrial	1. By way of derogation from Article 11, the Commission shall be empowered to exempt a Member State <u>Member State may opt out</u> from the obligation to designate a competent authority in accordance with Article 11(1) and to handle the management of the applications of geographical indications for	1. By way of derogation from Article 11, the Commission shall be empowered to exempt a Member State from the obligation to designate a competent authority in accordance with Article 11(1) and to handle the management of the process applications of for for geographical indications for craft	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	products at national level, if the Member State, by 6 months from the date of entry into force of this Regulation, provides the Commission with evidence that shows that the following conditions are met:	craft and industrial products at national level, if the Member State, by 6 months from the date of entry into force of this Regulation, provides <u>informs</u> the Commission with evidence that shows that the following conditions are met: of <u>their choice to use the direct registration procedure.</u>	and industrial products at national level, if the Member State, by 6[twelve months from before the date of application of this Regulation] the date of entry into force of this Regulation, provides the Commission with evidence that shows <u>showing</u> that the following conditions are met:	
Article 15(1), point (a)				
171	(a) the Member State concerned does not have a national sui generis system in place for the management of geographical indications for craft and industrial products; and	<i>deleted</i>	(a) the Member State concerned does not have a national sui generis system in place for the management of specific protection for geographical indications for craft and industrial	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			products; and	
Article 15(1), point (b)				
172	(b) the Member State concerned submits a request for an opt-out accompanied by an assessment to the Commission demonstrating that the local interest for protecting craft and industrial products by a geographical indication is low.	<i>deleted</i>	(b) the Member State concerned submits a request for an opt-out derogation accompanied by an assessment to the Commission demonstrating that the local interest for protecting craft and industrial products by a geographical indication is low.	
Article 15(2)				
173				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2. The Commission may request further information from the Member State before adopting a Commission Decision on the derogation referred in paragraph 1.	<i>deleted</i>	2. The Commission may request further information from the Member State before adopting a Commission decision on the derogation referred in paragraph 1.	
Article 15(3)				
174	3. When a Member State makes use of the derogation in accordance with paragraph 1, the application from a producer group of that Member State for registration, cancellation or amendment of the product specification of a geographical indication originating in the Union shall be addressed	3. When a Member State makes use of the derogation in accordance with paragraph 1, the application from a producer group of that <i>Member State concerned</i> application for registration, cancellation or amendment of <i>to</i> the product specification of a geographical indication originating in the Union shall be addressed	3. When a Member State makes use of the derogation in accordance with paragraph 1, the application from a producer group of that Member State for registration, cancellation or amendment of the product specification of a geographical indication originating in the Union shall be addressed	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	directly to the Office.	directly to the Office. <u>Where Article 8(1 a) applies, the Office shall also prepare the single document on the basis of the information provided in accordance with Articles 7 and 9.</u>	directly to the Office. (moved to Article 15a(1))	
Article 15(4)				
175	4. A Member State that has applied the derogation in accordance with paragraph 1, may decide to withdraw its opt-out and designate a competent authority for the management of the applications of geographical indications for craft and industrial products. Such decision shall not affect any	4. A Member State that has applied the derogation in accordance with paragraph 1, may decide to withdraw its opt-out and designate a competent authority for the management of the applications of geographical indications for craft and industrial products. Such decision shall not affect any	4. A Member State that has applied been granted the derogation in accordance with paragraph 1, may decide to withdraw its opt-out and designate a competent authority for the management the national phase of the applications registration of geographical indications for craft	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ongoing registration procedures. The Member State shall inform in writing the Commission of its decision to withdraw the opt-out.	ongoing registration procedures. The Member State shall inform in writing the Commission of its decision to withdraw the opt-out.	and industrial products. Such decision withdrawal shall not affect any ongoing registration procedures. The Member State shall inform the Commission in writing the Commission of its decision to withdraw the opt-out.	
Article 15(5)				
176	5. If the number of direct applications submitted by applicants from a Member State that has opted out substantially exceeds the estimate given in the assessment submitted by the Member State pursuant to paragraph 1, the Commission may	<i>deleted</i>	5. If the number of direct applications submitted by applicants from a Member State that has opted out substantially exceeds the estimate given in the assessment submitted by the Member State pursuant to paragraph 1, the Commission may	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	withdraw its decision referred to in paragraph 2.		withdraw its decision referred to in the derogation granted in accordance with paragraph 21.	
Article 15(6)				
177	6. The Member State shall provide the Commission and the Office with the details of a point of contact, independent from the applicant, for any technical issues relating to the product and the application.	6. The Member State shall provide the Commission and the Office with the details of a point of contact, independent from the applicant, for any technical issues relating to the product and the application.	6. The Any Member State shall provide the Commission and the Office with the details of a granted a derogation pursuant to paragraph 1 shall appoint a single point of contact, which is independent from the applicant and is impartial , for any technical issues relating to the product and the application, and shall provide the Commission and the Office with the relevant contact details.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 15(7)				
178	7. The Office shall communicate with both the applicant and the point of contact referred to in paragraph 6 on any technical issues relating to the application.	7. The Office shall communicate with both the applicant and the point of contact referred to in paragraph 6 on any technical issues relating to the application.	7. The Office shall communicate with both the applicant and the point of contact referred to in paragraph 6 on any technical issues relating to the application. (moved to Article 15a(4))	
Article 15(8)				
179	8. Upon request by the Office,	8. Upon request by the Office,	8. Upon request by the Office,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>within 60 days from such request, the Member State, through the contact point, shall provide assistance in particular for the examination process. Upon request by the Member State, the time limit may be extended by 60 days. Such assistance shall include examining certain specific aspects of the applications lodged by the applicant with the Office, verifying certain information in the applications, issuing declarations concerning such information and replying to other requests for clarifications made by the Office in relation to the applications.</p>	<p>within 60 days from such request, the Member State, through the contact point, shall provide assistance in particular for the examination process. Upon request by the Member State, the time limit may be extended by 60 days. Such assistance shall include examining certain specific aspects of the applications lodged by the applicant with the Office, verifying certain information in the applications, issuing declarations concerning such information and replying to other requests for clarifications made by the Office in relation to the applications. <u>The applicant shall be informed by the contact point of the response communicated to the Office.</u></p>	<p>within 60 days from such request, the Member State, through the contact point, shall provide assistance in particular for the examination process. Upon request by the Member State, the time limit may be extended by 60 days. Such assistance shall include examining certain specific aspects of the applications lodged by the applicant with the Office, verifying certain information in the applications, issuing declarations concerning such information and replying to other requests for clarifications made by the Office in relation to the applications.</p> <p>(moved to Article 15a(5))</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 15(9)				
180	<p>9. If the Member State, through the contact point, does not provide assistance within the time limit referred to in paragraph 8, the application shall be deemed not to be filed.</p>	<p>9. If the Member State, through the contact point, does not provide assistance within the time limit referred to in paragraph 8, the application procedure shall be <u>suspended and the Office shall inform the applicant that the contact point has not reacted and that the application is</u> deemed not to be filed <u>if there is no reaction within the following 30 days</u>.</p>	<p>9. If the Member State, through the contact point, does not provide assistance within the time limit referred to in paragraph 8, the application shall be deemed not to be filed.</p> <p>(moved to Article 15a(6))</p>	
Article 15(10)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
181	10. Registration fees may be applicable and paid to the Office. Such fees shall be laid down according to the procedure referred to in Article 10(5).	10. Registration fees may be applicable and paid to the Office. Such fees shall be laid down according to the procedure referred to in Article 10(5).	<p>10. Registration fees may be applicable and paid to the Office. Such fees shall be laid down according to the procedure referred to in Article 10(5).</p> <p>(moved to paragraphs (4)(a) and (5) of Article 62a)</p>	
Article 15(11)				
182	11. Articles 6 to 9, Articles 11 to 14 and Articles 16 to 30 shall apply to the direct registration procedure referred to in this Article mutatis	11. Articles 6 to 9 <u>Article 12</u> , Articles 11 to 14 <u>17 to 19</u> and Articles 16 <u>21</u> to 30 shall apply to the direct registration procedure	<p>11. Articles 6 to 9, Articles 11 to 14 and Articles 16 to 30 shall apply to the direct registration procedure referred to in this Article mutatis</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	mutandis, with the exception of any examination periods referred to in Article 19(2) and the obligation to conduct a national opposition procedure referred to in Article 13, which shall not apply.	referred to in this Article mutatis mutandis, with the exception of any examination periods referred to in Article 19(2) <u>19(3)</u> and the obligation to conduct a national opposition procedure referred to in Article 13, which shall not apply.	mutandis, with the exception of any examination periods referred to in Article 19(2) and the obligation to conduct a national opposition procedure referred to in Article 13, which shall not apply. (moved to Article 15a(2))	
Article 15(12)				
183	12. For the applications seeking direct registration, consulting the Advisory Board referred to in Article 33 shall be required.	12. For the applications seeking direct registration, consulting the Advisory Board referred to in Article 33 shall be required.	12. For the applications seeking direct registration, consulting the Advisory Board referred to in Article 33 shall be required.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 15(13)				
184	13. In the direct registration procedure, any person having a legitimate interest may lodge an opposition with the Office in accordance with Article 21.	13. In the direct registration procedure, any person having a legitimate interest may lodge an opposition with the Office in accordance with Article 21.	13. In the direct registration procedure, any person having a legitimate interest may lodge an opposition with the Office in accordance with Article 21. (moved to Article 15a(3))	
Article 15(14)				
185	14. This article shall not apply to applications for registration from third countries.	14. This article shall not apply to applications for registration from third countries.	14. This article shall not apply to applications for registration from third countries.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved to Article 15a(7))	
Article 15(15)				
186	15. Member States applying the procedure set out in this Article shall not be exempted from the obligations laid down in Articles 45 to 58 as regards checks and enforcement.	15. Member States applying the procedure set out in this Article shall not be exempted from the obligations laid down in Articles 45 to 58 as regards checks and enforcement.	15. Member States applying the procedure set out in this Article shall not be exempted from the obligations laid down in Articles 45 44a to 58 as regards checks and enforcement.	
Article 15(16)				
187				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>16. The Commission may adopt implementing acts setting out further details on the criteria for the application of direct registration and on the procedures for the preparation and submission of the direct applications. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).</p>	<p>16. The Commission may adopt implementing acts setting out further details on the criteria for the application of direct registration and on the procedures for the preparation and submission of the direct applications. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).</p>	<p>16. The Commission may adopt implementing acts setting out further details on the criteria for the application of direct registration and on the procedures for the preparation and submission of the direct applications. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).</p> <p>(moved to Article 15a(9))</p>	
187a				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>Article 15a</p> <p>Direct registration</p>	
187b			<p>1. Where a Member State has been granted the derogation in accordance with Article 15(1), any application from an applicant of that Member State for registration, cancellation or amendment to the product specification of a geographical indication of a product originating in the Union shall be addressed by the applicant directly to the Office.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved from Article 15(3))	
187c			<p>2. Article 12, Article 14(2), and Articles 19 and 21 to 30 shall apply, <i>mutatis mutandis</i>, to the direct registration procedure referred to in this Article, with the exception of any examination periods referred to in Article 19(3).</p> <p>(moved from Article 15(11))</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
187d			<p>3. In the direct registration procedure, any person having a legitimate interest, including national opponents as referred to in Article 13(1), may lodge an opposition with the Office in accordance with Article 21.</p> <p>(moved from Article 15(13))</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
187e			<p>4. The Office shall communicate with both the applicant and the single point of contact referred to in Article 15(6) on any technical issues relating to the application.</p> <p>(moved from Article 15(7))</p>	
187f			<p>5. Upon request by the Office, within two months from such request, the Member State, through the single point of contact, shall provide assistance</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>in particular for the examination process. Upon request by the Member State, the time limit may be extended by two months. Such assistance shall include examining certain specific aspects of the applications lodged by the applicant with the Office, verifying certain information in the applications, issuing declarations concerning such information and replying to other requests for clarifications made by the Office in relation to the applications.</p> <p>(moved from Article 15(8))</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
187g			<p>6. If the Member State, through the single point of contact, does not provide assistance within the time limit referred to in paragraph 5, the registration procedure shall be suspended for up to six months. If the above-mentioned assistance is not provided within this six-month period, the Geographical Indication Division referred to in Article 32 shall consult the Advisory Board referred to in Article 33 before taking a final decision on the application.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved from Article 15(9))	
187h			<p>7. This Article shall not apply to applications for registration of a geographical indication concerning a product originating in a third country.</p> <p>(moved from Article 15(14))</p>	
187i				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>8. The Commission shall be empowered to adopt delegated acts specifying the criteria for the direct registration procedure.</p>	
187j			<p>9. The Commission may adopt implementing acts laying down detailed rules on the procedures for the preparation and submission of direct applications. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved from Article 15(16))	
Article 16				
188	Article 16 Temporary national protection	Article 16 Temporary national protection	Article 16 Temporary national protection (deleted – moved to Article 14a)	
Article 16(1)				
189	1. A Member State may, on a temporary basis, grant transitional	1. A Member State may, on a temporary basis, grant transitional	1. A Member State may, on a temporary basis, grant transitional	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	protection to the geographical indications at national level, with effect from the date on which an application for registration is lodged with the Office.	protection to the geographical indications at national level, with effect from the date on which an application for registration is lodged with the Office.	protection to the geographical indications at national level, with effect from the date on which an application for registration is lodged with the Office.	
Article 16(2)				
190	2. The temporary national protection shall cease on the date on which either a decision on the application for registration is adopted or the application is withdrawn.	2. The temporary national protection shall cease on the date on which either a decision on the application for registration is adopted, <i>rejected</i> or the application is withdrawn.	2. The temporary national protection shall cease on the date on which either a decision on the application for registration is adopted or the application is withdrawn.	
Article 16(3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
191	3. Where a geographical indication is not registered under this Regulation, the consequences of the temporary national protection shall be the sole responsibility of the Member State concerned.	3. Where a geographical indication is not registered under this Regulation, the consequences of the temporary national protection shall be the sole responsibility of the Member State concerned.	3. Where a geographical indication is not registered under this Regulation, the consequences of the temporary national protection shall be the sole responsibility of the Member State concerned.	
Article 16(4)				
192	4. The measures taken by Member States in accordance with this Article shall produce effects at national level only, and they shall have no effect on the internal market of the Union or international trade.	4. The measures taken by Member States in accordance with this Article shall produce effects at national level only, and they shall have no effect on the internal market of the Union or international trade.	4. The measures taken by Member States in accordance with this Article shall produce effects at national level only, and they shall have no effect on the internal market of the Union or international trade.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Chapter 3				
193	Chapter 3 Union stage of the registration	Chapter 3 Union stage of the registration	Chapter 3 Union stage of the phase of registration	
Section 1				
194	Section 1 Procedure at the Union stage	Section 1 Procedure at the Union stage	Section 1 Procedure at the Procedures at Union stage level	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 17				
195	Article 17 Union application	Article 17 Union application	Article 17 Union phase of the application	
Article 17, unnumbered paragraph				
195a			Procedures at Union level cover:	
Article 17, unnumbered paragraph, point (a)				
195b				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(a) the Union phase of an application submitted by the competent authority of a Member State after a favourable decision has been taken on the application at the national phase in accordance with Article 14(1);	
Article 17, unnumbered paragraph, point (b)				
195c			(b) the processing of a direct application submitted in accordance with Article 15a; or	
Article 17, unnumbered paragraph, point (c)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
195d			(c) the processing of applications for a geographical indication concerning products originating in a third country, other than geographical indications protected in the Union under the Geneva Act or under any other international agreement to which the Union is a contracting party.	
Article 17(1)				
196	1. For geographical indications concerning products originating in the Union, the Union application for registration submitted by a	1. For geographical indications concerning products originating in the Union, the Union application for registration submitted by a	1. For geographical indications concerning products originating in the Union, the Union application for registration submitted by a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Member State to the Office, shall comprise:	Member State to the Office, shall comprise:	Member State to the Office, shall comprise: (incorporated into Article 18(1))	
Article 17(1), point (a)				
197	(a) the single document referred to in Article 8;	(a) the single document referred to in Article 8;	(a) the single document referred to in Article 8;	
Article 17(1), point (b)				
198	(b) the accompanying documentation referred to in	(b) the accompanying documentation referred to in	(b) the accompanying documentation referred to in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 9;	Article 9;	Article 9;	
Article 17(1), point (c)				
199	(c) declaration by the Member State to which the application was initially addressed, confirming that the application meets the conditions for registration under this Regulation;	(c) declaration by the Member State to which the application was initially addressed, confirming that the application meets the conditions for registration under this Regulation;	(c) declaration by the Member State to which the application was initially addressed, confirming that the application meets the conditions for registration under this Regulation;	
Article 17(1), point (d)				
200	(d) the electronic publication reference of the product	(d) the electronic publication reference of the product	(d) the electronic publication reference of the product	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	specification referred to in Article 7.	specification referred to in Article 7.	specification referred to in Article 7.	
Article 17(2)				
201	2. The electronic publication referred to in paragraph 1, point (d), shall be kept up to date.	2. The electronic publication referred to in paragraph 1, point (d), shall be kept up to date.	2. The electronic publication referred to in paragraph 1, point (d), shall be kept up to date. (moved to Article 18(3))	
Article 17(3)				
202	3. For geographical indications	3. For geographical indications	3. For geographical indications	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	concerning products originating in a third country or countries the application for registration is submitted to the Office, such application for registration shall comprise:	concerning products originating in a third country or countries the application for registration is submitted to the Office, such application for registration shall comprise <u>the following documents in one of the official languages of the Union or translated into one of the official languages of the Union</u> :	concerning products originating in a third country or countries the application for registration is submitted to the Office, such application for registration shall comprise: (moved to Article 18(2a))	
Article 17(3), point (a)				
203	(a) the product specification referred to in Article 7 together with its publication reference;	(a) the product specification referred to in Article 7 together with its publication reference;	(a) the product specification referred to in Article 7 together with its publication reference;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 17(3), point (b)				
204	(b) the single document referred to in Article 8;	(b) the single document referred to in Article 8;	(b) the single document referred to in Article 8;	
Article 17(3), point (c)				
205	(c) the accompanying documentation referred to in Article 9;	(c) the accompanying documentation referred to in Article 9;	(c) the accompanying documentation referred to in Article 9;	
Article 17(3), point (d)				
206				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(d) legal proof of protection of the geographical indication in its country of origin;	(d) legal proof of protection of the geographical indication in its country of origin;	(d) legal proof of protection of the geographical indication in its country of origin;	
Article 17(3), point (e)				
207	(e) a power of attorney where the applicant is represented by an agent.	(e) a power of attorney where the applicant is represented by an agent.	(e) a power of attorney where the applicant is represented by an agent.	
Article 17(4)				
208	4. A joint application for registration referred to in Article	4. A joint application for registration referred to in Article	4. A joint application for registration referred to in Article	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	6(4) shall be submitted to the Office by one of the Member States concerned or by the applicant producer group in a third country, directly or by the competent authority of that third country. If the cross-border area concerns any Member State and a third country, the joint application shall be submitted by the Member State concerned.	6(4) shall be submitted to the Office by one of the Member States concerned or by the applicant producer group in a third country, directly or by the competent authority of that third country. If the cross-border area concerns any Member State and a third country, the joint application shall be submitted by the Member State concerned.	6(4) shall be submitted to the Office by one of the Member States concerned or by the applicant producer group in a third country, directly or by the competent authority of that third country. If the cross-border area concerns any Member State and a third country, the joint application shall be submitted by the Member State concerned. (moved to Article 18(2b))	
Article 17(5)				
209	5. The joint application referred to	5. The joint application referred to	5. The joint application referred to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	in Article 6(4) shall include, where relevant, the documents listed in paragraphs 1 and 2 of this Article, from the Member States or third countries concerned. The related national procedure for application, the examination and opposition procedure referred to in Articles 11, 12 and 13 shall be carried out in all the Member States and third countries concerned.	in Article 6(4) shall include, where relevant, the documents listed in paragraphs 1 and 2 of this Article, from the Member States or third countries concerned. The related national procedure for application, the examination and opposition procedure referred to in Articles 11, 12 and 13 shall be carried out in all the Member States and third countries concerned.	in Article 6(4) shall include, where relevant, the documents listed in paragraphs 1 and 2 of this Article, from the Member States or third countries concerned. The related national procedure for application, the examination and opposition procedure referred to in Articles 11, 12 and 13 shall be carried out in all the Member States and third countries concerned. (moved to Article 18(2c))	
Article 17(6)				
210	6. The Commission shall be	6. The Commission shall be	6. The Commission shall be	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	empowered to adopt delegated acts defining procedures and conditions applicable to the preparation and submission of Union applications for registration.	empowered to adopt delegated acts defining procedures and conditions applicable to the preparation and submission of Union applications for registration.	empowered to adopt delegated acts defining procedures and conditions applicable to the preparation and submission of Union applications for registration. (moved to Article 18(3a))	
Article 17(7)				
211	7. The Commission may adopt implementing acts laying down detailed rules on procedures, the form and presentation of Union applications for registration, including for applications concerning more than one national	7. The Commission may adopt implementing acts laying down detailed rules on procedures, the form and presentation of Union applications for registration, including for applications concerning more than one national	7. The Commission may adopt implementing acts laying down detailed rules on procedures, the form and presentation of Union applications for registration, including for applications concerning more than one national	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	territory. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	territory. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	territory. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2). (moved to Article 18(3b))	
Article 18				
212	Article 18 Submission of the Union application	Article 18 Submission of the Union application	Article 18 Submission of the Union application application to the Union phase	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 18(1)				
213	<p>1. A Union application for the registration of a geographical indication, including the direct registration referred to in Article 15, shall be submitted to the Office electronically, through a digital system by the competent authority of the Member State or where Article 15 applies, by the producer group concerned. The digital system shall have the capacity to allow the submission of applications to competent authorities of a Member State, and to be used by the Member State in its national procedure.</p>	<p>1. A Union application for the registration of a geographical indication, including the direct registration referred to in Article 15, shall be submitted to the Office electronically, through a digital system by the competent authority of the Member State or where Article 15 applies, by the producer <u>group applicant</u> concerned. The digital system shall have the capacity to allow the submission of applications to competent authorities of a Member State, and to be used by the Member State in its national procedure. <u>The digital system shall be available in all the</u></p>	<p>1. A Union In cases referred to in Article 17(a), an application for the registration of a geographical indication, including the direct registration referred to in Article 15 concerning a product originating in the Union, shall be submitted to the Office electronically, through a digital system by the competent authority of the Member State or where Article 15 applies, by the producer group concerned. The digital system shall have the capacity to allow the submission of applications to competent authorities of a Member State, and</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>official languages of the Union.</i></u>	to be used by the Member State in its national procedure. (direct registration moved to paragraph 1a; electronic submission moved to paragraph 2d; sentence on digital system moved to Article 64(2))	
Article 18(1), unnumbered paragraph				
213a			The application shall comprise: (Moved from Article 17(1))	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 18(1), point (a)				
213b			(a) the single document referred to in Article 8;	
Article 18(1), point (b)				
213c			(b) the accompanying documentation referred to in Article 9;	
Article 18(1), point (c)				
213d				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(c) declaration by the Member State to which the application was initially addressed, confirming that the application meets the conditions for registration under this Regulation;	
Article 18(1), point (d)				
213e			(d) the reference to the electronic publication of the product specification published in accordance with Article 14(2).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
213f			<p>1a. An application for direct registration pursuant to Article 15a, as referred to in Article 17(b), shall be submitted to the Office by the applicant and shall comprise the documents listed in Article 6a.</p>	
Article 18(2)				
214	<p>2. Where the application for registration relates to a geographical area in a third country, the application shall be submitted to the Office, either directly by the applicant producer</p>	<p>2. Where the application for registration relates to a geographical area in a third country, the application shall be submitted to the Office, either directly by the applicant producer</p>	<p>2. Where the In cases referred to in Article 17(c), an application for registration relates to a geographical area in a third country, the application indication concerning a product originating</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>group or by the competent authority of the third country concerned. The digital system, referred to in paragraph 1, shall have capacity to allow the submission of those applications by an applicant producer group established in a third country and by the competent authorities in the third country concerned. The applicant producer group and the competent authorities of the third country concerned shall be considered a party to the procedure.</p>	<p>group or by the competent authority of the third country concerned. The digital system, referred to in paragraph 1, shall have capacity to allow the submission of those applications by an applicant producer group established in a third country and by the competent authorities in the third country concerned. The applicant producer group and the competent authorities of the third country concerned shall be considered a party to the procedure.</p>	<p>in a third-country shall be submitted to the Office, either directly by the applicant producer group or by the competent authority of the third country concerned. The digital system, referred to in paragraph 1, shall have capacity to allow the submission of those applications by an applicant producer group established in a, whichever the third country and by the competent authorities in the third country concerned allows. The applicant producer group and the competent authorities authority of the third country concerned shall be considered a party to be parties to the procedure.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(second sentence of Article 18(2) deleted – covered by Article 64(2), in conjunction with Article 17(c))	
214a			2a. An application for registration submitted to the Office pursuant to paragraph 2 shall comprise: (moved from Article 17(3))	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
214b			(a) the product specification referred to in Article 7;	
214c			(b) the single document referred to in Article 8;	
214d			(c) the accompanying documentation referred to in Article 9;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
214e			(d) legal proof of protection of the geographical indication in its country of origin;	
214f			(e) a power of attorney where the applicant is represented by an agent.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
214g			<p>2b. A joint application for registration as referred to in Article 6(4) shall be submitted to the Office by the competent authority of one of the Member States concerned or, where the cross-border area concerns only third countries, by the applicant in a third country, directly or by the competent authority of that third country. If the cross-border area concerns a Member State and a third country, the joint application shall be submitted by the competent authority of the Member State concerned.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved from Article 17(4))	
214h			<p>2c. A joint application as referred to in Article 6(4) shall include, as applicable, the documents listed in paragraphs 1, 1a and 2a of this Article, from the Member States or third countries concerned. The related national phase of the procedure referred to in Articles 11, 12 and 13 shall be conducted in all the Member States concerned, except where Article 11(4) applies.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved from Article 17(5))	
214i			<p>2d. The application shall be submitted electronically, using the digital system of the Office referred to in Article 64.</p> <p>(moved from Article 18(1))</p>	
Article 18(3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
215	3. Upon submission, the Office shall publish the Union application in the Union register of geographical indications for craft and industrial products.	3. Upon submission, the Office shall publish the Union application in the Union register of geographical indications for craft and industrial products.	3. Upon submission of the application , the Office shall publish the Union application make it public in the Union register of geographical indications for craft and industrial products (‘the Union register’) referred to in Article 34a. The product specification referred to in paragraph 1, point (d) shall be kept updated. (last sentence moved from Article 17(2))	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
215a			<p>3a. The Commission shall be empowered to adopt delegated acts defining procedures and conditions applicable to the preparation and submission of applications for registration at the Union phase.</p> <p>(moved from Article 17(6))</p>	
215b			<p>3b. The Commission may adopt implementing acts laying down detailed rules on procedures, the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>form and presentation of applications for registration at the Union phase, including for applications concerning more than one national territory. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).</p> <p>(moved from Article 17(7))</p>	
Article 19				
216	<p>Article 19</p> <p>Examination and publication for</p>	<p>Article 19</p> <p>Examination and publication for</p>	<p>Article 19</p> <p>Examination and publication for</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	opposition	opposition	opposition	
Article 19(1)				
217	1. The Office shall examine any application for registration that it receives under Article 17(1). Such examination shall consist of a check that:	1. The Office shall examine any application for registration that it receives under Article 17(1). Such examination shall consist of a check that:	1. The Office shall examine any its examination of an application for registration that it receives received under Article 17(1). Such examination 18, the Office shall consist of a check that:	
Article 19(1), point (a)				
218	(a) there are no manifest errors;	(a) there are no manifest errors;	(a) there are no manifest errors;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 19(1), point (b)				
219	(b) the information provided in accordance with Article 17 is complete; and	(b) the information provided in accordance with Article 17 is complete; and	(b) the information provided in accordance with Article 17 is pursuant to Article 18(1), (1a) and (2a), as applicable, is complete; and	
Article 19(1), point (c)				
220	(c) the single document is precise and technical in nature and in accordance with Article 8.	(c) the single document is precise and technical in nature and in accordance with Article 8.	(c) the single document is precise and technical in nature and in accordance with Article 8.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 19(2)				
221	2. The examination shall take into account the outcome of the preliminary national procedure carried out by the Member State concerned, unless Article 15 is applied.	2. The examination shall take into account the outcome of the preliminary national procedure carried out by the Member State concerned, unless Article 15 is applied.	2. The examination pursuant to paragraph 1 shall be carried by the Geographical Indication Division referred to in Article 32 and shall take into account the outcome of the preliminary national procedure carried out by the Member State concerned, unless Article 15 is applied 15a applies.	
Article 19(3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
222	<p>3. The examination carried out pursuant to paragraph 1 shall not exceed a period of 6 months. Where the examination period exceeds or is likely to exceed 6 months, the Office shall inform the applicant of the reasons for the delay in writing.</p>	<p>3. The examination carried out pursuant to paragraph 1 shall not exceed a period of 6 months. Where the examination period exceeds or is likely to exceed 6 months, the Office shall inform the applicant of the reasons for the delay in writing.</p>	<p>3. The examination carried out pursuant to paragraph 1 shall not exceed a period of 6 be carried out within six months. Where the In the event that the examination period exceeds or is likely to exceed 6 six months, the Office shall inform the applicant in writing of the reasons for the delay in writing.</p>	
Article 19(4)				
223	<p>4. The Office may seek supplementary information from the Member State concerned. If the application is lodged by a producer</p>	<p>4. The Office may seek supplementary information from the Member State concerned. If the application is lodged by a producer</p>	<p>4. The Office may seek supplementary information from the competent authority of the Member State concerned. If the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	group from a third country or by the competent authority of a third country, such producer group or competent authority shall provide supplementary information where requested to do so by the Office.	group an applicant from a third country or by the competent authority of a third country, such producer group applicant or competent authority shall provide supplementary information where requested to do so by the Office.	application is lodged by a producer group an applicant from a third country or by the competent authority of a third country, such producer group applicant or competent authority shall be required to provide supplementary information, where requested to do so by the Office.	
Article 19(5)				
224	5. When the Office consults the Advisory Board as referred to in Article 33, the applicant shall be notified thereof and the period referred to in paragraph 2 of this Article shall be suspended.	5. When the Office consults the Advisory Board as referred to in Article 33, the applicant shall be notified thereof and the period referred to in paragraph 2 3 of this Article shall be suspended.	5. When the Office Geographical Indication Division consults the Advisory Board as referred to in Article 33, the applicant shall be notified thereof and the period referred to in paragraph 2 3 of this	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Article shall be suspended.	
Article 19(6)				
225	6. Where, based on the examination carried out pursuant to paragraph 1, the Office finds that the application is incomplete or incorrect, the Office shall send its observations to the Member State or in case of third country applications, to the relevant producer group or competent authority that has submitted the Union application, from where that application originates and request to complete or to correct the application within 60 days. If the	6. Where, based on the examination carried out pursuant to paragraph 1, the Office finds that the application is incomplete or incorrect, the Office shall send its observations to the Member State or in case of third country applications, to the relevant producer group applicant or competent authority that has submitted the Union application, from where that application originates and request to complete or to correct the application within	6. Where, based on the examination carried out pursuant to paragraph 1, the Office finds that the application is incomplete or incorrect, the Office shall send its observations to the competent authority of the Member State or, in the in case of third country applications a third-country application , to the relevant producer group applicant or competent authority that has submitted the Union application, from where that application	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Member State, or in case of third country applications, the relevant producer group or competent authority, does not complete the application within the deadline, the application shall be considered to be withdrawn, or if not corrected, it shall be rejected pursuant to Article 24(2).	60 days. If the Member State, or in case of third country applications, the relevant producer group <u>applicant</u> or competent authority, does not complete <u>or correct</u> the application within the deadline, the application shall be considered to be withdrawn, or if not corrected, it shall <u>suspended and the Office shall inform the applicant that the application will</u> be rejected pursuant to Article 24(2) <u>if not completed or corrected within the following 14 days. The Office shall publish rejected applications.</u>	originates to the Office , and request to complete or to correct the application within two months 60 days . If the Member State, or, in the event of a third-country application, the applicant in case of third country applications, the relevant producer group or competent authority concerned , does not complete or correct the application within the deadline, the application shall be considered to be withdrawn, or if not corrected, it shall be rejected pursuant to Article 24(2) rejected, pursuant to Article 24(2). Upon request, the time limit may be extended by two months.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 19(7)				
226	<p>7. Where, based on the examination carried out pursuant to paragraph 1, the Office considers that the conditions laid down in this Regulation are fulfilled, it shall publish for the purposes of opposition in the Union register of geographical indications for craft and industrial products the single document and the reference to the product specification on the webpage of the Member State concerned. The single document shall be published in the official languages of the Union.</p>	<p>7. Where, based on the examination carried out pursuant to paragraph 1, the Office considers that the conditions laid down in this Regulation are fulfilled, it shall publish for the purposes of opposition in the Union register of geographical indications for craft and industrial products the single document and the reference to the product specification on the webpage of the Member State concerned. The single document shall be published in the official languages of the Union.</p>	<p>7. Where, based on the examination carried out pursuant to paragraph 1, the Office considers that the conditions laid down in this Regulation are fulfilled, it shall publish, for the purposes of opposition, in the Union register of geographical indications for craft and industrial products, the single document and the reference to the product specification on the webpage of the Member State concerned electronic publication of the product specification published in accordance with Article 14(2) . The single document shall be published in the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			official languages of the Union.	
Article 20				
227	Article 20 National challenge to an application	Article 20 National challenge to an application	Article 20 National Challenge to an application against the decision at national phase	
Article 20(1)				
228	1. Member States shall keep the Office informed of any national administrative and judicial	1. Member States shall keep immediately inform the Office informed of any national	1. The competent authority of the Member States State shall keep the Office informed of any national	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	proceedings that may affect the registration of a geographical indication.	administrative and judicial proceedings, that may affect the registration of a geographical indication.	administrative and judicial proceedings against that competent authority's decision that may affect the registration of a geographical indication.	
Article 20(2)				
229	2. The Office shall be exempted from the obligation to meet the deadline to perform the examination laid down in Article 19(2) and to 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 14(1),	2. The Office shall be exempted from the obligation to meet the deadline to perform the examination laid down in Article 19(2) and to <u>19(3) and shall</u> 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	2. The Office shall be exempted from the obligation to meet the deadline to perform for completing the examination laid down in Article 19(2) and to 19(3), and shall inform the applicant of the reasons for the delay, where it receives a communication from the competent authority of a Member State, concerning an application for	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	which:	<i>Article 14(1), which:</i>	registration in accordance with Article 14(1), which:	
Article 20(2), point (a)				
230	(a) informs the Office that the decision referred to in Article 14(1) has been invalidated at national level by an immediately applicable, but not final, judicial decision; or	(a) informs the Office that the decision referred to in Article 14(1) has been invalidated at national level by an immediately applicable, but not final, judicial decision; or	(a) informs the Office that the decision referred to in Article 14(1) has been invalidated at national level by an immediately applicable, but not final, administrative or judicial decision; or	
Article 20(2), point (b)				
231	(b) requests the Office to suspend	(b) requests the Office to suspend	(b) requests the Office to suspend	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the examination because national administrative or judicial proceedings have been initiated to challenge the validity of the application and the Member State considers that those proceedings are based on valid grounds.	the examination because national administrative or judicial proceedings have been initiated to challenge the validity of the application and the Member State considers that those proceedings are based on valid grounds.	the examination because national administrative or judicial proceedings have been initiated to challenge the validity of the application and the Member State considers that those proceedings are based on valid grounds.	
Article 20(3)				
232	3. The exemption set out in paragraph 2 shall have effect until the Office is informed by the Member State that the original application has been restored or that the Member State withdraws its request for suspension.	3. The exemption set out in paragraph 2 shall have effect until the Office is informed by the <i>competent authority of the</i> Member State that the original application has been restored or that the Member State withdraws its request for suspension.	3. The exemption set out in paragraph 2 shall have effect until the Office is informed by the Member State that the original application has been restored or that the Member State withdraws its request for suspension.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved to paragraph 4a)	
Article 20(4)				
233	4. If the judicial decision referred to in paragraph 2 has acquired the force of res judicata, the Member State shall, as necessary, withdraw or modify the application.	4. If the judicial decision referred to in paragraph 2 has acquired the force of res judicata, the <i>competent authority of the</i> Member State shall, as necessary, withdraw or modify the application.	4. If the When the administrative or judicial decision referred to in paragraph 2 has acquired the force of res judicata, become final, the competent authority of the Member State shall, as necessary, inform the Office accordingly. withdraw or modify the application	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
233a			<p>4a. The exemption set out in paragraph 2 shall have effect until the Office is informed by the competent authority of the Member State that the reason for the suspension no longer exists.</p> <p>(moved from paragraph 3)</p>	
Article 21				
234	<p>Article 21</p> <p>Opposition and comments procedure</p>	<p>Article 21</p> <p>Opposition and comments Union level opposition procedure</p>	<p>Article 21</p> <p>Opposition and comments procedure</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 21(1)				
235	<p>1. Within 3 months from the date of publication of the single document and the reference to the product specification referred to in Article 7 in the Union register of geographical indications for craft and industrial products an opponent may lodge an opposition or notice of comment with the Office. The applicant and the opponent shall be considered a party to the procedure.</p>	<p>1. Within 3 months from the date of publication of the single document and the reference to the product specification referred to in Article 7 in the Union register of geographical indications for craft and industrial products an opponent may lodge an opposition or notice of comment with the Office<u>with the Office in accordance with Article 22 of this Regulation</u>. The applicant and the opponent shall be considered a party to the procedure.</p>	<p>1. Within 3three months from the date of publication of the single document and the reference to the product specification referred to in Article 7 in the Union register of geographical indications for craft and industrial products, an opponent may lodge an opposition or notice of comment with the Office. The applicant and the opponent shall be considered a partyto be the parties to the procedure.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		(deleted part moved to Article 22 a)		
Article 21(2)				
236	2. An opponent may be the competent authorities of a Member State, or of a third country, or a natural or legal person having legitimate interest and established or resident in a third country or in another Member State that does not qualify as a national opponent pursuant to Article 13(1).	2. An opponent may be the competent authorities of a Member State, or of a third country, or a natural or legal person having legitimate interest and established or resident in a third country or in another Member State that does not qualify as a national opponent pursuant to Article 13(1).	2. An opponent may be the competent authorities 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 that does not qualify as, except a national opponent pursuant to referred to in Article 13(1).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 21(3)				
237	<p>3. The Office shall check the admissibility of the opposition. If the Office considers that the opposition is admissible, it shall, within 60 days after the receipt of that opposition, invite the opponent and the applicant to engage in consultations for a reasonable period not exceeding 3 months. At any time during that period, the Office may, at the request of either party, extend the time limit for the consultations by a maximum of 3 months. The Office may offer mediation for the consultations</p>	<p>3. The Office shall check the admissibility of the opposition. If the Office considers that the opposition is admissible, it shall, within 60³⁰ days after the receipt of that opposition, invite <i>in writing</i> the opponent and the applicant to engage in consultations for a reasonable period not exceeding 3 months. At any time during that period, the Office may, at the request of either party, extend the time limit for the consultations by a maximum of 3 months. The Office may^{shall} offer mediation for the</p>	<p>3. The Office shall check the admissibility of the opposition. If the Office considers that the opposition is admissible, it shall, within 60 days after the receipt of that opposition, invite the opponent and the applicant to engage in consultations for a reasonable period not exceeding 3 months. At any time during that period, the Office may, at the request of either party, extend the time limit for the consultations by a maximum of 3 months. The Office may offer mediation for the consultations</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	between the applicant and the opponent pursuant to Article 170 of Regulation (EU) 2017(1001).	consultations between the applicant and the opponent pursuant to Article 170 of Regulation (EU) 2017(1001).	<p>between the applicant and the opponent pursuant to Article 170 of Regulation (EU) 2017(1001), in accordance with Article 22.</p> <p>(remaining part of this paragraph moved to paragraph 3a)</p>	
237a			<p>3a. Where the Office considers the opposition to be admissible, it shall, within two months after receipt of that opposition, invite the opponent and the applicant to engage in consultations for a reasonable period not exceeding</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>three months. At any time during that period, the Office may, at the request of either party, extend the time limit for the consultations by a maximum of three months. The Office may offer mediation for the consultations between the applicant and the opponent pursuant to Article 170 of Regulation (EU) 2017/1001.</p>	
Article 21(4)				
238	4. The applicant and the opponent shall provide each other during the consultation with the relevant information to assess whether the	4. The applicant and the opponent shall provide each other during the consultation with the relevant information to assess whether the	4. During the consultation , the applicant and the opponent shall provide each other during the consultation with the relevant	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	application for registration complies with the conditions set out in this Regulation.	application for registration complies with the conditions set out in this Regulation.	information to assess whether the application for registration complies with the conditions set out in this Regulation.	
Article 21(5)				
239	5. The Office may at any stage of the opposition procedure consult the Advisory Board as referred to in Article 33, in which case the parties shall be notified and the period referred to in paragraph 2 shall be suspended.	5. The Office may at any stage of the opposition procedure consult the Advisory Board as referred to in Article 33, in which case the parties shall be notified and the period referred to in paragraph 2 ³ shall be suspended.	5. The Office Geographical Indication Division may at any stage of the opposition procedure consult the Advisory Board as referred to in Article 33, in which case the parties shall be notified and the period referred to in paragraph 2 ^{3a} shall be suspended.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 21(6)				
240	<p>6. Within 1 month from the end of the consultations referred to in paragraph 2, the applicant established in the third country or the competent authority of the Member State or of the third country from which the application for Union registration was lodged shall notify the Office of the result of the consultations, whether an agreement was reached with one or all of the opponents, and of any consequent changes to the application made by that applicant. The opponent may also notify the Office of its position at the end of the consultations.</p>	<p>6. Within 1 month from the end of the consultations referred to in paragraph 23, the applicant established in the third country or the competent authority of the Member State or of the third country from which the application for Union registration was lodged shall notify the Office of the result of the consultations, whether an agreement was reached with one or all of the opponents, and of any consequent changes to the application made by that applicant. The opponent may also notify the Office of its position at the end of the consultations.</p>	<p>6. Within one month from the end of the consultations referred to in paragraph 23a, the applicant established in the third country or the competent authority of the Member State or of the third country from which the application for Union registration was lodged shall notify the Office of the result communicate the outcome of the consultations, whether an agreement was reached with one or all of the opponents, and of any consequent changes to the application made by that applicant. The opponent may also notify the Office of its position at the end of</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			the consultations.	
Article 21(7)				
241	<p>7. Where, following the end of the consultations, the data published in accordance with Article 19(6) have been modified, the Office shall carry out a new examination of the modified application. Where the application for registration has been modified in a substantial manner, and the Office considers that the modified application meets the conditions for registration, it shall publish the modified application in accordance with that paragraph.</p>	<p>7. Where, following the end of the consultations, the data published in accordance with Article 19(6)<u>19(7)</u> have been modified, the Office shall carry out a new examination of the modified application. Where the application for registration has been modified in a substantial manner, and the Office considers that the modified application meets the conditions for registration, it shall publish the modified application in accordance with that paragraph.</p>	<p>7. Where, following the end of the consultations, the data published in accordance with Article 19(6)<u>19(7)</u> have been modified, the Office shall carry out a new examination of the modified application. Where the application for registration has been modified in a substantial manner, and the Office considers that the modified application meets the conditions for registration, it shall publish the modified application, in accordance with that paragraphArticle 19(7).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 21(8)				
242	8. The authorities and persons that may act as an opponent may lodge a notice of comment with the Office. The competent authority or person that lodged a notice of comment shall not be considered to be a party to the procedure.	<i>deleted</i> <i>(moved to Article 22 a)</i>	8. The authorities and persons that may eligible to act as an opponent may lodge, with the Office , a notice of comment with the Office as defined in Article 3(k) . Such notice shall not be based on the grounds for opposition referred to in Article 22. The competent authority or person that lodged a notice of comment shall not be considered to be a party to the procedure.	
Article 21(9)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
243	9. The Office may share the notice of comment with the applicant and the opponent.	<i>deleted</i> <i>(moved to Article 22 a)</i>	9. The Office may shall share the notice of comment with the applicant and the opponent .	
Article 21(10)				
244	10. In order to facilitate the official submission of comments and to improve management of the opposition procedure, the Commission may adopt implementing acts laying down the necessary rules to provide for the	10. In order to facilitate the official submission of comments and to improve management of the opposition procedure, the Commission may adopt implementing acts laying down the necessary rules to provide for the	10. In order to facilitate the official submission of comments and to improve management of the opposition procedure, the Commission may adopt implementing acts laying down the necessary rules to provide for on	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	submission of such official comments and specifying the format and online presentation of oppositions and any comments procedure. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	<p>submission of such official comments and specifying the format and online presentation of oppositions specify and any comments</p> <p>the format and online presentation of oppositions and any comments procedure. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).</p> <p>(deleted part moved to Article 22 a)</p>	the submission of such official comments and specifying the format and online presentation of oppositions and any the notice of comments procedure . Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	
Article 22				
245	Article 22 Admissibility and grounds for opposition	Article 22 Admissibility and grounds for opposition	Article 22 Admissibility and grounds for opposition	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 22(1)				
246	<p>1. An opposition lodged in accordance with Article 21 shall be admissible only if it contains a declaration that the application could infringe the conditions laid down in paragraph 2 of this Article and give justification in a reasoned statement of opposition drawn up in accordance with the form set out in Annex 3. An opposition that does not contain the reasoned statement of opposition shall be void.</p>	<p>1. An opposition lodged in accordance with Article 21 shall be admissible only if it contains a declaration that the application could infringe the conditions laid down in paragraph 2 of this Article and give justification in a reasoned statement of opposition drawn up in accordance with the form set out in Annex 3. An opposition that does not contain the reasoned statement of opposition shall be void <i>and therefore be rejected</i>.</p>	<p>1. An opposition lodged in accordance with Article 21 shall be admissible only if it contains a declaration that the application could infringe the conditions laid down in paragraph 2 of this Article and give justification in a reasoned statement of opposition drawn up in accordance with all the information specified in the form set out in Annex 3. An opposition that does not contain the reasoned statement of opposition shall be void. III, and if it is based on one or more of the following grounds</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			for opposition:	
246a			(a) the requested geographical indication does not comply with the requirements for protection laid down in this Regulation;	
246b			(b) the registration of the requested geographical indication would be contrary to Articles 37 and 38 or Article	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			39(1); or	
246c			(c) the registration of the requested geographical indication would jeopardise the existence of an identical or similar name used in trade or of a trade mark, or the existence of products that have been legally on the market for at least 5 years preceding the date of the publication of the application provided for in Article 18(3).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 22(2)				
247	2. Upon opposition, the name for which there has been an application for registration shall not be registered, if:	2. Upon ^{An} opposition, the name for which there has been an application for registration shall not be registered, if ^{shall be based on one or more of the following grounds for opposition:}	2. Upon opposition, the name for which there has been an application for registration shall not be registered, if: (moved to paragraph 1)	
Article 22(1), point (a)				
248	(a) the proposed geographical indication does not comply with the requirements for protection laid down in this Regulation;	(a) the proposed geographical indication does not comply with the requirements for protection laid down in this Regulation;	(a) the proposed geographical indication does not comply with the requirements for protection laid down in this Regulation;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 22(1), point (b)				
249	(b) the registration of the proposed geographical indication would be contrary to Articles 37, 38 or 39;	(b) the registration of the proposed geographical indication would be contrary to Articles 37, 38 or 39; <u>or</u>	(b) the registration of the proposed geographical indication would be contrary to Articles 37, 38 or 39;	
Article 22(1), point (c)				
250	(c) the registration of the proposed geographical indication would jeopardise the existence of, an entirely, or partly identical name or of a trade mark, or the existence of products which have been legally	(c) the registration of the proposed geographical indication would jeopardise the existence of, an entirely, or partly identical <u>be detrimental to the use of an identical or similar</u> name or of a	(e) the registration of the proposed geographical indication would jeopardise the existence of, an entirely, or partly identical name or of a trade mark, or the existence of products which have been legally	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	on the market for at least 5 years preceding the date of the publication provided for in Article 18(3).	trade mark, or the existence ^{use} of products which have been legally on the market for at least 5 years preceding the date of the publication provided for in Article 18(3).	on the market for at least 5 years preceding the date of the publication provided for in Article 18(3).	
Article 22(3)				
251	3. The admissibility and the grounds of an opposition shall be assessed by the Office in relation to the territory of the Union.	3. The admissibility and the grounds of an opposition shall be assessed by the Office in relation to the territory of the Union.	3. The admissibility and the grounds of An opposition shall be assessed by the Office in relation to the territory of the Union that is not admissible in accordance with paragraph 1 shall be rejected.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(first sentence partly moved to Article 24(5))	
251a		<u>Article 22a</u> <u>Notice of comment procedure</u>		
251b		<u>1. In order to correct inaccuracies in an ongoing registration procedure for a geographical indication, a</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>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 another member State or in a third country may lodge a notice of comment with the Office within three months of the date of publication of the single document and the product specification reference in the Union register.</u></p> <p>(moved partially from Article 21 (1) and Article 21 (8))</p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
251c		<p><u>2. The notice of comment referred to in paragraph 1 shall not be based on the grounds for opposition referred to in Article 22. The competent authority or natural or legal person that lodges a notice of comment shall not be considered to be a party to the procedure.</u></p> <p>(moved from Article 21 (8))</p>		
251d		<p><u>3. The Office shall share the</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>notice of comment with the applicant and shall take it into consideration when deciding on the application for registration, unless the notice of comment is unclear or obviously incorrect.</u></p> <p>(moved from Article 21(9))</p>		
251e		<p><u>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</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u><i>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 65(2).</i></u></p> <p>(moved partially from Article 21 (10))</p>		
Article 23				
252	<p>Article 23</p> <p>Transitional period for the use of geographical indications</p>	<p>Article 23</p> <p>Transitional period for the use of geographical indications</p>	<p>Article 23</p> <p>Transitional period for the use of a geographical indications indication</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 23(1)				
253	1. Without prejudice to Article 42, at the time of registration, the Office may decide to grant a transitional period of up to 5 years to enable, for products originating in a Member State or a third country the designation of which consists of or contains a name that contravenes Article 35, the continued use of that designation, under which they were marketed, provided that an admissible and grounded opposition, under Article 13 or Article 21, to the application for registration of the geographical	1. Without prejudice to Article 42, at the time of registration, the Office may decide to grant a transitional period of up to 5 years to enable, for products originating in a Member State or a third country the designation of which consists of or contains a name that contravenes Article 35, the continued use of that designation, under which they were marketed, provided that an admissible and grounded opposition, under Article 13 or Article 21, to the application for registration of the geographical	1. Without prejudice to Article 42 39(3) to (7) , at the time of registration of the geographical indication , the Office may decide to grant a transitional period of up to 5 five years to enable, for products originating in a Member State or a third country, the designation of which consists of or contains a name that contravenes Article 35, the continued use of that the designation, under which they were marketed, provided that an admissible and grounded opposition, under Article 13 or	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	indication whose protection is contravened shows that:	indication whose protection is contravened shows that:	Article 21, to the application for registration of the geographical indication whose protection is contravened shows has shown that:	
Article 23(1), point (a)				
254	(a) the registration of the geographical indication would jeopardise the existence of the entirely or partially identical name in the product designation;	(a) the registration of the geographical indication would jeopardise the existence of the entirely or partially identical name in the product designation;	(a) the registration of the geographical indication would jeopardise the existence of the entirely or partially identical name an identical or similar name used in trade in the product designation; or	
Article 23(1), point (b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
255	(b) such products have been legally marketed with that name in the product designation in the territory concerned for at least 5 years preceding the date of the publication provided for in Article 18(3);	(b) such products have been legally marketed with that name in the product designation in the territory concerned for at least 5 years preceding the date of the publication provided for in Article 18(3);	(b) such products have been legally marketed with that name in the product designation in the territory concerned for at least 5 years preceding the date of the publication of the application provided for in Article 18(3);.	
Article 23(2)				
256	2. The Office may decide to extend the transitional period granted under paragraph 1 up to 15 years, or allowing continued use for up to 15 years, provided it is additionally shown that:	2. The Office may decide to extend the transitional period granted under paragraph 1 up to 15 years, or allowing continued use for up to 15 years, provided it is additionally shown that:	2. The Office may decide to extend the transitional period granted under paragraph 1 up to 15 years in total, or allow, or allowing continued use for up to 15 years, provided it is additionally	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			shown that:	
Article 23(2), point (a)				
257	(a) the name in the designation referred to in paragraph 1 has been in legal use consistently and fairly for at least 25 years before the application for registration of the concerned geographical indication was submitted to the Office;	(a) the name in the designation referred to in paragraph 1 has been in legal use consistently and fairly for at least 25 years before the application for registration of the concerned geographical indication was submitted to the Office;	(a) the name in the designation referred to in paragraph 1 has been in legal use consistently and fairly for at least 25 years before the application for registration of the concerned geographical indication was submitted to the Office;	
Article 23(2), point (b)				
258	(b) the purpose of using the name	(b) the purpose of using the name	(b) the purpose of using the name	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	in the designation referred to in paragraph (1) has not, at any time, been to profit from the reputation of the name of the product that has been registered as geographical indication; and	in the designation referred to in paragraph (1) has not, at any time, been to profit from the reputation of the name of the product that has been registered as geographical indication; and	in the designation referred to in paragraph (1) has not, at any time, been to profit from the reputation of the name of the product that has been registered as geographical indication; and	
Article 23(2), point (c)				
259	(c) the consumer has not been or could not have been misled as to the true origin of the product.	(c) the consumer has not been or could not have been misled as to the true origin of the product.	(c) the consumer has not been or could not have been misled as to the true origin of the product.	
Article 23(3)				
260				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	3. The decision granting a transitional period referred to in paragraph 1 shall be published in the Union register of geographical indications for craft and industrial products.	3. The decision granting a transitional period referred to in paragraph 1 shall be published in the Union register of geographical indications for craft and industrial products.	3. The decision granting Decisions granting or extending a transitional period, as referred to in paragraph 1 paragraphs 1 and 2 , shall be published in the Union register of geographical indications for craft and industrial products.	
Article 23(4)				
261	4. When using a designation referred to in paragraph 1, the indication of the country of origin shall clearly and visibly appear on the labelling.	4. When using a designation referred to in paragraph 1, <u>for the purpose of the transitional period,</u> the indication of the country of origin shall clearly and visibly appear on the labelling <u>and where applicable, on the production description when it is marketed on</u>	4. When using a designation referred to in paragraph 1, the indication of the country of origin shall clearly and visibly appear on the labelling.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>an online sales website.</u>		
Article 23(5)				
262	5. To overcome temporary difficulties with the long-term objective of ensuring that all producers of a product designated under a geographical indication in the area concerned comply with the related product specification, a Member State may grant a transitional period for compliance, of up to 10 years, with effect from the date on which the application is lodged with the Office, provided that the operators concerned have legally marketed the products in	5. To overcome temporary difficulties with the long-term objective of ensuring that all producers of a product designated under a geographical indication in the area concerned comply with the related product specification, a Member State may grant a transitional period for compliance, of up to 10 years, with effect from the date on which the application is lodged with <u>registered by</u> the Office, provided that the operators concerned have legally marketed	5. To overcome temporary difficulties with With a view to the long-term objective of ensuring that all producers of a product designated under protected by a geographical indication in the area concerned comply with the related product specification, a Member State may grant a transitional period for compliance, of up to 10 ten years, with taking effect from the date on which the application is lodged with the Office, provided that the operators	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	question, using the names concerned continuously for at least 5 years preceding the lodging of the application to the authorities of that Member State and have referred to that fact in the national opposition procedure referred to in Article 13.	the products in question, using the names concerned continuously for at least 5 years preceding the lodging of the application to the authorities of that Member State and have referred to that fact in the national opposition procedure referred to in Article 13.	concerned have legally marketed the products in question, using the names concerned continuously for at least 5 five years preceding the lodging of the application to the authorities competent authority of that Member State and have referred to that fact in the national opposition procedure referred to in Article 13.	
Article 23(6)				
263	6. Paragraph 5 shall apply mutatis mutandis to a geographical indication referring to a geographical area situated in a third country, with the exception of	6. Paragraph 5 shall apply mutatis mutandis to a geographical indication referring to a geographical area situated in a third country, with the exception of	6. Paragraph 5, with the exception of the need to have raised the use of the name in the national opposition procedure, shall apply, <i>mutatis mutandis</i> ,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the opposition procedure.	the opposition procedure.	mutatis mutandis to a geographical indication referring to a geographical area situated in a third country, with the exception of the opposition procedure.	
Article 24				
264	Article 24 Decisions by the Office on the application for registration	Article 24 Decisions by the Office on the application for registration	Article 24 Decisions by Decision of the Office on the application for registration	
Article 24(1)				
265				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. After completion of the opposition and notice of comments procedure, the Office shall finalise its examination, taking into account any provisional periods, the outcome of any opposition procedure, any notice of comments received and any other matters that come to light in the course of the examination that may give rise to a change in the single document.	1. After completion of the opposition and notice of comments procedure, the Office shall finalise its examination, taking into account any provisional periods, the outcome of any opposition procedure, any notice of comments received and any other matters that come to light in the course of the examination that may give rise to a change in the single document.	1. After completion of the opposition and notice of comments procedure, the Office shall finalise its examination, taking into account any provisional periods, the outcome of any opposition procedure, any notice of comments received and any other matters that come to light in the course of the examination that may give rise to a change in the single document.	
Article 24(2)				
266	2. Where, on the basis of the information available to the Office from the examination carried out pursuant to Article 19, the Office	2. Where, on the basis of the information available to the Office from the examination carried out pursuant to Article 19, the Office	2. Where, on the basis of the information available to the Office from the examination carried out pursuant to Article 19, the Office	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	considers that any of the requirements referred to in that Article is not fulfilled, it shall adopt a decision rejecting the application for registration.	considers that any of the requirements referred to in that Article is not fulfilled, it shall adopt a decision rejecting the application for registration.	considers that any of the requirements referred to in that Article is not fulfilled, it shall adopt a decision rejecting reject the application for registration.	
Article 24(3)				
267	3. Where the application meets the requirements laid down in Article 17 and the Office receives no admissible and grounded opposition, the Office shall adopt a decision registering the name.	3. Where the application meets the requirements laid down in Article 17 and the Office receives no admissible and grounded opposition, the Office shall adopt a decision registering the name.	3. Where, on the basis of the information available to the Office from the examination carried out pursuant to the application meets the requirements laid down in Article 17 and 19 , the Office receives considers that the requirements of this Regulation are met and no admissible and grounded opposition is	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			received, the Office shall adopt a decision registering the name register the geographical indication.	
Article 24(4)				
268	4. Where the Office receives an admissible and grounded opposition, and following the consultations referred to in Article 21(3) an agreement has been reached, the Office, after checking that the agreement complies with Union law, shall adopt a decision registering the name. If necessary, in case of standard amendments referred to in Article 28(2), point	4. Where the Office receives an admissible and grounded opposition, and following the consultations referred to in Article 21(3) an agreement has been reached, the Office, after checking that the agreement complies with Union law, shall adopt a decision registering the name. If necessary, in case of standard amendments referred to in Article 28(2), point	4. Where the Office receives an admissible and grounded opposition, and following the consultations referred to in Article 21(3) 21(3a) an agreement has been reached, the Office, after checking that the agreement complies with Union law, shall adopt a decision registering the name register the geographical indication. If necessary, in case of standard the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(b), the Office shall adopt a decision amending the information published pursuant to Article 19(6).	(b), the Office shall adopt a decision amending the information published pursuant to Article 19(6).	event of non-substantial amendments referred to in Article 28(2), point (b), the Office shall adopt a decision amending amend the information published pursuant to Article 19(6) 19(7) .	
Article 24(5)				
269	5. Where an admissible and grounded opposition had been received but no agreement has been reached following the consultations referred to in Article 21(3), the Office shall adopt a decision on registration.	5. Where an admissible and grounded opposition had been received but no agreement has been reached following the consultations referred to in Article 21(3), the Office shall <u>examine if the opposition is grounded. On the basis of that examination, the Office shall reject the opposition</u>	5. Where an admissible and grounded opposition had has been received, but no agreement has been reached following the consultations referred to in Article 21(3) 21(3a) , the Office shall adopt a decision on registration examine whether the opposition is well-founded. The Office shall assess	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		or adopt a decision on registration.	the grounds for opposition in relation to the territory of the Union. Based on this assessment, the Office shall either reject the opposition and register the name protected as a geographical indication, or reject the application.	
Article 24(6)				
270	6. Decisions on registration made pursuant to paragraphs 3 to 5 adopted by the Office shall provide, where appropriate, for any conditions applicable to the registration and for the republication for information	6. Decisions on registration made pursuant to paragraphs 3 to 5 adopted by the Office shall provide, where appropriate, for any conditions applicable to the registration and for the republication for information	6. Decisions of the Office on registration made pursuant to paragraphs 3 to 5 adopted by the Office shall provide , where appropriate, for specify any conditions applicable to the registration and, in the event of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	purposes of the information published for opposition pursuant to Article 19(7) in the Union register of geographical indications, in case of any necessary amendments that are not substantial.	purposes of the information published for opposition pursuant to Article 19(7) in the Union register of geographical indications, in case of any necessary amendments that are not substantial.	any necessary amendments that are non-substantial, republish, for information purposes, the information already published in the Union register pursuant to Article 19(7) -for the republication for information purposes of the information published for opposition pursuant to Article 19(7) in the Union register of geographical indications, in case of any necessary amendments that are not substantial.	
Article 24(7)				
271	7. Decisions adopted by the Office shall be published in the Union	7. Decisions adopted by the Office shall be published in the Union	7. Decisions adopted by the Office shall be published in the Union	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>register of geographical indications for craft and industrial products in all the official languages of the Union. The reference to the name of the product, class of the product, indications of the country or countries of origin and the reference to the decision published in the Union register of geographical indications for craft and industrial products shall be published in the Official Journal of the European Union.</p>	<p>register of geographical indications for craft and industrial products in all the official languages of the Union. The reference to the name of the product, <i>class of the type of</i> product, indications of the country or countries of origin and the reference to the decision published in the Union register of geographical indications for craft and industrial products shall be published in the Official Journal of the European Union.</p>	<p>register of geographical indications for craft and industrial products in all in the official languages of the Union. The reference to the name of the product, class of the product, indications of the country or countries of origin and the reference to the decision published in the Union register of geographical indications for craft and industrial products shall be published shall be published in the official languages of the Union in the <i>Official Journal of the European Union</i> Official Journal of the European Union.</p>	
Article 25				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
272	Article 25 Decision by the Commission	Article 25 Decision by the Commission	Article 25 Decision by of the Commission	
Article 25(1)				
273	1. Concerning applications for registration referred to in Article 17, the Commission may take over from the Office, at any time before the end of the procedure, on its own initiative, on the initiative of a Member State or the Office, the power to decide on the application for registration of the proposed geographical indication where such	1. Concerning applications for registration referred to in Article Articles 15 and 17, the Commission may take over from the Office, at any time before the end of the procedure, on its own initiative, on the initiative of a Member State or the Office, the power to decide on the application for registration of the proposed	1. Concerning applications for registration referred to in Article 17, the Commission may take over from the Office, at any time before the end of the procedure, on its own initiative, on the initiative or at the request of the competent authority of a Member State or of the Office, the power to decide on the application for registration of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>decision may jeopardise the public interest or the Union's trade or external relations. The Office shall submit a proposal to the Commission for a decision pursuant to Article 24(2) to 24(6). The Commission shall adopt the final act on the application for registration. This paragraph shall apply mutatis mutandis to the cancellation and the amendment of the product specification.</p>	<p>geographical indication where such decision may jeopardise the public interest or the Union's trade or external relations. The Office shall submit a proposal to the Commission for a decision pursuant to Article 24(2) to 24(6). The Commission shall adopt the final act on the application for registration. This paragraph shall apply mutatis mutandis to the cancellation and the amendment of the product specification.</p>	<p>the proposed a geographical indication where such decision may jeopardise the public interest or the Union's trade or external relations. The Office shall submit a proposal to the Commission for a decision pursuant to Article 24(2) to 24(6). The Commission shall adopt the final act on the application for registration of the requested geographical indication might be contrary to public policy, or its registration. This paragraph shall apply mutatis mutandis to the cancellation and the amendment of the product specification or rejection might jeopardise the Union's trade or external relations.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(last two sentences of this paragraph moved to paragraph 1a and 1b)	
273a			1a. Where, pursuant to paragraph 1 the Commission has taken over the procedure, the Office shall provide the Commission with a draft for the decision referred to in paragraphs 2 to 6 of Article 24.	
273b				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>1b. The Commission shall adopt any decision to take over the procedure, as referred to in paragraph 1, and any decisions on the application for registration, as referred to in paragraph 1a, by means of an implementing act. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2) and shall be published in the Union register referred to in Article 34a.</p>	
273c			<p>1c. Paragraphs 1, 1a and 1b</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			shall apply, <i>mutatis mutandis</i> , to the cancellation of a geographical indication and any amendment to the product specification.	
273d			1d. For the purposes of paragraph 1, 1a and 1b, the Office shall ensure that the Commission has access, through the digital system referred to in Article 64, to documents concerning applications for registration, any amendments to the product specification and cancellations.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved from paragraph 3)	
Article 25(2)				
274	2. In situations referred to in paragraph 1 of this Article, the Commission shall adopt implementing acts on the protection of the geographical indication. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2) and shall be published in the Official Journal of the European Union and in the Union register of	2. In situations referred to in paragraph 1 of this Article, the Commission shall adopt implementing acts on the protection of the geographical indication. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2) and shall be published in the Official Journal of the European Union and in the Union register of	2. In situations referred to in paragraph 1 of this Article, The Commission shall adopt implementing acts on the protection of the geographical indications setting out the procedures applicable to the situations referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2) and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	geographical indications for craft and industrial products.	geographical indications for craft and industrial products.	shall be published in the Official Journal of the European Union and in the Union register of geographical indications for craft and industrial products.	
Article 25(3)				
275	3. The Office shall ensure that the Commission has access to the documents concerning the applications for registration, any amendment of the product specification and cancellation through the digital system referred to in Article 18(1) and Article 26(1).	3. The Office shall ensure that the Commission has access to the documents concerning the applications for registration, any amendment of the product specification and cancellation through the digital system referred to in Article 18(1) and Article 26(1).	3. The Office shall ensure that the Commission has access to the documents concerning the applications for registration, any amendment of the product specification and cancellation through the digital system referred to in Article 18(1) and Article 26(1).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved to paragraph 1d.)	
Article 26				
276	<p>Article 26</p> <p>The Union register of geographical indications for craft and industrial products</p>	<p>Article 26</p> <p>The Union register of geographical indications for craft and industrial products</p>	<p>Article 26 The Union register of geographical indications for craft and industrial products</p> <p>(deleted – moved to Article 34a)</p>	
Article 26(1)				
277				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. A publicly accessible electronic Union register of geographical indications for craft and industrial products shall be developed, kept and maintained by the Office for the management of geographical indications for craft and industrial products.	1. A publicly accessible ^{An} electronic Union register of geographical indications for craft and industrial products <u>shall be made easily accessible to the public and in a machine-readable format.</u> It shall be developed, kept and maintained by the Office for the management of geographical indications for craft and industrial products.	1. A publicly accessible electronic Union register of geographical indications for craft and industrial products shall be developed, kept and maintained by the Office for the management of geographical indications for craft and industrial products.	
Article 26(2)				
278	2. Each geographical indication of craft and industrial products shall be identified in the Union register of geographical indications for	2. Each geographical indication of craft and industrial products shall be identified in the Union register of geographical indications for	2. Each geographical indication of craft and industrial products shall be identified in the Union register of geographical indications for	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	craft and industrial products as a 'protected geographical indication'.	craft and industrial products as a 'protected geographical indication'.	craft and industrial products as a 'protected geographical indication'.	
Article 26(3)				
279	3. Upon the entry into force of a decision registering a protected geographical indication, the Office shall record the following data in the Union register of geographical indications for craft and industrial products:	3. Upon the entry into force of a decision registering a protected geographical indication, the Office shall record the following data in the Union register of geographical indications for craft and industrial products:	3. Upon the entry into force of a decision registering a protected geographical indication, the Office shall record the following data in the Union register of geographical indications for craft and industrial products:	
Article 26(3), point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
280	(a) the registered name of the product;	(a) the registered name of the product;	(a) the registered name of the product;	
Article 26(3), point (b)				
281	(b) the class of the product;	(b) the <i>classtype</i> of the product;	(b) the class of the product;	
Article 26(3), point (c)				
282	(c) the reference to the instrument registering the name;	(c) the reference to the <i>legal</i> instrument registering the name;	(c) the reference to the instrument registering the name;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 26(3), point (d)				
283	(d) indication of the country or countries of origin.	(d) indication of the country or countries of origin.	(d) indication of the country or countries of origin.	
Article 26(4)				
284	4. Geographical indications concerning products from third countries that are protected in the Union under an international agreement to which the Union is a contracting party shall be entered in the Union register of geographical indications for craft and industrial products.	4. Geographical indications concerning products from third countries that are protected in the Union under an international agreement to which the Union is a contracting party shall ^{may} be entered in the Union register of geographical indications for craft and industrial products.	4. Geographical indications concerning products from third countries that are protected in the Union under an international agreement to which the Union is a contracting party shall be entered in the Union register of geographical indications for craft and industrial products.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Geographical indications other than those protected in the Union pursuant to Article 7 Regulation EU 2019/5713 shall be registered by means of implementing acts adopted by the Commission in accordance with the examination procedure referred to in Article 65(2).	Geographical indications other than those protected in the Union pursuant to Article 7 Regulation EU 2019/5713 <u>2019/1753</u> shall be registered by means of implementing acts adopted by the Commission in accordance with the examination procedure referred to in Article 65(2).	Geographical indications other than those protected in the Union pursuant to Article 7 Regulation EU 2019/5713 shall be registered by means of implementing acts adopted by the Commission in accordance with the examination procedure referred to in Article 65(2).	
Article 26(5)				
285	5. Each geographical indication shall be entered in the Union register of geographical indications for craft and industrial products in its original script. Where the original script is not in Latin	5. Each geographical indication shall be entered in the Union register of geographical indications for craft and industrial products in its original script. Where the original script is not in Latin	5. Each geographical indication shall be entered in the Union register of geographical indications for craft and industrial products in its original script. Where the original script is not in Latin	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	characters, the geographical indication shall be transcribed in Latin characters and both versions of the geographical indication shall be entered in the Union register of geographical indications for craft and industrial products and shall have equal status.	characters, the geographical indication shall be transcribed in Latin characters and both versions of the geographical indication shall be entered in the Union register of geographical indications for craft and industrial products and shall have equal status.	characters, the geographical indication shall be transcribed in Latin characters and both versions of the geographical indication shall be entered in the Union register of geographical indications for craft and industrial products and shall have equal status.	
Article 26(6)				
286	6. The Commission shall make public and regularly update both the list of the international agreements referred to in paragraph 2 and the list of geographical indications protected under those agreements.	6. The <i>Commission Office</i> shall make public and, <i>in the event of changes, regularly</i> update both the list of the international agreements referred to in paragraph <i>24</i> and the list of geographical indications protected under those agreements.	6. The Commission shall make public and regularly update both the list of the international agreements referred to in paragraph 2 and the list of geographical indications protected under those agreements.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 26(7)				
287	7. The Office shall retain documentation related to the registration of a geographical indication in digital or paper form for the period of validity of the geographical indication, and in case of cancellation for 10 years thereafter.	7. The Office shall retain documentation related to the registration of a geographical indication in digital or paper form for the period of validity of the geographical indication, and in case of cancellation <u>or rejection of the application for registration,</u> for 10 years thereafter.	7. The Office shall retain documentation related to the registration of a geographical indication in digital or paper form for the period of validity of the geographical indication, and in case of cancellation for 10 years thereafter.	
Article 26(8)				
288				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	8. The Commission may adopt implementing acts defining the content and presentation of the Union register of geographical indications for craft and industrial products. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	8. The Commission may adopt implementing acts defining the content and presentation of the Union register of geographical indications for craft and industrial products. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	8. The Commission may adopt implementing acts defining the content and presentation of the Union register of geographical indications for craft and industrial products. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	
Article 27				
289	Article 27 Extracts from the Union register of geographical indications for craft and industrial products	Article 27 Extracts from the Union register of geographical indications for craft and industrial products	Article 27 Extracts from the Union register of geographical indications for craft and industrial products	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(deleted – moved to Article 34b)	
Article 27(1)				
290	<p>1. The Office shall ensure that any person is able to download an official extract from the Union register of geographical indications for craft and industrial products that provides proof of registration of the geographical indication, and the relevant data including the date of application for the registration of the geographical indication or other priority date. The official extract may be used as an authentic certificate in legal proceedings, in a court of law, in a court of</p>	<p>1. The Office shall ensure that any person is able to <u>easily</u> download <u>in a machine-readable format and free of charge</u> an official extract from the Union register of geographical indications for craft and industrial products that provides proof of registration <u>or rejection</u> of the geographical indication, and the relevant data including the date of application for the registration of the geographical indication or other priority date. The official extract</p>	<p>1. The Office shall ensure that any person is able to download an official extract from the Union register of geographical indications for craft and industrial products that provides proof of registration of the geographical indication, and the relevant data including the date of application for the registration of the geographical indication or other priority date. The official extract may be used as an authentic certificate in legal proceedings, in a court of law, in a court of</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	arbitration or similar body.	may be used as an authentic certificate in legal proceedings, in a court of law, in a court of arbitration or similar body.	arbitration or similar body.	
Article 27(2)				
291	2. The applicant producer group or where Article 6(3) applies, the single producer shall be identified as the holder of the registration in the Union register of geographical indications for craft and industrial products and in the official extract referred to in paragraph (1) of this Article.	2. The applicant producer group or where Article 6(3) applies, the single producer shall be identified as the holder of the registration in the Union register of geographical indications for craft and industrial products <u>in the Union register</u> and in the official extract referred to in paragraph (1) of this Article.	2. The applicant producer group or where Article 6(3) applies, the single producer shall be identified as the holder of the registration in the Union register of geographical indications for craft and industrial products and in the official extract referred to in paragraph (1) of this Article.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 27(3)				
292	3. The Commission may adopt implementing acts defining the format and online presentation of extracts from the Union register of geographical indications for craft and industrial products. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	3. The Commission may adopt implementing acts defining the format and online presentation of extracts from the Union register of geographical indications for craft and industrial products. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	3. The Commission may adopt implementing acts defining the format and online presentation of extracts from the Union register of geographical indications for craft and industrial products. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	
Article 28				
293	Article 28	Article 28	Article 28	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Amendments to a product specification	Amendments to a product specification	Amendments to a product specification	
Article 28(1)				
294	1. A producer group having a legitimate interest may apply for the approval of an amendment to the product specification of a registered geographical indication.	1. A producer group <u>or a producer or an authority designated by a Member State</u> having a legitimate interest may apply for the approval of an amendment to the product specification of a registered geographical indication.	1. The applicant in whose name the geographical indication has been registered, or a producer group or producer having a legitimate interest, may request may apply for the approval of an amendment to the product specification of a registered geographical indication.	
Article 28(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
295	2. Amendments to a product specification shall be classified into two categories:	2. Amendments to a product specification shall be classified into two categories:	2. Amendments to a product specification shall be classified into two categories:	
Article 28(2), point (a)				
296	(a) Union amendments, requiring an opposition procedure at the Union level, and	(a) Union amendments, requiring an opposition procedure at the Union level, and	(a) Union substantial amendments as referred to in paragraph 3 , requiring an opposition procedure at the Union level; and	
Article 28(2), point (b)				
297				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(b) standard amendments to be dealt with at Member State or third country level.	(b) standard amendments to be dealt with at Member State or third country level.	(b) standard non-substantial amendments, to be dealt with at Member State or third country third-country level.	
Article 28(3)				
298	3. An amendment shall be considered a Union amendment if it concerns a revision of the single document and if any of the following conditions are met:	3. An amendment shall be considered a Union amendment if it concerns a revision of the single document and if any of the following conditions are met:	3. An amendment shall be considered a Union substantial amendment if it concerns a revision of the single document and if any of the following conditions are met:	
Article 28(3), point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
299	(a) the amendment includes a change in the name, or in the use of the name,	(a) the amendment includes a change in the name, or in the use of the name,	(a) the amendment includes a change in the name of the geographical indication , or in the use of the name;;	
Article 28(3), point (b)				
300	(b) the amendment risks voiding the link to the geographical area referred to in the single document,	(b) the amendment risks voiding the link to the geographical area referred to in the single document,	(b) the amendment risks voiding undermining the link to the geographical area referred to in the single document;; or	
Article 28(3), point (c)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
301	(c) the amendment entails further restrictions on the marketing of the product.	(c) the amendment entails further restrictions on the marketing of the product.	(c) the amendment entails further restrictions on the marketing of the product.	
Article 28(4)				
302	4. Union amendments shall be approved by the Office or, where Article 25 applies, the Commission. The approval procedure shall follow mutatis mutandis the procedure and publication requirements laid down in Articles 6 to 25.	4. Union amendments shall be approved by the Office or, where Article 25 applies, the Commission. The approval procedure shall follow mutatis mutandis the procedure and publication requirements laid down in Articles 6 to 25.	4. Union amendments shall be approved by the Office or, where Article 25 applies, the Commission. The approval procedure In the examination of substantial amendments, the steps of the national and Union phase as set out in Articles 6, 12 to 15, and Articles 19 to 25 shall follow apply mutatis mutandis.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>Decisions on substantial amendments shall be taken by the Office or, where Article 25 applies, the Commission mutatis mutandis the procedure and publication requirements laid down in Articles 6 to 25.</p>	
Article 28(5)				
303	<p>5. Any other amendment to the product specification of a registered geographical indication that is not a Union amendment in accordance with paragraph 3, shall be considered as a standard amendment.</p>	<p>5. Any other amendment to the product specification of a registered geographical indication that is not a Union amendment in accordance with paragraph 3, shall be considered as a standard amendment.</p>	<p>5. Any other amendment to the product specification of a registered geographical indication, other than those referred to in paragraph 3, shall be considered a non-substantial that is not a Union amendment, which shall fall within the competence of the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>Member States or third countries in whose territory the product originates. Non-substantial amendments, once approved in accordance with paragraph 3, shall be considered as a standard amendment communicated to the Office. Where Article 15a applies, non-substantial amendments shall be approved by the Office.</p>	
303a		<p><u>5a. A temporary amendment shall be considered as a standard amendment when it concerns a temporary change in the product</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>specification resulting from the imposition of obligatory sanitary measures by the public authorities, or from a natural disaster or from adverse weather conditions recognised by the competent authorities, or from a man-made disaster.</u>		
Article 28(6)				
304	6. Applications for amendments referred to in paragraph 2 submitted by a third country or by producers established in a third country shall contain proof that the requested amendment complies with the laws on the protection of	6. Applications for amendments referred to in paragraph 2 submitted by a third country or by producers established in a third country shall contain proof that the requested amendment complies with the laws on the protection of	6. Applications Requests for amendments referred to in paragraph 2 submitted by the competent authority of a third country or by producers established in a third country shall contain proof that the requested	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	geographical indications in force in that third country.	geographical indications in force in that third country.	amendment complies with the laws on the protection of geographical indications in force in that third country.	
Article 28(7)				
305	7. If an application for a Union amendment concerning a geographical indication of a Member State also relates to standard amendments, the Office shall examine the Union amendments only. Any standard amendments shall be deemed as not having been submitted. The examination of such applications shall focus on the proposed Union	7. If an application for a Union amendment concerning a geographical indication of a Member State also relates to standard amendments, the Office shall examine the Union amendments only. Any standard amendments shall be deemed as not having been submitted. The examination of such applications shall focus on the proposed Union	7. If an application Where a request for a Union substantial amendment concerning a geographical indication of a Member State also relates to standard non-substantial amendments, the Office shall examine the Union amendments only. Any standard only the substantial amendments shall be deemed as not having been	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	amendments. Where appropriate, the Member State concerned or the Office may invite the applicant to modify other elements of the product specifications.	amendments. Where appropriate, the Member State concerned or the Office may invite the applicant to modify other elements of the product specifications.	<p>submitted. The examination of such applications shall focus on the proposed Union amendments.</p> <p>Where appropriate, the Member State concerned or the Office may invite the applicant to modify other elements of the product specifications.</p> <p>examined in accordance with paragraph 4.</p> <p>(deleted last sentence moved to paragraph 7a)</p>	
305a			7a. Where appropriate, the competent authority of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>Member State concerned or the Office may invite the applicant in whose name the geographical indication has been registered to modify other elements of the product specification.</p> <p>(moved from paragraph 7)</p>	
Article 28(8)				
306	8. Standard amendments shall be approved by Member States or third countries in whose territory the geographical area of the product concerned is located. Such amendments shall be	8. Standard amendments shall be approved by Member States or third countries in whose territory the geographical area of the product concerned is located. Such amendments shall be	8. Standard amendments shall be approved by Member States or third countries in whose territory the geographical area of the product concerned is located. Such Substantial and non-	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>communicated to the Office.</p> <p>Where Article 25 applies, the Office shall approve the standard amendments. The Office shall make those amendments public in the Union register of geographical indications for craft and industrial products.</p>	<p>communicated to the Office.</p> <p>Where Article 25 applies, the Office shall approve the standard amendments. The Office shall make those amendments public in the Union register of geographical indications for craft and industrial products.</p>	<p>substantial amendments shall be communicated to the Office.</p> <p>Where Article 25 applies, the Office, once approved, shall approve the standard amendments. be made public by the Office shall make those amendments public in the Union register of geographical indications for craft and industrial products.</p>	
Article 28(9)				
307	<p>9. The Commission may adopt implementing acts laying down detailed rules on procedures, form and presentation of an amendment application for Union amendment</p>	<p>9. The Commission may adopt implementing acts laying down detailed rules on procedures, form and presentation of an amendment application for Union amendment</p>	<p>9. The Commission may adopt implementing acts laying down detailed rules on procedures, form and presentation of an amendment application for Union substantial</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and on procedures, form and communication of standard amendments to the Office. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	and on procedures, form and communication of standard amendments to the Office. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	amendment and on procedures, form and communication of standard non-substantial amendments to the Office. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	
Article 29				
308	Article 29 Cancellation of the registration	Article 29 Cancellation of the registration	Article 29 Cancellation of the registration	
Article 29(1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
309	1. The Office may, own its own initiative or on a duly substantiated request by a Member State, a third country or any natural or legal person having a legitimate interest, decide to cancel the registration of a geographical indication in the following cases:	1. The Office may, own ^{on} its own initiative or on a duly substantiated request by a Member State, a third country or any natural or legal person having a legitimate interest, decide to cancel the registration of a geographical indication in the following cases:	1. The Office may, own its own initiative or on a duly substantiated request by a Member State, a third country or any natural or legal person having a legitimate interest, decide to cancel the registration of aA registered geographical indication in the following easesmay be cancelled, where:	
Article 29(1), point (a)				
310	(a) where compliance with the requirements for the product specification can no longer be ensured;	(a) where compliance with the requirements for the product specification can no longer be ensured;	(a) where compliance with the requirements for the product specification can no longer be ensured;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 29(1), point (b)				
311	(b) where no product has been placed on the market under the geographical indication for at least a consecutive period of 7 years.	(b) where no product has been placed on the market under the geographical indication for at least a consecutive period of 7 ⁵ years.	(b) where no product has been placed on the market under the geographical indication for at least a consecutive period of 7 ^{at least seven} years; or	
Article 29(1), point (c)				
311a			(c) it was registered in breach of Article 37(1), Article 38(1) or (2), or Article 39(1).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 29(2)				
312	2. The Office may, at the request of the producer group of the product marketed under the registered name, decide to cancel the corresponding registration.	2. The Office may, at the request of the producer group <u>or a producer</u> of the product marketed under the registered name, decide to cancel the corresponding registration.	2. The Office may, at the request of the producer group A geographical indication may also be cancelled at the request of the product marketed under the registered name, decide to cancel the corresponding registration applicant in whose name the geographical indication has been registered.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
312a			<p>2a. A request for cancellation pursuant to paragraph 1 may be submitted by the competent authority of a Member State, a third country or a natural or legal person having a legitimate interest.</p>	
312b			<p>2b. The Commission or the Office may initiate a cancellation procedure on its own initiative, on the basis of the grounds set out in points (a) and (b) of paragraph 1.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 29(3)				
313	3. Article 6 and Articles 19 to 25 shall apply mutatis mutandis to the cancellation procedure.	3. Article 6 and Articles <u>12 to 15 and Articles</u> 19 to 25 shall apply mutatis mutandis to the cancellation procedure.	3. Article 6 and The steps of the national and Union phase as set out in Articles 6, 12 to 14, 15a, and 19 to 25 shall apply, <i>mutatis mutandis</i>, mutatis mutandis to the cancellation procedure.	
Article 29(4)				
314	4. Before deciding to cancel the registration of a geographical indication, the Office shall consult	4. Before deciding to cancel the registration of a geographical indication, the Office shall consult	4. Before deciding to cancel the registration of a geographical indication, the Office shall consult	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>the competent authority of the Member State, the competent authorities of the third country or, where possible, the third country producer group which had applied for the registration of the geographical indication concerned, unless the cancellation is directly requested by the original applicants. If the geographical indication was registered pursuant to Article 15, the Office shall consult the Advisory Board referred to in Article 33.</p>	<p>the competent authority of the Member State, the competent authorities of the third country or, where possible, the third country producer group which had applied for the registration of the geographical indication concerned, unless the cancellation is directly requested by the original applicants. If the geographical indication was registered pursuant to Article 15, the Office shall consult the Advisory Board referred to in Article 33.</p>	<p>the competent authority of the Member State, the competent authorities of the third country or, where possible, the third country producer group which had applied for, in the cases referred to in paragraphs 2a and 2b, inform the applicant in whose name the geographical indication has been registered. Before deciding to cancel the registration of the third-country geographical indication, the Office shall consult the competent authorities of the third country concerned concerned, unless the cancellation is directly requested by the original applicants. If the geographical indication was registered pursuant to Article 15, the Office shall 15a, the Geographical Indication</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Division may consult the Advisory Board referred to in Article 33 and the single point of contact referred to in Article 15(6) of the Member State concerned.	
314a			4a. The Union register shall be updated accordingly when a geographical indication is cancelled.	
314b				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>4b. This Article shall not apply to third-country geographical indications that are protected in the Union under the Geneva Act or under another international agreement to which the Union is a contracting party.</p>	
Article 29(5)				
315	<p>5. The Commission may adopt implementing acts laying down detailed rules on procedures and form of the cancellation process, as well as on the presentation of the requests referred to in paragraphs 1 and 2 of this Article. Those implementing acts shall be adopted</p>	<p>5. The Commission may adopt implementing acts laying down detailed rules on procedures and form of the cancellation process, as well as on the presentation of the requests referred to in paragraphs 1 and 2 of this Article. Those implementing acts shall be adopted</p>	<p>5. The Commission mayshall adopt implementing acts laying down detailed rules on procedures and form of the cancellation process, as well as on the presentation of the requests referred to in paragraphs 1 and 2 of this Article. Those implementing</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	in accordance with the examination procedure referred to in Article 65(2).	in accordance with the examination procedure referred to in Article 65(2).	acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	
Article 30				
316	Article 30 Appeal	Article 30 Appeal	Article 30 Appeal	
Article 30(1)				
317	1. Any party to a procedure regulated in this Regulation that is adversely affected by the decision	1. Any party to a procedure regulated in this Regulation that is adversely affected by the decision	1. Any party to a procedure regulated in this Regulation that is adversely affected by the decision	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>taken by the Office in that procedure may lodge an appeal to the Boards of Appeal referred to in Article 34 against the decision. The appealed decisions of the Office shall take effect only as from the date of expiration of the appeal period referred to in paragraph 3. The filing of the appeal shall have suspensive effect. Member States shall also have the right to join the procedure.</p>	<p>taken by the Office in that procedure may lodge an appeal to the Boards of Appeal referred to in Article 34 against the decision. The appealed decisions of the Office shall take effect only as from the date of expiration of the appeal period referred to in paragraph 3. The filing of the appeal shall have suspensive effect. Member States shall also have the right to join the procedure.</p>	<p>taken by the Office in that procedure may lodge an appeal to the Boards of Appeal referred to in Article 34 against the decision. The appealed decisions of the Office shall take effect only as from the date of expiration of the appeal period referred to in paragraph 3. The filing of the appeal shall have suspensive effect. Member States shall also have the right to join the appeal procedure.</p> <p>(second and third sentences moved to paragraph 1a)</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
317a			<p>1a. The filing of the appeal shall have suspensive effect. A decision of the Office that has not been contested shall take effect on the day following the date of expiry of the appeal period referred to in paragraph 3.</p> <p>(moved from paragraph 1)</p>	
Article 30(2)				
318	2. A decision which does not terminate proceedings as regards one of the parties shall only be	2. A decision which does not terminate proceedings as regards one of the parties shall only be	2. A decision which that does not terminate proceedings as regards one of the parties shall only be	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	appealed together with the final decision.	appealed together with the final decision.	appealed together with the final decision.	
Article 30(3)				
319	3. Notice of appeal shall be filed in writing at the Office within 2 months of the date of publication of the decision. The notice shall be deemed to be have been filed only when the fee for appeal has been paid. In case of an appeal, a written statement setting out the grounds of appeal shall be filed within 4 months of the date of publication of the decision.	3. Notice of appeal shall be filed in writing at the Office within 2 months of the date of publication of the decision. The notice shall be deemed to be have been filed only when the fee for appeal has been paid. In case of an appeal, a written statement setting out the grounds of appeal shall be filed within 4 months of the date of publication of the decision.	3. The notice of appeal shall be filed in writing at with the Office within 2 two months of the date of publication of the decision. The notice shall be deemed to be have been filed only when the fee for appeal has been paid. In case the event of an appeal, a written statement setting out the grounds of appeal shall be filed within 4 four months of the date of publication of the decision.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 30(4)				
320	4. The Boards of Appeal shall examine whether the appeal is admissible.	4. The Boards of Appeal shall examine whether the appeal is admissible.	4. The Boards of Appeal shall examine whether the appeal is admissible. (covered by paragraph 5)	
Article 30(5)				
321	5. Following an examination of admissibility of the appeal, the Boards of Appeal shall decide on	5. Following an examination of admissibility of the appeal, the Boards of Appeal shall decide on	5. Following an examination of admissibility of the appeal, the Boards of Appeal shall decide on	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>the appeal. The Boards of Appeal shall either exercise any power within the competence of the geographical indications division which was responsible for the decision appealed or remit the case to that geographical indication division for further prosecution. The Boards of Appeal may, on its own initiative or upon the written, reasoned request of a party, consult the Advisory Board as referred to in Article 33. The Office may offer mediation services pursuant to Article 170 of Regulation (EU) 2017/1001, with a view of assisting the parties reach an amicable settlement.</p>	<p>the appeal. The Boards of Appeal shall either exercise any power within the competence of the geographical indications division which was responsible for the decision appealed or remit the case to that geographical indication division for further prosecution. The Boards of Appeal may, on its own initiative or upon the written, reasoned request of a party, consult the Advisory Board as referred to in Article 33. The Office may<u>shall</u> offer <u>alternative dispute resolution procedures, such as</u> mediation services pursuant to Article 170 of Regulation (EU) 2017/1001, with a view of assisting the parties reach an amicable settlement.</p>	<p>the merits of the appeal. The Boards of Appeal shall either exercise any power within the competence of the Geographical Indications Division referred to in Article 32, which was responsible for the decision appealedcontested decision, or remit the case to that Geographical indicationIndications Division for further prosecution. The Boards of Appeal may, on itstheir own initiative or upon the written, reasoned request of a party, consult the Advisory Board as referred to in Article 33. The Office may offer mediation services pursuant to Article 170 of Regulation (EU) 2017/1001, with a view of assisting the parties reach an amicable settlement.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 30(6)				
322	<p>6. Actions may be brought before the General Court against decisions of the Boards of Appeal in relation to appeals, within two months of the date of publication of the decision of the Boards of Appeal, on grounds of infringement of an essential procedural requirement, infringement of the TFEU, infringement of this Regulation or of any rule of law relating to their application or misuse of power. The action shall be open to any party to proceedings before the Boards of Appeal adversely</p>	<p>6. Actions may be brought before the General Court against decisions of the Boards of Appeal in relation to appeals, within two months of the date of publication of the decision of the Boards of Appeal, on grounds of infringement of an essential procedural requirement, infringement of the TFEU, infringement of this Regulation or of any rule of law relating to their application or misuse of power. The action shall be open to any party to proceedings before the Boards of Appeal adversely</p>	<p>6. Actions may be brought before the General Court of the European Union against decisions of the Boards of Appeal in relation to appeals, within two months of the date of publication notification of the decision of the Boards of Appeal, on grounds of infringement of an essential procedural requirement, infringement of the TFEU Treaty on the Functioning of the European Union, infringement of this Regulation or of any rule of law relating to their application or</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	affected by its decision and to any Member State. The General Court shall have jurisdiction to annul or to alter the contested decision.	affected by its decision and to any Member State. The General Court shall have jurisdiction to annul or to alter the contested decision.	misuse of power. The action shall be open to any party to the proceedings before the Boards of Appeal adversely affected by its decision and to any Member State. The General Court shall have jurisdiction to annul or to alter the contested decision.	
Article 30(7)				
323	7. The decisions of the Boards of Appeal shall take effect only as from the date of expiry of the appeal period or, if an action has been brought before the General Court within that period, as from the date of dismissal of such action	7. The decisions of the Boards of Appeal shall take effect only as from the date of expiry of the appeal period or, if an action has been brought before the General Court within that period, as from the date of dismissal of such action	7. The decisions of the Boards of Appeal shall take effect only as from on the day following the date of expiry of the appeal period referred to in paragraph 6 or, if an action has been brought before the General Court within that	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	or of any appeal filed with the Court of Justice against the decision of the General Court.	or of any appeal filed with the Court of Justice against the decision of the General Court.	period, as from the date following the day of dismissal of such action or of dismissal of any appeal filed with the Court of Justice of the European Union against the decision of the General Court. The Office shall take the necessary measures to comply with the judgement of the General Court or, in the event of an appeal against that judgement, the Court of Justice.	
Article 30(8)				
324	8. The Commission is empowered to adopt delegated acts in accordance with Article 66 to	8. The Commission is empowered to adopt delegated acts in accordance with Article 66 to	8. The Commission is empowered to adopt delegated acts in accordance with Article 66 to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	supplement this Regulation by specifying:	supplement this Regulation by specifying:	supplementsupplementing this Regulation by specifying:	
Article 30(8), point (a)				
325	(a) the content of the notice of appeal referred to in paragraph 3 and the procedure for the filing and the examination of an appeal and	(a) the content of the notice of appeal referred to in paragraph 3 and the procedure for the filing and the examination of an appeal and	(a) the content of the notice of appeal referred to in paragraph 3 and the procedure for the filing and the examination of an appeal; and	
Article 30(8), point (b)				
326	(b) the content and the form of the Board of Appeal's decisions as	(b) the content and the form of the Board of Appeal's decisions as	(b) the content and the form of the Board Boards of Appeal's decisions as referred to in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	referred to in paragraph 5.	referred to in paragraph 5.	paragraph 5.	
Article 31				
327	Article 31 Establishment of a domain name information and alert system	Article 31 Establishment of a domain name information and alert system	Article 31 Establishment of a domain name information and alert system	
Article 31(1)				
328	1. For domain names registered under a country-code top-level domain name, administered or managed by a registry established	1. For domain names registered under a country-code top-level domain name <u>and other top-level domain names</u> , administered or	1. For domain names registered under a country-code top-level domain name, administered or managed by a registry established	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>in the Union, the Office shall provide a domain name information and alert system. Upon submission of an application for a geographical indication, the information and alert system shall inform applicants for a geographical indication about the availability of their geographical indication as a domain name, and on an optional basis once a domain name containing an identical or similar name with their geographical indication is registered (domain name alerts).</p>	<p>managed by a registry established in the Union, the Office shall provide a domain name information and alert system. UponAfter submission of an application for a geographical indication, the information and alert system shall inform applicants for a geographical indication about the availability of their geographical indication as a domain name, and on an optional basis once a domain name containing an identical or similar name with their geographical indication is registered (domain name alerts).</p>	<p>in the Union, the Office shall provide a domain name information and alert system. Upon submission of an application for a geographical indication, the information and alert system shall inform applicants for a geographical indication about the availability of their geographical indication as a domain name, and on an optional basis once a domain name containing an identical or similar name with their geographical indication is registered (domain name alerts).</p>	
Article 31(2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
329	2. For the purposes of paragraph 1, country-code top-level domain name registries, established in the Union, shall provide the Office with all information and data in their possession necessary to run the domain name information and alert system.	2. For the purposes of paragraph 1, country-code top-level domain name <u>and other top-level domain names</u> registries, established in the Union, shall provide the Office with all information and data in their possession necessary to run the domain name information and alert system.	2. For the purposes of paragraph 1, country-code top-level domain name registries, established in the Union, shall provide the Office with all information and data in their possession necessary to run the domain name information and alert system.	
Section 2				
330	Section 2 Organisation and tasks of the Office in relation to the geographical indications	Section 2 Organisation and tasks of the Office in relation to the geographical indications	Section 2 Organisation and tasks of the Office in relation to the geographical indications	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 32				
331	Article 32 Geographical Indications Division	Article 32 Geographical Indications Division	Article 32 Geographical Indications Division for craft and industrial products	
Article 32(1)				
332	1. A Geographical Indications Division, as a department of the Office, shall be responsible for taking decisions on behalf of the Office in relation to:	1. A Geographical Indications Division, as a department of the Office, shall be responsible for taking decisions on behalf of the Office in relation to:	1. A Geographical Indications Division, as a department of for craft and industrial products ('the Geographical Indications Division') shall be established	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			within the Office; That Division shall be responsible for taking decisions on behalf of the Office in relation to:	
Article 32(1), point (a)				
333	(a) an application for registration of a geographical indication;	(a) an application for registration of a geographical indication;	(a) an application for registration of a geographical indication;	
Article 32(1), point (b)				
334	(b) an application for amendment of a geographical indication;	(b) an application for amendment of a geographical indication;	(b) an application for amendment of a geographical indication;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 32(1), point (c)				
335	(c) an opposition to an application to register or amend a geographical indication;	(c) an opposition to an application to register or amend a geographical indication;	(c) an opposition to an application to register or amend a geographical indication;	
Article 32(1), point (d)				
336	(d) entries in the Union register of geographical indication for craft and industrial products;	(d) entries in the Union register of geographical indication for craft and industrial products;	(d) entries in the Union register of geographical indication for craft and industrial products;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 32(1), point (e)				
337	(e) requests for cancellation of a geographical indication.	(e) requests for cancellation of a geographical indication.	(e) requests for cancellation of a geographical indication.	
Article 32(2)				
338	2. Opposition and cancellation decisions shall be taken by a panel of three members. At least one member shall be legally qualified. All other decisions of paragraph 1 shall be taken by a single member.	2. Opposition and cancellation decisions shall be taken by a panel of <u>at least</u> three members. At least one member shall be legally qualified. All other decisions of paragraph 1 <u>and one</u> shall be taken by a single member <u>have appropriate technical knowledge.</u>	2. Opposition and cancellation decisions shall be taken by a panel of three members. At least one member shall be legally qualified. All other decisions of paragraph 1 shall be taken by a single member.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 33				
339	Article 33 Geographical Indications Advisory Board	Article 33 Geographical Indications Advisory Board	Article 33 Geographical Indications Advisory Board	
Article 33(1)				
340	1. An Advisory Board is set up to deliver an opinion where provided for in this Regulation.	1. An Advisory Board is set up to deliver an opinion where provided for in this Regulation.	1. An Advisory Board is shall be set up to deliver an opinion where provided for in this Regulation.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 33(2)				
341	<p>2. The Geographical Indications Division and the Boards of Appeal as referred to in Article 32 and 34 may, and, at the request of the Commission shall, consult the Advisory Board concerning individual applications at any stage of the examination, opposition or the appeal procedure as referred to in Articles 19, 21 and 30 as well as concerning the following matters:</p>	<p>2. The Geographical Indications Division and the Boards of Appeal as referred to in Article 32 and 34 may, and, at the request of the Commission shall, consult the Advisory Board concerning individual applications at any stage of the examination, opposition or the appeal procedure as referred to in Articles 19, 21 <u>22, 24, 28, 29</u> and 30 as well as concerning the following matters:</p>	<p>2. The Geographical Indications Division and the Boards of Appeal as referred to in Article 32 and 34 may, and, at the request of the Commission shall, consult the Advisory Board on questions concerning individual applications an application at any stage of the examination, opposition or the appeal procedure as referred to in Articles 19, 21, 22, 24, 28, 29 and 30. The Advisory Board may also be consulted on horizontal as well as concerning the following matters, such as:</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 33(2), point (a)				
342	(a) the assessment of the quality criteria;	(a) the assessment of the quality criteria;	(a) the assessment of the quality criteria;	
Article 33(2), point (b)				
343	(b) the establishment of reputation and renown;	(b) the establishment of reputation and renown <u>of a geographical indication</u> ;	(b) the establishment of reputation and renown of the geographical indication ;	
Article 33(2), point (c)				
344				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(c) the determination of the generic nature of the name;	(c) the determination of the generic nature of the name;	(c) the determination of the generic nature of the name of the geographical indication;	
344a		<u>(ca) the assessment of the link between the product and its geographical origin;</u>		
Article 33(2), point (d)				
345	(d) the assessment of fair competition in commercial	(d) the assessment of fair competition in commercial	(d) the assessment of fair competition in commercial	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	transactions and the risk of confusing consumers in cases of conflict between geographical indications and trade marks, homonyms or existing products which are legally marketed.	transactions and the risk of confusing consumers in cases of conflict between geographical indications and trade marks, homonyms or existing products which are legally marketed.	transactions and the risk of confusing consumers in cases of conflict between geographical indications and trade marks, homonyms or existing products which that are legally marketed.	
Article 33(3)				
346	3. The Geographical Indications Division and the Boards of Appeal shall consult the Advisory Board concerning the possible registration of all individual applications submitted through the direct registration procedure referred to in Article 15.	3. The Geographical Indications Division and the Boards of Appeal shall may consult the Advisory Board concerning the possible registration of all individual applications submitted through the direct registration procedure referred to in Article 15.	3. The Geographical Indications Division referred to in Article 32 and, as applicable, and the Boards of Appeal shall referred in Article 34, may consult the Advisory Board concerning the possible registration of all individual applications submitted through the direct registration procedure	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			referred to in Article 15 15a .	
Article 33(4)				
347	4. The opinions of the Advisory Board shall not be binding on the Geographical Indications Division and the Boards of Appeal.	4. The opinions of the Advisory Board shall not be binding on the Geographical Indications Division and the Boards of Appeal.	4. The opinions of the Advisory Board shall not be binding on the Geographical Indications Division and the Boards of Appeal.	
Article 33(5)				
348	5. The Advisory Board shall be composed of one representative of each Member State and one representatives of the Commission	5. The Advisory Board shall be composed of one representative of each Member State, and one representatives <u>representative</u> of	5. The Advisory Board shall be composed of one representative of each Member State and one representatives <u>representative</u> of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and their respective alternates.	the Commission and their respective alternates. <u><i>If deemed necessary, recognised experts in the field of geographical indications or of the concerned product category, including representatives of regions and academia shall be invited to join the Board on an ad hoc basis.</i></u>	the Commission and their respective alternates.	
Article 33(6)				
349	6. The opinion of the Advisory Board shall be delivered in a panel of three members.	6. The opinion of the Advisory Board shall be delivered in a panel of three members.	6. The opinion of the Advisory Board shall be delivered in a panel of three members.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 33(7)				
350	7. The Office shall make public the list of members of the Advisory Board on its website and shall keep that list up-to-date.	7. The Office shall make public the list of members of the Advisory Board on its website and shall keep that list up-to-date.	7. The Office shall make public the list of members of the Advisory Board on its website and shall keep that list up-to-date.	
Article 33(8)				
351	8. Procedures concerning the appointment of the members of the Advisory Board and its operation shall be specified in its rules of procedures as approved by the Management Board and shall be made public.	8. Procedures concerning the appointment of the members of the Advisory Board and its operation shall be specified in its rules of procedures as approved by the Management Board, <u>shall ensure that no member can find himself</u>	8. Procedures concerning the appointment of the members of the Advisory Board and its operation shall be specified in its rules of procedures as approved by the Management Board instituted by Article 153 of Regulation (EU)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>or herself in a conflict of interest,</u> and shall be made public.	2017/1001, and shall be made public.	
Article 33(9)				
352	9. The mandates of members of the Advisory Board shall be up to 5 years. Those mandates may be renewable.	9. The mandates of members of the Advisory Board shall be up to 5 years. Those mandates may be renewable <u>renewed once</u> .	9. The mandates of members of the Advisory Board shall be up to 5 five years. Those mandates may be renewable.	
Article 33(10)				
353	10. The Office shall provide the logistic support necessary for the Advisory Board and provide a	10. The Office shall provide the logistic support necessary for the Advisory Board and provide a	10. The Office shall provide the logistic support necessary for the Advisory Board and provide a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	secretariat for its meetings.	secretariat for its meetings.	secretariat for its meetings.	
Article 34				
354	Article 34 Boards of Appeal	Article 34 Boards of Appeal	Article 34 Boards of Appeal	
Article 34, first paragraph				
355	In addition to the powers conferred upon it by Article 165 of Regulation (EU) 2017/1001, the Boards of Appeal instituted by that Regulation shall be responsible for	In addition to the powers conferred upon it by Article 165 of Regulation (EU) 2017/1001, the Boards of Appeal instituted by that Regulation shall be responsible for	In addition to the powers conferred upon it The Boards of Appeal instituted by Article 165 of Regulation (EU) 2017/1001, the Boards of Appeal instituted by that	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	deciding on appeals from decisions of the Geographical Indications Division as regards their decisions concerning geographical indications subject to Article 28 of this Regulation.	deciding on appeals from decisions of the Geographical Indications Division as regards their decisions concerning geographical indications subject to Article 28 of this Regulation.	Regulation shall be responsible for deciding on appeals from decisions of the Geographical Indications Division as regards their against decisions concerning geographical indications subject to Article 28 of adopted by the Office under this Regulation.	
355a			<p style="text-align: center;">Article 34a</p> <p style="text-align: center;">Union register of geographical indications for craft and industrial products</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(ex Article 26)	
355b			<p>1. A publicly accessible electronic Union register shall be developed, kept and maintained by the Office for geographical indications for craft and industrial products.</p>	
355c			<p>2. The Union register shall contain the entries referred to in</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			this Regulation.	
355d			3. Upon the entry into force of a decision registering a geographical indication in accordance with Article 24 or 25, the Office shall enter the following data in the Union register:	
355e			(a) the name of the geographical	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			indication registered as a 'protected geographical indication';	
355f			(b) the product type;	
Article 34a(3), point (ba)				
355g			(ba) the name of the applicant in whose name the geographical indication is registered;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(new point (ba) added to former Article 26(3) of Commission proposal)	
Article 34a(3), point (c)				
355h			(c) the reference to the legal act registering the name of the geographical indication	
Article 34a(3), point (d)				
355i			(d) the country or countries of origin of the geographical indication.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
355j			<p>4. Geographical indications concerning craft and industrial products from third countries that are protected in the Union under the Geneva Act following a decision in accordance with Article 7 of Regulation (EU) 2019/1753 shall be entered in the Union register.</p> <p>(Second sentence moved to paragraph 4a)</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 34a(4a)				
355k			<p>4a. Geographical indications concerning craft and industrial products from third countries that are protected in the Union under an international agreement – other than the Geneva Act – to which the Union is a contracting party shall be entered in the Union register on the basis of implementing acts adopted by the Commission in accordance with the examination procedure referred to in Article 65(2).</p> <p>(Moved from paragraph 4 of Article 26)</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			of the Commission proposal)	
Article 34a(5)				
3551			<p>5. Each geographical indication shall be entered in the Union register in its original script. Where the original script is not in Latin characters, the geographical indication shall be transcribed in Latin characters and both versions of the geographical indication shall be entered in the Union register and shall have equal status.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 34a(6)				
355m			(paragraph 6 of former Article 26 deleted and moved to Article 34c(2))	
Article 34a(7)				
355n			7. The Office shall retain documentation related to the registration of a geographical indication in digital or paper form for the period of validity of the geographical indication, and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			in the event of cancellation for ten years thereafter.	
Article 34a(7), point (a)				
355o			7a. The running costs of the register shall be covered by the Office's operational budget.	
Article 34a(8)				
355p			8. The Commission shall adopt implementing acts setting out the IT architecture and presentation of the Union register. Those	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).</p>	
355q			<p>Article 34b</p> <p>Extracts from the Union register</p> <p>(moved from Article 27)</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
355r			<p>1. The Office shall ensure that any person has the possibility to download from the Union register an official extract that provides proof of registration of the geographical indication, and the relevant data including the date of application for the registration of the geographical indication or other priority date. The official extract may be used as an authentic certificate.</p>	
355s				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(paragraph 2 of former Article 27 deleted)	
355t			3. The Commission shall adopt implementing acts defining the format and online presentation of extracts from the Union register. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
355u			<p>Article 34c</p> <p>Technical support</p> <p>(moved from Article 62)</p>	
355v			<p>1. Upon request by the Commission, the Office shall carry out the examination of, and related administrative tasks pertaining to, third-country</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			geographical indications for craft and industrial products:	
355w			(a) protected or proposed for protection under an international agreement to which the Union is a party, other than the Geneva Act; or	
355x			(b) proposed for protection under an international	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			agreement under negotiation by the Union.	
355y			<p>2. On the basis of information received from the Commission, the Office shall make public, and regularly update, the list of the international agreements protecting geographical indications for craft and industrial products to which the Union is a contracting party, as well as the list of geographical indications protected under those agreements.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved from Article 26(6))	
TITLE III				
356	TITLE III PROTECTION OF GEOGRAPHICAL INDICATIONS	TITLE III PROTECTION OF GEOGRAPHICAL INDICATIONS	TITLE III PROTECTION OF GEOGRAPHICAL INDICATIONS	
Article 35				
357	Article 35	Article 35	Article 35	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Protection of geographical indications	Protection of geographical indications	Protection of geographical indications	
Article 35(1)				
358	1. Geographical indications entered in the Union register of geographical indications for craft and industrial products shall be protected against:	1. Geographical indications entered in the Union register of geographical indications for craft and industrial products shall be protected against:	1. Geographical indications entered in the Union register of geographical indications for craft and industrial products shall be protected against:	
Article 35(1), point (a)				
359	(a) any direct or indirect	(a) any direct or indirect	(a) any direct or indirect	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	commercial use of the geographical indication in respect of products not covered by the registration, where those products are identical or similar to the products registered under that geographical indication or where use of the name exploits, weakens, dilutes, or is detrimental to the reputation of, the protected geographical indication;	commercial use of the geographical indication in respect of products not covered by the registration, where those products are identical or similar to the products registered under that geographical indication or where use of the name exploits, weakens, dilutes, or is detrimental to the reputation of, the protected geographical indication;	commercial use of the geographical indication in respect of products not covered by the registration, where those products are identical or similar comparable to the products registered under that protected by the geographical indication, or where use of the name exploits, weakens, dilutes, or is detrimental to the reputation of, the protected geographical indication;	
Article 35(1), point (b)				
360	(b) any misuse, imitation or evocation, even if the true origin of the products or services is	(b) any misuse, imitation or evocation, even if the true origin of the products or services is	(b) any misuse, imitation or evocation, even if the true origin of the products or services is	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	indicated or if the protected geographical indication is translated or accompanied by an expression such as ‘style’, ‘type’, ‘method’, ‘as produced in’, ‘imitation’, ‘flavour’, ‘like’ or similar;	indicated or if the protected geographical indication is translated or accompanied by an expression such as ‘style’, ‘type’, ‘method’, ‘as produced in’, ‘imitation’, flavour <u>fragrance</u> , ‘like’ or similar;	indicated or if the protected geographical indication is translated or accompanied by an expression such as ‘style’, ‘type’, ‘method’, ‘as produced in’, ‘imitation’, ‘flavour’, ‘like’ or similar;	
Article 35(1), point (c)				
361	(c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product that is used on the inner or outer packaging, advertising material, documents or information provided on websites relating to the products, and the	(c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product that is used on the inner or outer packaging, advertising material, documents or information provided on websites <u>or applications</u> relating to the	(c) any other false or misleading indication as to the provenance, origin, nature or essential qualities of the product that is used on the inner or outer packaging, on advertising material , materials , in documents or information provided on websites online interfaces	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	packing of the products in a container liable to convey a false impression as to their origin;	products, and the packing of the products in a container liable to convey a false impression as to their origin;	relating to the products, and product, as well as the packing of the products product in a container liable to convey a false impression as to their origin;	
Article 35(1), point (d)				
362	(d) any other practice liable to mislead the consumer as to the true origin of the products.	(d) any other practice liable to mislead the consumer as to the true origin of the products.	(d) any other practice liable to mislead the consumer as to the true origin of the products product .	
Article 35(2)				
363	2. For the purposes of paragraph 1,	2. For the purposes of paragraph 1,	2. For the purposes of paragraph 1,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>point (b), the evocation of a geographical indication shall be deemed to arise, in particular, where a term, sign, or other labelling or packaging device presents a direct and clear link with the product covered by the registered geographical indication in the mind of the reasonably circumspect consumer, thereby exploiting, weakening, diluting or being detrimental to the reputation of the registered name.</p>	<p>point (b), the evocation of a geographical indication shall be deemed to arise, in particular, where a term, sign, or other labelling or packaging device presents a direct and clear link with the product covered by the registered geographical indication in the mind of the reasonably circumspect consumer, thereby exploiting, weakening, diluting or being detrimental to the reputation of the registered name.</p>	<p>point (b), the evocation of a geographical indication shall be deemed to arise, in particular, where a term, sign, or other labelling or packaging device presents a sufficiently direct and clear link with the product covered by the registered geographical indication in the mind of the reasonably circumspect average European consumer, thereby exploiting, weakening, diluting or being detrimental to the reputation of the registered name who is reasonably well-informed and reasonably observant and circumspect.</p>	
Article 35(3)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
364	3. Paragraph 1 shall also apply to a domain name containing or consisting of the registered geographical indication.	3. Paragraph 1 shall also apply to a domain name containing or consisting of the registered geographical indication.	3. Paragraph 1 The protection of geographical indications shall also apply to any use of a domain name containing or consisting of the registered geographical indication that is in breach of paragraph 1.	
Article 35(4)				
365	4. The protection referred to in paragraph 1 shall also apply to:	4. The protection referred to in paragraph 1 shall also apply to:	4. The protection referred to in paragraph 1 shall also apply to:	
Article 35(4), point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
366	(a) goods entering the customs territory of the Union without being released for free circulation within that territory; and	(a) goods entering the customs territory of the Union without being released for free circulation within that territory; and	(a) goods entering the customs territory of the Union without being released for free circulation within that territory; and	
Article 35(4), point (b)				
367	(b) goods sold by means of distance selling, such as electronic commerce.	(b) goods sold by means of distance selling, such as electronic commerce.	(b) goods sold by means of distance selling, such as electronic commerce.	
Article 35(5)				
368				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	5. The producer group or any producer that is entitled to use the protected geographical indication shall be entitled to prevent all third parties from bringing goods, in the course of trade, into the Union without being released for free circulation there, where such goods, including packaging, come from third countries and are contrary to paragraph 1.	5. The producer group, <u>the holder of the registration of the geographical indication</u> or any producer that is entitled to use the protected geographical indication shall be entitled to prevent all third parties from bringing goods, in the course of trade, into the Union without being released for free circulation there, where such goods, including packaging, come from third countries and are contrary to paragraph 1.	5. The producer group or any producer that is entitled to use the protected geographical indication shall be entitled to prevent all third parties from bringing goods, in the course of trade, into the Union without being released for free circulation there, where such goods, including packaging, come from third countries and are contrary to paragraph 1.	
Article 35(6)				
369	6. Geographical indications protected under this Regulation	6. Geographical indications protected under this Regulation	6. Geographical indications protected under this Regulation	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	shall not become generic within the Union.	shall not become generic within the Union.	shall not become generic within the Union.	
Article 35(7)				
370	7. Where a geographical indication is a compound name which contains a term which is considered to be generic, the use of that term shall not constitute a conduct referred to in paragraph 1, points (a) and (b).	7. Where a geographical indication is a compound name which contains a term which is considered to be generic, the use of that term shall not constitute a conduct referred to in paragraph 1, points (a) and (b).	7. Where a geographical indication is a compound name which contains a term which is considered to be generic, the use of that term shall not constitute a conduct referred to in paragraph 1, points (a) and (b).	
Article 36				
371				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 36 Parts or components in manufactured products	Article 36 Parts or components in manufactured products	Article 36 Parts or components in manufactured products	
Article 36(1)				
372	1. Article 35 is without prejudice to the use of a geographical indication by producers in conformity with Article 43 to indicate that a manufactured product contains, as a part or component, a product designated by that geographical indication provided that such use is made in accordance with honest commercial practices and does not	1. Article 35 is without prejudice to the use of a geographical indication by producers in conformity with Article 43 to indicate that a manufactured product contains <u>or integrates</u> , as a part or component, a product designated by that geographical indication provided that such use is made in accordance with honest commercial practices and does not	1. Article 35 is without prejudice to the use of a geographical indication by producers, in conformity with Article 43, to indicate that a manufactured product contains, as a part or component, a product designated by that geographical indication, provided that such use is made in accordance with honest commercial practices and does not	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	weaken, dilute, or is not detrimental to, the reputation of the geographical indication.	weaken, dilute, or is not detrimental to, the reputation of the geographical indication.	exploit , weaken, dilute, or is not detrimental to, the reputation of the geographical indication.	
Article 36(2)				
373	2. The geographical indication designating a product's part or component shall not be used in the sales designation of the manufactured product, except in cases of agreement with a producer group or, in situations referred to in Article 6(3), a single producer.	2. The geographical indication designating a product's part or component shall not be used in the sales designation of the manufactured product, except in cases of agreement with a producer group or, in situations referred to in Article 6(3), a single producer.	2. The geographical indication designating a product's part or component shall not be used in the sales designation of the manufactured product, except in cases of agreement with a producer group or, in situations referred to in Article 6(3), a single producer where the applicant in whose name the geographical indication has been registered has given its agreement to such	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			use.	
Article 37				
374	Article 37 Generic terms	Article 37 Generic terms	Article 37 Generic terms	
Article 37(1)				
375	1. Generic terms shall not be registered as a geographical indication.	1. Generic terms shall not be registered as a geographical indication.	1. A generic term term shall not be registered as a geographical indication.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 37(2)				
376	2. To establish whether or not a term has become generic, account shall be taken of all relevant factors, in particular:	2. To establish whether or not a term has become generic, account shall be taken of all relevant factors, in particular:	2. To establish whether or not a term has become generic, account shall be taken of all relevant factors, in particular:	
Article 37(2), point (a)				
377	(a) the existing situation in areas of consumption;	(a) the existing situation in areas of consumption;	(a) the existing situation in areas of consumption;	
Article 37(2), point (b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
378	(b) the relevant Union or national legal acts.	(b) the relevant Union or national legal acts.	(b) the relevant Union or national legal acts.	
Article 38				
379	Article 38 Homonymous geographical indications	Article 38 Homonymous geographical indications	Article 38 Homonymous geographical indications Homonyms	
Article 38(1)				
380	1. A geographical indication that	1. A geographical indication that	1. A geographical indication that	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>has been applied for after a wholly or partly homonymous geographical indication had been applied for or protected in the Union shall not be registered unless there is sufficient distinction in practice between the conditions of local and traditional usage and the presentation of the two homonymous indications, taking into account the need to ensure equitable treatment of the producers concerned and that consumers are not misled as to the true identity or geographical origin of the products.</p>	<p>has been applied for after a wholly or partly homonymous geographical indication had been applied for or protected in the Union shall not be registered unless there is sufficient distinction in practice between the conditions of local and traditional usage and the presentation of the two homonymous indications, taking into account the need to ensure equitable treatment of the producers concerned and that consumers are not misled as to the true identity or geographical origin of the products.</p>	<p>has been applied for after a wholly or partly homonymous geographical indication had name has been applied for or protected as a geographical indication in the Union shall not be registered, unless there is sufficient distinction in practice between the conditions of local and traditional usage and the presentation of the two homonymous indications names, taking into account the need to ensure equitable treatment of the producers concerned and the need to ensure that consumers are not misled as to the true identity or geographical origin of the products.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 38(2)				
381	2. A wholly or partly homonymous name which misleads the consumer into believing that products come from another territory shall not be registered even if the name for the actual territory, region or place of origin of the products in question is accurate.	2. A wholly or partly homonymous name which misleads the consumer into believing that products come from another territory shall not be registered even if the name for the actual territory, region or place of origin of the products in question is accurate.	2. A wholly or partly homonymous name which misleads that is liable to mislead the consumer into believing that products come from another territory shall not be registered even if the name for the actual territory, region or place of origin of the products in question is accurate.	
Article 38(3)				
382	3. For the purpose of this Article, a	3. For the purpose of this Article, a	3. For the purpose of this Article, a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	geographical indication applied for or protected in the Union refers to:	<u>homonymous</u> geographical indication applied for or protected in the Union refers to:	geographical indication applied for or protected in the Union refers to:	
Article 38(3), point (a)				
383	(a) geographical indications that are entered in the Union register of geographical indications for craft and industrial products;	(a) geographical indications that are entered in the Union register of geographical indications for craft and industrial products;	(a) geographical indications that are entered in the Union register of geographical indications for craft and industrial products;	
Article 38(3), point (b)				
384	(b) geographical indications that have been applied for provided that	(b) geographical indications that have been applied for provided that	(b) geographical indications that have been applied for, provided	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	they are subsequently entered in the Union register of geographical indications for craft and industrial products;	they are subsequently entered in the Union register of geographical indications for craft and industrial products;	that they are subsequently entered in the Union register of geographical indications for craft and industrial products;	
Article 38(3), point (c)				
385	<p>(c) appellations of origin and geographical indications protected in the Union pursuant to the Regulation (EU) 2019/1753¹; and</p> <p>_____</p> <p>1. Regulation (EU) 2019/1753 of the European Parliament and of the Council of 23 October 2019 on the action of the Union following its accession to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (OJ</p>	<p>(c) appellations of origin and geographical indications protected in the Union pursuant to the Regulation (EU) 2019/1753¹; and</p> <p>_____</p> <p>1. Regulation (EU) 2019/1753 of the European Parliament and of the Council of 23 October 2019 on the action of the Union following its accession to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (OJ</p>	<p>(c) appellations of origin and geographical indications protected in the Union pursuant to the Regulation (EU) 2019/1753¹; and</p> <p>_____</p> <p>1. Regulation (EU) 2019/1753 of the European Parliament and of the Council of 23 October 2019 on the action of the Union following its accession to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (OJ</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	L 271, 24.10.2019, p. 1–11)	L 271, 24.10.2019, p. 1–11)	L 271, 24.10.2019, p. 1–11)	
Article 38(3), point (d)				
386	(d) geographical indications, names of origin and equivalent terms protected pursuant to an international agreement between the Union and one or more third countries.	(d) geographical indications, names of origin and equivalent terms protected pursuant to an international agreement between the Union and one or more third countries.	(d) geographical indications, names of origin and equivalent terms protected pursuant to an international agreement between the Union and one or more third countries.	
Article 38(4)				
387	4. The Office shall cancel the geographical indications registered	4. The Office shall cancel <u>and remove from the Union register</u>	4. The Office shall cancel, pursuant to Article 29(1)(c), any	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	in breach of paragraphs 1 and 2.	any the geographical indications <u>that have been</u> registered in breach of paragraphs 1 and 2.	the geographical indications indication that has been registered in breach of paragraphs 1 and 2, after having informed the applicant in whose name the geographical indication has been registered.	
Article 39				
388	Article 39 Trade marks	Article 39 <u>Relationship between geographical indications and</u> trade marks (moved from Article 42)	Article 39 Relationship between geographical indications and trade marks (integrates most of former Article 42)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
388a		<p><u>1. An application for the registration of a trade mark, the use of which would contravene Article 35, shall be rejected if the application for registration of the trade mark is submitted after the date of submission to the Office of the application for the registration of the geographical indication.</u></p> <p><u>Where applicable, the Office shall take account of any priority claimed in that trade mark application.</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		(moved from Article 42)		
Article 39(1)				
389	A name shall not be registered as a geographical indication where, in the light of a trade mark's reputation and renown, registration of the name proposed as a geographical indication could mislead the consumer as to the true identity of the product.	2. A name shall not be registered as <u>An application for the registration of</u> a geographical indication <u>shall be rejected</u> where, in the light of a trade mark's reputation and renown, <u>well-known character or of the reputation</u> of the <u>trade mark, the</u> name proposed as a geographical indication could <u>is liable to</u> mislead the consumer as to the true identity of the product.	1. A name shall not be registered as An application for the registration of a geographical indication shall be rejected where, in the light of a trade mark's with a reputation and renown, registration of for a well-known mark, the name proposed as a geographical indication could would be liable to mislead the consumer as to the true identity of the product.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
389a		<p><u>3. The Office shall cancel and remove from the Union register any geographical indication that has been registered in breach of paragraph 2.</u></p> <p>(moved from Article 42)</p>		
Article 39(2)				
389b			<p>2. The Office shall cancel, pursuant to Article 29(1)(c), any geographical indication that has</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			been registered in breach of paragraph 1, after having informed the applicant in whose name the geographical indication has been registered.	
389c		<p><u>4. The Office and, as applicable, the national competent authorities shall, upon request, invalidate trade marks registered in breach of paragraph 1.</u></p> <p>(moved from Article 42)</p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 39(3)				
389d			<p>3. An application for the registration of a trade mark, the use of which would contravene Article 35, shall be rejected if this application is submitted after the date on which the application for the registration of the geographical indication has been submitted to the Office.</p> <p>(moved from Article 42(1))</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
389e		<p><u>5. Without prejudice to paragraph 4 of this Article, a trade mark the use of which contravenes Article 35, which has been applied for, registered, or established by use in good faith within the territory of the Union, if that possibility is provided for by the legislation concerned, before the date on which the application for registration of the geographical indication is submitted to the Office, may continue to be used and renewed notwithstanding the registration of a geographical indication, provided that no grounds for invalidity or revocation of the trade mark exist under Directive (EU) 2015/2436</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>of the European Parliament and of the Council or under Regulation (EU) 2017/1001. In such cases, the use of the geographical indication and that of the relevant trade mark shall be permitted.</u></p> <p>(moved from Article 42)</p>		
Article 39(4)				
389f			<p>4. The Office and, as applicable, the national competent authorities shall, upon request, invalidate trade marks registered</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>in breach of paragraph 3.</p> <p>(moved from Article 42(2))</p>	
389g		<p><u>6. For the purposes of paragraphs 1 and 5 of this Article, for geographical indications registered further to the procedure set up in Article 67, the first day of protection, following the one year transitional period since [the date of entry into force of this Regulation], shall be deemed to be the day on which the Member States have informed the Office</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>and the Commission.</u></p> <p>(moved from Article 42)</p>		
Article 39(5)				
389h			<p>5. Without prejudice to paragraph 4 of this Article, a trade mark, the use of which contravenes Article 35, which has been applied for, registered, or established by use in good faith within the territory of the Union, if that possibility is provided for by the legislation concerned, before the date on which the application for</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>registration of the geographical indication is submitted to the Office, may continue to be used and renewed notwithstanding the registration of the geographical indication, provided that no grounds for invalidity or revocation of the trade mark exist under Directive (EU) 2015/2436¹ of the European Parliament and of the Council or Regulation (EU) 2017/1001. In such cases, the use of the geographical indication and that of the relevant trade mark shall be permitted.</p> <p>_____</p> <p>1. Directive (EU) 2015/2436 of the European Parliament and of the Council of 16 December 2015 to approximate the laws of the Member States relating to</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			trade marks (OJ L 336, 23.12.2015, p. 1). (moved from Article 42(4))	
389i		<u><i>7. Guarantee or certification marks referred to in Article 28(4) of Directive(EU) 2015/2436 and collective marks referred to in Article 29(3) of that Directive may be used on labels and packaging devices, together with the geographical indication.</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		(moved from Article 42)		
Article 39(6)				
389j			<p>6. Guarantee or certification marks referred to in Article 28(4) of Directive (EU) 2015/2436 and collective marks referred to in Article 29(3) of that Directive may be used on labels and packaging devices, together with the geographical indication.</p> <p>(moved from Article 42(5))</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 40				
390	Article 40 Producer groups	Article 40 Producer groups	Article 40 Producer groups	
Article 40(1)				
391	1. Member States shall verify that the producer group operates in a transparent and democratic manner and that all producers of the product designated by the geographical indication enjoy right of membership in the group. Member States may provide that public officials, and other	1. Member States shall <u>regularly</u> verify that the producer group operates in a transparent and democratic manner and that all producers of the product designated by the geographical indication enjoy right of membership in the group. Member States may provide that public	1. Member States Producer groups shall verify that the producer group operates operate in a transparent, open and non-discriminatory and democratic manner and that , allowing all producers of the product designated by the geographical indication enjoy right of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	stakeholders such as consumer groups, retailers and suppliers, also participate in the work of the producer group.	officials, and other stakeholders such as consumer groups, retailers and suppliers, also participate in the work of the producer group.	membership in the group to join the group at any point in time. Member States may provide that public officials bodies , and other stakeholders such as consumer groups, retailers and suppliers, may also participate in the work of the producer group.	
Article 40(2)				
392	2. A producer group may, in particular, exercise the following powers and responsibilities:	2. A producer group may, in particular, exercise the following powers and responsibilities:	2. A producer group may, in particular, exercise the following powers and responsibilities tasks :	
Article 40(2), point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
393	(a) develop the product specification and manage internal controls that ensure compliance of production steps of product designated by the geographical indication with that specification;	(a) develop <u>and amend</u> the product specification and manage internal controls that ensure compliance of production steps of product designated by the geographical indication with that specification;	(a) develop and amend the product specification and manage set up internal controls compliance checks that ensure compliance of production steps with the product specification of the product designated by the geographical indication with that specification ;	
Article 40(2), point (b)				
394	(b) take legal action to ensure the protection of the geographical indication and of the intellectual property rights that are directly	(b) take legal action to ensure the protection of the geographical indication and of the intellectual property rights that are directly	(b) take legal action to ensure the protection of the geographical indication and of the any other intellectual property rights that	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	connected with it;	connected with it;	a eright that is directly connected with the product ;	
Article 40(2), point (c)				
395	(c) agree sustainability undertakings, whether or not included in the product specification or as a separate initiative, including arrangements for verification of compliance with these undertakings and assuring adequate publicity for them in particular in an information system provided by the Commission;	(c) agree sustainability undertakings, whether or not included in the product specification or as a separate initiative, including arrangements for verification of compliance with these undertakings and assuring adequate publicity for them in particular in an information system provided by the Commission;	(c) agree sustainability undertakings, whether or not included in the product specification or as a separate initiative, including arrangements for verification of compliance with these undertakings and assuring adequate publicity for them in particular in an information system provided by the Commission;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 40(2), point (d)				
396	(d) take action to improve the performance of the geographical indication, including:	(d) take action to improve the performance of the geographical indication, including:	(d) take action to improve the performance of the geographical indication, including:	
Article 40(2), point (d)(i)				
397	(i) development, organisation and conduct of collective marketing and advertising campaigns;	(i) development, organisation and conduct of collective marketing and advertising campaigns;	(i) development, organisation and conduct of collective marketing and advertising campaigns;	
Article 40(2), point (d)(ii)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
398	(ii) dissemination of information and promotion activities aiming at communicating the attributes of the product designated by a geographical indication to consumers;	(ii) dissemination of information and promotion activities aiming at communicating the attributes of the product designated by a geographical indication to consumers;	(ii) dissemination of information and promotion activities aiming at communicating to consumers the attributes of the product designated by a geographical indication to consumers;	
Article 40(2), point (d)(iii)				
399	(iii) carrying out analyses into the economic performance, sustainability of production, technical characteristics of the product designated by the geographical indication;	(iii) carrying out analyses into the economic <u>and ecological</u> performance, sustainability of production, technical characteristics of the product designated by the geographical indication;	(iii) carrying out analyses into the economic performance, sustainability of production, technical characteristics of the product designated by the geographical indication;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 40(2), point (d)(iv)				
400	(iv) dissemination of information on the geographical indication and the relevant Union symbol; and	(iv) dissemination of information on the geographical indication and the relevant Union symbol; and	(iv) dissemination of information on the geographical indication and the relevant Union symbol; and	
Article 40(2), point (d)(v)				
401	(v) providing advice and training to current and future producers, including on gender mainstreaming and equality; and	(v) providing advice and training to current and future producers, including on gender mainstreaming and equality; and	(v) providing advice and training to current and future producers, including on gender mainstreaming and equality; and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 40(2), point (e)				
402	(e) combat counterfeiting and suspected fraudulent uses on the internal market of a geographical indication that is not in compliance with the product specification by monitoring the use of the geographical indication across the internal market and on third countries' markets where the geographical indications are protected, including on the internet, and, as necessary, informing enforcement authorities using confidential systems available.	(e) combat counterfeiting and suspected fraudulent uses on the internal market of a geographical indication that is not in compliance with the product specification by monitoring the use of the geographical indication across the internal market and on third countries' markets where the geographical indications are protected, including on the internet, and, as necessary, informing enforcement authorities using confidential systems available.	(e) combat counterfeiting and suspected fraudulent uses on in the internal market of a geographical indication that is not in compliance with the product specification by monitoring the use of the geographical indication across the internal market and in third-country-on-third-countries' markets where the geographical indications are protected, including on the internet online interfaces , and, as necessary, by informing enforcement authorities using confidential systems available.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
402a		<p><u>2a. Producer groups shall ensure that producers within the group continuously comply with the relevant product specification when using the name and symbol in the market. Producer groups may:</u></p> <p>(moved from Article 47)</p>		
402b		<p><u>(a) monitor the commercial use of</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u><i>the geographical indication in the market;</i></u></p> <p>(moved from Article 47)</p>		
402c		<p><u><i>(b) develop activities related to ensuring compliance of a product designated by a geographical indication with its product specification;</i></u></p> <p>(moved from Article 47)</p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
402d		<p><u>(c) take action to ensure adequate legal protection of the geographical indication, including, where appropriate, informing the competent authorities designated under Article 45(1).</u></p> <p>(moved from Article 47)</p>		
Article 41				
403	Article 41	Article 41	Article 41 Protection of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Protection of geographical indication rights in domain names	Protection of geographical indication rights in domain names	geographical indication rights in domain names (deleted – partly moved to recital (33))	
Article 41(1)				
404	1. Country-code top-level domain name registries established in the Union may, upon request of a natural or legal person having a legitimate interest or rights, revoke or transfer a domain name registered under such country-code top-level domain to the producer group of the products with the	1. Country-code top-level domain name <u>and other top-level domain name</u> registries established in the Union may, upon request of a natural or legal person having a legitimate interest or rights, revoke or transfer a domain name registered under such country-code top-level domain to the producer	1. Country-code top-level domain name registries established in the Union may, upon request of a natural or legal person having a legitimate interest or rights, revoke or transfer a domain name registered under such country-code top-level domain to the producer group of the products with the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	geographical indication concerned, following an appropriate alternative-dispute-resolution procedure or judicial procedure, if such domain name has been registered by its holder without rights or legitimate interest in the geographical indication or if it has been registered or is being used in bad faith and its use contravenes Article 35.	group of the products with the geographical indication concerned, following an appropriate alternative-dispute-resolution procedure or judicial procedure, if such domain name has been registered by its holder without rights or legitimate interest in the geographical indication or if it has been registered or is being used in bad faith and its use contravenes Article 35.	geographical indication concerned, following an appropriate alternative-dispute-resolution procedure or judicial procedure, if such domain name has been registered by its holder without rights or legitimate interest in the geographical indication or if it has been registered or is being used in bad faith and its use contravenes Article 35. (deleted – partly moved to recital (33))	
Article 41(2)				
405				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>2. Country-code top-level domain name registries established in the Union shall ensure that any alternative dispute resolution procedure established to solve disputes relating to the registration of domain names referred to in paragraph 1, shall recognise geographical indications as rights that may prevent a domain name from being registered or used in bad faith.</p>	<p>2. Country-code top-level domain name <u>and other top-level domain name</u> registries established in the Union shall ensure that any alternative dispute resolution procedure established to solve disputes relating to the registration of domain names referred to in paragraph 1, shall recognise geographical indications as rights that may prevent a domain name from being registered or used in bad faith.</p>	<p>2. Country-code top-level domain name registries established in the Union shall ensure that any alternative dispute resolution procedure established to solve disputes relating to the registration of domain names referred to in paragraph 1, shall recognise geographical indications as rights that may prevent a domain name from being registered or used in bad faith.</p> <p>(deleted – partly moved to recital (33))</p>	
Article 42				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
406	<p>Article 42</p> <p>Conflicting trade marks</p>	<p>Article 42</p> <p><i>deleted</i></p> <p><i>(moved to Article 39)</i></p>	<p>Article 42 Conflicting trade marks</p> <p><i>(moved to Article 39, except for Article 42(3), which has been integrated into Article 67(2a) and recital (31))</i></p>	
Article 42(1)				
407	<p>1. The registration of a trade mark the use of which would contravene Article 35 shall be rejected if the application for registration of the trade mark is submitted after the date of submission to the Office of</p>	<p><i>deleted</i></p>	<p>1. The registration of a trade mark the use of which would contravene Article 35 shall be rejected if the application for registration of the trade mark is submitted after the date of submission to the Office of</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the application for the registration of the geographical indication.	<i>(moved to Article 39)</i>	the application for the registration of the geographical indication. <i>(moved to Article 39)</i>	
Article 42(2)				
408	2. The Office and, when applicable, the competent national authorities shall invalidate trade marks registered in breach of paragraph 1.	<i>deleted</i> <i>(moved to Article 39)</i>	2. The Office and, when applicable, the competent national authorities shall invalidate trade marks registered in breach of paragraph 1. <i>(moved to Article 39)</i>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 42(3)				
409	<p>3. For the purposes of paragraphs 1 and 4 of this Article, for geographical indications registered further to the procedure set up in Article 67, the first day of protection, following the one year transitional period since [the date entry into force of this Regulation], shall be deemed to be the day on which the Member States have informed the Office and the Commission.</p>	<p><i>deleted</i></p> <p><i>(moved to Article 39)</i></p>	<p>3. For the purposes of paragraphs 1 and 4 of this Article, for geographical indications registered further to the procedure set up in Article 67, the first day of protection, following the one year transitional period since [the date entry into force of this Regulation], shall be deemed to be the day on which the Member States have informed the Office and the Commission.</p> <p><i>integrated into Article 67(2a) and recital (31)</i></p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(integrated into Article 67(2a) and recital (31))	
Article 42(4)				
410	4. Without prejudice to paragraph 2 of this Article, a trade mark the use of which contravenes Article 35, which has been applied for, registered, or established by use in good faith within the territory of the Union, if that possibility is provided for by the legislation concerned, before the date on which the application for registration of the geographical	<i>deleted</i> (moved to Article 39)	4. Without prejudice to paragraph 2 of this Article, a trade mark the use of which contravenes Article 35, which has been applied for, registered, or established by use in good faith within the territory of the Union, if that possibility is provided for by the legislation concerned, before the date on which the application for registration of the geographical	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>indication is submitted to the Office, may continue to be used and renewed notwithstanding the registration of a geographical indication, provided that no grounds for invalidity or revocation of the trade mark exist under Directive (EU) 2015/2436¹ of the European Parliament and of the Council or Regulation (EU) 2017/1001. In such cases, the use of the geographical indication and that of the relevant trade mark shall be permitted.</p> <p>_____</p> <p>1. Directive (EU) 2015/2436 of the European Parliament and of the Council of 16 December 2015 to approximate the laws of the Member States relating to trade marks (OJ L 336, 23.12.2015, p. 1).</p>		<p>indication is submitted to the Office, may continue to be used and renewed notwithstanding the registration of a geographical indication, provided that no grounds for invalidity or revocation of the trade mark exist under Directive (EU) 2015¹/2436 of the European Parliament and of the Council or Regulation (EU) 2017/1001. In such cases, the use of the geographical indication and that of the relevant trade mark shall be permitted.</p> <p>_____</p> <p>1. Directive (EU) 2015/2436 of the European Parliament and of the Council of 16 December 2015 to approximate the laws of the Member States relating to trade marks (OJ L 336, 23.12.2015, p. 1).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved to Article 39)	
Article 42(5)				
411	5. Guarantee or certification marks referred to in Article 28(4) of Directive (EU) 2015/2436 and collective marks referred to in Article 29(3) of that Directive may be used on labels, together with the geographical indication.	deleted (moved to Article 39)	5. Guarantee or certification marks referred to in Article 28(4) of Directive (EU) 2015/2436 and collective marks referred to in Article 29(3) of that Directive may be used on labels, together with the geographical indication. (moved to Article 39)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 43				
412	Article 43 Right to use	Article 43 Right to use	Article 43 Right to use	
Article 43(1)				
413	1. A registered geographical indication may be used by any producer marketing a product conforming to the corresponding product specification or to a single document or an equivalent to the latter.	1. A registered geographical indication may be used by any producer marketing a product conforming to the corresponding product specification or to a single document or an equivalent to the latter.	1. A registered geographical indication may be used by any producer marketing a product conforming to the corresponding product specification or to a single document or an equivalent to the latter.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved to Article 46(1))	
Article 43(2)				
414	2. Member States shall ensure that any producer complying with the rules set out in this Title is entitled to be covered by the verification of compliance established pursuant to Article 46. Member States may charge a fee to cover their costs of managing the controls system.	2. Member States shall ensure that any producer complying with the rules set out in this Title is entitled to be covered by the verification of compliance established pursuant to Article 46. Member States may charge a fee to cover their costs of managing the controls system.	2. Member States shall ensure that any producer complying with the rules set out in this Title is entitled to be covered by the verification of compliance established pursuant to Article 46. Member States may charge a fee to cover their costs of managing the controls system.	
Article 44				
415				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 44 Union symbol, indication, abbreviation	Article 44 Union symbol, indication, abbreviation	Article 44 Union symbol, indication, abbreviation	
Article 44(1)				
416	1. The Union symbol established for ‘protected geographical indications’ under Commission Delegated Regulation (EU) 664/2014 ¹ shall be applicable to geographical indications for craft and industrial products. _____ 1. Commission Delegated Regulation (EU) No 664/2014 of 18 December 2013	1. The Union symbol established for ‘protected geographical indications’ under Commission Delegated Regulation (EU) 664/2014 ¹ shall be applicable to geographical indications for craft and industrial products. _____ 1. Commission Delegated Regulation (EU) No 664/2014 of 18 December 2013	1. The Union symbol established for ‘protected geographical indications’ under Commission Delegated Regulation (EU) 664/2014 ¹ shall be applicable to geographical indications for craft and industrial products. _____ 1. Commission Delegated Regulation (EU) No 664/2014 of 18 December 2013	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the establishment of the Union symbols for protected designations of origin, protected geographical indications and traditional specialities guaranteed and with regard to certain rules on sourcing, certain procedural rules and certain additional transitional rules (OJ L 179, 19.6.2014, p. 17).	supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the establishment of the Union symbols for protected designations of origin, protected geographical indications and traditional specialities guaranteed and with regard to certain rules on sourcing, certain procedural rules and certain additional transitional rules (OJ L 179, 19.6.2014, p. 17).	supplementing Regulation (EU) No 1151/2012 of the European Parliament and of the Council with regard to the establishment of the Union symbols for protected designations of origin, protected geographical indications and traditional specialities guaranteed and with regard to certain rules on sourcing, certain procedural rules and certain additional transitional rules (OJ L 179, 19.6.2014, p. 17).	
Article 44(2)				
417	2. In the case of craft and industrial products originating in the Union that are marketed under a geographical indication, the Union symbol referred to in paragraph 1 may appear on the	2. In the case of craft and industrial products originating in the Union that are marketed under a geographical indication, the Union symbol referred to in paragraph 1 may shall appear on	2. In the case of For craft and industrial products originating in the Union that are marketed under a geographical indication, the Union symbol referred to in paragraph 1 may appear on the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	labelling and advertising material. The geographical indication shall be in the same field of vision as the Union symbol.	the labelling and advertising <u>or</u> <u>communication</u> material. The geographical indication shall be in the same field of vision as the Union symbol.	labelling and advertising material. The geographical indication shall be in the same field of vision as the Union symbol.	
Article 44(3)				
418	3. The abbreviation 'PGI' corresponding to the indication 'protected geographical indication' may appear on the labelling of products designated by a geographical indication of craft and industrial products.	3. The abbreviation 'PGI' corresponding to the indication 'protected geographical indication' may <u>shall</u> appear on the labelling of products designated by a geographical indication of craft and industrial products.	3. The abbreviation 'PGI' corresponding to the indication 'protected geographical indication' may appear on the labelling of products designated by a geographical indication of craft and industrial products.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 44(4)				
419	<p>4. Indications, abbreviations and Union symbols may be used in the labelling and advertising materials of manufactured products when the geographical indication refers to a part or component thereof. In that case, the indication, abbreviation or Union symbol shall be placed next to the name of the part or component that is clearly identified as a part or component. The Union symbol shall not be placed in a manner that suggests to the consumer that the manufactured product rather than the part or component is the object of registration.</p>	<p>4. Indications, abbreviations and Union symbols may be used in the labelling and advertising materials of manufactured products when the geographical indication refers to a part or component thereof. In that case, the indication, abbreviation or Union symbol shall be placed next to the name of the part or component that is clearly identified as a part or component. The Union symbol shall not be placed in a manner that suggests to the consumer that the manufactured product rather than the part or component is the object of registration.</p>	<p>4. Indications, abbreviations and Union symbols may be used in the labelling and advertising materials of manufactured products when the geographical indication refers to a part or component thereof. In that case, the indication, abbreviation or Union symbol shall be placed next to the name of the part or component that is clearly identified as a part or component. The Union symbol shall not be placed in a manner that suggests to the consumer that it is the manufactured product, rather than the part or component that is protected as a geographical</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			indication is the object of registration.	
Article 44(5)				
420	5. After the submission of a Union application for the registration of a geographical indication, producers may indicate on the labelling, and in the presentation, of the product that an application has been filed in compliance with Union law.	<i>deleted</i>	5. After the submission of a Union application for the registration of a geographical indication at Union level , producers may indicate on the labelling, and in the presentation, of the product that an application has been filed in compliance accordance with Union law.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 44(6)				
421	6. The Union symbol indicating the protected geographical indication and the Union indication 'protected geographical indication' and the abbreviation 'PGI' as relevant, may appear on the labelling only after the publication of the decision on registration in accordance with Articles 24 and 25.	6. The Union symbol indicating the protected geographical indication and the Union indication 'protected geographical indication' and the abbreviation 'PGI' as relevant, may appear on the labelling <u>and where applicable, on advertising material,</u> only after the publication of the decision on registration in accordance with Articles 24 and 25.	6. The Union symbol indicating the protected geographical indication and the Union indication 'protected geographical indication' and the abbreviation 'PGI' as relevant, may appear on the labelling only after the publication of the decision on registration in accordance with Articles 24 and 25 24(7) or 25(2), as applicable.	
Article 44(7)				
422				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	7. Where an application is rejected, any products labelled in accordance with paragraph 4 may be marketed until the stocks are exhausted.	<i>deleted</i>	7. Where an application is rejected, any products labelled in accordance with paragraph 45 may be marketed until the stocks are exhausted.	
Article 44(8)				
423	8. The following may also appear on the labelling:	8. The following may also appear on the labelling <u>and, where applicable, in advertising material accompanying the product:</u>	8. The following may also appear on the labelling:	
Article 44(8), point (a)				
424				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(a) depictions of the geographical area of origin, as referred to in the product specification; and	(a) depictions of the geographical area of origin, as referred to in the product specification; and	(a) depictions of the geographical area of origin, as referred to in the product specification; and	
Article 44(8), point (b)				
425	(b) text, graphics or symbols referring to the Member State or the region in which that geographical area of origin is located.	(b) text, graphics or symbols referring to the Member State or the region in which that geographical area of origin is located.	(b) text, graphics or symbols referring to the Member State or the region in which that geographical area of origin is located.	
Article 44(9)				
426				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	9. The Union symbol associated with a geographical indication entered in the Union Register of geographical indications for craft and industrial products designating craft and industrial product originating in third countries, may appear on the product labelling and advertising material, in which case the symbol shall be used in conformity with paragraph 2.	9. The Union symbol associated with a geographical indication entered in the Union Register of geographical indications for craft and industrial products designating craft and industrial product originating in third countries, may appear on the product labelling and advertising material, in which case the symbol shall be used in conformity with paragraph 2.	9. The Union symbol associated with a geographical indication entered in the Union register of geographical indications for craft and industrial products designating a craft and industrial product originating in a third countries country , may appear on the product labelling and advertising material of the product , in which case the symbol shall be used in conformity with paragraph 2.	
Article 44(10)				
427	10. The Commission may adopt implementing acts specifying the	10. The Commission may adopt implementing acts specifying the	10. The Commission may adopt implementing acts specifying the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>technical characteristics of the Union symbol and indication as well as the rules concerning their use on the products marketed under a registered geographical indication, including rules concerning the appropriate linguistic versions to be used. These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).</p>	<p>technical characteristics of the Union symbol and indication as well as the rules concerning their use on the products marketed under a registered geographical indication, including rules concerning the appropriate linguistic versions to be used. These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).</p>	<p>technical characteristics of the Union symbol and indication as well as the rules concerning their use on the products marketed under a registered geographical indication, including rules concerning the appropriate linguistic versions to be used. These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).</p>	
TITLE IV				
428	TITLE IV CONTROLS AND	TITLE IV CONTROLS AND	TITLE IV CONTROLS AND	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ENFORCEMENT	ENFORCEMENT	ENFORCEMENT	
Article 44a				
428a			<p>Article 44a</p> <p>Scope</p>	
Article 44a(1)				
428b			<p>1. This Title covers controls of geographical indications for craft and industrial products.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 44a(2), introductory part				
428c			<p>2. Controls shall include the following:</p> <p>(partly taken from Article 45(1))</p>	
Article 44a(2), point (a)				
428d			<p>(a) verification that a product designated by a geographical indication is in compliance with the corresponding product specification;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 44a(2), point (b)				
428e			(b) monitoring of the use of geographical indications in the market.	
Article 45				
429	Article 45 Designation of competent authorities	Article 45 Designation of competent authorities	Article 45 Designation of competent authorities	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 45(1)				
430	1. Member States shall designate the competent authorities responsible for official controls to verify compliance with this Regulation. Those controls shall include the following:	1. Member States shall designate the competent authorities responsible for official controls to verify compliance with this Regulation. Those controls shall include the following:	1. Member States shall designate the one or more competent authorities responsible for official the controls to verify compliance with this Regulation provided for in this Title . Those controls shall include the following:	
Article 45(1), point (a)				
431	(a) verification that a product designated by a geographical indication has been produced in conformity with the corresponding	(a) verification that a product designated by a geographical indication has been produced in conformity with the corresponding	(a) verification that a product designated by a geographical indication has been produced in conformity with the corresponding	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	product specification;	product specification;	product specification;	
Article 45(1), point (b)				
432	(b) monitoring of the use of geographical indications in the marketplace.	(b) monitoring of the use of geographical indications in the marketplace <u>market, including in electronic commerce.</u>	(b) monitoring of the use of geographical indications in the marketplace.	
Article 45(2)				
433	2. Competent authorities referred to in paragraph 1 shall be objective and impartial, and shall have at their disposal the qualified staff	2. Competent authorities referred to in paragraph 1 shall be objective, <u>impartial and transparent</u> and impartial , and	2. The competent authorities referred to in paragraph 1 shall be objective and impartial, and shall have at their disposal the qualified	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	and resources necessary to carry out their functions.	shall have at their disposal the <u>sufficient</u> qualified staff and resources necessary to <u>in order to</u> <u>efficiently</u> carry out their functions.	staff and resources necessary to carry out their functions.	
Article 46				
434	Article 46 Verification of compliance with the product specifications	Article 46 Verification of compliance with the product specifications	Article 46 Verification of compliance with the product specifications by self-declaration (previous Article 46 replaced by text below; includes elements from Article 43(1), ex Articles 49 and 58(1))	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 46(1)				
435	1. Member States shall draw up and keep up to date a list of producers of products designated by a geographical indication entered in the Union register of geographical indications for craft and industrial products originating in their territory.	1. Member States shall draw up and keep up to date a list of producers of products designated by a geographical indication entered in the Union register of geographical indications for craft and industrial products originating in their territory.	1. Member States shall draw up and keep up to date a list of producers of products designated by a A registered geographical indication entered in the Union register of geographical indications for craft and industrial products originating in their territory may be used by any producer of a product that is in conformity with the product specification. (moved from Article 43(1))	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 46(2)				
436	2. Producers shall be responsible for internal controls that ensure compliance with the product specification of products designated by geographical indications before the product is placed on the market.	2. Producers shall be responsible for internal controls that ensure compliance with the product specification of products designated by geographical indications before the product is placed on the market.	2. Producers shall be responsible for internal controls that ensure For a product designated by a geographical indication and originating in the Union, the verification of compliance with the corresponding product specification of products designated by geographical indications before the product is placed on the market shall be carried out by means of a self-declaration. The self-declaration shall be made using the form set out in Annex I and shall contain	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			the information and requirements specified in that Annex.	
Article 46(3)				
437	3. Without prejudice to Article 49, prior to placing on the market a product designated by a geographical indication and originating in the Union, third party verification of compliance with the product specification shall be carried out by :	3. Without prejudice to Article 49, prior to placing on the market a product designated by a geographical indication and originating in the Union, third party verification of compliance with the product specification shall be carried out by :	3. Without prejudice to Article 49, Prior to placing the product on the market, producers shall submit a self-declaration to the competent authority referred to in Article 45(1). Once the product is on the market, producers shall submit a renewed self-declaration once every three years to demonstrate continued a product designated by a geographical indication and originating in the Union, third	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>party verification of compliance with the product specification.</p> <p>Where the product specification is amended in a way that affects the product concerned, the self-declaration shall be carried out by renewed renewed without delay.</p>	
Article 46(3), point (a)				
438	(a) one or more competent authorities as referred to in Article 45 ; or	(a) one or more competent authorities as referred to in Article 45 <u>(1)</u> ; or	(a) one or more competent authorities as referred to in Article 45 ; or	
Article 46(3), point (b)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
439	(b) one or more delegated product certification bodies including natural persons to which responsibilities have been delegated in accordance with Article 50.	(b) one or more delegated product certification bodies including natural persons to which responsibilities have been delegated in accordance with Article 50.	(b) one or more delegated product certification bodies including natural persons to which responsibilities have been delegated in accordance with Article 50.	
Article 46(4)				
440	4. In respect of geographical indications that designate products originating in a third country, the verification of compliance with the specifications before placing the product on the market shall be carried out by :	4. In respect of geographical indications that designate products originating in a third country, the verification of compliance with the specifications before placing the product on the market shall be carried out by :	4. In respect of geographical indications that designate products originating in a third country, the verification of compliance with the specifications before placing The competent authority shall check, at least, that the information	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>provided in a self-declaration is complete and consistent. If the result of the check is positive, the competent authority shall issue, or renew, a certificate of authorisation to use the geographical indication for the product on the market concerned. In the event of obvious errors and inconsistencies in the self-declaration, the producer shall be carried out by :given the possibility to complete or correct the self-declaration.</p> <p>(incorporates elements of former Article 58(1))</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 46(4), point (a)				
441	(a) a public competent authority designated by the third country; or	(a) a public competent authority designated by the third country; or	(a) a public competent authority designated by the third country; or	
Article 46(4), point (b)				
442	(b) one or more product certification bodies.	(b) one or more product certification bodies.	(b) one or more product certification bodies.	
Article 46(5)				
443	5. Where, in accordance with the	5. Where, in accordance with the	5. Where, in accordance with the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>product specification, a production step is carried out by one or more producers in a country other than the country of origin of the geographical indication, provisions for verification of compliance of those producers shall be set out in the product specification. If the relevant production step takes place in the Union, the producers shall be notified to the competent authorities of the Member State where the production step takes place and be subject to verification as a producer of the product designated by a geographical indication.</p>	<p>product specification, a production step is carried out by one or more producers in a country other than the country of origin of the geographical indication, provisions for verification of compliance of those producers shall be set out in the product specification. If the relevant production step takes place in the Union, the producers shall be notified to the competent authorities of the Member State where the production step takes place and be subject to verification as a producer of the product designated by a geographical indication.</p>	<p>product specification, a production step is carried out by one or more Verification based on self-declaration does not prevent producers in a country other than the country of origin from having conformity of the geographical indication, provisions for verification of compliance of those producers shall be set out in the product specification. If the relevant production step takes place in the Union, the producers shall be notified to the competent authorities of the Member State where the production step takes place and be subject to verification as a producer of the verified by product designated by a geographical indication certification bodies or</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			natural persons.	
Article 46(6)				
444	6. The costs of verification of compliance with the product specification may be borne by the producers, which are subject to those controls. Member States may also contribute to those costs.	6. The costs of verification of compliance with the product specification may be borne by the producers, which are subject to those controls. Member States may shall also contribute to those costs.	6. To check conformity of the product covered by the self-declaration, controls, which can take place before and after The costs of verification of compliance with the product specification may be borne by the producers, which are subject to those controls. Member States may also contribute to those costs. has been put on the market, shall be carried out, based on a risk analysis and, if available, notifications by interested producers of products	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			designated by geographical indications, by:	
444a			(a) the competent authority; or	
444b			(b) one or more product certification bodies or natural persons to which responsibilities have been delegated in accordance with Article 50.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
444c		<p><u>6a. Member States shall draw up and keep up to date a list of producers of products designated by a geographical indication entered in the Union register and originating in their territory.</u></p>		
444d			<p>7. In the event of detected non-compliance, the competent authority shall take the necessary</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			measures to remedy the situation.	
444e			<p>8. The Commission shall be empowered to adopt delegated acts to amend and introduce, where relevant, modifications to the information and requirements specified in the form set out in Annex I.</p> <p>(taken from Article 49(5))</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
444f			<p>Article 46a</p> <p>Verification of compliance by a competent authority or by delegated product certification bodies or natural persons</p>	
444g			<p>1. As an alternative to the procedure set out in Article 46, Member States may provide for the verification of compliance with the product specification by means of controls, to be carried</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			out before and after the product has been put on the market. Such controls shall be carried out by:	
444h			(a) one or more competent authorities referred to in Article 45(1); or	
444i			(b) one or more product certification bodies or natural persons to which responsibilities	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			have been delegated in accordance with Article 50.	
444j			<p>2. Where the result of the control carried out prior to placing the product on the market demonstrates compliance of the product with the product specification, the competent authority shall issue a certificate of authorisation to use the geographical indication for the product concerned.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
444k			<p>3. Controls carried out after the product has been put on the market shall be based on a risk analysis and, if available, on notifications by interested producers of products designated by geographical indications.</p> <p>Where the result of such controls confirms compliance of the product with the product specification, the competent authority shall renew the certificate of authorisation.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
444l			<p>4. In the event of detected non-compliance, the competent authority shall take the necessary measures to remedy the situation.</p>	
444m			<p>Article 46b</p> <p>Verification of compliance of products originating in a third country</p> <p>(moved from Article 46(4))</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 46b, unnumbered paragraph				
444n			<p>In respect of geographical indications that designate products originating in a third country, verification of compliance with the product specification before placing the product on the market shall be carried out by:</p>	
Article 46b, point (a)				
444o			<p>(a) a competent authority</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			designated by the third country; or	
Article 46b, point (b)				
444p			(b) one or more product certification bodies.	
444q			Article 46c Monitoring of the use of geographical indications in the market	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(elements incorporated from ex Article 48)	
444r			<p>1. The authorities referred to in Article 45(1) shall monitor the use of geographical indications in the market, irrespective of whether the products in question are in storage, transit, distribution, or offered for sale at wholesale or retail level, including in electronic commerce.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
444s			<p>2. To that end, those authorities shall carry out controls, based on risk analysis and, if available, notifications by interested producers of products designated by geographical indications. If necessary, those authorities shall take appropriate administrative and judicial steps to prevent or stop the use of names on products or services that are produced, operated or marketed in their territory and that contravene the protection of geographical indications</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			provided for in Articles 35 and 36.	
Article 47				
445	Article 47 Due diligence	Article 47 <i>deleted</i> (moved to Article 40 (2a))	Article 47 Due diligence responsibilities of producers	
Article 47, first paragraph				
446				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Producers using the geographical indication shall ensure the continuous compliance of the use of the name and symbol in the marketplace with the relevant product specification. They may:	<i>deleted</i> (moved to Article 40 (2a))	1. Producers using the geographical indication shall ensure the continuous compliance of the use of the name and symbol in the marketplace their products with the relevant product specification. They may: (second sentence of Commission proposal and its sub-points moved to new paragraph 2)	
Article 47, first paragraph, point (a)				
447	(a) monitor the commercial use of the geographical indication in the	<i>deleted</i>	(a) monitor the commercial use of the geographical indication in the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	marketplace;	<i>(moved to Article 40 (2a))</i>	marketplace; <i>(moved to new paragraph (2) below)</i>	
Article 47, first paragraph, point (b)				
448	(b) develop activities related to ensuring compliance of a product designated by a geographical indication with its product specification;	<i>deleted</i> <i>(moved to Article 40 (2a))</i>	(b) develop activities related to ensuring compliance of a product designated by a geographical indication with its product specification;	
Article 47, first paragraph, point (c)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
449	(c) take action to ensure adequate legal protection of the geographical indication, including, where appropriate, informing the competent authorities as referred to in Article 45(1).	<i>deleted</i> <i>(moved to Article 40 (2a))</i>	(c) take action to ensure adequate legal protection of the geographical indication, including, where appropriate, informing the competent authorities as referred to in Article 45(1). <i>(moved to new paragraph (2) below)</i>	
Article 47, second paragraph				
449a			2. In order to prevent misuse of geographical indications in the market, producers may:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 47, second paragraph, point (a)				
449b			(a) monitor the commercial use of the geographical indication in the market; and	
Article 47, second paragraph, point (b)				
449c			(point (b) of Article 47 of Commission proposal deleted)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 47, second paragraph, point (c)				
449d			(c) take action to ensure adequate legal protection of the geographical indication, including, where appropriate, by notifying the competent authorities, in accordance with Articles 46(6), 46a(3) and 46c(2).	
Article 48				
450	Article 48	Article 48	Article 48 Controls and enforcement of geographical	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Controls and enforcement of geographical indications rights in the marketplace	Controls and enforcement of geographical indications rights in the marketplace <u>market</u>	indications rights in the marketplace (deleted – most elements of paras 1, 2 and 3 moved to Article 46c; para 4 moved to Article 57(3))	
Article 48(1)				
451	1. Member States shall designate one or more enforcement authorities, which may be the same as the competent authorities referred to in Article 46(3) responsible for controls in the marketplace and enforcement of geographical indications after the	1. Member States shall designate one or more enforcement authorities, which may be the same as the competent authorities referred to in Article 46(3) responsible for controls in the marketplace <u>market including in electronic commerce</u> and	1. Member States shall designate one or more enforcement authorities, which may be the same as the competent authorities referred to in Article 46(3) responsible for controls in the marketplace and enforcement of geographical indications after the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	craft and industrial product designated by a geographical indication has completed all production steps, whether it is in storage, transit, distribution, or offered for sale at wholesale or retail level, including in electronic commerce.	enforcement of geographical indications after the craft and industrial product designated by a geographical indication has completed all production steps, whether it is in storage, transit, distribution, or offered for sale at wholesale or retail level, including in electronic commerce.	craft and industrial product designated by a geographical indication has completed all production steps, whether it is in storage, transit, distribution, or offered for sale at wholesale or retail level, including in electronic commerce.	
Article 48(2)				
452	2. The enforcement authority shall carry out controls, based on a risk analysis and notifications of interested producers of products designated by geographical indications, to ensure conformity	2. The enforcement authority shall <u>regularly</u> carry out controls, based on a risk analysis and notifications of interested producers of products designated by geographical indications <u>on notifications</u> , to	2. The enforcement authority shall carry out controls, based on a risk analysis and notifications of interested producers of products designated by geographical indications, to ensure conformity	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	with the product specification or the single document or an equivalent to the latter.	ensure conformity with the product specification or the single document or an equivalent to the latter.	with the product specification or the single document or an equivalent to the latter.	
Article 48(3)				
453	3. Member States shall take appropriate administrative and judicial steps to prevent or stop the use of names on products or services that are produced, operated or marketed in their territory and that contravenes the protection of geographical indications provided for in Articles 35 and 36.	3. Member States shall take appropriate administrative and judicial steps to prevent or stop the use of names on products or services that are produced, operated or marketed physically or via the internet in their territory and that contravenes the protection of geographical indications provided for in Articles 35 and 36.	3. Member States shall take appropriate administrative and judicial steps to prevent or stop the use of names on products or services that are produced, operated or marketed in their territory and that contravenes the protection of geographical indications provided for in Articles 35 and 36.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 48(4)				
454	4. The authority designated in accordance with paragraph 1 shall coordinate enforcement of geographical indications among relevant departments, agencies and bodies, including police, anti-counterfeiting agencies, customs, intellectual property offices, market surveillance and consumer protection authorities and retail inspectors.	4. The authority designated in accordance with paragraph 1 shall coordinate enforcement of geographical indications among relevant departments, agencies and bodies, including police, anti-counterfeiting agencies, customs, intellectual property offices, market surveillance and consumer protection authorities and retail inspectors.	4. The authority designated in accordance with paragraph 1 shall coordinate enforcement of geographical indications among relevant departments, agencies and bodies, including police, anti-counterfeiting agencies, customs, intellectual property offices, market surveillance and consumer protection authorities and retail inspectors.	
Article 48(5)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
455	5. Member States may collect fees or charges to cover the costs of official controls in the marketplace.	5. Member States may collect fees or charges to cover the costs of official controls in the marketplace <u>market. Any fee or commission charged by a Member State shall be reasonable, encourage competitiveness on the part of producers using geographical indications and take account of the situation of micro, small and medium-sized enterprises and shall not exceed the costs incurred for performing the control on a given producer.</u>	5. Member States may collect fees or charges to cover the costs of official controls in the marketplace.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
455a		<p><u>5a. As provided for in Article 40(2a), an applicant as referred to in Article 6, which obtained the registration of the geographical indication, shall be entitled to notify the enforcement authorities designated pursuant to paragraph 1 in order for them to carry out controls as provided for in this Title. In such cases, upon request by the associations, the authorities shall provide information on the progress of the process initiated by such notification.</u></p>		
Article 49				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
456	Article 49 Self-declaration certification procedure	Article 49 Self-declaration certification procedure	Article 49 Self-declaration certification procedure (some elements moved to Article 46)	
Article 49(1)				
457	1. Without prejudice to Article 46, Member States may allow a self-declaration for the verification of compliance with the product specification. The producer shall submit such self-declaration to the competent authorities referred to in	1. Without prejudice to Article 46, Member States may shall allow a self-declaration for the verification of compliance with the product specification. The producer shall submit such self-declaration to the competent authorities referred to in	1. Without prejudice to Article 46, Member States may allow a self-declaration for the verification of compliance with the product specification. The producer shall submit such self-declaration to the competent authorities referred to in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 45(1).	Article 45(1).	Article 45(1).	
Article 49(2)				
458	2. Member States may allow producers to submit a self-declaration once every 3 years to the competent authorities to ensure their continuous conformity with the product specification in the marketplace. Where the product specification is amended or changed in a way that affects the concerned product, the self-declaration shall be renewed immediately.	2. Member States may <u>shall</u> allow producers to submit a self-declaration once every 3 years to the competent authorities to ensure their continuous conformity with the product specification in the marketplace <u>market</u> . Where the product specification is amended or changed in a way that affects the concerned product, the self-declaration shall be renewed immediately.	2. Member States may allow producers to submit a self-declaration once every 3 years to the competent authorities to ensure their continuous conformity with the product specification in the marketplace. Where the product specification is amended or changed in a way that affects the concerned product, the self-declaration shall be renewed immediately.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 49(3)				
459	3. Where self-declarations are used competent authorities shall carry out random controls. In the event of breaches, Member States shall take all necessary measures to remedy the situation.	3. Where self-declarations are used competent authorities shall carry out random controls. In the event of breaches, Member States shall take all necessary measures to remedy the situation.	3. Where self-declarations are used competent authorities shall carry out random controls. In the event of breaches, Member States shall take all necessary measures to remedy the situation.	
Article 49(4)				
460	4. The self-declaration shall follow the structure set out in Annex 1 and shall contain all the information and requirements specified in that Annex.	4. The self-declaration shall follow the structure set out in Annex 1 and shall contain all the <u>specified</u> information. <u>The self-declaration may be submitted digitally</u> and	4. The self-declaration shall follow the structure set out in Annex 1 and shall contain all the information and requirements specified in that Annex.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<i>requirements specified in that Annex.</i>		
Article 49(5)				
461	5. The Commission shall be empowered to adopt delegated acts in accordance with Article 66, amending this Regulation and introducing, where relevant, modifications to the information and requirements specified in Annex 1.	5. The Commission shall be empowered to adopt delegated acts in accordance with Article 66, amending this Regulation and introducing, where relevant, modifications to the information and requirements specified in Annex 1.	5. The Commission shall be empowered to adopt delegated acts in accordance with Article 66, amending this Regulation and introducing, where relevant, modifications to the information and requirements specified in Annex 1.	
Article 50				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
462	<p>Article 50</p> <p>Delegation by the competent authorities of official control tasks</p>	<p>Article 50</p> <p>Delegation by the competent authorities of official control tasks</p>	<p>Article 50</p> <p>Delegation by the competent authorities of official of certain control tasks</p>	
Article 50(1)				
463	<p>1. Competent authorities may delegate official control tasks to one or more product certification bodies including natural persons. The competent authority shall ensure that the delegated product certification body or natural person, to which such tasks have</p>	<p>1. Competent authorities may delegate official control tasks to one or more product certification bodies including natural persons. The competent authority shall ensure that the delegated product certification body or natural person, to which such tasks have</p>	<p>1. Competent authorities may delegate officialcertain control tasks to one or more product certification bodies including natural persons. The competent authority shall ensure that the delegated product certification body or natural person, to which</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	been delegated, have the powers needed to effectively perform these tasks.	been delegated, have the <u>knowledge, expertise, resources</u> <u>and the</u> powers needed to effectively perform these tasks.	such tasks have been delegated, have the powers needed to effectively perform these tasks related to products that are subject to the controls referred to in Articles 46(6), 46a(2), 46a(3) and 46c(2) to one or more product certification bodies including natural persons.	
463a			1a. The competent authority shall ensure that the product certification body or natural persons, to which the control tasks referred to in paragraph 1 are delegated, have the powers	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>needed to perform these tasks effectively.</p> <p>(Moved from paragraph 1)</p>	
Article 50(2)				
464	2. The delegation of official control tasks shall be in writing and shall comply with the following conditions:	2. The delegation of official control tasks shall be in writing and shall comply with the following conditions:	2. The delegation of official official certain control tasks shall be in writing and shall comply with subject to the following conditions:	
Article 50(2), point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
465	(a) the delegation is to contain a precise description of the official control tasks that the delegated body or the natural person may perform, and the conditions under which it may perform those tasks;	(a) the delegation is to contain a precise description of the official control tasks that the delegated body or the natural person may perform, and the conditions under which it may perform those tasks;	(a) the delegation is to contain a precise description of the official control tasks that the delegated body or the natural person may perform, and the conditions under which it may perform those tasks;	
Article 50(2), point (b)				
466	(b) the delegated product certification body:	(b) the delegated product certification body:	(b) the delegated product certification body:	
Article 50(2), point (b)(i)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
467	(i) is to have the expertise, equipment and infrastructure required to perform the official control tasks delegated to it;	(i) is to have the expertise, equipment and infrastructure required to <i>efficiently</i> perform the official control tasks delegated to it;	(i) is to have the expertise, equipment and infrastructure required to perform the official control tasks delegated to it;	
Article 50(2), point (b)(ii)				
468	(ii) is to have a sufficient number of suitably qualified and experienced staff;	(ii) is to have a sufficient number of suitably qualified and experienced staff;	(ii) is to have a sufficient number of suitably qualified and experienced staff; and	
Article 50(2), point (b)(iii)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
469	(iii) is to be impartial and free from any conflict of interest and in particular is not to be in a situation which may, directly or indirectly, affect the impartiality of its professional conduct as regards the performance of those official control tasks delegated to it; and	(iii) is to be <u>transparent</u> , impartial and free from any conflict of interest and in particular is not to be in a situation which may, directly or indirectly, affect the impartiality of its professional conduct as regards the performance of those official control tasks delegated to it; and	(iii) is to be impartial and free from any conflict of interest and, in particular, it is not to be in a situation which that may, directly or indirectly, affect the impartiality of its professional conduct as regards the performance of those official control tasks delegated to it; and	
Article 50(2), point (b)(iv)				
470	(iv) is to have sufficient powers to perform the official control tasks delegated to it; and	(iv) is to have sufficient powers to perform the official control tasks delegated to it; and	(iv) is to have sufficient powers to perform the official control tasks delegated to it; and	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(covered by paragraph 1)	
Article 50(2), point (c)				
471	(c) where the official control task are delegated to natural persons, those natural persons:	(c) where the official control task are delegated to natural persons, those natural persons:	(c) where the official -control task tasks are delegated to natural persons, those natural persons:	
Article 50(2), point (c)(i)				
472	(i) are to have the expertise, equipment and infrastructure required to perform those official	(i) are to have the expertise, equipment and infrastructure required to <i>efficiently</i> perform	(i) are to have the expertise, equipment and infrastructure required to perform those official	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	control tasks delegated to them;	those official control tasks delegated to them;	control tasks delegated to them;	
Article 50(2), point (c)(ii)				
473	(ii) are to be suitably qualified and experienced;	(ii) are to be suitably qualified and experienced;	(ii) are to be suitably qualified and experienced; and	
Article 50(2), point (c)(iii)				
474	(iii) are to act impartially and are to be free from any conflict of interest as regards the exercise of those official control tasks	(iii) are to act <u>transparently</u> , impartially and are to be free from any conflict of interest as regards the exercise of those official control tasks delegated to them;	(iii) are to act impartially and are to be free from any conflict of interest as regards the exercise of those official control tasks	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	delegated to them; and	and	delegated to them; and	
Article 50(2), point (d)				
475	(d) there are to be arrangements in place ensuring efficient and effective coordination between the delegating competent authorities and the delegated product certification bodies, including natural persons.	(d) there are to be arrangements in place ensuring efficient and effective coordination between the delegating competent authorities and the delegated product certification bodies, including natural persons.	(d) there are to be arrangements in place ensuring efficient and effective coordination between the delegating competent authorities and the delegated product certification bodies, including or natural persons.	
Article 51				
476				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Article 51</p> <p>Obligations of the delegated product certification bodies and natural persons</p>	<p>Article 51</p> <p>Obligations of the delegated product certification bodies and natural persons</p>	<p>Article 51</p> <p>Obligations of the delegated product certification bodies and natural persons</p>	
Article 51, first paragraph				
477	<p>The product certification bodies or natural persons to which certain official control tasks have been delegated in accordance with Article 50, shall:</p>	<p>The product certification bodies or natural persons to which certain official control tasks have been delegated in accordance with Article 50, shall:</p>	<p>The product certification bodies or natural persons, to which certain official control tasks have been delegated in accordance with Article 50, shall:</p>	
Article 51, first paragraph, point (a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
478	(a) communicate the outcome of the official controls and related activities performed by them to the delegating competent authorities on a regular basis and whenever those authorities so request;	(a) communicate the outcome of the official controls and related activities performed by them to the delegating competent authorities on a regular basis and whenever those authorities so request;	(a) communicate the outcome of the official controls and related activities performed by them to the delegating competent authorities on a regular basis and whenever those authorities so request;	
Article 51, first paragraph, point (b)				
479	(b) immediately inform the delegating competent authorities whenever the outcome of the official controls indicate non-compliance or point to the likelihood of non-compliance, unless specific arrangements as	(b) immediately inform the delegating competent authorities whenever the outcome of the official controls indicate non-compliance or point to the likelihood of non-compliance, unless specific arrangements as	(b) immediately inform the delegating competent authorities whenever the outcome of the official controls indicate non-compliance or point to the likelihood of non-compliance, unless specific arrangements as	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	established between the competent authority and the delegated product certification body or the natural person concerned provides otherwise; and	established between the competent authority and the delegated product certification body or the natural person concerned provides otherwise; and	established between the competent authority and the delegated product certification body or the natural person concerned provides otherwise; and	
Article 51, first paragraph, point (c)				
480	(c) give to the competent authorities access to their premises and facilities, cooperate and provide assistance.	(c) give to the competent authorities access to their premises and facilities, cooperate and provide assistance.	(c) give cooperate with and provide assistance to the competent authorities, and give those authorities access to their premises and facilities, cooperate and provide assistance to documentation related to their delegated tasks.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 52				
481	Article 52 Obligations of the delegating competent authorities	Article 52 Obligations of the delegating competent authorities	Article 52 Obligations of the delegating competent authorities	
Article 52(1)				
482	1. Competent authorities that have delegated certain official control tasks to delegated product certification bodies or natural persons in accordance with Article 50, shall:	1. Competent authorities that have delegated certain official control tasks to delegated product certification bodies or natural persons in accordance with Article 50, shall:	1. Competent authorities that have delegated certain official -control tasks to delegated product certification bodies or natural persons, in accordance with Article 50, shall fully or partly withdraw the delegation without delay,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			where:	
Article 52(1), point (a)				
483	(a) organise audits or inspections of such bodies or persons, as necessary;	(a) organise audits or inspections of such bodies or persons, as necessary;	(a) organise audits or inspections of such bodies or persons, as necessary there is evidence that such a product certification body or natural person is failing to perform properly the tasks delegated to it; (deleted text moved to paragraph 2; new text moved from from point (b)(i))	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 52(1), point (b)				
484	(b) fully or partly withdraw the delegation without delay where:	(b) fully or partly withdraw the delegation without delay where:	(b) fully or partly withdraw the delegation without delay where: the product certification body or natural person fails to take appropriate and timely action to remedy the identified shortcomings; or (deleted text moved to chapeau sentence; new text moved from from point (b)(ii))	
Article 52(1), point (b)(i)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
485	(i) there is evidence that such a delegated product certification body or natural person is failing to properly perform the tasks delegated to it;	(i) there is evidence that such a delegated product certification body or natural person is failing to properly perform the tasks delegated to it;	(i) there is evidence that such a delegated product certification body or natural person is failing to properly perform the tasks delegated to it;	
Article 52(1), point (b)(ii)				
486	(ii) the delegated product certification body or natural person fails to take appropriate and timely action to remedy the shortcomings identified; or	(ii) the delegated product certification body or natural person fails to take appropriate and timely action to remedy the shortcomings identified; or	(ii) the delegated product certification body or natural person fails to take appropriate and timely action to remedy the shortcomings identified; or	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 52(1), point (c)				
487	(iii) the independence or impartiality of the delegated product certification body or natural person has been compromised.	(iii) the independence or impartiality of the delegated product certification body or natural person has been compromised.	(iii)(c) the independence or impartiality of the delegated product certification body or natural person has been compromised. (moved from former point (b)(iii))	
487a			1a. The competent authorities may also withdraw the delegation for reasons other than	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			those referred to in paragraph 1. (moved from paragraph 2)	
Article 52(2)				
488	2. The competent authorities may also withdraw the delegation for reasons other than those referred to in this Regulation.	2. The competent authorities may also withdraw the delegation for reasons other than those referred to in this Regulation.	2. The competent authorities may also withdraw the delegation for reasons other than those referred to in this Regulation organise audits or inspections of product certification bodies or natural persons at any time, as necessary. (deleted language moved to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			paragraph 1; new language takes over initial paragraph 1(a) of Commission proposal)	
Article 53				
489	Article 53 Public information on competent authorities and product certification bodies	Article 53 Public information on competent authorities and product certification bodies	Article 53 Public information on competent authorities and product certification bodies	
Article 53(1)				
490	1. Member States shall make	1. Member States shall make	1. Member States shall make	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	public the names and addresses of the designated competent authorities and delegated product certification bodies including natural persons referred to in Article 46(3) and keep that information up-to-date.	public the names and addresses <u>contact details</u> of the designated competent authorities and delegated product certification bodies including natural persons referred to in Article 46(3) and keep that information up-to-date.	public the names and addresses of the designated competent authorities, referred to in Article 45(1), and delegated product certification bodies including and natural persons referred to in Article 46(3) 46(6)(b) and 46a(1)(b) and keep that information up-to-date updated .	
Article 53(2)				
491	2. The Office shall make public the names and addresses of the competent authorities and product certification bodies referred to in Article 46(4) and update that information periodically.	2. The Office shall make public the names and addresses <u>contact details</u> of the competent authorities and product certification bodies referred to in Article 46(4) and update that information	2. In relation to third countries, the Office shall make public, where available, the names and addresses of the competent authorities and product certification bodies referred to in	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		periodically <u>when changes occur</u> .	Article 46(4) 46b and update that information periodically.	
Article 53(3)				
492	3. The Office may establish a digital portal where the names and addresses of the competent authorities and delegated product certification bodies including natural persons referred to in paragraphs 1 and 2 are made public.	3. The Office may <u>shall</u> establish a digital portal where the names and addresses <u>contact details</u> of the competent authorities and delegated product certification bodies including natural persons referred to in paragraphs 1 and 2 are made public.	3. The Office may <u>shall</u> establish a digital portal where the names and addresses of the competent authorities and delegated product certification bodies including <u>and</u> natural persons referred to in paragraphs 1 and 2 are made public.	
Article 54				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
493	Article 54 Accreditation of product certification bodies	Article 54 Accreditation of product certification bodies	Article 54 Accreditation of product certification bodies	
Article 54(1)				
494	1. The product certification bodies referred to in Article 46 (3), point (b) and Article 46 (4), point (b) shall comply with and be accredited in accordance with :	1. The product certification bodies referred to in Article 46 (3), point (b) and Article 46 (4), point (b) shall comply with and be accredited in accordance with :	1. The product certification bodies referred to in Article 46 (3), point (b) and Article 46 (4), point (b) shall comply with and be accredited 50 shall comply with and be accredited, depending on their activities, in accordance with the following standards:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 54(1), point (a)				
495	(a) European standard ISO/IEC 17065:2012 ‘Conformity assessment — Requirements for bodies certifying products, processes and services’, including European standard ISO/IEC 17020:2012 ‘Conformity assessment — Requirements for the operation of various types of bodies performing inspection’; or	(a) European standard EN ISO/IEC 17065:2012 ‘Conformity assessment — Requirements for bodies certifying products, processes and services’, including European standard EN ISO/IEC 17020:2012 ‘Conformity assessment — Requirements for the operation of various types of bodies performing inspection’ and EN ISO/IEC 17025 for testing and calibrating laboratories ; or	(a) European standard EN ISO/IEC 17065:2012 ‘Conformity assessment — Requirements for bodies certifying products, processes and services’, including European standard ISO/IEC 17020:2012 ‘Conformity assessment — Requirements for the operation of various types of bodies performing inspection’ and EN ISO/IEC 17025 for testing and calibration laboratories, including any revisions or amended versions of those standards ; or	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 54(1), point (b)				
496	(b) other suitable, internationally recognised standards, including any revisions or amended versions of the European Standards referred to in point (a).	(b) other suitable, internationally recognised standards, including any revisions or amended versions of the European Standards referred to in point (a).	(b) other suitable, internationally recognised standards, including any revisions or amended versions of the European Standards referred to in point (a).	
Article 54(2)				
497	2. Accreditation referred to in paragraph 1 shall be performed by an accreditation body recognised in accordance with Regulation (EC)	2. Accreditation referred to in paragraph 1 shall be performed by an accreditation body recognised in accordance with Regulation (EC)	2. Accreditation referred to in paragraph 1 shall be performed by an accreditation body, recognised in accordance with Regulation	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	No 765/2008, that is a member of European Accreditation, or by an accreditation body outside the Union that is a member of International Accreditation Forum.	No 765/2008, that is a member of European Accreditation, or by an accreditation body outside the Union that is a member of International Accreditation Forum.	(EC) No 765/2008 ¹ , that is a member of the European cooperation for Accreditation, or, for third-country product certification bodies, by a recognised by an accreditation body outside the Union that is a member of International Accreditation Forum or International Laboratory Accreditation Cooperation. <hr/> 1. Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and repealing Regulation (EEC) No 339/93 (OJ L 218 13.8.2008, p. 30).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 55				
498	<p>Article 55</p> <p>Orders to act against illegal content</p>	<p>Article 55</p> <p>Orders to act against illegal content online</p>	<p>Article 55</p> <p>Orders to act against illegal content</p>	
Article 55, first paragraph				
499	<p>Where provided by national law and in compliance with Union law, competent authorities of the Member States may issue an order to act as referred to in Article 8 of Regulation (EU) No xxxx/2022¹ against illegal content that contravenes Article 35 of this</p>	<p>Where provided by national law and in compliance with Union law, competent authorities of the Member States may issue an order to act as referred to in Article 8 of Regulation (EU) No xxxx/2022¹ against illegal content online that contravenes Article 35 and 36 of</p>	<p>1. Where provided by national law and in compliance with Union law, competent authorities of the Member States may issue an order to act as referred to in Article 8 of Any information related to the advertising, promotion and sale of goods to which persons</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Regulation .</p> <hr/> <p>1. Regulation of the European Parliament and of the Council on a Single Market For Digital Services (DSA) and amending Directive 2000/31/EC.</p>	<p>this Regulation .</p> <hr/> <p>1. Regulation of the European Parliament and of the Council on a Single Market For Digital Services (DSA) and amending Directive 2000/31/EC.</p>	<p>established in the Union have access that contravenes the protection of geographical indications provided for in Articles 35 and 36 of this Regulation (EU) No xxxx/2022¹ against shall be considered illegal content that contravenes within the meaning of Article 35 of this Regulation 3, point (h) of Regulation (EU) 2022/2065¹ of the European Parliament and of the Council.</p> <hr/> <p>1. Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services (DSA) and amending Directive 2000/31/EC (OJ L 277, 27.10.2022, p. 1).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 55, second paragraph				
499a			<p>2. Relevant national judicial or administrative authorities of the Member States may, in accordance with Article 9 of Regulation (EU) 2022/2065, issue an order to act against one or more specific items of illegal content, as referred to in paragraph 1 of this Article.</p>	
Article 56				
500				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 56 Penalties	Article 56 Penalties	Article 56 Penalties	
Article 56, first paragraph				
501	Member States shall lay down the rules on penalties applicable to non-compliance with, and infringements of, this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, by the entry into force of this Regulation, notify the Commission of those rules and	Member States shall lay down the rules on penalties applicable to non-compliance with, and infringements of, this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, by the entry into force of this Regulation, notify the Commission of those rules and	Member States shall lay down the rules on penalties applicable to non-compliance with, and infringements of, this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall, by the entry into force date of application of this Regulation, notify the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of those measures and shall notify it, without delay, of any subsequent amendment affecting them.	of those measures and shall notify it, without delay, of any subsequent amendment affecting them.	Commission of those rules and of those measures and shall notify it, without delay, of any subsequent amendment affecting them.	
Article 57				
502	Article 57 Mutual assistance and resources	Article 57 Mutual assistance and resources	Article 57 Mutual assistance and resources	
Article 57(1)				
503	1. Member States shall assist each other for the purposes of carrying	1. Member States shall assist each other for the purposes of carrying	1. Member States shall assist each other for the purposes of carrying	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	out the controls and enforcement provided for in this Title.	out the controls and enforcement provided for in this Title.	out the controls and enforcement provided for in this Title.	
Article 57(2)				
504	2. The Commission may adopt implementing acts specifying the nature and the type of the information to be exchanged and the methods for exchanging information for the purposes of controls and enforcement under this Title. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	2. The Commission may adopt implementing acts specifying the nature and the type of the information to be exchanged and the methods for exchanging information for the purposes of controls and enforcement under this Title. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	2. The Commission may adopt implementing acts specifying the nature and the type of the information to be exchanged and the methods for exchanging information for the purposes of controls and enforcement under this Title. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2) Administrative assistance may include, where appropriate	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>and by agreement between the competent authorities concerned, participation by the competent authorities of a Member State in on-the-spot checks that the competent authorities of another Member State perform.</p> <p>(initial paragraph 2 becomes paragraph 4; initial paragraph 3 becomes paragraph 2)</p>	
Article 57(3)				
505	3. Administrative assistance may include, where appropriate, and, by agreement between the competent	3. Administrative assistance may include, where appropriate, and, by agreement between the competent	3. Administrative assistance may include, where appropriate, In the event of a possible violation of a	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>authorities concerned, participation by the competent authorities of a Member State in on-the-spot checks that the competent authorities of another Member State perform.</p>	<p>authorities concerned, participation by the competent authorities of a Member State in on-the-spot checks that the competent authorities of another Member State perform.</p>	<p>geographical indication, a Member State shall take measures to facilitate the transmission, from law enforcement and, by agreement between judicial authorities within the Member State, to the competent authorities concerned, participation by the competent referred to in Article 45(1), of information on such possible violation. The authorities in charge of the monitoring in the of a Member State in on the spot checks that the competent authorities of another Member State perform States shall, in accordance with paragraph 1 cooperate, as appropriate, with relevant departments, agencies and bodies, including police,</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>anti-counterfeiting agencies, customs, intellectual property offices, market surveillance and consumer protection authorities and retail inspectors.</p> <p>(initial paragraph 3 becomes paragraph 2; initial paragraph 4 becomes the first sentence below; initial Article 48(4) becomes the 2nd sentence below)</p>	
Article 57(4)				
506	4. In case of a possible violation of the protection conferred to a geographical indication, Member	4. In case of a possible violation of the protection conferred to a geographical indication, Member	4. In case of a possible violation of the protection conferred to a geographical indication, Member	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	States shall take measures to facilitate the transmission, from law enforcement authorities, public prosecutors and judicial authorities within the Member State, to the competent authorities referred in Article 45(1), of information on such possible violation.	States shall take measures to facilitate the transmission, from law enforcement authorities, public prosecutors and judicial authorities within the Member State, to the competent authorities referred in Article 45(1), of information on such possible violation.	States shall take measures to facilitate the transmission, from law enforcement authorities, public prosecutors and judicial authorities within the Member State, to the competent authorities referred in Article 45(1), of information on such possible violation. The Commission may adopt implementing acts specifying the nature and the type of the information to be exchanged and the methods for exchanging information for the purposes of controls under this Title. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(initial paragraph 4 incorporated into paragraph 3; initial paragraph 2 becomes paragraph 4)	
Article 58				
507	Article 58 Certificates of authorisation to produce	Article 58 Certificates of authorisation to produce	Article 58 Certificates of authorisation to produce para 1 incorporated into Article 46(4); elements of para 2 incorporated into recital (47b))	
Article 58(1)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
508	<p>1. A producer whose product, following the verification of compliance referred to in Article 46, is found to comply with the product specification of a geographical indication protected under this Regulation or that has, if applicable in the Member State concerned, properly submitted a self-declaration to the competent authority, shall be entitled to an official certificate, or other proof of certification, of eligibility to produce the product designated by the geographical indication concerned in respect of the production steps performed by the said producer.</p>	<p>1. A producer whose product, following the verification of compliance referred to in Article 46, is found to comply with the product specification of a geographical indication protected under this Regulation or that has, if applicable in the Member State concerned, properly submitted a self-declaration to the competent authority, shall be entitled to an official certificate, or other proof of certification, of eligibility to produce the product designated by the geographical indication concerned in respect of the production steps performed by the said producer.</p>	<p>1. A producer whose product, following the verification of compliance referred to in Article 46, is found to comply with the product specification of a geographical indication protected under this Regulation or that has, if applicable in the Member State concerned, properly submitted a self-declaration to the competent authority, shall be entitled to an official certificate, or other proof of certification, of eligibility to produce the product designated by the geographical indication concerned in respect of the production steps performed by the said producer.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(para 1 incorporated into Article 46(4))	
Article 58(2)				
509	2. The proof of certification referred to in paragraph 1 shall be made available on request to enforcement authorities, customs or other authorities in the Union engaged in verifying the use of geographical indications on goods declared for free circulation or placed on the internal market. The producer may make the proof of certification available to the public	2. The proof of certification referred to in paragraph 1 shall be made available on request to enforcement authorities, customs or other authorities in the Union engaged in verifying the use of geographical indications on goods declared for free circulation or placed on the internal market. The producer may make the proof of certification available to the public	2. The proof of certification referred to in paragraph 1 shall be made available on request to enforcement authorities, customs or other authorities in the Union engaged in verifying the use of geographical indications on goods declared for free circulation or placed on the internal market. The producer may make the proof of certification available to the public	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	or to any person who requests such proof in the course of business.	or to any person who requests such proof in the course of business.	or to any person who requests such proof in the course of business. (elements of para 2 incorporated into recital (47b))	
TITLE V				
510	TITLE V GEOGRAPHICAL INDICATIONS ENTERED IN THE INTERNATIONAL REGISTER AND AMENDMENTS TO OTHER ACTS	TITLE V GEOGRAPHICAL INDICATIONS ENTERED IN THE INTERNATIONAL REGISTER AND AMENDMENTS TO OTHER ACTS	TITLE V GEOGRAPHICAL INDICATIONS ENTERED IN THE INTERNATIONAL REGISTER AND AMENDMENTS TO OTHER ACTS	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 59				
511	Article 59 Amendments to Council Decision (EU) 2019/1754	Article 59 <i>deleted</i>	Article 59 Amendments to Council Decision (EU) 2019/1754 (Commission presented on 17.11.2022 a separate proposal for a Council Decision amending Council Decision (EU) 2019/1754) (COM(2022)593; Council doc. 14918/22)	
Article 59, first paragraph				
512				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>In Article 4(1) of Council Decision (EU) 2019/1754¹ the following subparagraph is added:</p> <p>_____</p> <p>1. Council Decision (EU) 2019/1754 of 7 October 2019 on the accession of the European Union to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (OJ L 271, 24.10.2019, p. 12).</p>	<i>deleted</i>	<p>In Article 4(1) of Council Decision (EU) 2019¹/1754 the following subparagraph is added:</p> <p>_____</p> <p>1. Council Decision (EU) 2019/1754 of 7 October 2019 on the accession of the European Union to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (OJ L 271, 24.10.2019, p. 12).</p>	
Article 59, first paragraph, amending provision, first paragraph				
513	<p>“</p> <p>In respect of geographical indications protecting craft and industrial products within the</p>	<i>deleted</i>	<p>In respect of geographical indications protecting craft and industrial products within the meaning of Regulation (EU)</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>meaning of Regulation (EU) 2022/... of the European Parliament and of the Council of ... concerning geographical indication protection for craft and industrial products, the European Intellectual Property Office shall be designated as the Competent Authority referred to in Article 3 of the Geneva Act, and be responsible for the administration of the Geneva Act in the territory of the Union and for notifications and communications with the International Bureau of the WIPO under the Geneva Act and the Common Regulations.</p> <p>”</p>		<p>2022/... of the European Parliament and of the Council of ... concerning geographical indication protection for craft and industrial products, the European Intellectual Property Office shall be designated as the Competent Authority referred to in Article 3 of the Geneva Act, and be responsible for the administration of the Geneva Act in the territory of the Union and for notifications and communications with the International Bureau of the WIPO under the Geneva Act and the Common Regulations.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 60				
514	Article 60 Amendments to Regulation (EU) 2019/1753	Article 60 Amendments to Regulation (EU) 2019/1753	Article 60 Amendments to Regulation (EU) 2019/1753	
Article 60, first paragraph				
515	Regulation (EU) 2019/1753 is amended as follows:	Regulation (EU) 2019/1753 is amended as follows:	Regulation (EU) 2019/1753 is amended as follows:	
Article 60, first paragraph, point (1)				
516				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(1) Article 1 is amended as follows:	(1) Article 1 is amended as follows:	(1) Article 1 is amended as follows:	
Article 60, first paragraph, point (1)(a)				
517	(a) paragraph 2 is replaced by the following:	(a) paragraph 2 is replaced by the following:	(a) paragraph 2 is replaced by the following:	
Article 60, first paragraph, point (1)(a), amending provision, numbered paragraph (2)				
518	“ 2. For the purposes of this Regulation, the term ‘geographical indications’ covers appellations of	“ 2. For the purposes of this Regulation, the term ‘geographical indications’ covers appellations of	“ 2. For the purposes of this Regulation, the term ‘geographical indications’ covers appellations of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>origin within the meaning of the Geneva Act, including designations of origin within the meaning of Regulations (EU) No 1151/2012 and (EU) No 1308/2013, as well as geographical indications within the meaning of Regulations (EU) No 1151/2012, (EU) No 1308/2013, (EU) No 251/2014, (EU) 2019/787 and Regulation (EU) 2022/... of the European Parliament and of the Council of ... concerning geographical indication protection for craft and industrial products. In respect of appellations of origin relating to craft and industrial products which are subject to an international registration, protection in the EU shall be construed as specified in Articles 5 and 35 of that Regulation;</p>	<p>origin within the meaning of the Geneva Act, including designations of origin within the meaning of Regulations (EU) No 1151/2012 and (EU) No 1308/2013, as well as geographical indications within the meaning of Regulations (EU) No 1151/2012, (EU) No 1308/2013, (EU) No 251/2014, (EU) 2019/787 and Regulation (EU) 2022/... of the European Parliament and of the Council of ... concerning geographical indication protection for craft and industrial products. In respect of appellations of origin relating to craft and industrial products which are subject to an international registration, protection in the EU shall be construed as specified in Articles 5 and 35 of that Regulation;</p>	<p>origin within the meaning of the Geneva Act, including designations of origin within the meaning of Regulations (EU) No 1151/2012 and (EU) No 1308/2013, as well as geographical indications within the meaning of Regulations (EU) No 1151/2012, (EU) No 1308/2013, (EU) No 251/2014, (EU) 2019/787 and Regulation (EU) 2022.../... of the European Parliament and of the Council of ... concerning geographical indication protection for craft and industrial products [this Regulation]. In respect of appellations of origin relating to craft and industrial products which are subject to an international registration, protection in the EU shall be construed as specified in Articles 5 and 35 of that</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	”	”	Regulation.;	”
Article 60, first paragraph, point (1)(b)				
519	(b) the following paragraph 3 is added:	(b) the following paragraph 3 is added:	(b) the following paragraph 3 is added:	
Article 60, first paragraph, point (1)(b), amending provision, numbered paragraph (3)				
520	“ 3. For the purposes of this Regulation, “Office” means the European Union Intellectual	“ 3. For the purposes of this Regulation, “Office” means the European Union Intellectual	“ 3. For the purposes of this Regulation, " the Office" means the European Union Intellectual	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Property Office. ”	Property Office. ”	Property Office, as defined under Regulation (EU) 2017/1001. ”	
Article 60, first paragraph, point (2)				
521	(2) Article 2 is amended as follows:	(2) Article 2 is amended as follows:	(2) Article 2 is amended as follows:	
Article 60, first paragraph, point (2)(a)				
522	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 60, first paragraph, point (2)(a), amending provision, first paragraph				
523	<p>“</p> <p>Upon the accession of the Union to the Geneva Act and thereafter on a regular basis, the Commission or the Office shall, in their respective capacity as Competent Authority within the meaning of Article 3 of the Geneva Act as specified in Article 4(1) of Council Decision (EU) 2019/1754, file applications for the international registration of geographical indications protected and registered under Union law and pertaining to products originating in the Union pursuant</p>	<p>“</p> <p>Upon the accession of the Union to the Geneva Act and thereafter on a regular basis, the Commission or the Office shall, in their respective capacity as Competent Authority within the meaning of Article 3 of the Geneva Act as specified in Article 4(1) of Council Decision (EU) 2019/1754, file applications for the international registration of geographical indications protected and registered under Union law and pertaining to products originating in the Union pursuant</p>	<p>“</p> <p>Upon the accession of the Union to the Geneva Act and thereafter on a regular basis, the Commission or the Office shall, in their respective capacity as Competent Authority within the meaning of Article 3 of the Geneva Act as specified in Article 4(1) of Council Decision (EU) 2019/1754, file applications for the international registration of geographical indications protected and registered under Union law and pertaining to products originating in the Union pursuant</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to Article 5(1) and Article (2) of the Geneva Act with the International Bureau of the World Intellectual Property Organization ('the International Bureau'); ”	to Article 5(1) and Article (2) of the Geneva Act with the International Bureau of the World Intellectual Property Organization ('the International Bureau'); ”	to Article 5(1) and Article (2) of the Geneva Act with the International Bureau of the World Intellectual Property Organization ('the International Bureau'); ”	
Article 60, first paragraph, point (2)(b)				
524	(b) in paragraph 2, the first sentence is replaced by the following:	(b) in paragraph 2, the first sentence is replaced by the following:	(b) in paragraph 2, the first sentence is replaced by the following:	
Article 60, first paragraph, point (2)(b), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
525	<p>“</p> <p>For the purposes of paragraph 1, Member States may request the Commission or, in respect of geographical indications protecting craft and industrial products (“craft and industrial geographical indications”), the Office, to register in the International Register geographical indications that originate in the territory of Member States and that are protected and registered under Union law;</p> <p>”</p>	<p>“</p> <p>For the purposes of paragraph 1, Member States may request the Commission or, in respect of geographical indications protecting craft and industrial products (“craft and industrial geographical indications”), the Office, to register in the International Register geographical indications that originate in the territory of Member States and that are protected and registered under Union law;</p> <p>”</p>	<p>“</p> <p>For the purposes of paragraph 1, Member States may request the Commission or, in respect of geographical indications protecting craft and industrial products (“craft and industrial geographical indications”), the Office, to register in the International Register geographical indications that originate in the territory of Member States and that are protected and registered under Union law;</p> <p>”</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 60, first paragraph, point (2)(c)				
526	(c) the following paragraph 4 is added:	(c) the following paragraph 4 is added:	(c) the following paragraph 4 is added:	
Article 60, first paragraph, point (2)(c), amending provision, numbered paragraph (4)				
527	“ 4. In respect of requests to register craft and industrial geographical indications in the International Register, the Office shall, in its capacity of Competent Authority referred to in Article 3 of the Geneva Act as specified in Article 4(1) of Council Decision (EU)	“ 4. In respect of requests to register craft and industrial geographical indications in the International Register, the Office shall, in its capacity of Competent Authority referred to in Article 3 of the Geneva Act as specified in Article 4(1) of Council Decision (EU)	“ 4. In respect of requests to register craft and industrial geographical indications in the International Register, the Office shall, in its capacity of as Competent Authority referred to in within the meaning of Article 3 of the Geneva Act as specified in Article 4(1) of Council	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	2019/1754, proceed on the basis of its own decision on granting protection in accordance with the procedure referred to in Articles 17 to 34 of Regulation (EU) 2022/...;	2019/1754, proceed on the basis of its own decision on granting protection in accordance with the procedure referred to in Articles 17 to 34 of Regulation (EU) 2022/...;	Decision (EU) 2019/1754, proceed on the basis of its own the decision on granting protection in accordance with the procedure referred to in Articles 17 to 34 34b of Regulation (EU) 2022/...../... [this Regulation] ;	
Article 60, first paragraph, point (3)				
528	(3) In Article 3, the following paragraph 4 is added:	(3) In Article 3, the following paragraph 4 is added:	(3) In Article 3, the following paragraph 4 is added:	
Article 60, first paragraph, point (3), amending provision, numbered paragraph (4)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
529	<p>“</p> <p>4. In respect of craft and industrial geographical indications, the Office shall request the International Bureau to cancel a registration in the International Register of a geographical indication originating in a Member State if circumstances of paragraph 1 are fulfilled.;</p> <p>”</p>	<p>“</p> <p>4. In respect of craft and industrial geographical indications, the Office shall request the International Bureau to cancel a registration in the International Register of a geographical indication originating in a Member State if circumstances of paragraph 1 are fulfilled.;</p> <p>”</p>	<p>“</p> <p>4. In respect of craft and industrial geographical indications, the Office shall request the International Bureau to cancel a registration in the International Register of a geographical indication originating in a Member State if the circumstances of paragraph 1 are fulfilled.;</p> <p>”</p>	
Article 60, first paragraph, point (4)				
530	(4) Article 4 is replaced by the	(4) Article 4 is replaced by the	(4) Article 4 is replaced by the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	following:	following:	following:	
Article 60, first paragraph, point (4), amending provision, first paragraph				
531	“ Article 4	“ Article 4	“ Article 4	
Article 60, first paragraph, point (4), amending provision, second paragraph				
532	Publication of third country geographical indications registered in the International Register	Publication of third country geographical indications registered in the International Register	Publication of third country third-country geographical indications registered in the International Register	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 60, first paragraph, point (4), amending provision, numbered paragraph (1)				
533	<p>1. The Commission or, in respect of craft and industrial geographical indications, the Office shall publish any international registration notified by the International Bureau pursuant to Article 6(4) of the Geneva Act, which concerns geographical indications registered in the International Register in respect of which the Contracting Party of Origin, as defined in point (xv) of Article 1 of the Geneva Act, is not a Member State.</p>	<p>1. The Commission or, in respect of craft and industrial geographical indications, the Office shall publish any international registration notified by the International Bureau pursuant to Article 6(4) of the Geneva Act, which concerns geographical indications registered in the International Register in respect of which the Contracting Party of Origin, as defined in point (xv) of Article 1 of the Geneva Act, is not a Member State.</p>	<p>1. The Commission or, in respect of craft and industrial geographical indications, the Office shall publish any international registration notified by the International Bureau pursuant to Article 6(4) of the Geneva Act, which concerns geographical indications registered in the International Register in respect of which the Contracting Party of Origin, as defined in point (xv) of Article 1 of the Geneva Act, is not a Member State.</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 60, first paragraph, point (4), amending provision, numbered paragraph (2)				
534	<p>2. The international registration referred to in paragraph 1 shall be published in the C series of the Official Journal of the European Union or, in respect of international registrations relating to craft of industrial geographical indications, by the Office. The publication shall include a reference to the product type and country of origin.;</p> <p>”</p>	<p>2. The international registration referred to in paragraph 1 shall be published in the C series of the Official Journal of the European Union or, in respect of international registrations relating to craft of industrial geographical indications, by the Office. The publication shall include a reference to the product type and country of origin.;</p> <p>”</p>	<p>2. The international registration referred to in paragraph 1 shall be published in the C series of the Official Journal of the European Union; Official Journal of the European Union or, in respect of international registrations relating to craft of and industrial geographical indications, the registration shall be published by the Office. The publication shall include a reference to the product type and country of origin.;</p> <p>”</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 60, first paragraph, point (5)				
535	(5) In Article 5, paragraph 1 is replaced by the following:	(5) In Article 5, paragraph 1 is replaced by the following:	(5) In Article 5, paragraph 1 is replaced by the following:	
Article 60, first paragraph, point (5), amending provision, numbered paragraph (1)				
536	“ 1. The Commission or, in respect of craft and industrial geographical indications, the Office shall assess any international registration notified by the International Bureau pursuant to Article 6(4) of the Geneva Act concerning the geographical indications registered	“ 1. The Commission or, in respect of craft and industrial geographical indications, the Office shall assess any international registration notified by the International Bureau pursuant to Article 6(4) of the Geneva Act concerning the geographical indications registered	“ 1. The Commission or, in respect of craft and industrial geographical indications, the Office shall assess any international registration notified by the International Bureau pursuant to Article 6(4) of the Geneva Act concerning the geographical indications registered	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>in the International Register and in respect of which the Contracting Party of Origin, as defined in point (xv) of Article 1 of the Geneva Act, is not a Member State, in order to determine whether it includes the mandatory contents laid down in Rule 5(2) of the Common Regulations under the Lisbon Agreement and the Geneva Act (the ‘Common Regulations’), and the particulars concerning the quality, reputation or characteristics as laid down in Rule 5(3) of the Common Regulations.;</p> <p>”</p>	<p>in the International Register and in respect of which the Contracting Party of Origin, as defined in point (xv) of Article 1 of the Geneva Act, is not a Member State, in order to determine whether it includes the mandatory contents laid down in Rule 5(2) of the Common Regulations under the Lisbon Agreement and the Geneva Act (the ‘Common Regulations’), and the particulars concerning the quality, reputation or characteristics as laid down in Rule 5(3) of the Common Regulations.;</p> <p>”</p>	<p>in the International Register and in respect of which the Contracting Party of Origin, as defined in point (xv) of Article 1 of the Geneva Act, is not a Member State, in order to determine whether it includes the mandatory contents laid down in Rule 5(2) of the Common Regulations under the Lisbon Agreement and the Geneva Act (the ‘Common Regulations’), and the particulars concerning the quality, reputation or characteristics as laid down in Rule 5(3) of the Common Regulations.;</p> <p>”</p>	
Article 60, first paragraph, point (6)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
537	(6) Article 6 is amended as follows:	(6) Article 6 is amended as follows:	(6) Article 6 is amended as follows:	
Article 60, first paragraph, point (6)(a)				
538	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	(a) paragraph 1 is replaced by the following:	
Article 60, first paragraph, point (6)(a), amending provision, numbered paragraph (1)				
539	“ 1. Within four months from the	“ 1. Within four months from the	“ 1. Within four months from the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>date of publication of the international registration in accordance with Article 4, the competent authorities of a Member State or of a third country other than the Contracting Party of Origin as defined in point (xv) of Article 1 of the Geneva Act, or a natural or legal person having a legitimate interest and established in the Union or in a third country other than the Contracting Party of Origin, may lodge an opposition with the Commission or, in respect of craft and industrial geographical indications, the Office. The opposition shall be in one of the official languages of the Union.;</p> <p style="text-align: right;">”</p>	<p>date of publication of the international registration in accordance with Article 4, the competent authorities of a Member State or of a third country other than the Contracting Party of Origin as defined in point (xv) of Article 1 of the Geneva Act, or a natural or legal person having a legitimate interest and established in the Union or in a third country other than the Contracting Party of Origin, may lodge an opposition with the Commission or, in respect of craft and industrial geographical indications, the Office. The opposition shall be in one of the official languages of the Union.;</p> <p style="text-align: right;">”</p>	<p>date of publication of the international registration in accordance with Article 4, the competent authorities of a Member State or of a third country other than the Contracting Party of Origin as defined in point (xv) of Article 1 of the Geneva Act, or a natural or legal person having a legitimate interest and established in the Union or in a third country other than the Contracting Party of Origin, may lodge an opposition with the Commission or, in respect of craft and industrial geographical indications, the Office. The opposition shall be in one of the official languages of the Union.;</p> <p style="text-align: right;">”</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 60, first paragraph, point (6)(b)				
540	(b) in paragraph 2, point (e) is deleted.	(b) in paragraph 2, point (e) is deleted.	(b) in paragraph 2, point (e) is deleted.;	
Article 60, first paragraph, point (6)(c)				
541	(c) paragraph 3 is replaced by the following:	(c) paragraph 3 is replaced by the following:	(c) paragraph 3 is replaced by the following:	
Article 60, first paragraph, point (6)(c), amending provision, numbered paragraph (3)				
542	“	“	“	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	3. The grounds for opposition set out in paragraph 2 shall be assessed by the Commission or, in respect of craft and industrial geographical indications, the Office, in relation to the territory of the Union or part thereof.	3. The grounds for opposition set out in paragraph 2 shall be assessed by the Commission or, in respect of craft and industrial geographical indications, the Office, in relation to the territory of the Union or part thereof.	3. The grounds for opposition set out in paragraph 2 shall be assessed by the Commission or, in respect of craft and industrial geographical indications, the Office, in relation to the territory of the Union or part thereof.	
	”	”	”	
Article 60, first paragraph, point (7)				
543	(7) Article 7 is amended as follows:	(7) Article 7 is amended as follows:	(7) Article 7 is amended as follows:	
Article 60, first paragraph, point (7)(a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
544	(a) in paragraph 1, the following sentence is added:	(a) in paragraph 1, the following sentence is added:	(a) in paragraph 1, the following sentence is added:	
Article 60, first paragraph, point (7)(a), amending provision, first paragraph				
545	“ In respect of craft and industrial geographical indications, the Office shall reject any inadmissible opposition and decide to grant protection of the geographical indication.; ”	“ In respect of craft and industrial geographical indications, the Office shall reject any inadmissible opposition and decide to grant protection of the geographical indication.; ”	“ In respect of craft and industrial geographical indications, the Office shall reject any inadmissible opposition and decide to grant protection of the geographical indication.; ”	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 60, first paragraph, point (7)(b)				
546	(b) in paragraph 2, the last sentence is replaced by the following:	(b) in paragraph 2, the last sentence is replaced by the following:	(b) in paragraph 2, the last sentence is replaced by the following:	
Article 60, first paragraph, point (7)(b), amending provision, first paragraph				
547	“ In respect of craft and industrial geographical indications, the decision whether to grant protection shall be adopted by the Office, or, in cases referred to in Article 25 of Regulation (EU) 2022/..., by the Commission.. The	“ In respect of craft and industrial geographical indications, the decision whether to grant protection shall be adopted by the Office, or, in cases referred to in Article 25 of Regulation (EU) 2022/..., by the Commission.. The	“ In respect of craft and industrial geographical indications, the decision whether to grant protection shall be adopted by the Office; or, in cases referred to in Article 25 of Regulation (EU) 2022/...../... [this Regulation] ,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	related implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2). ”	related implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2). ”	by the Commission-., in respect of which the related implementing acts shall be adopted in accordance with the examination procedure referred to in Article 15(2). ”	
Article 60, first paragraph, point (7)(c)				
548	(c) paragraph 4 is replaced by the following:	(c) paragraph 4 is replaced by the following:	(c) paragraph 4 is replaced by the following:	
Article 60, first paragraph, point (7)(c), amending provision, numbered paragraph (4)				
549				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>“</p> <p>4. In accordance with Article 15(1) of the Geneva Act, the Commission or, in respect of craft and industrial geographical indications, the Office shall notify the International Bureau of the refusal of the effects of the international registration concerned in the territory of the Union, within one year from the receipt of the notification of international registration in accordance with Article 6(4) of the Geneva Act[, or, in the cases referred to in the first paragraph of Article 5 of Decision (EU) 2019/1754, within two years from the receipt of that notification].;</p>	<p>“</p> <p>4. In accordance with Article 15(1) of the Geneva Act, the Commission or, in respect of craft and industrial geographical indications, the Office shall notify the International Bureau of the refusal of the effects of the international registration concerned in the territory of the Union, within one year from the receipt of the notification of international registration in accordance with Article 6(4) of the Geneva Act[, or, in the cases referred to in the first paragraph of Article 5 of Decision (EU) 2019/1754, within two years from the receipt of that notification].;</p>	<p>“</p> <p>4. In accordance with Article 15(1) of the Geneva Act, the Commission or, in respect of craft and industrial geographical indications, the Office shall notify the International Bureau of the refusal of the effects of the international registration concerned in the territory of the Union, within one year twelve months from the receipt of the notification of international registration in accordance with Article 6(4) of the Geneva Act[, or, in the cases referred to in the first paragraph of Article 5 of Decision (EU) 2019/1754, within two years from the receipt of that notification].;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	”	”	”	
Article 60, first paragraph, point (7)(d)				
550	(d) in paragraph 5, the last sentence is deleted;	(d) in paragraph 5, the last sentence is deleted;	(d) in paragraph 5, the last sentence is deleted; is replaced by:	
Article 60, first paragraph, point (7)(d), amending provision, first paragraph				
550a			" The Commission may, on its own initiative or following a duly substantiated request by a Member State, a third country or a natural or legal person having	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			a legitimate interest, withdraw, in whole or in part, by means of an implementing act, a refusal previously notified to the International Bureau. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 15(2).	
Article 60, first paragraph, point (7)(d), amending provision, second paragraph				
550b			In respect of craft and industrial geographical indications concerning the protection of which a previous refusal has been notified by the Office, the Office may, on its own	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>initiative or following a duly substantiated request by a Member State, a third country or a natural or legal person having a legitimate interest, withdraw, in whole or in part, a refusal previously notified to the International Bureau.</p> <p>(Moved from now deleted point 7(e)), paragraph 5a.)</p>	
Article 60, first paragraph, point (7)(d), amending provision, third paragraph				
550c			<p>The Commission or, in respect of craft and industrial geographical indications, the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>Office shall notify the International Bureau of such withdrawal without delay.";</p> <p>(Moved from now deleted point 7(e)), paragraph 5b.)</p>	
Article 60, first paragraph, point (7)(e)				
551	(e) the following paragraphs 5a and 5b are added:	(e) the following paragraphs 5a and 5b are added:	<p>(e) the following paragraphs 5a and 5b are added:</p> <p>(moved to point (7)(d) above)</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 60, first paragraph, point (7)(e), amending provision, first paragraph				
552	<p>“</p> <p>5a. In respect of craft and industrial geographical indications concerning the protection of which a previous refusal has been notified by the Office, the Office may, on its own initiative or following a duly substantiated request by a Member State, a third country or a natural or legal person having a legitimate interest, withdraw, in whole or in part, a refusal previously notified to the International Bureau.;</p>	<p>“</p> <p>5a. In respect of craft and industrial geographical indications concerning the protection of which a previous refusal has been notified by the Office, the Office may, on its own initiative or following a duly substantiated request by a Member State, a third country or a natural or legal person having a legitimate interest, withdraw, in whole or in part, a refusal previously notified to the International Bureau.;</p>	<p>5a. In respect of craft and industrial geographical indications concerning the protection of which a previous refusal has been notified by the Office, the Office may, on its own initiative or following a duly substantiated request by a Member State, a third country or a natural or legal person having a legitimate interest, withdraw, in whole or in part, a refusal previously notified to the International Bureau.;</p> <p>(text moved to point (7)(d) above), into row 550b)</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 60, first paragraph, point (7)(e), amending provision, second paragraph				
553	5b. The Commission or, in respect of craft and industrial geographical indications, the Office shall notify the International Bureau of such withdrawal without delay.;	5b. The Commission or, in respect of craft and industrial geographical indications, the Office shall notify the International Bureau of such withdrawal without delay.;	5b. The Commission or, in respect of craft and industrial geographical indications, the Office shall notify the International Bureau of such withdrawal without delay.; (text moved to point (7)(d) above, into row 550c)	
Article 60, first paragraph, point (8)				
554				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(8) In Article 8(1) the following sentence is added:	(8) In Article 8(1) the following sentence is added:	(8) In Article 8(1) the following sentence is added:	
Article 60, first paragraph, point (8), amending provision, first paragraph				
555	“ In respect of craft and industrial geographical indications, the same shall apply to the decision of the Office.; ”	“ In respect of craft and industrial geographical indications, the same shall apply to the decision of the Office.; ”	“ In respect of craft and industrial geographical indications, the same shall apply to the decision of the Office.; ”	
Article 60, first paragraph, point (9)				
556				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(9) Article 9 is replaced by the following:	(9) Article 9 is replaced by the following:	(9) Article 9 is replaced by the following:	
Article 60, first paragraph, point (9), amending provision, first paragraph				
557	“ Article 9	“ Article 9	“ Article 9	
Article 60, first paragraph, point (9), amending provision, second paragraph				
558	Invalidation of effects in the Union of a third country geographical indication registered in the International Register	Invalidation of effects in the Union of a third country geographical indication registered in the International Register	Invalidation of effects in the Union of a third country third-country geographical indication registered in the International Register	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 60, first paragraph, point (9), amending provision, third paragraph				
559	<p>— 1. The Commission or, in respect of craft and industrial geographical indications, the Office may, on its own initiative or following a duly substantiated request by a Member State, a third country or a natural or legal person having a legitimate interest, invalidate, in whole or in part the effects of protection in the Union of a geographical indication, in one or more of the following circumstances:</p>	<p>— 1. The Commission or, in respect of craft and industrial geographical indications, the Office may, on its own initiative or following a duly substantiated request by a Member State, a third country or a natural or legal person having a legitimate interest, invalidate, in whole or in part the effects of protection in the Union of a geographical indication, in one or more of the following circumstances:</p>	<p>— 1. The Commission or, in respect of craft and industrial geographical indications, the Office may, on its own initiative or following a duly substantiated request by a Member State, a third country or a natural or legal person having a legitimate interest, invalidate, in whole or in part the effects of protection in the Union of a geographical indication, in one or more of the following circumstances:</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 60, first paragraph, point (9), amending provision, fourth paragraph				
560	— a. the geographical indication is no longer protected in the Contracting Party of Origin;	— a. the geographical indication is no longer protected in the Contracting Party of Origin;	— a. the geographical indication is no longer protected in the Contracting Party of Origin;	
Article 60, first paragraph, point (9), amending provision, fifth paragraph				
561	— b. the geographical indication is no longer registered in the International Register;	— b. the geographical indication is no longer registered in the International Register;	— b. the geographical indication is no longer registered in the International Register;	
Article 60, first paragraph, point (9), amending provision, sixth paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
562	— c. compliance with the mandatory contents laid down in rule 5(2) of the Common Regulations or with the particulars concerning the quality, reputation or characteristics as laid down in Rule 5(3) of the Common Regulations is no longer ensured.	— c. compliance with the mandatory contents laid down in rule 5(2) of the Common Regulations or with the particulars concerning the quality, reputation or characteristics as laid down in Rule 5(3) of the Common Regulations is no longer ensured.	— c. compliance with the mandatory contents laid down in rule 5(2) of the Common Regulations or with the particulars concerning the quality, reputation or characteristics as laid down in Rule 5(3) of the Common Regulations is no longer ensured.	
Article 60, first paragraph, point (9), amending provision, seventh paragraph				
563	— 2. The Commission shall adopt implementing acts for the purpose of paragraph 1. The implementing acts in question shall be adopted in accordance with the examination	— 2. The Commission shall adopt implementing acts for the purpose of paragraph 1. The implementing acts in question shall be adopted in accordance with the examination	— 2. The Commission shall adopt implementing acts for the purpose of paragraph 1. The implementing acts in question shall be adopted in accordance with the examination	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	procedure referred to in Article 15(2) and only after the natural persons or legal entities as referred to in point (ii) of Article 5(2) of the Geneva Act or the beneficiaries as defined in point (xvii) of Article 1 of the Geneva Act have been given an opportunity to defend their rights.;	procedure referred to in Article 15(2) and only after the natural persons or legal entities as referred to in point (ii) of Article 5(2) of the Geneva Act or the beneficiaries as defined in point (xvii) of Article 1 of the Geneva Act have been given an opportunity to defend their rights.;	procedure referred to in Article 15(2) and only after the natural persons or legal entities as referred to in point (ii) of Article 5(2) of the Geneva Act or the beneficiaries as defined in point (xvii) of Article 1 of the Geneva Act have been given an opportunity to defend their rights.;	
Article 60, first paragraph, point (9), amending provision, eighth paragraph				
564	— 3. Where the invalidation is no longer subject to appeal, the Commission, or in respect of craft and industrial indications, the Office shall notify the International Bureau without delay of the	— 3. Where the invalidation is no longer subject to appeal, the Commission, or in respect of craft and industrial indications, the Office shall notify the International Bureau without delay of the	— 3. Where the invalidation is no longer subject to appeal, the Commission, or in respect of craft and industrial indications, the Office shall notify the International Bureau without delay of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	invalidation of the effects in the territory of the Union of the international registration of the geographical indication in accordance with point (a) or (c) of paragraph 1.;	invalidation of the effects in the territory of the Union of the international registration of the geographical indication in accordance with point (a) or (c) of paragraph 1.;	invalidation of the effects in the territory of the Union of the international registration of the geographical indication in accordance with point (a) or (c) of paragraph 1.;	
	”	”	”	
Article 60, first paragraph, point (10)				
565	(10) In Article 11, paragraph 3 is replaced by the following:	(10) In Article 11, paragraph 3 is replaced by the following:	(10) In Article 11, paragraph 3 is replaced by the following:	
Article 60, first paragraph, point (10), amending provision, numbered paragraph (3), first subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
566	<p>“</p> <p>3. In respect of each appellation of origin originating in a Member State which is party to the Lisbon Agreement, for a product falling within the scope of Regulation (EU) 2022/..., but not yet protected under that Regulation, the Member State concerned shall, on the basis of a request by a natural person or legal entity referred to in point (ii) of Article 5(2) of the Geneva Act or a beneficiary as defined in point (xvii) of Article 1 of the Geneva Act, or on its own initiative, choose to request either:</p>	<p>“</p> <p>3. In respect of each appellation of origin originating in a Member State which is party to the Lisbon Agreement, for a product falling within the scope of Regulation (EU) 2022/..., but not yet protected under that Regulation, the Member State concerned shall, on the basis of a request by a natural person or legal entity referred to in point (ii) of Article 5(2) of the Geneva Act or a beneficiary as defined in point (xvii) of Article 1 of the Geneva Act, or on its own initiative, choose to request either:</p>	<p>“</p> <p>3. In respect of each appellation of origin originating in a Member State which is party to the Lisbon Agreement, for a product falling within the scope of Regulation (EU) 2022/...../... [this Regulation], but not yet protected under that Regulation, the Member State concerned shall, on the basis of a request by a natural person or legal entity referred to in point (ii) of Article 5(2) of the Geneva Act or a beneficiary as defined in point (xvii) of Article 1 of the Geneva Act, or on its own initiative, choose to request either:</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 60, first paragraph, point (10), amending provision, numbered paragraph (3), first subparagraph, first indent				
567	- the registration of that appellation of origin under Regulation (EU) 2022/...; or	- the registration of that appellation of origin under Regulation (EU) 2022/...; or	-(a) the registration of that appellation of origin under Regulation (EU) 2022/...../... [this Regulation] ; or	
Article 60, first paragraph, point (10), amending provision, numbered paragraph (3), first subparagraph, second indent				
568	- the cancellation of the registration of that appellation of origin in the International Register.	- the cancellation of the registration of that appellation of origin in the International Register.	-(b) the cancellation of the registration of that appellation of origin in the International Register.	
Article 60, first paragraph, point (10), amending provision, numbered paragraph (3), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
569	The Member State concerned shall notify the Office of the choice referred to in the first subparagraph, and lodge the respective request within one year following the adoption of Regulation (EU) 2022/....The registration procedure foreseen in Article 67 (3) of Regulation (EU) 2022/... applies mutatis mutandi.	The Member State concerned shall notify the Office of the choice referred to in the first subparagraph, and lodge the respective request within one year following the adoption of Regulation (EU) 2022/....The registration procedure foreseen in Article 67 (3) of Regulation (EU) 2022/... applies mutatis mutandi.	The Member State concerned shall notify the Office of the choice referred to in the first subparagraph, and lodge the respective request by ... [note to OJ: please set the date twelve months from the date of entry into force within one year following the adoption of Regulation (EU) 2022/....../... (this Regulation)]. The registration procedure foreseen in Article 67 (3) of Regulation (EU) 2022.../... applies <i>mutatis mutandis</i> mutatis mutandi .	
Article 60, first paragraph, point (10), amending provision, numbered paragraph (3), third subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
570	In the situations referred to in point (a) of the first subparagraph, the Member State concerned shall request the international registration of that appellation of origin under the Geneva Act, if that Member State has ratified or acceded to the Geneva Act pursuant to the authorisation referred to in Article 3 of Decision (EU) 2019/1754, within six months from the date of registration of the geographical indication under Regulation (EU) 2022/....	In the situations referred to in point (a) of the first subparagraph, the Member State concerned shall request the international registration of that appellation of origin under the Geneva Act, if that Member State has ratified or acceded to the Geneva Act pursuant to the authorisation referred to in Article 3 of Decision (EU) 2019/1754, within six months from the date of registration of the geographical indication under Regulation (EU) 2022/....	In the situations referred to in point (a) of the first subparagraph, the Member State concerned shall request the international registration of that appellation of origin under the Geneva Act, if that Member State has ratified or acceded to the Geneva Act pursuant to the authorisation referred to in Article 3 of Decision (EU) 2019/1754, within six twelve months from the date of registration of the geographical indication under Regulation (EU) 2022/.... [this Regulation] .	
Article 60, first paragraph, point (10), amending provision, numbered paragraph (3), fourth subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
571	<p>The Member State concerned shall, in coordination with the Office, verify with the International Bureau whether there are any modifications to be made under Rule 7(4) of the Common Regulations for the purpose of registration under the Geneva Act. The Office shall authorise the Member State concerned to provide for the necessary modifications and to notify the International Bureau.</p>	<p>The Member State concerned shall, in coordination with the Office, verify with the International Bureau whether there are any modifications to be made under Rule 7(4) of the Common Regulations for the purpose of registration under the Geneva Act. The Office shall authorise the Member State concerned to provide for the necessary modifications and to notify the International Bureau.</p>	<p>The Member State concerned shall, in coordination with the Office, verify with the International Bureau whether there are any modifications to be made under Rule 7(4) of the Common Regulations for the purpose of registration under the Geneva Act. The Office shall authorise the Member State concerned to provide for the necessary modifications and to notify the International Bureau.</p>	
Article 60, first paragraph, point (10), amending provision, numbered paragraph (3), fifth subparagraph				
572				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>If the request for registration under Regulation (EU) 2022/... is refused and related administrative and judicial remedies have been exhausted, or if the request for registration under the Geneva Act has not been made pursuant to the third subparagraph of this paragraph, the Member State concerned shall, without delay, request the cancellation of the registration of that appellation of origin in the International Register.</p> <p style="text-align: right;">”</p>	<p>If the request for registration under Regulation (EU) 2022/... is refused and related administrative and judicial remedies have been exhausted, or if the request for registration under the Geneva Act has not been made pursuant to the third subparagraph of this paragraph, the Member State concerned shall, without delay, request the cancellation of the registration of that appellation of origin in the International Register.</p> <p style="text-align: right;">”</p>	<p>If the request for registration under Regulation (EU) 2022/..../... [this Regulation] is refused and related administrative and judicial remedies have been exhausted, or if the request for registration under the Geneva Act has not been made pursuant to the third subparagraph of this paragraph, the Member State concerned shall, without delay, request the cancellation of the registration of that appellation of origin in the International Register.</p> <p style="text-align: right;">”</p>	
Article 60, first paragraph, point (11)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
573	(11) in Article 15(1) the following point (e) is added:	(11) in Article 15(1) the following point (e) is added:	(11) in Article 15(1) the following point (e) is added:	
Article 60, first paragraph, point (11), amending provision, first paragraph				
574	“ (e) for craft and industrial products falling within the scope of Article 2(1) of Regulation (EU) 2022/..., by the Craft and Industrial Geographical Indication Committee established by Article 65 of that Regulation. ”	“ (e) for craft and industrial products falling within the scope of Article 2(1) of Regulation (EU) 2022/..., by the Craft and Industrial Geographical Indication Committee established by Article 65 of that Regulation. ”	“ (e) for craft and industrial products falling within the scope of Article 2(1) of Regulation (EU) 2022/.../... [this Regulation] , by the Craft and Industrial Geographical Indication Committee established by Article 65 of that Regulation. ”	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			”	
Article 61				
575	Article 61 Amendments to Regulation (EU) 2017/1001	Article 61 Amendments to Regulation (EU) 2017/1001	Article 61 Amendments to Regulation (EU) 2017/1001	
Article 61, first paragraph				
576	Regulation (EU) 2017/1001 is amended as follows:	Regulation (EU) 2017/1001 is amended as follows:	Regulation (EU) 2017/1001 is amended as follows:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 61, first paragraph, point (1)				
577	(1) in Article 151(1), the following point (ba) is inserted after point (b):	(1) in Article 151(1), the following point (ba) is inserted after point (b):	(1) in Article 151(1), the following point (ba) is inserted after point (b):	
Article 61, first paragraph, point (1), amending provision, first paragraph				
578	“ (ba) administration and promotion of geographical indications, in particular the tasks conferred on it under the Regulation (EU) No 2022/[this regulation] of the European Parliament and of the Council and promotion of the	“ (ba) administration and promotion of geographical indications, in particular the tasks conferred on it under the Regulation (EU) No 2022/[this regulation] of the European Parliament and of the Council and promotion of the	“ (ba) administration and promotion of geographical indications for craft and industrial products , in particular the tasks conferred on it under the Regulation (EU) No 2022/No .../... [this Regulation] of the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	geographical indications system. ”	geographical indications system. ”	European Parliament and of the Council and promotion of the geographical indications system. ”	
578a			<p>(1a) in Article 153(1), the following point (n) is added:</p> <p>‘(n) adopting rules of procedure of the Advisory Board referred to in Article 33(8) of Regulation .../... [this Regulation]’;</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
578b			<p>(1b) in Article 170, paragraph 2 is replaced by the following:</p> <p>‘2. Any natural or legal person may use the Centre’s services on a voluntary basis with the aim of reaching a friendly settlement of disputes, based on this Regulation, Regulation (EC) No 6/2002 or Regulation/... [this Regulation], by mutual agreement.’;</p>	
Article 61, first paragraph, point (2)				
579	(2) the following Article 170a is	(2) the following Article 170a is	(2) the following Article 170a is	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	inserted:	inserted:	inserted:	
Article 61, first paragraph, point (2), amending provision, first paragraph				
580	“ Article 170a	“ Article 170a	Article 170a	
Article 61, first paragraph, point (2), amending provision, second paragraph				
581	Establishment of a domain name information and alert system	Establishment of a domain name information and alert system	Establishment of a domain name information and alert system	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 61, first paragraph, point (2), amending provision, numbered paragraph (1)				
582	<p>1. For domain names registered under a country-code top-level domain name, administered or managed by a registry established in the Union, the Office shall provide a domain name information and alert system. Upon submission of an application for an EU trade mark, that information and alert system shall inform applicants for an EU trade mark about the availability of their mark as a domain name, and applicants for and proprietors of an EU trade mark on an optional basis once a domain name containing an identical or similar name with their</p>	<p>1. For domain names registered under a country-code top-level domain name, administered or managed by a registry established in the Union, the Office shall provide a domain name information and alert system. Upon submission of an application for an EU trade mark, that information and alert system shall inform applicants for an EU trade mark about the availability of their mark as a domain name, and applicants for and proprietors of an EU trade mark on an optional basis once a domain name containing an identical or similar name with their</p>	<p>1. For domain names registered under a country-code top-level domain name, administered or managed by a registry established in the Union, the Office shall provide a domain name information and alert system. Upon submission of an application for an EU trade mark, that information and alert system shall inform applicants for an EU trade mark about the availability of their mark as a domain name, and applicants for and proprietors of an EU trade mark on an optional basis once a domain name containing an identical or similar name with their</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	mark is registered (domain name alerts).	mark is registered (domain name alerts).	mark is registered (domain name alerts).	
Article 61, first paragraph, point (2), amending provision, numbered paragraph (2)				
583	2. For the purpose of paragraph 1, country-code top-level domain name registries, established in the Union, shall provide the Office with all information and data in their possession necessary to run the domain name information and alert system.	2. For the purpose of paragraph 1, country-code top-level domain name registries, established in the Union, shall provide the Office with all information and data in their possession necessary to run the domain name information and alert system.	2. For the purpose of paragraph 1, country-code top-level domain name registries, established in the Union, shall provide the Office with all information and data in their possession necessary to run the domain name information and alert system.	
TITLE VI				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
584	TITLE VI TECHNICAL ASSISTANCE	TITLE VI TECHNICAL ASSISTANCE	TITLE VI TECHNICAL ASSISTANCE FEES	
Article 62				
585	Article 62 Technical assistance of the Office	Article 62 Technical assistance of the Office	Article 62 Technical assistance of the Office (moved to Article 34c)	
Article 62, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
586	The Commission shall be empowered to adopt delegated acts supplementing this Regulation by rules on entrusting the Office with the examination and other administrative tasks concerning third country geographical indications for craft and industrial products, 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 Commission shall be empowered to adopt delegated acts supplementing this Regulation by rules on entrusting the Office with the examination and other administrative tasks concerning third country geographical indications for craft and industrial products, 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 Commission shall be empowered to adopt delegated acts supplementing this Regulation by rules on entrusting the Office with the examination and other administrative tasks concerning third country geographical indications for craft and industrial products, 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. (moved to Article 34c)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
586a			<p>Article 62a</p> <p>Fees</p> <p>(moved from Article 10)</p>	
586b			<p>1. Member States may charge fees to cover the costs of the national phase of the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>geographical indication system for craft and industrial products provided for in this Regulation, notably those costs incurred in the processing of applications, notice of opposition, applications for amendments, requests for cancellation and appeals.</p>	
Article 62a(1a)				
586c			<p>1a. Member States may collect fees or charges to cover the costs of controls conducted pursuant to Title IV of this Regulation.</p> <p>(this paragraph was moved from</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Article 48(5) and 2nd sentence of Article 43(2))	
Article 62a(2)				
586d			(paragraph 2 of former Article 10 moved to paragraph 5a below)	
Article 62a(3)				
586e				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(paragraph 3 of former Article 10 deleted: i.e. "The Office shall not charge any fee for any procedure under this Regulation".)	
Article 62a(4)				
586f			4. The Office shall charge a fee for:	
Article 62a(4), point (a)				
586g			(a) the direct registration	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			procedure, as referred to in Article 15a;	
Article 62a(4), point (b)				
586h			(b) the procedure concerning products originating in a third country or third countries, as referred to in Article 17(c); and	
Article 62a(4), point (c)				
586i			(c) appeals before the Boards of Appeal, as referred to in Article	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			30.	
Article 62a(4a)				
586j			4a. The Office may charge a fee for requests for an amendment to the product specification and for requests for cancellation of the geographical indication, where the name was registered pursuant to one of the procedures referred to in point (a) or (b) of paragraph 4.	
Article 62a(5)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
586k			<p>5. The Commission shall adopt implementing acts to determine the amounts of the fees charged by the Office and the ways in which they are to be paid or, in the case of the fee for appeals before the Boards of Appeal, reimbursed. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 65(2).</p> <p>(paragraph 5 of former Article 10)</p>	
Article 62a(5a)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
586l			<p>5a. Any fees charged pursuant to this Title shall be reasonable, foster the competitiveness of the producers of the geographical indications and may take into account the specific situation of micro, small and medium-sized enterprises.</p> <p>(moved from Article 10, paragraph 2)</p>	
TITLE VII				
587	TITLE VII	TITLE VII	TITLE VII	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	SUPPLEMENTARY PROVISIONS	SUPPLEMENTARY PROVISIONS	SUPPLEMENTARY PROVISIONS	
587a			Article 62b Data protection (moved from Article 4)	
587b			1. The Commission and the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>Office shall be considered controllers within the meaning of Article 3, point (8), of Regulation (EU) 2018/1725¹ in relation to the processing of personal data in the procedure it is competent for in accordance with this Regulation.</p> <p>_____</p> <p>1. Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
587c			<p>2. The competent authorities of Member States shall be considered controllers within the meaning of Article 4, point (7), of Regulation (EU) 2016/679¹ in relation to the processing of personal data in the procedures for which they are competent in accordance with this Regulation.</p> <hr/> <p>1. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC , OJ L 119,</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			4.5.2016, p. 1–88.	
Article 63				
588	Article 63 Procedural languages	Article 63 Procedural languages	Article 63 Procedural languages	
Article 63(1)				
589	1. All documents and information sent to the Office in respect of the procedures under this Regulation, shall be in one of the official languages of the Union.	1. All documents and information sent to the Office in respect of the procedures under this Regulation, shall be in one of the official languages of the Union.	1. All documents and information sent to the Office in respect of the procedures under this Regulation, shall be in one of the official languages of the Union.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 63(2)				
590	<p>2. For the tasks conferred on the Office under this Regulation, the languages of the Office shall be all the official languages of the Union in accordance with Regulation 1¹.</p> <p>_____</p> <p>1. Council Regulation No 1 determining the languages to be used by the European Economic Community (OJ 17, 6.10.1958, p. 385).</p>	<p>2. For the tasks conferred on the Office under this Regulation, the languages of the Office shall be all the official languages of the Union in accordance with Regulation 1¹.</p> <p>_____</p> <p>1. Council Regulation No 1 determining the languages to be used by the European Economic Community (OJ 17, 6.10.1958, p. 385).</p>	<p>2. For the tasks conferred on the Office under this Regulation, the languages of the Office shall be all the official languages of the Union in accordance with Regulation 1¹.</p> <p>_____</p> <p>1. Council Regulation No 1 determining the languages to be used by the European Economic Community (OJ 17, 6.10.1958, p. 385).</p>	
Article 64				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
591	Article 64 IT system	Article 64 IT system	Article 64 IT system	
Article 64, first paragraph				
592	The digital system referred to in Article 18(1) and the Union register of geographical indications for craft and industrial products referred to in Article 26 shall be developed, kept and maintained by the Office.	The digital system referred to in Article 18(1) and the Union register of geographical indications for craft and industrial products referred to in Article 26 shall be developed, kept and maintained by the Office.	1. The digital system referred to in Article 18(1) and 18(2d) , the Union register of geographical indications for craft and industrial products referred to in Article 26 referred to in Article 34a, and the digital portal referred to in Article 26 3(3) shall be developed, kept and maintained by the Office.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
592a		<p><u><i>1a. The Office shall make that digital system easily accessible to the public, in machine-readable and commonly used formats and design it in such a way that it can be used by the Member States for their national procedures in accordance with Article 11(3a) and Article 18(1).</i></u></p>		
Article 64, second paragraph				
592b				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>2. The digital system shall be used for applications pursuant to Article 17, but shall also have the capacity to be used by the Member State at the national phase of registration.</p> <p>(moved from Article 18(1))</p>	
Article 65				
593	<p>Article 65</p> <p>Committee procedure</p>	<p>Article 65</p> <p>Committee procedure</p>	<p>Article 65</p> <p>Committee procedure</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 65(1)				
594	1. The Commission shall be assisted by the Craft and Industrial Geographical Indications Committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by the Craft and Industrial Geographical Indications Committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by the Committee for Craft and Industrial Geographical Indications (‘the Committee’). That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	
Article 65(2)				
595	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 66				
596	Article 66 Exercise of the delegation	Article 66 Exercise of the delegation	Article 66 Exercise of the delegation	
Article 66(1)				
597	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 66(2)				
598	<p>2. The power to adopt delegated acts referred to in Articles 29, 30 and 49 shall be conferred on the Commission for a period of seven years from [OJ: date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the seven-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</p>	<p>2. The power to adopt delegated acts referred to in Articles 29, 30 and 49 shall be conferred on the Commission for a period of seven years from [OJ: date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the seven-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.</p>	<p>2. The power to adopt delegated acts referred to in Articles 29, 30 and 49, 15a, 18, 30, 49 and 62 shall be conferred on the Commission for a period of seven years from [<i>OJ: date of entry into force of this Regulation</i>OJ: date of entry into force of this Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the seven-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			not later than three months before the end of each period.	
Article 66(3)				
599	3. The delegation of power referred to in Article 29, 30 and 49 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts	3. The delegation of power referred to in Article 29, 30 and 49 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts	3. The delegation of power referred to in Article 29, 30 and 49 Articles 9, 15a, 18, 30, 49 and 62 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of power specified in that decision. It shall take effect on the day following the publication of the decision in the Official Journal of the European Union Official Journal of the European Union or	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	already in force.	already in force.	at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	
Article 66(4)				
600	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	
Article 66(5)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
601	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	
Article 66(6)				
602	6. A delegated act adopted pursuant to the Articles 29, 30 and 49 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of	6. A delegated act adopted pursuant to the Articles 29, 30 and 49 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of	6. A delegated act adopted pursuant to the Articles 29, 30 and 49 Article 9, 15a, 18, 30, 49 or 62 shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	
TITLE VIII				
603	TITLE VIII TRANSITIONAL AND FINAL PROVISIONS	TITLE VIII TRANSITIONAL AND FINAL PROVISIONS	TITLE VIII TRANSITIONAL AND FINAL PROVISIONS	
Article 67				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
604	Article 67 Transitional Geographical Indication protection	Article 67 Transitional Geographical Indication protection	Article 67 Transitional geographical indication protection	
Article 67(1)				
605	1. National specific protection for geographical indications for craft and industrial products shall cease to exist by [one year after the date of entry into force of this Regulation].	1. National specific protection for geographical indications for craft and industrial products shall cease to exist by [one year after the date of entry into force of this Regulation].	1. By [twelve months after the date of application of this Regulation], national specific protection for geographical indications for craft and industrial products shall cease to exist, and pending applications shall be considered not to have been filed, unless a request pursuant to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			paragraph 2 is made by [one year after the date of entry into force of this Regulation] .	
Article 67(2)				
606	2. By [six months after the date of entry into force of this Regulation], interested Member States shall inform the Commission and the Office, which of their legally protected names or in the Member States where there is no protection system, which of their names established by usage they wish to register and protect pursuant to this Regulation.	2. By [six months after the date of entry into force of this Regulation], interested Member States shall inform the Commission and the Office, which of their legally protected names or in the Member States where there is no protection system, which of their names established by usage they wish to register and protect pursuant to this Regulation.	2. By [twelve months after the date of application of this Regulation] [six months after the date of entry into force of this Regulation] , interested Member States shall inform the Commission and the Office, which of their legally protected names or, in the Member States where there is no protection system, which of their names established by usage, they wish to register and protect	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			pursuant to this Regulation.	
606a			<p>2a. On the basis of a request pursuant to paragraph 2, national protection may be extended in time by the Member State concerned until the registration procedure pursuant to paragraph 3 is finalised and the decision has become final.</p> <p>Where Union protection is granted, the day on which the Member States have informed the Office and the Commission, in accordance with paragraph 2, shall be deemed the first day of</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			protection under this Regulation.	
Article 67(3)				
607	3. In accordance with the procedure laid down in Articles 17 to 25, the Office or, in cases referred to in Article 25, the Commission shall register the names referred to in paragraph 2 of this Article, which comply with Articles 2, 5, 7 and 8. Article 21 and 22 shall not apply. However, generic terms shall not be registered.	3. In accordance with the procedure laid down in Articles 17 to 25, the Office or, in cases referred to in Article 25, the Commission shall register the names referred to in paragraph 2 of this Article, which comply with Articles 2, 5, 7 and 8. Article 21 and 22 shall not apply. However, generic terms shall not be registered.	3. In accordance with the procedure laid down in Names referred to in paragraph 2 that comply with Articles 17 to 25, 2, 5, 7 and 8, shall be registered by the Office, or, in the -or, in-cases referred to in Article 25, the Commission shall register the names referred to in paragraph 2 of this Article, which comply with by the Commission, in accordance with the procedure laid down in Articles 2, 5, 7 and 8. Article 17 to 25. Articles 21 and 22 shall not	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			apply. However, generic terms shall not be registered.	
Article 67(4)				
608	4. Without prejudice to paragraph 1, national protection of the names communicated in accordance with paragraph 2 shall be maintained until such time as a decision on registration has been taken. The decision may be subject of appeal referred to in Article 30.	4. Without prejudice to paragraph 1, national protection of the names communicated in accordance with paragraph 2 shall be maintained until such time as a decision on registration has been taken. The decision may be subject of appeal referred to in Article 30.	4. Without prejudice to paragraph 1, national protection of the names communicated in accordance with paragraph 2 shall be maintained until such time as a decision on registration has been taken. The decision may be subject of appeal referred to in Article 30. (merged into paragraph 1)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 68				
609	Article 68 Member States reporting obligation	Article 68 Member States reporting obligation	Article 68 Member States reporting obligation	
Article 68(1)				
610	1. Member States or their national authorities shall report every four years to the Commission on the strategy and results of all the geographical indication controls carried out to verify compliance with the legal requirements related to the protection scheme established by this Regulation and	1. Member States or their national authorities shall report every four years to the Commission on the strategy and results of all the geographical indication controls carried out to verify compliance with the legal requirements related to the protection scheme established by this Regulation and	1. Member States or their national authorities shall report every shall report to the Commission by [four years to the Commission after the date of application of this Regulation], and every five years thereafter, on: the strategy and results of all the geographical indication controls carried out to	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of the enforcement of geographical indications for craft and industrial products in the market place including online as referred to in Article 45 on designation of competent authority, Article 46 on verification of compliance with the product specifications, Article 47 on due diligence, Article 48 on enforcement of geographical indications in the marketplace, and Article 55 on online platforms.	of the enforcement of geographical indications for craft and industrial products in the market place including online as referred to in Article 45 on designation of competent authority, Article 46 on verification of compliance with the product specifications, Article 47 <i>on due diligence</i> <u>40(2a) on continuous compliance</u> , Article 48 on enforcement of geographical indications in the marketplace <u>market</u> , and Article 55 on online platforms.	verify compliance with the legal requirements related to the protection scheme established by this Regulation and of the enforcement of geographical indications for craft and industrial products in the market place including online as referred to in Article 45; on verification of compliance by self-declaration as referred to in Article 46; on verification of compliance by a competent authority or a designated third party as referred to in Article 45 on designation of competent authority, Article 46 on verification of compliance with the product specifications, Article 47 on due diligence, 46a, if applicable; on monitoring of the use of geographical indications	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			<p>for craft and industrial products in the market as referred to in Article 48 on enforcement of geographical indications in the marketplace, and Article 5546c; on due diligence as referred to in Article 47; and on illegal content on online platforms/interfaces as referred to in Article 55.</p>	
Article 68(2)				
611	<p>2. Eligible Member States shall provide the Commission by [six months after the date of entry into force of this Regulation] with the information requested in Article 15 in order to opt for the “direct</p>	<p>2. Eligible Member States shall provide the Commission by [six months after the date of entry into force of this Regulation] with the information requested in Article 15 <u>in order to opt for on whether they</u></p>	<p>2. Eligible Member States shall provide the Commission by [twelve][six months after]before the date of entry into forceapplication of this Regulation] with the information requested in required</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>registration” procedure. On the basis of the information received, the Commission shall adopt a Decision on the right of the concerned Member State to opt for the “direct registration” procedure and hence, to not designate a national authority for the management at national level of the procedures for the application, amendment of the product specification and cancellation as referred to in Article 15.</p>	<p><u>intend to make use of the opt-out referred to under Article 15(1) and use</u> the "direct registration" procedure. On the basis of the information received, the Commission shall adopt a Decision on the right of the concerned Member State to opt for the "direct registration" procedure and hence, to not designate a national authority for the management at national level of the procedures for the application, amendment of the product specification and cancellation as referred to in Article 15.</p>	<p>under Article 15 in order to opt for the "direct registration"- procedure. On the basis of the information received, the Commission shall adopt a decision on the rightrequest of the concerned Member State to opt for the "direct registration"- procedure as referred to in Article 15a and hence, to not designate a national authority for the management at national level of the procedures for the application, amendment processing of applications, amendments of the product specification and cancellation as referred to inrequired by Article 1511(1).</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 68(3)				
612	3. Member States shall inform the Commission by [six months after the date of the entry into force of this Regulation] if they decide to cooperate with each other for the management of the national procedures foreseen in Chapter II of Title II as laid down in Article 6(4).	3. Member States shall inform the Commission by [six months after the date of the entry into force of this Regulation] if they decide to cooperate with each other for the management of the national procedures foreseen in Chapter II of Title II as laid down in Article 6(4).	<p>3. Member States shall inform the Commission by [six months after the date of the entry into force of this Regulation] if they decide to cooperate with each other for the management of the national procedures foreseen in Chapter II of Title II as laid down in Article 6(4).</p> <p>(moved to paragraph 5 of Article 11)</p>	
Article 69				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
613	Article 69 Review clause	Article 69 Review clause	Article 69 Review clause	
Article 69, first paragraph				
614	By [five years after the date of entry into force of this Regulation], the Commission shall draw up a report on the implementation of this Regulation, accompanied by any proposals for revision that it may deem appropriate.	By [five years after the date of entry into force of this Regulation], the Commission shall draw up a report on the implementation of this Regulation, accompanied by any proposals for revision that it may deem appropriate.	By [five years after the date of application of this Regulation], and every five years thereafter [five years after the date of entry into force of this Regulation] , the Commission shall draw up a report on the implementation of this Regulation, accompanied by any proposals for revision that it may deem	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			appropriate.	
Article 70				
615	Article 70 Entry into force	Article 70 Entry into force	Article 70 Entry into force	
Article 70, first paragraph				
616	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. It shall apply	This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union. It shall apply	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	from 1 January 2024.	from 1 January 2024.	of the European Union. It shall apply from 1 January 2024 [the first day of the twentyfifth month after the entry into force of this Regulation], except Article 15(1) and (2), Article 33(1), Article 34a(8), and Articles 64 to 66, which shall apply as of the date of entry into force.	
Article 70, second paragraph				
617	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
618	Done at Brussels,	Done at Brussels,	Done at Brussels ...,	
Formula				
619	For the European Parliament	For the European Parliament	For the European Parliament	
Formula				
620	The President	The President	The President	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
621	For the Council	For the Council	For the Council	
Formula				
622	The President	The President	The President	
Annex 1				
622.1	Annex 1	Annex 1	Annex 1 ANNEX I	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 1, first heading				
623	Self-declaration referred to Article 49	Self-declaration referred to Article 49	Self-declaration referred to Article 4946 of Regulation .../... [<i>this Regulation</i>]	
Annex 1, point (1), first subparagraph				
624	1. Name and address of the economic operator: ...	1. Name and address of the economic operator: ...	1. Name and address of the economic operator producer : ...	
Annex 1, point (1), second subparagraph				
625				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	[Note: insert the name and address of the company or individual producer as well as the name and address of the signatory of the self-declaration, if deviating from the economic operator: authorised representative of the company or producer]	[Note: insert the name and address of the company or individual producer as well as the name and address of the signatory of the self-declaration, if deviating from the economic operator: authorised representative of the company or producer]	[Note : Insert the name and address of the economic operator (company or individual producer) as well as, where applicable , the name and address of the signatory authorised representative of the self-declaration, if deviating from the economic operator: authorised representative of the company or company or producer, who signs the self-declaration on the producer's behalf]	
Annex 1, point (1a)				
625a			1a. Producer group: ...	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			(moved from point 5)	
Annex 1, point (1a), second subparagraph				
625b			[If applicable, insert name and address of the producer group of which the producer is a member]	
Annex 1, point (2), first subparagraph				
626	2. Name of the product and type of goods: ...	2. Name of the product and type of goods: ...	2. Name of the product Name and type of goods the product: ...	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 1, point (2), second subparagraph				
627	[Note: insert the full name with all appositions under which the product designated by the geographical indication is marketed or is envisaged to be marketed and the type of goods to which the product belongs]	[Note: insert the full name with all appositions under which the product designated by the geographical indication is marketed or is envisaged to be marketed and the type of goods to which the product belongs]	[Note: Insert the full name with all appositions attributes under which the product designated by the geographical indication is marketed or is envisaged to be marketed and the type of goods to which the product belongs]	
Annex 1, point (3), first subparagraph				
628	3. Status of the product: ...	3. Status of the product: ...	3. Status of the product: ...	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 1, point (3), second subparagraph				
629	[Note: insert whether the product concerned is already on the market or not]	[Note: insert whether the product concerned is already on the market or not]	[Note: insert Specify whether the product concerned is already on the market or not]	
Annex 1, point (4), first subparagraph				
630	4. Production sites: ...	4. Production sites: ...	4. Production sites: ...	
Annex 1, point (4), second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
631	[Note: insert all production sites, address, contact and activity (step of production pursuant to product specification) carried out there]	[Note: insert all production sites, address, contact and activity (step of production pursuant to product specification) carried out there]	[Note: insert List all production sites, (with address, and contact details and activity carried out at each site (step of production pursuant to product specification) carried out there]	
Annex 1, point (5), first subparagraph				
632	5. Producer group: ...	5. Producer group: ...	5. Producer group: ... (moved to point 1a.)	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 1, point (5), second subparagraph				
633	[Note: insert name and address of the producer group in which the producer is a member]	[Note: insert name and address of the producer group in which the producer is a member]	[Note: insert name and address of the producer group in which the producer is a member] (moved to point 1a.)	
Annex 1, point (6), first subparagraph				
634	6. Name, file number and registration date of the used geographical indication: ...	6. Name, file number and registration date of the used geographical indication: ...	6. Name, file -number and registration date of the used geographical indication: ...	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 1, point (6), second subparagraph				
635	[Note: The requirement can be met by referring to the corresponding electronic excerpt from the register, which is to be attached to the self-declaration.]	[Note: The requirement can be met by referring to the corresponding electronic excerpt from the register, which is to be attached to the self-declaration.]	[Note: The requirement can be met by referring attaching to the self-declaration the corresponding electronic excerpt from the register, which is to be attached to the self-declaration.]	
Annex 1, point (7), first subparagraph				
636	7. Main points of the product specification and its electronic publication reference: ...	7. Main points of the product specification and its electronic publication reference: ...	7. Main points of the product specification and its electronic publication reference Single document : ...	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 1, point (7), second subparagraph				
637	[Note: The insertion shall follow the indications made in the single document: the name, a description of the product, including, where appropriate, specific rules concerning packaging and labelling, and a concise definition of the geographical area]	[Note: The insertion shall follow the indications made in the single document: the name, a description of the product, including, where appropriate, specific rules concerning packaging and labelling, and a concise definition of the geographical area]	[Note: The insertion shall follow the indications made in the single document: the name, a description of the product, including, where appropriate, specific rules concerning packaging and labelling, and a concise definition of the geographical area] Insert the information from the single document: the name, and a description of the product, including, where appropriate, the raw materials and information concerning the packaging and labelling, including the possible use of the PGI logo, and a concise definition of the geographical area]	
Annex 1, point (8), first subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
638	8. Description of the measures undertaken by the producer to ensure its conformity with the product specification: ...	8. Description of the measures undertaken by the producer to ensure its conformity with the product specification: ...	8. Description of the measures undertaken by the producer to ensure its conformity the product complies with the product specification: ...	
Annex 1, point (8), second subparagraph				
639	[Note: insert all measures (controls and checks) with a summarised description undertaken whether by the producer himself/herself, the producer association or assigned third parties since the last declaration has been submitted]	[Note: insert all measures (controls and checks) with a summarised description undertaken whether by the producer himself/herself, the producer association or assigned third parties since the last declaration has been submitted]	[Note: Insert all measures (controls and checks) with a summarised description undertaken whether by the producer himself/herself, the producer association or assigned third parties since the last declaration self-declaration has	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			been submitted, together with a summary of each measure in the table below]	
Annex 1, point (8), Table 1, Column 1, Row 1				
640	Control point	Control point	Control point ¹ _____	
Annex 1, point (9), first subparagraph				
641				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	9. Additional information: ...	9. Additional information: ...	9. Additional information: ...	
Annex 1, point (9), second subparagraph				
642	[Note: insert any further information considered relevant to an assessment of whether the product is compliant, e.g. samples of the labelling if there is a labelling rule in the product specification in question]	[Note: insert any further information considered relevant to an assessment of whether the product is compliant, e.g. samples of the labelling if there is a labelling rule in the product specification in question]	[Note: Insert any further information considered relevant to an for the assessment of as to whether the product is compliant with the product specification, e.g. samples of the labelling if there is a labelling rule in the product specification in question]	
Annex 1, point (10), first subparagraph				
643				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	10. Declaration of compliance with the requirements of the product specification:	10. Declaration of compliance with the requirements of the product specification:	10. Declaration of compliance with the requirements of the product specification:	
Annex 1, point (10), second subparagraph				
644	The above-mentioned product, including its characteristics and components, complies with the rules of the corresponding product specification. All necessary controls and checks for the proper determination of conformity have been carried out.	The above-mentioned product, including its characteristics and components, complies with the rules of the corresponding product specification. All necessary controls and checks for the proper determination of conformity have been carried out.	I herewith declare that the above-mentioned product, including its characteristics and components, complies with the rules of the corresponding product specification. All necessary controls and checks for the proper determination of conformity have been carried out.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 1, point (10), third subparagraph				
645	[The signatory is aware that in case of false statements sanctions may be imposed.]	[The signatory is aware that in case of false statements sanctions may be imposed.]	{ The signatory is I am aware that in case of the event of a false statements statement , sanctions may be imposed.}	
Annex 1, point (10), fourth subparagraph				
646	Signed for and on behalf of:	Signed for and on behalf of:	Signed for and on behalf of:	
Annex 1, point (10), fifth subparagraph				
647				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(place and date):	(place and date):	(place and date):	
Annex 1, point (10), sixth subparagraph				
648	(name, function) (signature):	(name, function) (signature):	(name, function) (signature):	
Annex 2				
648.1	Annex 2	Annex 2	Annex 2 <i>ANNEX II</i>	
Annex 2, first heading				
649				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Single document referred to in Article 8	Single document referred to in Article 8	Single document referred to in Article 8 of Regulation .../... [this Regulation]	
Annex 2, first paragraph				
650	[Insert name, as in 1 below:] ‘...’	[Insert name, as in 1 below:] ‘...’	[Insert name, as in 1 below point 1:] ‘...’	
Annex 2, second paragraph				
651	EU No: [for EU use only]	EU No: [for EU use only]	EU No Number: [for EU use only]	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 2, point (1), first subparagraph				
652	1. Name(s) [of PGI] ...	1. Name(s) [of PGI] ...	1. Name(s) [of PGI] ...	
Annex 2, point (1), second subparagraph				
653	[Insert the name proposed for registration or, in the case of an application for approval of an amendment to a product specification, the registered name]	[Insert the name proposed for registration or, in the case of an application for approval of an amendment to a product specification, the registered name]	[Insert the name proposed for registration that is requested to be protected as a geographical indication or, in the case of an application for approval of an amendment to a product specification, the registered name]	
Annex 2, point (2)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
654	2. Member State or Third Country ...	2. Member State or Third Country ...	2. Member State or third country ...	
Annex 2, point (3)				
655	3. Description of the craft and industrial product	3. Description of the craft and industrial product	3. Description of the craft and industrial product	
Annex 2(3.1)				
656	3.1. Type of product ...	3.1. Type of product ...	3.1. Type of product ...	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 2, first subparagraph				
657	3.2. Description of the product to which the name in (1) applies...	3.2. Description of the product to which the name in (1) applies...	3.2. Description of the product to which the name in point (1) applies...	
Annex 2, second subparagraph				
658	[Main points referred to in Article 8(1), point (b). To identify the product use definitions and standards commonly used for that product. In the description of the product, focus on its specificity, using measurement units and common or technical terms of	[Main points referred to in Article 8(1), point (b). To identify the product use definitions and standards commonly used for that product. In the description of the product, focus on its specificity, using measurement units and common or technical terms of	[Main points referred to in Article 8(1), point (b) (a)(ii) . To identify the product, use definitions and standards commonly used for that product. In the description of the product, focus on its specificity, using measurement units and common or technical terms of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	comparison, without including technical characteristics inherent to all products of that type and related mandatory legal requirements applicable to all products of that type (Article 8(2)).	comparison, without including technical characteristics inherent to all products of that type and related mandatory legal requirements applicable to all products of that type (Article 8(2)).	comparison, without including technical characteristics inherent to all products of that type and or related mandatory legal requirements applicable to all products of that type (Article 8(2)) .	
Annex 2, first subparagraph				
659	3.3. Raw materials (for processed products only)...	3.3. Raw materials (for processed products only)...	3.3. Raw materials... Raw materials (for processed products only)...	
Annex 2, second subparagraph				
660				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	State any quality requirements, or restrictions on origin of raw materials. State justifications for any such restrictions. Such restrictions must be justified in relation to the link referred to in point (f) of Article 7(1)].	State any quality requirements, or restrictions on origin of raw materials. State justifications for any such restrictions. Such restrictions must be justified in relation to the link referred to in point (f) of Article 7(1)].	State Indicate any quality requirements, or restrictions on origin of raw materials. State justifications for any such restrictions. Such restrictions must be justified in relation to the link referred to in point (f) (g) of Article 7(1)]-.	
Annex 2, first subparagraph				
661	3.4. Specific steps in production that must take place in the identified geographical area ...	3.4. Specific steps in production that must take place in the identified geographical area ...	3.4. Specific steps in production that must take place in the identified geographical area ...	
Annex 2, second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
662	[State justifications for any restrictions or derogations.]	[State justifications for any restrictions or derogations.]	[State Indicate justifications for any restrictions or derogations.]	
Annex 2, first subparagraph				
663	3.5. Specific rules concerning packaging, etc. of the product the registered name refers to ...	3.5. Specific rules concerning packaging, etc. of the product the registered name refers to ...	3.5. <i>Specific rules concerning packaging etc. of the product to which the registered name refers...</i> Specific rules concerning packaging, etc. of the product the registered name refers to ...	
Annex 2, second subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
664	[If none, leave blank. State product-specific justifications for any restrictions.]	[If none, leave blank. State product-specific justifications for any restrictions.]	[If none, leave blank. State applicable, provide product-specific justifications for any restrictions:]	
Annex 2, first subparagraph				
665	3.6. Specific rules concerning labelling of the product the registered name refers to ...	3.6. Specific rules concerning labelling of the product the registered name refers to ...	3.6. <i>Specific rules concerning labelling of the product to which the registered name refers...</i> Specific rules concerning labelling of the product the registered name refers to ...	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 2, second subparagraph				
666	[If none, leave blank. State justifications for any restrictions.]	[If none, leave blank. State justifications for any restrictions.]	[If none, leave blank. State applicable, provide justifications for any restrictions-]	
Annex 2, point (4), first subparagraph				
667	4. Concise definition of the geographical area ...	4. Concise definition of the geographical area ...	4. Concise definition of the geographical area ...	
Annex 2, point (4), second subparagraph				
668				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	[Where appropriate, insert a map of the area]	[Where appropriate, insert a map of the area]	[Where appropriate, insert a map of the geographical area]	
Annex 2, point (5), first subparagraph				
669	5. Link with the geographical area ...	5. Link with the geographical area ...	5. Link with the geographical area ...	
Annex 2, point (5), second subparagraph				
670	Causal link between the geographical origin and, where appropriate, a given quality, the reputation or other characteristics	Causal link between the geographical origin and, where appropriate, a given quality, the reputation or other characteristics	Causal [Indicate the link between the geographical origin and, where appropriate, at he given quality, the reputation or other characteristics	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	of the product.	of the product.	of the product.	
Annex 2, point (5), third subparagraph				
671	[State explicitly on which ones of the given factors (reputation, given quality, other characteristic of the product) the causal link is based and give information only with respect to the relevant factors, including, where appropriate, elements of the product description or production method justifying the link.]	[State explicitly on which ones of the given factors (reputation, given quality, other characteristic of the product) the causal link is based and give information only with respect to the relevant factors, including, where appropriate, elements of the product description or production method justifying the link.]	[State explicitly on which ones of the given factors (reputation, given quality, other characteristic of the product) the causal To that end, indicate on which of those factors the link is based and give information only with respect to the relevant factors, including, where appropriate, elements of the product description or production method justifying the link.]	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 2, point (5), fourth subparagraph				
672	Reference to publication of the product specification	Reference to publication of the product specification	Reference to publication of the product specification	
Annex 3				
672.1	Annex 3	Annex 3	Annex 3 <i>ANNEX III</i>	
Annex 3, first heading				
673	Reasoned statement of opposition referred to in Article 22	Reasoned statement of opposition referred to in Article 22	Reasoned statement of opposition referred to in Article 22 of	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Regulation .../... [this Regulation]	
Annex 3, point (1), first subparagraph				
674	1. Name of product: ...	1. Name of product: ...	1. Name of product: ...	
Annex 3, point (1), second subparagraph				
675	[as given in the e-Register]	[as given in the e-Register]	[as given entered in the e-Register Register Union register]	
Annex 3, point (2), first subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
676	2. Official reference: ...	2. Official reference: ...	2. Official reference Number : ...	
Annex 3, point (2), second subparagraph				
677	[as given in the e-Register]	[as given in the e-Register]	[as given entered in the e- Register Union register]	
Annex 3, point (2), third subparagraph				
678	Reference number: ...	Reference number: ...	Reference number: ...	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 3, point (2a)				
679	Date of publication: ...	Date of publication: ...	2a. Date of publication of the single document and the product specification in the Union register: ...	
Annex 3, point (3), first subparagraph				
680	3. Contact details	3. Contact details	3. Contact details	
Annex 3, point (3), first subparagraph, Table 2, Column 1, Row 1				
681				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Contact person:	Contact person:	Contact person:	
Annex 3, point (3), first subparagraph, Table 2, Column 2, Row 1				
682	Title (Mr, Ms...): ...	Title (Mr, Ms...): ...	Title (Mr, Ms...): ...	
Annex 3, point (3), first subparagraph, Table 2, Column 3, Row 1				
683	Name: ...	Name: ...	Name: ...	
Annex 3, point (3), second subparagraph				
684				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Group/organisation/individual: ...	Group/organisation/individual: ...	Group/organisation/individual Natural or legal person/competent authority: ...	
Annex 3, point (3), third subparagraph				
685	Or national authority:	Or national authority:	Or national authority:	
Annex 3, point (3), fourth subparagraph				
686	Department: ...	Department: ...	Department: ...	
Annex 3, point (3), fifth subparagraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
687	Address: ...	Address: ...	Address: ...	
Annex 3, point (3), sixth subparagraph				
688	Telephone + ...	Telephone + ...	Telephone + ...	
Annex 3, point (3), seventh subparagraph				
689	e-mail address: ...	e-mail address: ...	e-mail address: ...	
Annex 3, point (4)				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
690	4. Reason for the opposition:	4. Reason for the opposition:	4. Reason Grounds for the opposition:	
Annex 3, first indent				
691	- Non-compliance with the definition of geographical indication for craft and industrial products of this Regulation as laid down in Article 5;	- Non-compliance with the definition of geographical indication for craft and industrial products of this Regulation as laid down in Article 5;	- Non-compliance with the definition of geographical indication for craft and industrial products of this Regulation as laid down in Article 5;	
Annex 3, second indent				
692				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	- Registration proposed for registration is generic as laid down in Article 37;	- Registration proposed for registration is generic as laid down in Article 37;	- Registration proposed for registration is generic as laid down in Article 37;	
Annex 3, third indent				
693	- Registration of the name would be contrary to Article 38 (name wholly or partially homonymous);	- Registration of the name would be contrary to Article 38 (name wholly or partially homonymous);	- Registration of the name would be contrary to Article 38 (name wholly or partially homonymous);	
Annex 3, fourth indent				
694	- Registration of the name would be contrary to Article 39 (existing	- Registration of the name would be contrary to Article 39 (existing	- Registration of the name would be contrary to Article 39 (existing	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	trademark);	trademark);	trademark);	
Annex 3, fifth indent				
695	- Registration would jeopardise the existence of names, trademarks or products as specified in Article 12(1), point (b)	- Registration would jeopardise the existence of names, trademarks or products as specified in Article 12(1), point (b)	- Registration would jeopardise the existence of names, trademarks or products as specified in Article 12(1), point (b)	
695a			- Non compliance with the requirements for protection laid down in this Regulation;	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 3, fifth indent b				
695b			<ul style="list-style-type: none"> – The geographical indication proposed would be contrary to: 	
Annex 3, fifth indent b(i)				
695c			<ul style="list-style-type: none"> – Article 37 on generic terms of Regulation .../... [<i>this Regulation</i>]; 	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 3, fifth indent b(ii)				
695d			– Article 38 on homonyms of Regulation .../... [this Regulation]; or	
Annex 3, fifth indent b(iii)				
695e			– Article 39(1) on existing trademarks of Regulation .../... [this Regulation];	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
695f			<p>– The geographical indication proposed would jeopardise the existence of an identical or similar name used in trade or of a trade mark, or the existence of products that have been legally on the market for at least 5 years preceding the date of the publication of the application provided for in Article 18(3)</p>	
Annex 3, point (5), first subparagraph				
696	5. Detail of opposition	5. Detail of opposition	5. Detail of opposition	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Annex 3, point (5), second subparagraph				
697	Provide duly substantiated reasons and justification for the opposition.	Provide duly substantiated reasons and justification for the opposition.	Provide duly substantiated reasons and justification for the opposition.	
Annex 3, point (5), third subparagraph				
698	Provide also a statement explaining the legitimate interest of the opposition, unless the opposition is lodged by the national authorities, in which case no statement of legitimate interest is required. The statement of opposition should be	Provide also a statement explaining the legitimate interest of the opposition, unless the opposition is lodged by the national authorities, in which case no statement of legitimate interest is required. The statement of opposition should be	[Provide duly substantiated reasons and justification for the opposition, which should also include also a statement explaining the legitimate interest of the opposition, unless the opposition is lodged by the national authorities,	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	signed and dated.	signed and dated.	in which case no statement of legitimate interest is required. The statement of opposition should be signed and dated.]	