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Introduction of a new object of intellectual rights - geographical indication

On July 27, 2020, a new object of intellectual rights - geographical indication will appear in Russia. Regional manufacturers who have received the right to use a geographical indication to protect their products will be able to safely enter both the domestic and international markets. At the same time, they will be protected from all the kinds of forgeries. Until now, Russian regional goods could legitimize their geographical uniqueness only as an appellation of origin.

Thus, the Federal Law from July 26, 2019 №230-FZ «On Amendments to Part Four of the Civil Code of the Russian Federation and Articles 1 and 23.1 of the Federal Law «On the State Regulation of the Production and Turnover of Ethyl Alcohol, Alcohol and Alcohol-Containing Products and on the Limitation of Consumption (Drinking) alcohol products» introduces the new object of intellectual property rights. From July 27, 2020 it will be possible to register a geographical indication.

Consider what it is and how it relates to a similar means of individualization - the appellation of origin of goods (NIPT).

Geographical indication is a designation that identifies a product originating from the territory of the geographical item. Its quality, reputation or other characteristics are largely related to the place of its origin, where at least one of the stages of production of the goods should be carried out, which significantly affects the formation of its characteristics.

In the case of the appellation of origin, all stages of production that significantly affect the formation of special properties of the product must be carried out at the place of origin of the product.

What cannot be registered as geographical indication or appellation of origin?

It is not possible to register a designation that is:

- ▶ came into General use as a designation of a certain type of product, not related to the place of production;
- ▶ registered as a geographical indication or appellation of origin in respect of goods of the same kind;
- ▶ identical or similar to a trademark with an earlier priority, which may mislead the consumer;
- ▶ represents a plant variety or animal breed that may mislead the consumer;
- ▶ may mislead the consumer about the product or its manufacturer;
- ▶ declared for a product that does not meet the requirements of the law.

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Author: **Pavel Baluk**

Advocate, counsel of GRATA International, St. Petersburg

Practice areas

[INTELLECTUAL PROPERTY](#)

Locations

RUSSIA

Key contacts



Pavel Balyuk

Counsel, Advocate

 Saint Petersburg, Russia

 +7 812 384 4838

 PBalyuk@gratanet.com

