

Geographical Indications: The International Debate and the Best Way Forward for New Zealand

Thursday 4 August (all day) - Friday 5 August 2016 (until lunchtime)

Geographical Indications (GIs) are important for many businesses and particularly agriculture and related value-added industries. There is a significant worldwide debate about the appropriate regulatory structure for GIs. The debate is not entirely new as there has been some considerable trans-Atlantic disagreement over appropriate protection for many years and the overlap with agricultural policy has fuelled this disagreement. In brief, the regulatory debate is centred on whether sui generis regimes are appropriate or whether trade marks (particularly certification or collective trade marks) are enough. The framework issues are not merely technical but involve large policy questions about the appropriate regime to support agriculture, rural development and broad cultural interests. Added to this are questions around different types of products and whether some merit more protection than others. At present wines and spirits have a heightened level of GI protection. The TRIPS Agreement provides a minimum standards level of protection. Since TRIPS several trade agreements including bi-laterals (e.g. AUSFTA, KORUS, Singapore – EU and Korea- EU), mega-regionals (e.g. TPP, CETA) have incorporated variations on and clarifications to the TRIPS framework, or in the case of EU partnership agreements TRIPS-plus sui generis regime requirements. In addition to trade agreements there is the Lisbon Agreement at WIPO, which was controversially renegotiated in 2015. This conference will discuss the issues that arise in the global patchwork.

PROGRAMME

Day 1: 4 August

Each session will include time for Q&A from the audience

9.00 am Powhiri/Welcome

9.15 am - 10.15 am

The International Framework and New Zealand

The International Stage and Unresolved Issues

Daniel Gervais, Professor of Law, Vanderbilt University Law School

New Zealand in the International Context

Susy Frankel, Professor of Law, Faculty of Law, Victoria University of Wellington

10.15 am - 10.45 am Morning Tea

10.45 am - 12.45 pm

The Trans- Atlantic Divide

The United States Approach and Certification Trade Marks

Justin Hughes, Hon. William Matthew Byrne Professor of Law, Loyola Law School

Registration in the European Union and International Registration under the Lisbon System

Matthijs Geuze, Former Head of the Lisbon Registry, WIPO (until retirement in February 2016)

EU Partnership Agreements and the Trans-Pacific Partnership

Irene Calboli, Deputy Director, Applied Research Centre for Intellectual Assets and the Law in Asia, Singapore Management University and Professor, Texas A & M School of Law

12.45 pm - 1.45 pm Lunch

1.45 pm - 3.15 pm

Countries at the Crossroads

The Singapore Experience and Approach

Daren Tang, Intellectual Property Office of Singapore

Canada – EU Agreement- A Workable Compromise?

speaker tbc

3.15 pm - 3.45 pm afternoon tea

3.45 pm - 5.15 pm

Mātauranga Māori and Traditional Knowledge

The Importance of Place and Place Names for Māori

Carwyn Jones, Senior Lecturer, Faculty of Law, Victoria University of Wellington

Panel discussion: The Link with GIs

Susy Frankel, Daniel Gervais and Peter Drahos

Conference dinner

Day 2: 5 August

9.00 am - 11.00 am Experiences and Prospects

Rural Development: Conditions for GI Influence

Elizabeth Barham, Research Associate, Center for Advanced Spatial Technologies (CAST), University of Arkansas; Founder and Executive Director, American Origin Products Association and American Origin Products Research Foundation

The Australian Wine Experience

Peter Drahos, Professor of Law, Australian National University, REgNet

Making wines; making places: GIs in the New Zealand wine industry

John Overton, Professor, School of Geography, Environment and Earth Sciences, Victoria University of Wellington

Warwick Murray, Professor, School of Geography, Environment and Earth Sciences, Victoria University of Wellington

11.00 am - 11.30 am morning tea

11.30 am - 1.00 pm

Panel Discussion: Key issues and comments arising from the conference

All speakers

Conference close

1.00 pm - 2.00 pm lunch