

**GEOGRAPHICAL INDICATIONS:
A DISCUSSION ON THE TRIPS REGULATION
BEFORE THE MINISTERIAL CONFERENCE OF HONG KONG**

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ABSTRACT

The present research project represents a study of the international regulation of geographical indications (GIs) on products. The purpose of this project is to understand of the level of protection that this kind of identifiers should receive in order to protect consumers against increasing research costs and balance the promotion of high quality products with the need of a competitive global market.

The international protection of GIs was one of the most contentious issues being discussed in the international negotiations at the last World Trade Organization Ministerial Meeting of Cancun, Mexico. With the US and EU as the two main opposing trading blocks, the GI negotiations covered mainly three issues: (i) the creation of a multilateral register for wines and spirits, (ii) the extension of the higher level of protection provided for wines and spirits to other products and (iii) the EU initiative to regain the exclusive use of certain GI names.

From the investigation of the derestricted documents of the TRIPS negotiations and the analysis of the economic justification for the protection of GIs it is possible to suggest a solution to the aforementioned negotiations that hopefully will serve the interest of the international community in the best way possible.

Indeed, given the absence of a more efficient alternative, the adoption of a multilateral register for wine and spirits seems to be required. The extension of Art.23 TRIPS to products other than wine and spirits should be warranted only in the presence of a strong economic justification. Finally, the EU request to regain the exclusive use of certain GIs should be rejected, as this initiative is not supported by any legitimate basis.

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