04/26/2024 Events

On April 26, this year the Parliament adopted in the second reading the Draft Law amending Law No. 66/2008 on the Protection of Geographical Indications, Appellations of Origin and Traditional Specialties Guaranteed.

The draft aims to solve the identified problems and remove the normative gaps with reference to the following aspects:

- **Entitlement to the protection and term of protection**, to ensure the appropriate regulations on the primary conditions for registration of a geographical indication (GI), appellation of origin (AO) and traditional specialty guaranteed (TSG), the term of protection obtained through registration, the principle of collective ownership of a GI, an AO, a TSG, the exceptions established in this regard.
- **Right to use**, in order to ensure the appropriate regulations on the essence, acquisition/termination conditions and the duration of the exercise of the right to use a GI or an AO, the institutional framework responsible for granting it, *being excluded AGEPI's attribution to issue certificates for the right to use a GI and an AO*.
- **Establishing the institutional framework necessary for placing on the market products with GIs, AOs and TSGs.**

Proposed amendments:

- *they will delimit the institutional framework in*:

- the authorities that are supposed to organize (according to the fields they manage) the subsystems of production and placing on the market of products with GIs, AOs and TSGs, and
- the authorities that will carry out the direct official control of the products in order to establish their compliance with the provisions of the specifications;

- *they will establish the possibility for private organizations (accredited according to the law) to carry out the official control of products with GIs, AOs and TSGs*.

- **Ensuring the regulatory framework necessary for the ratification of the Geneva Act of the Lisbon Agreement** by making amendments in the international registration segment in order to adjust the legislation to the new additions to the Lisbon Agreement, by signing the Geneva Act, which broadened the regulatory object of the agreement, thus, similar to the appellations of origin, being also offered the possibility of international registration of GI, as a distinct object of protection.

The amendments made will enter into force one month from the date of publication in the Official Gazette of the Republic of Moldova.

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