

# Geographical Indications – the Canadian Context

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## Geographical Indications – the Canadian Context

# General Overview of GI Regime in Canada

- Indicates the specific territory where a unique wine, spirit, agricultural product, or food is produced that points to a quality, reputation, or other characteristic that is attributable to its geographic origin
- Registered GIs, common law GIs, and certifications are covered
- Local and foreign GIs can be protected. The majority of GIs are European, but Canadian ones include:
  - Okanagan Valley wine
  - Canadian whisky
  - Ontario icewine



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# Are GIs currently already protected? How?

- In statute, GIs are protected through provincial and federal laws, primarily the federal *Trademarks Act*
- CIRA will take action on court orders
- CIRA's Dispute Resolution Policy (CDRP)
  - For individuals and businesses that meet CIRA's Canadian Presence Requirements
  - For clear-cut cases of bad faith registration of .CA domain names
  - Does not explicitly cover GIs, but covers trademarks registered with the Canadian Intellectual Property Office
  - GI disputes have not, thus far, been an issue in the .CA zone



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What are the developments in the area of GI protection that may affect your ccTLD?

- GIs in the DNS are not expressly legislated in Canada, nor do we anticipate movement in that direction
- With the current language, the EU proposals would not impact .CA

# Thanks / Merci



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