



**Council for Trade-Related Aspects of  
Intellectual Property Rights  
Special Session**

**MULTILATERAL SYSTEM OF NOTIFICATION AND REGISTRATION OF GEOGRAPHICAL  
INDICATIONS FOR WINES AND SPIRITS**

**REPORT BY THE CHAIRMAN, AMBASSADOR DACIO CASTILLO (HONDURAS)**

1. This report on the negotiations on the establishment of a multilateral system of notification and registration of geographical indications (GIs) for wines and spirits ("GI Register") in the Special Session of the Council for TRIPS is submitted on my own responsibility and is without prejudice to the positions of delegations and to the outcome of the negotiations.
2. There has been very limited activity in the context of the TRIPS Special Session since my last written report circulated as document TN/IP/25 on 27 November 2017, and I have not detected any substantial developments in Members' approaches to the substance or the process of the GI Register negotiations this year.
3. Since the beginning of the year I have held a number of informal conversations with individual delegations, and organized small group consultations with around 26 of the most active delegations on 13 July and on 7 November 2018. I reported the state of play in the TRIPS Special Session to the informal HODs/TNC meetings on 7 May and 24 July 2018.
4. In these small group consultations, I highlighted that the lack of activity in the TRIPS Special Session stands in stark contrast with considerable activity on GIs in bilateral and regional trade agreements which create multiple new protection regimes for GIs, and to the active development of domestic systems of GI protection in a number of WTO Members. The relevance of GIs for Members domestic IP policy was also highlighted by the fact that the TRIPS obligations regarding GI protection remain a popular topic for which Members request technical assistance from the WTO Secretariat. The relationship between trademarks and GIs, a topic relevant to the GI debate in many fora, had also been the theme of conferences in which interested Members had participated. This general momentum had unfortunately not translated into increased initiative in this negotiating group, which has not engaged in the substance of its mandated work on a GI Register for wine and spirit GIs for several years now.
5. I invited delegations to reflect on whether a discussion of the recent developments in bilateral trade agreements and domestic GI protection systems could be relevant or useful to the TRIPS Special Session, and might help reinvigorate its work. Given the pace of these developments, such a discussion might cast a new light on some of the negotiating positions which date from around 2008.
6. In response, delegations supporting the modalities proposal contained in TN/C/W/52 reiterated their demands for parallel advances on all three TRIPS issues, and confirmed their view that the WTO was the right forum to discuss these questions. While the current difficult negotiating context was, in their view, not conducive to engaging substantively at this time, they continued to reflect on these issues and were periodically re-assessing the situation in this regard.
7. The delegations supporting the Joint Proposal TN/IP/W/10/Rev.4 reiterated their position that work in the TRIPS Special Session must respect the mandate limited to wine and spirit GIs. While most delegations in this group declared themselves open to considering any new concrete proposals within the mandate, they did not see merit in engaging in this area in the absence of prospects for progress. One delegation emphasised its view that the longstanding divergence of

views made convergence unlikely and that it therefore opposed any intensification of work in the negotiating groups.

8. In light of the above, it is my assessment that the situation has not evolved since my last report in November 2017. Despite considerable advances in the area of GIs outside the WTO, Members' positions in the TRIPS Special Session have not benefited from substantive engagement with such developments. As in the past years, I did not detect any appetite on the part of delegations to reconsider their traditional positions, or to restart discussions, in the TRIPS Special Session at this time.

9. In view of this assessment I will remain in close contact with delegations and continue my efforts to facilitate engagement in this negotiating group.

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