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Parliamentary questions

9 March 2018


E-001490-18

**Question for written answer
to the Commission**

Rule 130

Othmar Karas (PPE)

► Subject: Registering 'Emmental' as an EU trademark

 Answer(s)

On 7 December 2017, the EU Intellectual Property Office (EUIPO) received a request from Emmentaler Switzerland for the designation of 'Emmental', in the German language version 'Emmentaler', as a collective trademark, specifically for protected designation of origin status.

During negotiations on an agreement between the EU and Switzerland on the protection of designations of origin and geographical indications for agricultural products and foodstuffs, numerous Member States were of the opinion that 'Emmental' constitutes a generic term. The designation 'Emmental' was therefore not included in the agreement.

What would the impact of registering it as such be on the marketability of cheese with the designation 'Emmental', 'Emmentaler', or translated designations of 'Emmental', and how could any negative consequences be forestalled?

What is the status of the ongoing negotiations with Switzerland regarding the inclusion of the designation of 'Emmental' in the aforementioned agreement?

Is the Commission of the opinion that the designation 'Emmental' or 'Emmentaler' constitutes a generic term in the EU?

Supporters⁽¹⁾

(1) This question is supported by Members other than the author: Ulrike Müller (ALDE), Olga Sehnalová (S&D), Peter Jahr (PPE), Martin Häusling (Verts/ALE), Martina Dlabajová (ALDE), Maria Noichl (S&D), Dita Charanzová (ALDE), Norbert Lins (PPE), Maria Heubuch (Verts/ALE), Michel Dantin (PPE), Karin Kadenbach (S&D).

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Avis juridique