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## REGULATIONS UNDER THE LISBON AGREEMENT FOR THE PROTECTION OF APPELLATIONS OF ORIGIN AND THEIR INTERNATIONAL REGISTRATION

(as in force on January 1, 2010)

### LIST OF RULES

[...]

*Chapter 4: Declarations of Refusal of Protection; Optional Statements of Grant of Protection*

[...]

Rule 11*bis*: Optional Statements of Grant of Protection

[...]

*Chapter 6: Miscellaneous Provisions and Fees*

[...]

Rule 23*bis*: Administrative Instructions

[...]

### CHAPTER 1 GENERAL PROVISIONS

#### Rule 1

#### *Abbreviated Expressions*

[...]

(xiii) "Bulletin" means the periodical referred to in Article 5(2) of the Agreement, whatever the medium used for its publication;

(xiv) "Administrative Instructions" means the Administrative Instructions referred to in Rule 23*bis*.

[...]

#### Rule 4

#### *Competent Authority*

(1) [...]

[...]

(b) [...]

(i) to notify a declaration of refusal, to notify the withdrawal of a declaration of refusal in accordance with Rule 11, to send a statement of grant of protection in accordance with Rule 11*bis*,<sup>1)</sup> to notify an invalidation in accordance with Rule 16(1), to request correction of the International Register in

accordance with Rule 17(1) and to declare, in accordance with Rule 17(3), that it cannot ensure the protection of a corrected international registration and

[...]

### CHAPTER 3 INTERNATIONAL REGISTRATION

[...]

#### Rule 8

#### *Date of the International Registration*

[...]

(3) *[Date of Effect of International Registration]*

(a) An appellation of origin that is the subject of an international registration shall, in each contracting country that has not declared in accordance with Article 5(3) that it cannot ensure the protection of the appellation, or that has sent to the International Bureau a statement of grant of protection in accordance with Rule 11*bis*, be protected from the date of the international registration or, where a contracting country has made a declaration in accordance with subparagraph (b), from the date mentioned in that declaration.

[...]

### CHAPTER 4 DECLARATIONS OF REFUSAL OF PROTECTION; OPTIONAL STATEMENTS OF GRANT OF PROTECTION

[...]

#### Rule 11*bis*

#### *Optional Statements of Grant of Protection*

(1) *[Statement of Grant of Protection Where No Declaration of Refusal Has Been Notified]*

(a) The competent authority of a contracting country which has not notified a declaration of refusal to the

<sup>1)</sup> When the Lisbon Union Assembly adopted Rule 11*bis*, it understood that, with respect to contracting countries already party to the Agreement, no new declaration is required to the extent that the competent authority for sending a statement of grant of protection is the same as that already notified under Rule 4(1)(b) before the entry into force of Rule 11*bis*.

International Bureau may, within the one-year period referred to in Article 5(3) of the Agreement, send to the International Bureau a statement to the effect that protection is granted to the appellation of origin that is the subject of an international registration in the contracting country concerned.

- (b) The statement shall indicate:
- (i) the competent authority of the contracting country making the statement,
  - (ii) the number of the international registration concerned, preferably accompanied by other information enabling the identity of the international registration to be confirmed, such as the name of the appellation of origin, and
  - (iii) the date of the statement.

(2) *[Statement of Grant of Protection Following a Refusal]*

- (a) The competent authority of a contracting country which has notified a declaration of refusal to the International Bureau may, instead of notifying a withdrawal of refusal in accordance with Rule 11(1), send to the International Bureau a statement to the effect that protection is granted to the appellation of origin that is the subject of an international registration in the contracting country concerned.
- (b) The statement shall indicate:
- (i) the competent authority of the contracting country making the statement,
  - (ii) the number of the international registration concerned, preferably accompanied by other information enabling the identity of the international registration to be confirmed, such as the name of the appellation of origin, and
  - (iii) the date on which protection was granted.

(3) *[Entry in the International Register and Notification to the Competent Authority of the Country of Origin]* The International Bureau shall enter in the International Register any statement referred to in paragraphs (1) or (2) and notify such statement to the competent authority of the country of origin.

[...]

## CHAPTER 5 OTHER ENTRIES CONCERNING AN INTERNATIONAL REGISTRATION

[...]

### *Rule 17*

#### *Corrections Made to the International Register*

[...]

(3) *[Application of Rules 9 to 11bis]* Where the correction of the error concerns the appellation of origin or the product to which the appellation of origin applies, the competent authority of a contracting country has the right to declare that it cannot ensure the protection of the international registration so corrected. The declaration shall be addressed to the International Bureau by such competent authority within a period of one

year from the date of notification by the International Bureau of the correction. Rules 9 to 11bis shall apply *mutatis mutandis*.

[...]

## CHAPTER 6 MISCELLANEOUS PROVISIONS AND FEES

[...]

### *Rule 22*

#### *Modes of Notification by the International Bureau*

(1) *[Notification of the International Registration]* The notification of the international registration, referred to in Rule 7(1), shall be addressed by the International Bureau to the competent authority of each contracting country by registered mail with acknowledgement of receipt or by any other means enabling the International Bureau to establish the date on which notification was received, as provided for in the Administrative Instructions.

[...]

### *Rule 23bis*

#### *Administrative Instructions*

- (1) *[Establishment of Administrative Instructions; Matters Governed by Them]*
- (a) The Director General shall establish Administrative Instructions. The Director General may modify them. Before establishing or modifying the Administrative Instructions, the Director General shall consult the competent authorities of the contracting countries which have direct interest in the proposed Administrative Instructions or their proposed modification.
- (b) The Administrative Instructions shall deal with matters in respect of which these Regulations expressly refer to such Instructions and with details in respect of the application of these Regulations.

(2) *[Control by the Assembly]* The Assembly may invite the Director General to modify any provision of the Administrative Instructions, and the Director General shall proceed accordingly.

- (3) *[Publication and Effective Date]* (a) The Administrative Instructions and any modification thereof shall be published in the Bulletin.
- (b) Each publication shall specify the date on which the published provisions become effective. The dates may be different for different provisions, provided that no provision may be declared effective prior to its publication in the Bulletin.

(4) *[Conflict with the Agreement or These Regulations]* In the case of conflict between, on the one hand, any provision of the Administrative Instructions and, on the other hand, any provision of the Agreement or these Regulations, the latter shall prevail.

[...]





