



7 June 2023

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

Original: English

**NOTIFICATION OF LAWS AND REGULATIONS
UNDER ARTICLE 63.2 OF THE TRIPS AGREEMENT**

ACT NO. 452/2001 COLL., ON THE PROTECTION OF DESIGNATIONS OF ORIGIN AND
GEOGRAPHICAL INDICATIONS, AND ON THE AMENDMENT TO THE CONSUMER
PROTECTION ACT, AS AMENDED ("ACT ON GEOGRAPHICAL INDICATIONS")

Notifying Member	CZECH REPUBLIC
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Details of the notified legal text

Title	Act No. 452/2001 Coll., on the protection of Designations of Origin and Geographical Indications, and on the amendment to the Consumer Protection Act, as amended ("Act on Geographical Indications")
Subject matter	Geographical indications
Nature of notification	<input checked="" type="checkbox"/> Main dedicated intellectual property law or regulation <input type="checkbox"/> Other law or regulation
Link to legal text*	https://ip-documents.info/2023/IP/CZE/23_10041_00_e.pdf https://ip-documents.info/2023/IP/CZE/23_10041_00_x.pdf
Notification status	<input type="checkbox"/> First notification <input type="checkbox"/> Amendment or revision to notified legal text <input checked="" type="checkbox"/> Replacement or consolidation of notified legal text(s)
Previous notification(s) referred to	IP/N/1/CZE/G/2

Brief description of the notified legal text

The amendment brought the Czech national legislation in line with the implementing regulation of the EU after it acceded to the Geneva Act of the Lisbon Agreement (WIPO). At the same time, the exclusive competence of the EU in the field of designations of origin and geographical indications was taken into account in the scope of specific commodities according to directly applicable EU regulations.

The Czech Republic has revised its legislation by adopting the amendment to the Act on the Protection of Designations of Origin and Geographical Indications and on the amendment to the Consumer Protection Act, which entered into force on August 6, 2022 (hereinafter referred to as the "Act on Geographical Indications").

The Amendment adapted the existing national law regulating the designations of origin and geographical indications in the Czech Republic to the Regulation (EU) 2019/1753 of the European Parliament and of the Council of 23 October 2019 on measures of the Union following its accession to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications. The proposed legislation also respects the conclusions of the judgment of the Court of Justice of the EU in case C-389/15 and the conclusions of the judgment in case C-24/20 Commission v. Council, which confirmed that aspects of intellectual property, including designations of origin and

geographical indications, fall under the exclusive competence of the EU. The legislation respects the priority of the EU law over national law and revokes the national protection of designation of origin and geographical indications for agricultural products and foodstuffs, including wines and spirits, the protection of which is based on the directly applicable EU regulations. The national protection of designation of origin and geographical indications for non-agricultural products, which is not yet based on directly applicable EU regulations, remains regulated by the national law, i.e. Act on Geographical Indications.	
Language(s) of notified legal text	English, Czech
Entry into force	6 August 2022
Other date	

Notification details

Submission date of notification	22 May 2023
Other information	<p>https://www.wipo.int/wipolex/en/text/586942 (legal text in English)</p> <p>https://upv.gov.cz/files/uploads/PDF_Dokumenty/pravni_predpisy/narodni/452_2022_0608B.pdf (legal text in Czech)</p> <p>IP/N/1/EU/34 <i>(Regulation (EU) 2019/1753 of the European Parliament and of the Council of 23 October 2019 on measures of the Union following its accession to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications)</i></p>
Agency or authority responsible	<p>Industrial Property Office of the Czech Republic - International Affairs Department</p> <p>Email: kdlabolova@upv.gov.cz</p> <p>Ministry of Industry and Trade - Trade Policy Department</p>

* Links are provided to texts of laws and regulations notified under the TRIPS Agreement in the form supplied by the Member concerned; the WTO Secretariat does not endorse or revise their content.