



Geographical Indications **ALBANIA**

Veli HOTI
Consultant

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Group on PDO PGI TSG**
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- ALBANIA AND THE EU RELATIONS
- STRATEGIC DOCUMENTS
- EVALUATION OF THE OFFICIAL SYSTEM IN RELATION TO THE EU ACQUIS AND IMPLEMENTATION OF THE POLICIES
 - Legal Framework
 - Institutional Setting
 - Identification of key issues and challenges for which policy interventions are needed at national level
- BEST EXAMPLES AND BEST PRACTICES
- FOLLOW UPS



Albania and EU relations

- ***“Candidate Country” – 2014***
 - Albania signed the Stabilization and Association Agreement (SAA) with the country was signed on 12 June 2006 and entered into force on 1 April 2009.
 - *Article 70*
 - The Parties recognize the importance of the approximation of Albania’s existing legislation to that of the Community and of its effective implementation. Albania shall endeavor to ensure that its existing laws and future legislation shall be gradually made compatible with the Community *acquis*. Albania shall ensure that existing and future legislation shall be properly implemented and enforced.
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Albania and EU relations

Article 73 , paragraph 2 - SAA

- Albania shall take all the necessary measures in order to guarantee no later **than four years** after the date of entry into force of this Agreement a **level of protection of intellectual, industrial and commercial property rights similar** to that existing in the Community, including effective means of enforcing such rights.
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International Aspects

Albania is a signatory party of most of the international Agreement/Conventions

Albania is a Member of almost all of the International and/or Regional organizations

Strategic Documents



Ministry of Agriculture, Rural Development and Water Administration

Rural Development Programme 2014-2020

Under

Instrument for Pre-Accession Assistance (IPA)

- **The National Inter-sector Strategy for Agriculture and Rural Development 2014-2020 (Government of Albania)**
- **Strategy for Development and Integration 2014-2020 (General & National)**
- **National Strategy on Intellectual Property 2016 - 2020**

Legal Framework

The laws are the following:

- **Law on Industrial Property in 2008 as amended As amended by law: No.10/2013, date 14.02.2013 No.55/2014, date 29.05.2014.**



- **LAW No. 9817 Date 22 /10/ 2007 “For Agriculture and Rural Development”**



PGI – PDO - TSG

Legal Framework and its harmonization

- Related articles from the Law on Industrial Property in 2008 as amended As amended by law: No.10/2013, date 14.02.2013 No.55/2014, date 29.05.2014 are **NOT** in line with:
- the Regulation (EU) No 1151/2012 of the European Parliament and of the Council of 21 November 2012 on quality schemes for agricultural products and foodstuffs OJ L 343, 14.12.2012, p. 1–29; and

However, they are partially in line with the:

the Directive 2004/48/EC of the European Parliament and of the Council of April 2004 on the enforcement of intellectual property rights (O.J. L 157, p.45, 30.4.2004; O.J. L 195, p.16, 2.6.2004).

Legal Framework

The sub-legal acts are the following:

- **Decision No. 1705 of December 29, 2008, on Approval of the Regulation on the Registration of Geographical Indications**
 - **Decision no. 37, dated 21.01.2015 for some additions and amendments to the decision 888, dated 13.5.2009, of the Council of Ministers, "on the approval of tariffs for the registration of industrial property objects", as amended**
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Term of Protection Art. 181

- **Unlimited**
- **Renew each 5 years**



Applications

- **Every person or group of natural or legal persons** who produces processes or prepares, in a designated geographical zone, a product for the definition of which a geographical indication is used, has the right to file an application for the registration of this indication.
 - *Every person* – not in line with the EU acquis
- Description of the product
- Geographical area determined
- Description of the link between the product and the area
- Payment of fees





Institutional Framework

GEOGRAPHICAL INDICATIONS SYSTEM IN ALBANIA

**Registration
Authority**

**Ministry of Finance and
Economy**
*General Directorate of Patents
and Trademarks*

**Certification
Authority**

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**Controlling
Authority**













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**Are there any GIs
registered?**



Borsh Olive
Water Glina

Status	Registration Nbr	Registration Date	Description	Owner	
 Expired	6	17.01.2008	BORSH Y.HAJDINI	S.E.D. Borsh Sh.p.k. [AL]	
 Examination process			ÇAJ I MALIT TE THATE	PARKU KOMBETAR "PRESPA" [AL]	
 Rejected(formalities)			UJI MINERAL NATYRAL TEPELENE	UJI I FTOHTE TEPELENE Sh.p.k. [AL]	
 Rejected(formalities)			KONJAK	ADOL sh.p.k [AL]	
			SELITA NATYRAL	BLU IMPERIAL shpk [AL]	
			GLINA	ALFA GLINA SH.P.K. [AL]	

 Not opposed				FRANZITIVO DI MANDURIA	Consorzio di tutela del primitivo di mandurina [IT]	
 Registered	17	26.02.2018	Gështenja e Tropojës	Shoqata e prodhuesve të gështenjës dhe mjaltit të gështenjës në Tropojë (SHPGMG) [AL]		
 Registered	15	28.12.2017	Gështenja e Malësisë së Madhe	Shoqëria e Bashkëpunimit Bujqësor (SHBB) "Reçi Prodhimtar-Malësi e Madhe" [AL]		
 Registered	14	28.12.2017	Mjalti i Gështenjës- Malësi e Madhe	Shoqëria e Bashkëpunimit Bujqësor (SHBB) "Reçi Prodhimtar-Malësi e Madhe" [AL]		
 Registered	16	26.02.2018	Mjalti i Gështenjës së Tropojës	Shoqata e prodhuesve të gështenjës dhe mjaltit të gështenjës në Tropojë (SHPGMG) [AL]		
 Registered	13	30.10.2017	Boronica e Bjeshkëve të Tropojës	Shoqata e Grumbulluesve dhe Tregëtarëve të Boronicës Tropojë [AL]		
 Registered	12	30.10.2017	Boronica e Bjeshkëve Kuksiane	Shoqata e Grumbulluesve dhe Tregëtarëve të Boronicës Kukës [AL]		
 Registered	18	26.02.2018	Uji "Korabi"	A-KORABI [AL]		
 Registered	11	11.09.2017	Keci i Hasit	Shoqata e Blegtorëve të Dhisë Hasi [AL]		
 Awaiting fees payment			MOLLA DIBRANE	KOP.FRUT.DIBER 2012 [AL]		
 Withdrawn			DARZEZ	Niko LLANGO [AL]		

1. “Borsh” – oil produced between Vlora and Saranda [the name comes from the name of the Village]
2. “Glina” – mineral water. Glina is a mountain in Gjirokaster [the water has a special taste]
3. Chestnut of North Albania
4. Hasi Goat Meat
5. Wines



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- The GI staff being under the TM division
 - Several GI applications from EU
 - **11** requests for registration of a geographic indications were submitted
 - **5** geographic indications were registered
 - **4** of which have Albanian applicants.
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How does the
system work
if:

NO legal basis on GI
symbols, logos

No specified
Controlling Authority

No specified
Registration Authority

PROPOSED GEOGRAPHICAL INDICATIONS SYSTEM IN ALBANIA

**Registration
Authority**

**Ministry of Finance and
Economy**
*General Directorate of Patents
and Trademarks*

**Certification
Authority**

**Ministry of Agriculture and
Rural Development**
*General Directorate of
Agriculture, Food Safety And
Rural Development Policies*

**Controlling
Authority**

National Food Authority
*Directorate for Risk Management
and Coordination of Inspection*

Follow up – to get done:

- Legal Framework to be aligned with the EU acquis
 - The Industrial Property Law to be in line with the EU Acquis
 - Traditional Specialties Guaranteed to be protected and incorporated into the law
 - The law has only 7 Articles related to GIs (Art. 176 – Art. 183)
 - The law does not constitute the relationship between a GI and a TM
 - No existing rules on the determination of the Geographical Area
 - No existing rules on the controlling authority
 - Authorities to be mandated
 - Staff to be assigned
 - Capacity building and on the job training for the staff
 - Awareness campaigns to be conducted
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Approval of the secondary legislation

- Decision No. 1705 of December 29, 2008, on Approval of the Regulation on the Registration of Geographical Indications – *further advanced*
 - Decision on determining symbols for geographical indications, designation of origin and guaranteed traditional specialties – *further advanced*
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Contact:

Veli HOTI

Str. Hajrullah Abdullahu, No 35/13,
10000, Prishtina, Kosovo

Mobile: **+383 49 60 70 93**

E-mail: velihoti@gmail.com

skype: velihoti