



Respondent No: 263

Login:

Email:

Responded At: Apr 19, 2023 16:45:44 pm

Last Seen:

IP Address:

Apr 19, 2023 16:45:44 pm

n/a

Q1. Name

Q2. Email address

Q3. Mailing address

Q4. Phone

Q5. Organisation name (if applicable)

Q6. Entity type

Other (please specify)

Contract WineMaker

Q7. Please select which EU wine geographical indication (GI) your submission is against

Prosecco

Q8. Grounds of objectionA submission against one or more of the wine GIs must be based on at least one of the four grounds of objection.

The EU GI name is used in Australia as the name of a grape variety, plant variety, or an animal breed.

The EU GI name is identical to, or likely to cause confusion with a trade mark that is registered in Australia or the subject of a pending application made in good faith in Australia.\*

The EU GI name is identical to, or likely to cause confusion with, an unregistered trade mark that has acquired rights through use in good faith in Australia. \*

**Q9. Please provide further details, based on the grounds of objection for each GI. (If submission based on existing trade mark please provide trade mark number. If submission based on unregistered trade mark please provide evidence of use on Australia).**

• Prosecco is an internationally recognised grape variety and protection as a GI would restrict legitimate rights of Australian wine businesses to grow, produce, label the term as a grape variety. • The International Organisation of Vine and Wine (OIV) recognises Prosecco as a grape variety in its International list of vine varieties and their synonyms - the global reference point for grape variety names. Prosecco is also recognised as such on the OIVs newly developed Vine Varieties Databases. varietal • Protection of a grape variety as a GI would establish a precedent which creates risk and uncertainty for those investing in other grape varieties, leaving the Australian grape and wine sector vulnerable to future attempts to ban the use of common grape variety names. • There are millions of dollars being invested in production, employment and marketing by regional Australian wine producers and grape growers in the variety. • The total value of Australian Prosecco production is estimated at around \$205 million to December 2021, growing from a small base of just over \$60 million in 2017. Around 95% of this is sold on the Australian domestic market. • In 2009, Italy changed the name of the Prosecco grape variety to Glera within the European Union (EU). Italy then registered Prosecco as a Geographical Indication (GI) in the EU, effectively shutting out imports labelled with the Prosecco grape variety from all other countries. • The EU is now expanding efforts to gain exclusive use of the name Prosecco in other global markets. In 2013, the Australian wine industry successfully challenged an EU application to claim Prosecco as a GI in Australia. This Australian Registrar of Trade Marks found in our favour, agreeing that Prosecco is a grape variety name and could therefore continue to be used in Australia. • Prosecco could be the tip of the iceberg. In recent EU trade negotiations with China, Japan, Mexico, Brazil, Argentina, Paraguay, Uruguay and New Zealand attempts were made to protect an expanding list of grape varieties including Prosecco, Montepulciano, Fiano, Barbera, Nero d'Avola, Alicante, Dolcetto, and others as GIs. All of these varieties are grown across Australia's 65 wine regions. • The EU is exporting a protectionist agenda out of step with Australia's longstanding commitment to rulesbased international trade. If the EU is willing to ban French producers from using the grape-variety name "Vermentino" (as happened in 2022) imagine how willing they would be to trample on the rights of Australia's grape growers and winemakers. • Australia's Prosecco crush has increased 603% since 2015 (15,397 tonnes in 2022) • Australian Prosecco export volume growing at 32% per annum over the last 5 years. (527,000 litres to December 2021), despite the EU's efforts to cut off the number of markets allowing the grape variety name to be used by Australian producers. • The value of Australian Prosecco exports grew by 48% in the last year and by 33% per annum over the last 5 years (\$3.8 million). • Domestic Sales of Prosecco in Australia increased by 14% in 2021. • Australian Prosecco is grown in 20 Wine regions across Australia. • Prosecco is the 8th most produced white grape variety in Australia with 15,397 tonnes of grapes crushed in 2022. • Prosecco attracted the 2nd highest average value of any other white grape variety during the 2022 vintage at \$960/Tonne in 2021, more than double most whites, with only high value Riesling surpassing this average price.

**Q10. Would you like to make a second selection of EU wine geographical indications (GI)?**

Yes

**Q11. Please select the second EU wine GI your submission is against**

Conegliano Valdobbiadene - Prosecco / Valdobbiadene - Prosecco / Conegliano - Prosecco

**Q12. Grounds of objectionA submission against one or more of the wine GIs must be based on at least one of the four grounds of objection.**

The EU GI name is used in Australia as the name of a grape variety, plant variety, or an animal breed.

The EU GI name is identical to, or likely to cause confusion with a trade mark that is registered in Australia or the subject of a pending application made in good faith in Australia.\*

The EU GI name is identical to, or likely to cause confusion with, an unregistered trade mark that has acquired rights through use in good faith in Australia. \*

**Q13. Please provide further details, based on the grounds of objection for each GI. (If submission based on existing trade mark please provide trade mark number. If submission based on unregistered trade mark please provide evidence of use on Australia).**

- Prosecco is an internationally recognised grape variety and protection as a GI would restrict legitimate rights of Australian wine businesses to grow, produce, label the term as a grape variety.
- The International Organisation of Vine and Wine (OIV) recognises Prosecco as a grape variety in its International list of vine varieties and their synonyms - the global reference point for grape variety names. Prosecco is also recognised as such on the OIVs newly developed Vine Varieties Databases.
- Protection of a grape variety as a GI would establish a precedent which creates risk and uncertainty for those investing in other grape varieties, leaving the Australian grape and wine sector vulnerable to future attempts to ban the use of common grape variety names.
- There are millions of dollars being invested in production, employment and marketing by regional Australian wine producers and grape growers in the variety.
- The total value of Australian Prosecco production is estimated at around \$205 million to December 2021, growing from a small base of just over \$60 million in 2017. Around 95% of this is sold on the Australian domestic market.
- In 2009, Italy changed the name of the Prosecco grape variety to Glera within the European Union (EU). Italy then registered Prosecco as a Geographical Indication (GI) in the EU, effectively shutting out imports labelled with the Prosecco grape variety from all other countries.
- The EU is now expanding efforts to gain exclusive use of the name Prosecco in other global markets. In 2013, the Australian wine industry successfully challenged an EU application to claim Prosecco as a GI in Australia. This Australian Registrar of Trade Marks found in our favour, agreeing that Prosecco is a grape variety name and could therefore continue to be used in Australia.
- Prosecco could be the tip of the iceberg. In recent EU trade negotiations with China, Japan, Mexico, Brazil, Argentina, Paraguay, Uruguay and New Zealand attempts were made to protect an expanding list of grape varieties including Prosecco, Montepulciano, Fiano, Barbera, Nero d'Avola, Alicante, Dolcetto, and others as GIs. All of these varieties are grown across Australia's 65 wine regions.
- The EU is exporting a protectionist agenda out of step with Australia's longstanding commitment to rulesbased international trade. If the EU is willing to ban French producers from using the grape-variety name "Vermentino" (as happened in 2022) imagine how willing they would be to trample on the rights of Australia's grape growers and winemakers.
- Australia's Prosecco crush has increased 603% since 2015 (15,397 tonnes in 2022)
- Australian Prosecco export volume growing at 32% per annum over the last 5 years. (527,000 litres to December 2021), despite the EU's efforts to cut off the number of markets allowing the grape variety name to be used by Australian producers.
- The value of Australian Prosecco exports grew by 48% in the last year and by 33% per annum over the last 5 years (\$3.8 million).
- Domestic Sales of Prosecco in Australia increased by 14% in 2021.
- Australian Prosecco is grown in 20 Wine regions across Australia.
- Prosecco is the 8th most produced white grape variety in Australia with 15,397 tonnes of grapes crushed in 2022.
- Prosecco attracted the 2nd highest average value of any other white grape variety during the 2022 vintage at \$960/Tonne in 2021, more than double most whites, with only high value Riesling surpassing this average price.

**Q14. Would you like to make a third selection of EU wine geographical indications (GI)?**

Yes

**Q15. Please select the third EU wine GI your submission is against**

Colli Asolani - Prosecco / Asolo – Prosecco

**Q16. Grounds of objectionA submission against one or more of the wine GIs must be based on at least one of the four grounds of objection.**

The EU GI name is used in Australia as the name of a grape variety, plant variety, or an animal breed.

The EU GI name is identical to, or likely to cause confusion with a trade mark that is registered in Australia or the subject of a pending application made in good faith in Australia.\*

The EU GI name is identical to, or likely to cause confusion with, an unregistered trade mark that has acquired rights through use in good faith in Australia. \*

**Q17. Please provide further details, based on the grounds of objection for each GI. (If submission based on existing trade mark please provide trade mark number. If submission based on unregistered trade mark please provide evidence of use on Australia).**

• Prosecco is an internationally recognised grape variety and protection as a GI would restrict legitimate rights of Australian wine businesses to grow, produce, label the term as a grape variety. • The International Organisation of Vine and Wine (OIV) recognises Prosecco as a grape variety in its International list of vine varieties and their synonyms - the global reference point for grape variety names. Prosecco is also recognised as such on the OIVs newly developed Vine Varieties Databases. varietal • Protection of a grape variety as a GI would establish a precedent which creates risk and uncertainty for those investing in other grape varieties, leaving the Australian grape and wine sector vulnerable to future attempts to ban the use of common grape variety names. • There are millions of dollars being invested in production, employment and marketing by regional Australian wine producers and grape growers in the variety. • The total value of Australian Prosecco production is estimated at around \$205 million to December 2021, growing from a small base of just over \$60 million in 2017. Around 95% of this is sold on the Australian domestic market. • In 2009, Italy changed the name of the Prosecco grape variety to Glera within the European Union (EU). Italy then registered Prosecco as a Geographical Indication (GI) in the EU, effectively shutting out imports labelled with the Prosecco grape variety from all other countries. • The EU is now expanding efforts to gain exclusive use of the name Prosecco in other global markets. In 2013, the Australian wine industry successfully challenged an EU application to claim Prosecco as a GI in Australia. This Australian Registrar of Trade Marks found in our favour, agreeing that Prosecco is a grape variety name and could therefore continue to be used in Australia. • Prosecco could be the tip of the iceberg. In recent EU trade negotiations with China, Japan, Mexico, Brazil, Argentina, Paraguay, Uruguay and New Zealand attempts were made to protect an expanding list of grape varieties including Prosecco, Montepulciano, Fiano, Barbera, Nero d'Avola, Alicante, Dolcetto, and others as GIs. All of these varieties are grown across Australia's 65 wine regions. • The EU is exporting a protectionist agenda out of step with Australia's longstanding commitment to rulesbased international trade. If the EU is willing to ban French producers from using the grape-variety name "Vermentino" (as happened in 2022) imagine how willing they would be to trample on the rights of Australia's grape growers and winemakers. • Australia's Prosecco crush has increased 603% since 2015 (15,397 tonnes in 2022) • Australian Prosecco export volume growing at 32% per annum over the last 5 years. (527,000 litres to December 2021), despite the EU's efforts to cut off the number of markets allowing the grape variety name to be used by Australian producers. • The value of Australian Prosecco exports grew by 48% in the last year and by 33% per annum over the last 5 years (\$3.8 million). • Domestic Sales of Prosecco in Australia increased by 14% in 2021. • Australian Prosecco is grown in 20 Wine regions across Australia. • Prosecco is the 8th most produced white grape variety in Australia with 15,397 tonnes of grapes crushed in 2022. • Prosecco attracted the 2nd highest average value of any other white grape variety during the 2022 vintage at \$960/Tonne in 2021, more than double most whites, with only high value Riesling surpassing this average price.

**Q18. Would you like to make a fourth selection of EU wine geographical indications (GI)?** No

**Q19. Please select the fourth EU wine GI your submission is against** not answered

**Q20. Grounds of objectionA submission against one or more of the wine GIs must be based on at least one of the four grounds of objection.** not answered

**Q21. Please provide further details, based on the grounds of objection for each GI. (If submission based on existing trade mark please provide trade mark number. If submission based on unregistered trade mark please provide evidence of use on Australia).**

not answered

Q22. Would you like to make a fifth selection of EU wine geographical indications (GI)?	not answered
Q23. Please select the fifth EU wine GI your submission is against	not answered
Q24. Grounds of objectionA submission against one or more of the wine GIs must be based on at least one of the four grounds of objection.	not answered
Q25. Please provide further details, based on the grounds of objection for each GI. (If submission based on existing trade mark please provide trade mark number. If submission based on unregistered trade mark please provide evidence of use on Australia).	not answered
Q26. Upload your supporting evidence for each EU wine GI you have selected.	<div></div> <div></div> <div></div> <div></div> <div></div>
Q27. Would you like to upload another supporting document?	not answered
Q28. OtherAny other information on the impacts EU GIs may have on Australian businesses or industry.	not answered
Q29. Is your response confidential?	No
Q30. Please specify the parts of your response that are confidential.	not answered
Q31. Do you agree to your response being published on our website?	Yes
Q32. Please de-identify my response	Yes
Q33. Confirm that you have read and understand this privacy notice.	Yes
Q34. Confirm that you have read and understand this declaration.	Yes