

**Respondent No:** 465

**Login:** [REDACTED]

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**Responded At:** Apr 21, 2023 10:53:32 am

**Last Seen:** Apr 20, 2023 23:27:19 pm

**IP Address:** [REDACTED]

Q1. Name

Q2. Email address

Q3. Mailing address

Q4. Phone

Q5. Organisation name (if applicable)

Q6. Entity type

Industry body

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.

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).

Our grounds for objecting to this request is that the EU GI name Prosecco (52) is the name of of a grape variety, furthermore we object to the compound terms (53,54) which contain the term Prosecco on the basis that the term prosecco is a grape variety with no geographic origin. The remaining parts of the compound terms are the relevant geographic origin of these GIs and Prosecco is a grape variety. Our basis for stating Prosecco is a grape variety is as follows; 1.The International Organisation of Vine and Wine (OIV) lists Prosecco as a grape variety in its international list of vine varieties. 2. For 100's of years Prosecco had been used globally to refer to a grape variety. In 2009, Italy unilaterally 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 and claimed GI name protection status. 3. In 2013, the Australian wine industry successfully challenged an EU application to claim Prosecco as a GI in Australia. The 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. 4. The EU expressly stated in the 1994 Wine Agreement with Australia that Prosecco is a grape variety. 5. The Dal Zotto business holds import documentation produced by Italian authorities detailing their export from Italy and importation into Australia of Prosecco grape vine material.

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

No

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

not answered

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.

not answered

**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).**

not answered

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

not answered

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

not answered

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**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.**

not answered

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**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).**

not answered

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**Q18. Would you like to make a fourth selection of EU wine geographical indications (GI)?**

not answered

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**Q19. Please select the fourth EU wine GI your submission is against**

not answered

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**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

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**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

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**Q22. Would you like to make a fifth selection of EU wine geographical indications (GI)?**

not answered

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**Q23. Please select the fifth EU wine GI your submission is against**

not answered

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**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

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**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

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Q26. Upload your supporting evidence for each EU wine GI you have selected.

[REDACTED]

Q27. Would you like to upload another supporting document?

[REDACTED]

Q28. OtherAny other information on the impacts EU GIs may have on Australian businesses or industry.

not answered

Q29. Is your response confidential?

Yes, part of it

Q30. Please specify the parts of your response that are confidential.

[REDACTED]

Q31. Do you agree to your response being published on our website?

Yes

Q32. Please de-identify my response

not answered

Q33. Confirm that you have read and understand this privacy notice.

Yes

Q34. Confirm that you have read and understand this declaration.

Yes