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Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Regulation (EU) 2019/1753 as regards amendments adopted by the Assembly of the Lisbon Union on 14 July 2025 to the Common Regulations under the Lisbon Agreement on Appellations of Origin and Geographical Indications

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

• Reasons for and objectives of the proposal

The aim of this Commission proposal is to ensure the alignment of the relevant EU legislation to the amended Common Regulations for the WIPO Lisbon System of Geographical Indications in the World Intellectual Property Organization (WIPO).

On 14 July 2025, in the Sixty-Sixth Series of Meetings of the Assemblies of the Member States of WIPO the Assembly of the Lisbon Union adopted the amendments to the Common Regulations under the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration and the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (hereinafter “the Common Regulations”), as recommended by the Working Group on the Development of the Lisbon System in its sixth session on 20 March 2025 for adoption by the Assembly of the Lisbon Union, and as set out in the Annex to document LI/A/42/2, with 1 July 2026, as their date of entry into force.

The Union is a Contracting Party to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications. Regulation (EU) 2019/1753 of the European Parliament and of the Council of 23 October 2019 on the action of the Union following its accession to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications establishes the rules and procedures concerning actions of the Union following its accession to the Geneva Act. As a consequence of the adoption of the amendments to the Common Regulations by the Assembly of the Lisbon Union on 14 July 2025, several provisions of Regulation (EU) 2019/1753 will have to be amended by the date of entry into force of the amendments to the Common Regulations to ensure the consistency and coherence of Regulation (EU) 2019/1753 with the updated Common Regulations, and thus to enable the Union to continue to be fully operational as a Contracting Party to the Geneva Act.

The Union supported those amendments on the basis of Council Decision (EU) 2025/1415 of 8 July 2025 on the position to be taken on behalf of the Union within the Assembly of the Special Union established by the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration with regard to the proposed amendments to the Common Regulations under the Lisbon Agreement and the Geneva Act of that Agreement.¹

• Consistency with other Union policies

The proposal is consistent with the general policy of the Union to promote and enhance the protection of geographical indications through bilateral, regional and multilateral agreements.

2. LEGAL BASIS, SUBSIDIARITY AND PROPORTIONALITY

• Legal basis

Considering the subject matter of the Regulation, the Regulation should be based on Article 207 of the Treaty on the Functioning of the European Union.

¹ OJ L, 2025/1415, 15.7.2025, ELI: <http://data.europa.eu/eli/dec/2025/1415/oj>

- **Subsidiarity (for non-exclusive competence)**

The Union has exclusive competence for the Geneva Act of the Lisbon Agreement. This follows from the ruling of the European Court of Justice of 25 October 2017 in case C-389/15, *Commission vs. Council*, which clarified that the draft revised Lisbon Agreement, i.e. the Geneva Act, is essentially intended to facilitate and govern trade between the Union and third States and, secondly, that it is such as to have direct and immediate effects on such trade, so that its negotiation fell within the exclusive competence which Article 3(1) TFEU confers on the Union in the field of the common commercial policy envisaged in Article 207(1) TFEU.²

According to Article 5(3) of the Treaty of the European Union (TEU), the subsidiarity principle does not apply to areas of exclusive competence of the Union.

- **Proportionality**

The proposed measures do not go beyond what is necessary to achieve the objective of enabling the Union to continue to participate in the Lisbon Union in a way which will ensure efficient protection of EU geographical indications.

- **Choice of the instrument**

A Regulation of the European Parliament and of the Council is the appropriate legal instrument for the amendment of Regulation (EU) 2019/1753 as it ensures the legislative prerogatives of both institutions in the same way as for the original Regulation.

3. RESULTS OF EX-POST EVALUATIONS, STAKEHOLDER CONSULTATIONS AND IMPACT ASSESSMENTS

- **Ex-post evaluations/fitness checks of existing legislation**

Not applicable

- **Stakeholder consultations**

Not applicable

- **Collection and use of expertise**

Not applicable

- **Impact assessment**

The amendments to Regulation (EU) 2019/1753 are technical in nature; they do not go beyond making reference to the EU legislation on geographical indications adopted in 2024, and implementing the amendments to the Common Regulations adopted in 2025.

The Guidelines on Better Regulation clarify that an impact assessment should be carried out only when it is useful, to be assessed on a case-by-case basis. In principle, no impact assessment is needed, when there is little or no choice available for the Commission. This is the case here as the proposed amendments are necessary as part of the legal obligations of the Union under the Geneva Act in order to reflect amendments to the Common Regulations

² Judgment of 25 October 2017, *European Commission v Council of the European Union*, C-389/15, ECLI:EU:C:2017:798, paragraph 74.

which will enter into force by 1 July 2026. Political validation was given having regard to this context.

- **Regulatory fitness and simplification**

According to the digital assessment carried out, the current proposal has no digital dimensions as there is no digital relevance. The proposal aims at aligning EU legislation to the amended Common Regulations for the WIPO Lisbon System of Geographical Indications.

Digital means or data exchange are not under the scope of the proposal. The proposal does not involve the collection, processing, generation, exchange or sharing of data; the automation or digitalisation of stakeholders' processes; the use of new or existing digital solutions; or concern digital public services.

- **Fundamental rights**

Ensuring the continued full participation of the Union in the Lisbon Union as a Contracting Party to the Geneva Act is in accordance with Article 17 (2) of the Charter of Fundamental Right of the Union, which provides that intellectual property shall be protected.

4. BUDGETARY IMPLICATIONS

The proposed legislative initiative has no budgetary implications.

5. OTHER ELEMENTS

- **Implementation plans and monitoring, evaluation and reporting arrangements**

Not applicable

- **Explanatory documents (for directives)**

Not applicable

- **Detailed explanation of the specific provisions of the proposal**

As of 1 July 2026, following the new Rule 15 of the Common Regulations, Contracting Parties shall be allowed to submit requests to encode new types of modifications: modification of the name of an Appellation of Origin or Geographical Indication registered under the Geneva Act, modification of the type of good or product and modification of the description of the particulars concerning the quality, reputation or characteristics of the Appellation of Origin or Geographical Indication concerned as laid down in Rule 5(3) of the Common Regulations.

At present, the procedures set out in Regulation (EU) 2019/1753 apply only to the submissions of applications for registration of Appellations of Origin or Geographical Indications of the Union (Article 2 of Regulation (EU) 2019/1753), to the decisions to protect or refuse the protection to the Appellations of Origin or Geographical Indications registered by the other Contracting Parties (Articles 4 to 7 of that same Regulation) and to the authorisation to Member States, members of the Lisbon Agreement and joining the Geneva, Act to notify to the International Bureau their Appellations of Origin.

It is therefore essential to define the procedures to facilitate the submission by the Union of modifications to Appellations of Origin or Geographical Indications, of the Union and of its Member States, which are relevant for the protection in the Geneva Act of such Appellations

of Origin or Geographical Indications. On the other hand, procedures should also be set out to allow the Union to assess whether to protect appellations of origin or geographical indications originating in the territory of contracting parties other than Member States for which a modification has been encoded in the International Register.

In the light of the above, it is necessary to set out the appropriate procedures under Regulation (EU) 2019/1753 to adapt it to the new rules of the Geneva Act.

These amendments are necessary to allow the Union to meet its obligations under the Geneva Act.

In addition, in view of simplification and economy of the procedures, the obligation for Member States which were party of the Lisbon Agreement before the accession of the Union to the Geneva Act to transmit to the Commission any notification made by the International Bureau under the Lisbon Agreement and the obligation for the Commission to transmit those notifications to all other Member States should be deleted.

Moreover, the amendment should also take into account the recent reform of the EU's legislation on geographical indications resulting in the adoption of Regulation (EU) 2024/1143, which has established a unified framework for geographical indications in the Union, enhancing the protection and recognition of products like wine, spirit drinks, and agricultural products as well as craft and industrial products. The development of the applicable legislation should be reflected in the text of Regulation (EU) 2019/1753. In particular, the references to the relevant Committees of the repealed Regulations on geographical indications should be replaced with the reference to the unique Committee for geographical indications set out by Regulation (EU) 2024/1143.

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THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 207 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) The Union is a Contracting Party to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications. Regulation (EU) 2019/1753 of the European Parliament and of the Council² establishes the rules and procedures concerning actions of the Union following its accession to the Geneva Act.
- (2) On 14 July 2025, in the Sixty-Sixth Series of Meetings of the Assemblies of the Member States of WIPO (World Intellectual Property Organization), the Assembly of the Lisbon Union adopted amendments to the Common Regulations under the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration and the Geneva Act³ of the Lisbon Agreement on Appellations of Origin and Geographical Indications (hereinafter “the Common Regulations”)⁴. Those new rules will enter into force on 1 July 2026.

¹ OJ C , , p. .

² Regulation (EU) 2019/1753 of the European Parliament and of the Council of 23 October 2019 on the action of the Union following its accession to the Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications (OJ L 271, 24.10.2019, p. 1, ELI: <http://data.europa.eu/eli/reg/2019/1753/oj>)

³ Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications, (OJ L 271, 24.10.2019, p. 15, ELI: http://data.europa.eu/eli/agree_internation/2019/1754/oj ;Common Regulations under the Lisbon Agreement and the Geneva Act of the Lisbon Agreement (as in force on July 14, 2023), ELI: <https://www.wipo.int/wipolex/en/treaties/textdetails/19813>)

⁴ Text of the amendment: [LI/A/42/2 ; Summary report of the meeting of the Lisbon Assembly of 14 July 2025 including the decision of approval of the amendment A/66/10](#)

- (3) As a consequence of the adoption of the amendments to the Common Regulations by the Assembly of the Lisbon Union on 14 July 2025, several provisions of Regulation (EU) 2019/1753 should be amended by the date of entry into force of the amendments to the Common Regulations to ensure the consistency and coherence of Regulation (EU) 2019/1753 with the updated Common Regulations, and thus to enable the Union to continue to be fully operational as a Contracting Party to the Geneva Act.
- (4) In particular, following the new Rule 15 of the Common Regulations, Contracting Parties will be able to submit requests for entry in the International Register of the following new types of modifications: modification of the name of an appellation of origin or geographical indication registered under the Geneva Act, modification of the type of good or product and modification of the description of the particulars concerning the quality, reputation or characteristics of the appellation of origin or geographical indication concerned as laid down in Rule 5(3) of the Common Regulations.
- (5) Currently, the procedures set out in Regulation (EU) 2019/1753 do not apply to requests for modification.
- (6) It is therefore necessary to define the procedures to enable the implementation by the Union of the related requests. The requests for modification made by the Union should concern its own appellations of origin or geographical indications, the appellations of origin or geographical indications of the Member States which have been allowed to be Members of the Geneva Act, for which the Commission, or the European Union Intellectual Property Office (hereinafter “the Office”), is Competent Authority.
- (7) It is appropriate to make a distinction between two types of modifications. Concerning modifications of the name, the type of product or the geographical area of a protected designation of origin or protected geographical indication or geographical indication, protected under Regulation (EU) 2024/1143 or Regulation (EU) 2023/2411, as these elements are constitutive elements of the appellations of origin and geographical indications in the Geneva Act system, the Commission should be obliged to request the modification of the corresponding appellation of origin or geographical indication registered in the International Register, after the approval of the amendment in the Union system.
- (8) By contrast, the particulars concerning the quality, reputation or characteristics [of the appellation of origin or geographical indication] are an optional element of appellations of origin and geographical indications in the system of the Geneva Act. The request for modification of such elements of the appellation of origin or geographical indication registered in the International Register should be possible, at the initiative of the Member State of origin of the appellation of origin or geographical indication, and after the approval of the amendment in the Union system.
- (9) In the light of the above, it is necessary to set out the appropriate procedures under Regulation (EU) 2019/1753 to adapt it to the new rules of the Geneva Act.
- (10) These amendments are necessary to allow the Union to meet its obligations under the Geneva Act.
- (11) In addition, in view of simplification and economy of the procedures, the obligation for Member States which were party of the Lisbon Agreement before the accession of the Union to the Geneva Act to transmit to the Commission any notification made by the International Bureau under the Lisbon Agreement and the obligation for the

Commission to transmit those notifications to all other Member States should be deleted.

- (12) In respect of geographical indications for craft and industrial products, the Commission should, in the specific cases identified in Article 30 of Regulation (EU) 2023/2411, be able to take over from the Office the power to decide on registration, modification and cancellation of appellations of origin and geographical indications of the European Union or of its Member States and on protection, refusal of protection, modification and invalidation of appellations of origin and geographical indications of a third country. This is in particular because the registration of the proposed geographical indication might be contrary to public policy, or such registration or the rejection of the application might jeopardise the Union's trade or external relations.
- (13) Recently, Union legislation on geographical indications was reformed by Regulation (EU) 2024/1143⁵ of the European Parliament and of the Council, which establishes a unified framework for geographical indications in the Union, enhancing the protection and recognition of products like wine, spirit drinks, and agricultural products. That Regulation amended Regulations (EU) No 1308/2013, (EU) 2019/787 and repealed Regulation (EU) No 1151/2012. References to Regulations (EU) No 1151/2012, (EU) No 1308/2013 and (EU) 2019/787 should therefore be replaced by references to Regulation (EU) 2024/1143.
- (14) Regulation (EU) 2019/1753 should, therefore, be amended accordingly,
- HAVE ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EU) No 2019/1753

Regulation (EU) No 2019/1753 is amended as follows:

- (1) in Article 1, paragraph 2 is replaced by the following:

‘2. For the purposes of this Regulation, the term “geographical indications” covers:

appellations of origin within the meaning of the Geneva Act, including designations of origin and geographical indications for wine, spirit drinks and agricultural products within the meaning of Regulation (EU) 2024/1143 of the European Parliament and of the Council*;⁵ and

geographical indications for craft and industrial products within the meaning of Regulation (EU) 2023/2411.

* Regulation (EU) 2024/1143 of the European Parliament and of the Council of 11 April 2024 on geographical indications for wine, spirit drinks and agricultural products, as well as traditional specialities guaranteed and optional quality terms for agricultural products, amending Regulations (EU) No 1308/2013, (EU) 2019/787 and (EU) 2019/1753 and repealing Regulation (EU) No 1151/2012 (OJ L, 23.04.2024, p. 75, ELI: <http://data.europa.eu/eli/reg/2024/1143/oj>).’;

⁵ Regulation (EU) 2024/1143 of the European Parliament and of the Council of 11 April 2024 on geographical indications for wine, spirit drinks and agricultural products, as well as traditional specialities guaranteed and optional quality terms for agricultural products, amending Regulations (EU) No 1308/2013, (EU) 2019/787 and (EU) 2019/1753 and repealing Regulation (EU) No 1151/2012 (OJ L, 23.04.2024, p. 75, ELI: <http://data.europa.eu/eli/reg/2024/1143/oj>).

(2) the following Article 2a is added:

‘Article 2a

Modifications of geographical indications in the International Register

1. Following the adoption, in accordance with Union law, of an amendment of the name, of the classification of the product or of the geographical area of protected designations of origin, protected geographical indications or geographical indications originating in the Union and protected in accordance with Regulation (EU) 2024/1143 or Regulation (EU) 2023/2411, the Commission or, in respect of geographical indications for craft and industrial products, the Office, shall present to the International Bureau requests for modifications of the name, of the type of product or of the geographical area of :

(a) the corresponding appellation of origin or geographical indication which has been registered in the International Register upon request of the Commission or the Office;

(b) the corresponding appellation of origin or geographical indication which has been registered in the International Register upon request of a Member State.

2. Upon request of a Member State, following the adoption, in accordance with Union law, of an amendment of protected designations of origin, protected geographical indications or geographical indications originating in the Union and protected in accordance with Regulation (EU) 2024/1143 or Regulation (EU) 2023/2411, the Commission or, in respect of geographical indications for craft and industrial products, the Office, may present to the International Bureau requests for modifications of the particulars concerning the quality, reputation or characteristics, as laid down in Rule 5(3) of the Common Regulations, of the corresponding appellation of origin or geographical indication registered in the International Register and referred to in points a) and b) of paragraph 1.’;

(3) in Article 7, paragraph 2 is replaced by the following:

‘2. Where, based on the assessment carried out pursuant to Article 5, the conditions laid down in that Article are not fulfilled or an admissible opposition as set out in Article 6(2) has been received, the Commission shall, by means of an implementing act, decide whether to grant protection of a geographical indication registered in the International Register. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 15(2). In respect of geographical indications for craft and industrial products, the decision whether to grant protection shall be adopted by the Office.’

(4) the following Article 7a is added:

‘Article 7a

Modifications of third country geographical indications registered in the International Register

‘1. Articles 4 to 7 shall apply, mutatis mutandis, to a modification of the name or a modification of the type of product or a modification of the geographical area of appellations of origin or geographical indications registered in the International

Register in respect of which the Contracting Party of Origin, as defined in point (xv) of Article 1 of the Geneva Act, is not a Member State, notified to the Commission or, in respect of geographical indications for craft and industrial products, to the Office, pursuant to Rule 15(3) of the Common Regulations.’;

(5) in Article 8, paragraph 1 is replaced by the following:

‘1. The implementing acts adopted by the Commission pursuant to Article 7 and 7a shall apply without prejudice to other specific Union provisions relating to the placing of products on the market and, in particular, to the common organisation of agricultural markets, sanitary and phytosanitary standards, and food labelling.

In respect of geographical indications for craft and industrial products, the first subparagraph shall apply *mutatis mutandis* to the decisions of the Office.’;

(6) paragraph 5 of Article 12 is deleted;

(7) the following Article 12a is added:

‘Article 12a

Application of Article 30 of Regulation (EU) 2023/2411

Paragraphs 1 to 5 of Article 30 of Regulation (EU) 2023/2411 shall apply *mutatis mutandis* to the procedures set out in this Regulation in respect of geographical indications for craft and industrial products.’;

(8) in Article 15, paragraph 1 is replaced by the following:

‘1. The Commission shall be assisted by the following committees within the meaning of Regulation (EU) No 182/2011, in respect of the following products:

(a) for wine, spirit drinks and agricultural products, falling within the scope of Article 5(1) of Regulation (EU) 2024/1143, by the Quality Policy Committee for agricultural products, wine and spirit drinks established by Article 88 of that Regulation;

(b) for craft and industrial products falling within the scope of Regulation (EU) 2023/2411, by the Committee for Craft and Industrial Geographical Indications established by Article 68 of that Regulation.’.

Article 2

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.
Done at Brussels,

For the European Parliament

For the Council

The President

The President