The industry section adopted following position in connection with the ongoing WTO negotiations at its meeting in \textbf{Santiago, Chile} in 1999. It was subsequently re-iterated at the following meetings:

- \textbf{New Zealand: Queenstown}, 27-29 February, 2000
- \textbf{Australia: Adelaide}, 9-11 April, 2001

On each occasion, the industry members of the Wine Trade Group recommended to governments attending the WTO negotiations as follows:

\textit{The TRIPS agreement should not be reconsidered.}

At its meeting in \textbf{Toronto, Canada} (16-19 December, 2001), industry section members further elaborated this position by requesting their governments to encourage WTO members to:

- \textit{ensure that Article 23 of the TRIPS agreement, together with other TRIPS provisions referencing wine and spirits, is not opened to re-negotiation; and,}
- \textit{ensure that any "multilateral system of notification and registration of geographical indications" under TRIPS Article 23.4 is voluntary, and without binding legal effect.}

This position was reiterated as follows at the WWTG industry section meeting in \textbf{Geneva, Switzerland} (1-3 April, 2003)

\textit{Considering Article 18 of the Ministerial Statement at Doha, and the current discussions on the "multi-lateral system of notification and registration of geographical indications" under TRIPS article 23.4;}

\textit{Recalling our statement in Toronto, Canada of December 19, 2001;}

\textit{Reiterates, strongly, that in our view the multilateral register for wines and spirits:}

1. \textit{should be based on existing legal frameworks for intellectual property rights;}
2. \textit{should be voluntary; and}
3. \textit{should be without binding legal effect}
Accordingly supports the current proposal by Chile, the USA, Japan and others on the register.

At the October 4-5, 2016 meeting in Ottawa, Canada, the WWTG Industry Section agreed to the following statement:

With grateful appreciation for the diligent, ongoing efforts of the World Wine Trade Group (WWTG) Government Section, the Industry Section acknowledges that WWTG wine trade continues to grow at a strong rate, with WWTG wine production now representing 30% of global wine production, and respectfully presents the following Statement:

Recognizing:

- The protection and promotion of the intellectual property rights of WWTG wine producers continues to be important for facilitating the international wine trade;
- The Industry Section's interest has been reflected in a series of Industry Section statements on Geographical Indications beginning in 1999 in Santiago, Chile and reiterated in Queenstown, New Zealand in 2000, Adelaide, Australia and Toronto, Canada in 2001, Geneva, Switzerland in 2003, and in the Industry Section's 2010 presentation to the Government Section in Mendoza, Argentina; and
- WWTG wine producer intellectual property rights are threatened by certain third party country practices with regard to establishment or expansion of geographic indications.

Therefore, on October 4-5, 2016, the Industry Section adopted the following position in connection with inappropriate conversion of grape variety names and other descriptive or common wine terms to Geographical Indications (GIs):

Geographical indications are recognised and protected as intellectual property in the WTO Agreement on Trade Related Aspects of Intellectual Property (TRIPS). However, it is possible for geographical indications to become obstacles to trade where their protection exceeds the requirements of TRIPs, for example where:

1. Geographical indications are protected without a reasonable opportunity for comment or opposition by interested parties;
2. Geographical indications are given greater rights than prior existing trademarks;
3. Additional rights are attached to geographical indications, such as the right to use common descriptive words or phrases (sometimes referred to as “traditional," "generic" or "common" names or terms) in such a way as to exclude other legitimate users; and
4. Geographical indications contain or consist of a generic element such as a grape variety name, and the generic element is reserved exclusively for the owners of the geographical indication.
While these trade barriers are not currently encountered in WWTG economies, they are generally encountered within the EU. In addition, the EU efforts to export its "TRIPS-plus" approach to geographical indications in the context of free trade agreements means there is a need by WWTG governments to pro-actively ensure that existing intellectual property (IP) rights and the ability to use such common vocabulary is protected. This is an issue that has been discussed and successfully addressed in other fora such as the Wine and Spirits Annex to the Trans-Pacific Partnership (TPP) Technical Barriers to Trade Chapter.

Additional efforts by WWTG governments could include recognising these issues in future trade agreement negotiations, for example, through explicit recognition of Article 24 (6) of the TRIPS Agreement which, inter alia, provides an exception to protection for geographical indications for products of the vine for which the relevant indication is identical with the customary name of a grape variety existing in the territory.

*Accordingly*, the Industry Section of the World Wine Trade Group calls upon governments to continue working collaboratively, including in but not limited to future trade agreement negotiations, to ensure that global wine exports shall not be prevented solely on the basis that wine labels include descriptive or common terms including recognized grape variety names or other common descriptive words or phrases applicable to wine or the winemaking process.