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भारत सरकार
Government of India

भौगोलिक उपदर्शन पत्रिका

GEOGRAPHICAL INDICATIONS JOURNAL



बौद्धिक सम्पदा
भारत
**INTELLECTUAL
PROPERTY INDIA**

भौगोलिक उपदर्शन पंजीकृति,
बौद्धिक सम्पदा अधिकार भवन,
जी.एस.टी. रोड, गिण्डी,
चेन्नै - ६०० ०३२.

**Geographical Indications Registry,
Intellectual Property Rights Building,
G.S.T. Road, Guindy, Chennai - 600 032.**



**GOVERNMENT OF INDIA
GEOGRAPHICAL INDICATIONS
JOURNAL NO.87**

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OFFICIAL NOTICES

Sub: Notice is given under Rule 41(1) of Geographical Indications of Goods (Registration & Protection) Rules, 2002.

1. As per the requirement of Rule 41(1) it is informed that the issue of Journal 87 of the Geographical Indications Journal dated 01st July, 2016 / Ashadha 10th, Saka 1938 has been made available to the public from 01st July, 2016.

NEW G.I APPLICATION DETAILS

App.No.	Geographical Indications	Class	Goods
551	Zardalu Mango	31	Agricultural
552	Shahi Litchi of Bihar	31	Agricultural
553	Katarni Rice	30	Agricultural
554	Magahi Paan	31	Agricultural

PUBLIC NOTICE

No.GIR/CG/JNL/2010

Dated 26th February, 2010

WHEREAS Rule 38(2) of Geographical Indications of Goods (Registration and Protection) Rules, 2002 provides as follows:

“The Registrar may after notification in the Journal put the published Geographical Indications Journal on the internet, website or any other electronic media.”

Now therefore, with effect from 1st April, 2010, The Geographical Indications Journal will be Published and hosted in the IPO official website www.ipindia.nic.in free of charge. Accordingly, sale of Hard Copy and CD-ROM of GI Journal will be discontinued with effect from 1st April, 2010.

Registrar of Geographical Indications

Advertised under Rule 41 (1) of Geographical Indications of Goods (Registration & Protection) Rules, 2002 in the Geographical Indications Journal 87 dated 1st July 2016

G.I. APPLICATION NUMBER – 349

Application Date: 28-11-2011

Application is made by **CONSORZIO PER LA TUTELA DEL FORMAGGIO ASIAGO**, Piazza della Stazione 1, 36012 Asiago (VI), Italy for Registration in Part A of the Register of **Asiago** under Application No: 349 in respect of Cheese falling in Class – 29 is hereby advertised as accepted under Sub-section (1) of Section 13 of Geographical Indications of Goods (Registration and Protection) Act, 1999.

- A) Name of the Applicant** : CONSORZIO PER LA TUTELA DEL FORMAGGIO ASIAGO
- B) Address** : CONSORZIO PER LA TUTELA DEL FORMAGGIO ASIAGO
Piazza della Stazione 1, 36012 Asiago (VI), Italy

Address of Service in India:
Remfry & Sagar, Attorneys-At-Law,
Remfry House at the Millennium Plaza,
Sector – 27, Gurgaon – 122 009,
National Capital Region, India

- C) Types of Goods** : **Class 29** – Cheese

D) Specification:

ASIAGO is semi-cooked cheese produced with cow's milk in the entire territory of the Italian province of Vicenza and of the autonomous province of Trento and neighbouring communes in the Padua and Treviso which form a single area.

E) Name of the Geographical Indication:

ASIAGO



F) Description of the Goods:

Asiago is semi-cooked cheese produced with cow's milk. Asiago production is divided into two types of cheese.

➤ Fresh (pressed) ASIAGO

Milk may be used that is obtained from one or two milkings, raw or pastuerized at 72 degrees Celsius for 15 seconds, according to current regulations. The milk must be whole and the mixture in the boiler is milk, lactic acid or starter, bovine rennet and possibly small amounts of sodium chloride. During processing, for technological requirements, an amount of drinking water may also be added. In

the processing of milk into Fresh ASIAGO, the following technological parameters are met:

- Coagulation temperatures 35/40 ° C
- Cutting the curd at 15/25 minutes by the addition of rennet the size of walnut / hazelnut;
- Semi cooked temperature: 44 ° +/- 2 ° C;
- Pressing for up to 12 hours

The minimum aging of Fresh ASIAGO is 20 days from date of manufacture

➤ Aged (fostered) ASIAGO

Milk can be used from two milkings partially skimmed to separate the cream or from two milkings partially skimmed or from a single milking even partially skimmed. The milk used in processing is partially skimmed, possibly with the addition of lysozyme (E 1105) within the legal limits, the mixture is thus formed from partially skimmed milk, lactic acid or starter, bovine rennet, any small amounts of sodium chloride and lysozyme. In the processing of milk into Aged ASIAGO, the following technological parameters are met:

- Coagulation temperatures 33/37 ° C
- Cutting the curd at 15/30 minutes by the addition of rennet the size of hazelnut or less;
- Semi cooked temperature: 47 ° C +/- 2 ° C

The minimum aging of Aged ASIAGO is 60 days from the last day of the production month.

Asiago cheese which is produced and matured in dairies located more than 600 m above sea level, using milk from farms located more than 600 m above sea level is entitled to the additional label “Product of the Mountain”. For the production of such cheese milk can be used from 2 or 4 milkings, but the processing of the milk must occur within 18 hours of receipt, in the case of use of milk of 2 milkings, within 24 hours of receipt in the case of use of milk of 4 milkings. The use of lysozyme (E 1105) is in any case prohibited in the production of such cheese. The waste or scrap of curd from previous processes cannot be used in subsequent production of this cheese. The minimum aging of Asiago which bears the words “mountain product” is 90 days from the last day of the production month for Aged Asiago and 30 days from production for Fresh Asiago.

G) Geographical area of Production and Map as shown in page no: 13

The ASIAGO PDO (protected designation of origin) production area is located in the entire province of Vicenza, the autonomous province of Trento, province of Padova; the municipalities of Carmignano di Brenta, S. Pietro in Gù, Grantorto, Gazzo, Piazzola sul Brenta, Villafranca Padovana, Campodoro, Mestrino, Veggiano, Cervarese S. Croce and Rovolon; Province of Treviso: the territory thus delimited: taking as a reference point the town of Rossano Veneto, near Vicenza, the limit follows the road Rossano - Castelfranco Veneto until its junction with state road no. 53 “Postumia”. Along this road, crossing the ring road south of Treviso, to its intersection with the Alemagna highway. The boundary continues north along the path of said highway to the river Piave. Then turns west along the right bank of said river to the border of Treviso and Belluno. From this point the limit is identified with the boundary of the province of Treviso to the point of this meeting with the boundary of the province of Vicenza. The

production areas indicated above, which are located at a height not less than 600 metres, are identified as mountainous territory.

H) Proof of Origin (Historical records):

Cheese has been produced in the ASIAGO plateau, from which ASIAGO cheese takes its name, ever since the year 1000. Initially sheep's milk was used, but from the 1500s, with the gradual increase of cattle farming on the plateau, cow's milk became the raw material used. The cheese making technique developed and during the early seventeenth century, production expanded into the neighbouring areas of the ASIAGO Plateau: the foothills, the surrounding plains and the nearby Alpine huts of Trentino.

I) Method of Production:

Fresh and Aged Asiago cheese is produced by milk complying with health regulations. As for natural factors, the territory defined enjoys largely homogeneous climatic and soil conditions which affect the fodder used to feed the dairy cows.

The cattle whose milk is intended for the production of the Asiago cheese must not be fed with the feed and fodder prohibited by the product specification. If the milk is intended for the production of the Asiago cheese marked as "mountain product", silage of any type is also banned.

Notwithstanding the health regulations in force, the milk must be stored at temperatures between 4 and 11 degrees Celsius and should be processed within a maximum time of 60 hours of first or optional second milking. In the case where Asiago cheese is manufactured with raw milk, the transformation must be obtained within 36-48 hours in the plant, according to existing provisions.

For the production of **Fresh Asiago** cheese, milk may be used that is obtained one or two milkings, raw or pasteurized at 72 degrees Celsius for 15 seconds, according to current regulations. The milk must be whole milk and the mixture in the boiler is milk, lactic acid or starter, bovine rennet and possibly small amounts of sodium chloride. During processing, for technological requirements, an amount of drinking water may also be added. In the processing of milk into Fresh Asiago, the following technological parameters are met:

- Coagulation temperature 35/40 ° C
- Cutting the curd at 15/25 minutes by the addition of rennet the size of walnut / hazelnut;
- Semi cooked temperature: 44 ° +/- 2 ° C;
- Pressing for up to 12 hours

For the production of **Aged Asiago** cheese, milk can be used from two milkings partially skimmed to separate the cream or from two milkings partially skimmed, or from a single milking even partially skimmed. The milk used in processing is partially skimmed, possibly with the addition of lysozyme (E 1105) within the legal limits, the mixture is thus formed from partially skimmed milk, lactic acid or starter, bovine rennet, any small amounts of sodium chloride and lysozyme. In the processing of milk into Aged ASIAGO, the following technological parameters are met:

- Coagulation temperature 33/37 ° C

- Cutting the curd at 15/30 minutes by the addition of rennet the size of hazelnut or less;
- Semi cooked temperature: $47^{\circ} + / - 2^{\circ} \text{ C}$;

Asiago cheese which is produced and matured in dairies located more than 600 m above sea level, using milk from farms located more than 600 m above sea level is entitled to the additional label '**Product of the Mountain**'. For the production of such cheese milk can be used from 2 or 4 milkings, but the processing of the milk must occur within 18 hours of receipt, in the case of use of milk of 2 milkings, within 24 hours of receipt in the case of use of milk of 4 milkings. The use of lysozyme (E 1105) is in any case prohibited in the production of such cheese. The waste or scrap of curd from previous processes cannot be used in subsequent production of this cheese.

Storage and Aging Methods

Before salting, the cheese is kept for a minimum period of 48 hours in places $10 / 15^{\circ} \text{ C}$ with relative humidity of 80-85%. Salting, if not already completed with a paste, is completed dry or in brine at $20^{\circ} + / - 2^{\circ}$.

The minimum aging of Fresh Asiago is 20 days from date of manufacture.

The minimum aging of Aged Asiago is 60 days from the last day of the production month.

The minimum aging of Asiago which bears the words "Mountain Product" is 90 days from the last day of the production month for Aged Asiago and 30 days from production for Fresh Asiago.

Identification and Packaging

All wheels of Asiago cheese are identified by means of casein plates numbered and marked with stencilled moulds, held by the Consortium, instructed in use and allocated to all claimants, containing the following constitutive logo of the denomination as an integral part of this specification.



The logo represents a wheel of cut cheese and missing a wedge; the missing wedge turned into a stylized "A" is partially in the wheel. The overall height of the logo affixed on the form of cheese is 100 mm for the Asiago and 80 mm for the Aged Asiago. In the stencilled moulds, the alphanumeric code of the dairy manufacturer and the name of the denomination are also inserted.

J) Uniqueness:

ASIAGO is semi-cooked cheese produced with cow's milk in the entire territory of the Italian province of Vicenza and of the autonomous province of Trento and neighbouring communes in the Padua and Treviso which form a single area. Production is divided into two types of cheeses: Fresh (pressed) ASIAGO and Aged (fostered) ASIAGO. Fresh and Aged ASIAGO cheese is produced by milk complying with health regulations. As

for natural factors, the territory defined enjoys largely homogenous climatic and soil conditions which affect the fodder used to feed the dairy cows.

The characteristics of ASIAGO cheese are derived mainly from environmental conditions and existing manufacturing practices in the production area. The climatic and soil conditions of the production area of milk and cheese are remarkably homogenous and characterised by a 1200 mm average rainfall, never excessively hot temperatures (rarely exceeding 30° C) and mitigated by constant winds in the higher altitudes, and never too cold because the area is protected to the north by the Alps and the Dolomites. In terms of soil, the terrain is essentially limestone with abundant gravel and stones.

All the altitudes of the area, permanent fodder crops (pasture and mountain meadow-pasture, permanent meadow in the foothills), characterised by the natural graminaceous and leguminous essences, which have self-adapted to those specific environmental conditions, even constituting local varieties, has significantly expanded.

Permanent pasture in the plain and foothill area varies from a minimum of 30% to over 70%. In the above altitude range, that is the mountainous area, it represents 70% of the consortium area, the entire non-wooded agricultural area is assigned to grassland and meadow-pasture.

In the area, two local varieties of alfalfa (*medicago sativa*) have been identified, and exactly the variety “La rocca” and the ecotype “Leoniceno”, which have been genetically selected and then disseminated by the Institute of Agrarian Genetics and Experimentation of Lonigo (Vicenza) throughout the production area of ASIAGO cheese. Other forage species present in the meadows and meadows-pastures are found according to reports and percentages, which are the result of adaptation and survival of the single plant species to the soil characteristics, exposure, average rainfall and average temperatures.

The most common species are: *Avena elatior*, *Dactylis glomerata*, *Trifolium repens* and *pratense* (in the mountains); *Trifolium repens* and *pratense*; *Avena elatior*, *Dactylis glomerata*, *Festuca arundinacea* (in the dry foothills); Alfaalfa (Leoniceno ecotype and cultivar La Rocca), *Dactylis glomerata* and *Festuca arundinacea* (dry plains). In the case of meadows sown with commercial seed mixtures already from the second year, the original relationships among the various species present in the commercial mixture no longer exists because these relationships are modified by the agronomic and pedo-climatic environment.

As regards the bovine breeds used in the sector, the more common in farms is the Frisona Italiana [Italian Friesian] (55%), followed by the Bruna Aplina [Highland Brown] (40%) and Rendena and Pezzata Rossa (5%).

Over two-thirds of the ASIAGO cheese is produced directly by farms and milk processing cooperatives formed by the same milk producers. Given the small average size of the dairies, the plant design is marked by maximum levels of simplicity and craftsmanship at all phases of cheese-making processing.

The cattle whose milk is intended for the production of the ASIAGO cheese must not be fed with the feed and fodder prohibited by the product specification under Article 3, which are as follows:

Forages:

- Crops of canola, rapeseed, mustard, Greek hay;
- Leaves of fruit trees, leaves of chard and collars;
- Silo grass of clover, pea, and by-products;
- Fruits and their by-products from industrial processing, fresh and kept moist;
- Vegetables and their by-products, fresh and kept moist;
- By-products of fermentation industries, fresh and kept moist (brewers grains, distillery, vines, etc.)
- Sugar by-products; sugar beet pulp, fresh and in a silo;
- Slaughtering and breeding by-products; various residuals, as they are or associated with other forages;
- Urea, urea phosphate, biuret

Feed:

- Meat, fish and feather meals
- Rapeseed meal, citrus seeds, grape seeds;
- Vegetables and dried fruit;
- Industrial processing of dried vegetables and fruit by-products (beans and peas peels, artichokes, chestnuts, pods, husks, seeds, dregs);
- Sugar by-products; protein concentrate from molasses, various dried pulps, and others;
- Industrial fermentation dried products; silage fermentation, fermentation residues and others;

If the milk is intended for the production of PDO ASIAGO cheese which bears the term “Mountain Product” it is also forbidden to be fed with any type of silage.

The human factor is likewise an important and fundamental element. The characteristic mode of production, according to fair and consistent methods, has been kept unchanged over time through the transmission of the ancient local art of cheese-making techniques and of the processing techniques of the raw material (milk) into cheese.

K) Inspection Body:

A controlling body, appointed by the Italian Ministry for Agriculture, Food and Forestry Policies, is tasked with the duty to verify, through systematic controls and checks that each stage of the process for the production of ASIAGO cheese is carried out in compliance with the product specification.

As on date, the appointed controlling body for ASIAGO cheese is CSQA Certificazioni Srl of Via San Gaetano No. 74, Thiene, Italy.

L) Others:

The subject applicant has acquired the following rights:

- Protected Designation of Origin (PDO) at European Level
- Registered Appellation of Origin pursuant to the Lisbon Agreement for the Protection of Appellations of Origin and their International Registration

Asiago Dop

Zona di produzione

CONSORZIO TUTELA FORMAGGIO ASIAGO
Sede Legale: Piazzale della Strizione, 1
36012 ASIAGO (VI)
Sede Amm.va.: Corso Fogazzaro, 18
36100 VICENZA



Above is a drawing of the production area of the PDO ASIAGO cheese, the details of which are defined in the product specification, as follows:

Production area

PDO “Asiago” cheese is produced with milk from herds located in the defined area and in dairies located within the protection zone that is stated below:

Province of Vicenza: the whole territory;

Province of Trento: the whole territory;

Province of Padova: the municipalities of Carmignano di Brenta, S. Pietro in Gù, Grantorto, Gazzo, Piazzola sul Brenta, Villafranca Padovana, Campodoro, Mestrino, Veggiano, Cervarese S. Croce and Rovolon;

Province of Treviso: the territory thus delimited: taking as a reference point the town of Rossano Veneto, near Vicenza, the limit follows the road Rossano - Castelfranco Veneto until its junction with state road no. 53 “Postumia”. Along this road, crossing the ring road south of Treviso, to its intersection with the Alemagna highway. The boundary continues north along the path of said highway to the river Piave. Then turns west along the right bank of said river to the border of Treviso and Belluno. From this point the limit is identified with the boundary of the province of Treviso to the point of this meeting with the boundary of the province of Vicenza.

The production areas indicated above, which are located at a height not less than 600 metres, are identified as mountainous territory.

General Information

What is a Geographical Indication?

- It is an indication,
- It is used to identify agricultural, natural, or manufactured goods originating in the said area,
- It originates from a definite territory in India,
- It should have a special quality or characteristics unique to the geographical indication.

Examples of possible Geographical Indications in India:

Some of the examples of Geographical Indications in India include Basmati Rice, Darjeeling Tea, Kancheepuram silk saree, Alphonso Mango, Nagpur Orange, Kolhapuri Chappal, Bikaneri Bhujia etc.

What are the benefits of registration of Geographical Indications?

- It confers legal protection to Geographical Indications in India,
- It prevents unauthorized use of a registered Geographical Indication by others.
- It boosts exports of Indian Geographical indications by providing legal Protection.
- It promotes economic Prosperity of Producers.
- It enables seeking legal protection in other WTO member countries.

Who can apply for the registration of a Geographical Indication?

Any association of persons, producers, organization or authority established by or under the law can apply.

The applicant must represent the interest of the producers.

The application should be in writing in the prescribed form.

The application should be addressed to the Registrar of Geographical Indications along with prescribed fee.

Who is the Registered Proprietor of a Geographical Indication?

Any association of persons, producers, organisation or authority established by or under the law can be a registered proprietor. Their name should be entered in the Register of Geographical Indications as registered proprietor for the Geographical Indication applied for.

Who is an authorized user?

A producer of goods can apply for registration as an authorized user, with respect to a registered Geographical Indication. He should apply in writing in the prescribed form along with prescribed fee.

Who is a producer in relation to a Geographical Indication?

A producer is a person dealing with three categories of goods

- Agricultural Goods including the production, processing, trading or dealing.
- Natural Goods including exploiting, trading or dealing.
- Handicrafts or industrial goods including making, manufacturing, trading or dealing.

Is registration of a Geographical Indication compulsory?

While registration of Geographical indication is not compulsory, it offers better legal protection for action for infringement.

What are the advantages of registering?

- Registration affords better legal protection to facilitate an action for infringement.
- The registered proprietor and authorized users can initiate infringement actions.
- The authorized users can exercise right to use the Geographical indication.

Who can use the registered Geographical Indication?

Only an authorized user has the exclusive rights to use the Geographical indication in relation to goods in respect of which it is registered.

How long is the registration of Geographical Indication valid? Can it be renewed?

The registration of a Geographical Indication is for a period of ten years.

Yes, renewal is possible for further periods of 10 years each.

If a registered Geographical Indication is not renewed, it is liable to be removed from the register.

When a Registered Geographical Indication is said to be infringed?

- When unauthorized use indicates or suggests that such goods originate in a geographical area other than the true place of origin of such goods in a manner which misleads the public as to their geographical origins.
- When use of Geographical Indication results in unfair competition including passing off in respect of registered Geographical indication.
- When the use of another Geographical Indication results in a false representation to the public that goods originate in a territory in respect of which a Geographical Indication relates.

Who can initiate an infringement action?

The registered proprietor or authorized users of a registered Geographical indication can initiate an infringement action.

Can a registered Geographical Indication be assigned, transmitted etc?

No, A Geographical Indication is a public property belonging to the producers of the concerned goods. It shall not be the subject matter of assignment, transmission, licensing, pledge, mortgage or such other agreement. However, when an authorized user dies, his right devolves on his successor in title.

Can a registered Geographical Indication or authorized user be removed from the register?

Yes, The Appellate Board or the Registrar of Geographical Indication has the power to remove the Geographical Indication or authorized user from the register. The aggrieved person can file an appeal within three months from the date of communication of the order.

How a Geographical Indication differs from a trade mark?

A trade mark is a sign which is used in the course of trade and it distinguishes goods or services of one enterprise from those of other enterprises. Whereas a Geographical Indication is used to identify goods having special characteristics originating from a definite geographical territory.

THE REGISTRATION PROCESS

In December 1999, Parliament passed the Geographical Indications of Goods (Registration and Protection) Act 1999. This Act seeks to provide for the registration and protection of Geographical Indications relating to goods in India. This Act is administered by the Controller General of Patents, Designs and Trade Marks, who is the Registrar of Geographical Indications. The Geographical Indications Registry is located at Chennai.

The Registrar of Geographical Indication is divided into two parts. Part 'A' consists of particulars relating to registered Geographical indications and Part 'B' consists of particulars of the registered authorized users.

The registration process is similar to both for registration of geographical indication and an authorized user which is illustrated below:

