

Noli IP Newsletter

NOLI IP Solutions, PC

4/3/2019

April 2019 Edition

Our Many Reasons to Celebrate!

By Mariana Paula Noli, Esq.

As you know, this past March 20 was the first day of the new season. With the arrival of spring, I am excited to share the many

April 3rd only a day before my father's, Juan Carlos followed by my cousin Silvana, and my uncle Juan. You can



April 3rd, 1981 Our founder celebrating her 2nd birthday and her father's 33rd.

reasons we, at Noli IP, have to celebrate and be grateful.

April has always been a very special month for my family because we have many birthdays. Starting with my birthday today on

safely say that for the Noli's, April has always been a month to celebrate!

Because this month is special for my *famiglia*, I want to share with you some anecdotal facts

Spring is Here!!!

By Erica C. Durant

As we move towards spring, we are grateful to all of our clients and colleagues for helping us achieve our goals for the last season. Next month, Noli IP Solutions, PC will be celebrating its 5th year in business and we wouldn't be here without you.



This month, we celebrate not only our founder Mariana's and her father's Dr. Juan Carlos Noli birthdays in early April but also Administrative Professionals Day on April 24, 2019. Happy Birthday Mariana and Dr. Noli and Happy Administrative Professionals Day to all secretaries, administrative assistances as well as office professionals for your contributions to the workplace.

about our last name and heritage, you may not yet know. *Io sono nata a Buenos Aires, Argentina ma la mia famiglia e di NOLI, un piccolo popolo vicino a Genova. (I was born in Buenos Aires, Argentina but my family is from Noli, a small town close to Genova).* True not many people have heard about “NOLI” but that is actually where my family comes from. Last spring, my mother and father took a cruise to Europe which gave them the opportunity to finally visit the town of Noli. NOLI is a coastal commune of Liguria, Italy. In the Province of Savona, it is about 50 kilometers southwest of Genova by rail and about 4 meters above sea-level. From the beautiful scenery to the friendly people, from the delicious local dishes to the antique buildings and old streets full of history, my parents said it truly felt like home.



In a way, I was living vicariously through their

WhatsApp photos! Visiting NOLI is certainly at the top of my bucket list. I joke around with our team that for the tenth-year anniversary of Noli IP we are all going to Noli in Italy. Maybe we will!

Last week, our work family celebrated Ms. Diane Fischer’s third year anniversary with Noli IP on March 28, 2019. We made a great decision when we asked her to join our group and we hope for many more years working together.



Also, in April, in only a few weeks, we will celebrate and honor all the secretaries, administrative staff and office professionals for their contributions to the workplace. Administrative Professionals' Day (also known as Secretaries'

Day or Admin Day) is a day observed yearly (but not a public holiday). In some countries, it falls within Administrative Professionals' Week (the last full week of April in the United States).

During World War II, there was a shortage of skilled administrative personnel in the United States due to Depression-era birth-rate decline and booming post-war business. The National Secretaries Association, founded in 1942, was formed to recognize the contributions of administrative personnel to the economy, support their personal development, and to help attract workers to the administrative field.

Did you know that ADMINISTRATIVE PROFESSIONALS DAY is a registered trademark?



The National Secretaries Association's name was changed to Professional Secretaries International in 1981 and to the

International Association of Administrative Professionals (IAAP) in 1998. *Administrative Professionals Day* is in fact

Geographical Indicators in Latin America

By Mariana Paula Noli, Esq.

Geographical indications (GIs) are specific Industrial Property Rights (IPRs) protecting products originating in a given geographical area whose quality or characteristics are due to a particular geographical environment (with its inherent natural and human factors) and all or part of the production steps taking place in the defined geographical area. The acceptance of GIs in Latin America has been slow, and lags behind other regions of the world. Only Cuba, Costa Rica, Nicaragua, Mexico and Peru are part of the international system of protection of GIs (Lisbon System). Even so, each one of those countries have significantly fewer registrations in comparison to countries such as Italy or France. However, as shown in the cases below, issues involving Geographical Indications (GI) are becoming prevalent in Latin America.

a REGISTERED TRADEMARK with registration number 2475334 (serial number 75/898930).

Mexico And the Dispute Over Mezcal

The history of GIs in Mexico began with the 1958 Lisbon Agreement, of which this country was one of the six signatories. Mexico was slow to utilize GIs until 1972, when it issued a law recognizing GI protection of tequila. Tequila production is governed by Mexican federal regulations that regulate where it can be made, where the agave plants to make it can be grown, what has to be stated on the label, where it can be bottled and how much of the content must be made from what percentage of agave sugars. In Mexico, the general declarations of the protection of GI are issued by the IMPI, published in the Diario Oficial de la Federacion (DOF), and indicate both product and territory. The Official Mexican Standards (NOM) are issued by the Ministry

We have so many reasons to celebrate and be grateful and we thank you, our clients, colleagues and friends for your support.

of the Economy and published in the DOF, specifying the raw material, manufacturing process and labeling, among others. The legend "100%" on the label indicates that the spirit is made exclusively with raw materials specified. If this legend is not present, it is a mixed product that will contain other sugars in the percentage accepted by the NOM.



<https://www.mexico.mx/en/articles/appellations-of-origin-from-mexico-to-the-world>

Another spirit of renown from Mexico is now facing issues relevant to its status as a GI. The region of Oaxaca, Mexico, recently won a round in its efforts to limit the territorial scope in regards to GI for Mezcal,

the state's official spirit. A federal judge had ordered the suspension of an expansion of the beverage's denomination of origin to include municipalities from the state of Aguascalientes. The Mexican Institute of Industrial Property (IMPI) decided back in August 2018 to expand denomination of origin region for Mezcal. Oaxaca fought such decision and now Aguascalientes is off the list. However, the other proposed states are still being considered and the fight continues. According to local authorities, the state of Oaxaca will continue to work to "strengthen the commercialization of the Oaxacan beverage" in domestic and international events, "because mezcal is an ancestral state beverage." Despite that statement, many other states in Mexico are listed in the current GI, and can produce and sell the distilled maguey beverage under the label of Mezcal.

Chile and Roquefort Cheese

Another interesting recent story in the popularity of GI in Latin America is a fight won at the INAPI to

recognize one of the very first GI in the world. According to legend, a romantic shepherd following the tracks of his lover forgot some bread and ewe's cheese in one of the Combalou caves along southern France. Upon his return, he discovered the cheese covered in mold and once he tasted it, Roquefort cheese was born. The history of the Roquefort cheese dates all the way back to 1070.



Roquefort was first recognized as a protected GI in France, the country of origin. In 1925, it became the first cheese to be granted the title Appellation d'Origine – 'label of origin', a mark or guarantee of quality. In 1951, at the International Convention of Stresa, Roquefort was confirmed as an Appellation d'Origine on an international level. The terms of its production are precisely set up by the Designation Decrees of

January 22nd, 2001 and May 17th, 2005.

In 2016, the Confederation General Des Producteurs De Lait De Brebis Des industriels de Roquefort filed an application for ROQUEFORT in Chile, which was assigned Serial No. 1214118. After a careful examination, including revision of the all the arguments and responses filed by local counsel during the prosecution of this application, the INAPI found that the application submitted for Roquefort as a GI meet the requirements set forth in article 92 of Chilean law 19,039 and related Regulations. Furthermore, the INAPI also confirmed that it was not included in the prohibitions indicated in article 95 of the same law. Roquefort was found to comply with all the conditions established in article 92 letter b) to be recognized as a GI. To successfully distinguish Roquefort from other types of blue cheeses, the applicant needed to verify the relationship between the characteristics and the geographical environment.

Not only are the raw material used in their

preparation special (the milk from a specific breed of sheep, which must be in a specific state, temperature), but also where the cheeses are made and through which local practices. Moreover, the applicant had to show that Roquefort had a different quality and characteristics compared to other blue-cheeses. The techniques used in its manufacture, repeated over time for the preparation of the cheese are unique, and include the process of obtaining the milk of a specific breed of

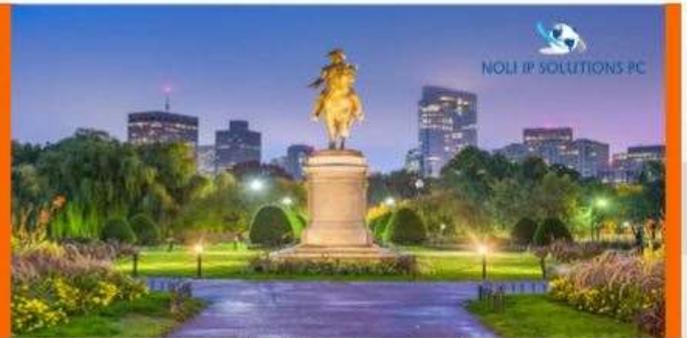
sheep, the management of their diet, through the milk collection process, and the production of the cheese itself. The ripening process is carried out only in the town of Roquefort-sur-Soulzon, under certain special conditions in the cellars located in the caves of the area of the landslides of the mountain of Combalou, located in the same department of Aveyron, where they provide constant temperature and humidity, creating an environment conducive to the growth of

the penicillium roqueforti fungus. Overall, a tremendous amount of proof was required to establish GI in a territory with an ambivalent attitude towards this form of IP rights.

We hope you found this summary interesting and that you learned something new about geographical indicators or denomination of origins. For more information about this topic and/or these cases, please send us an e-mail to mail@noli-ipsolutions.com

INTA Boston 2019: Stop by Booth 741

141st
ANNUAL MEETING
Boston, Massachusetts | May 18 - May 22, 2019



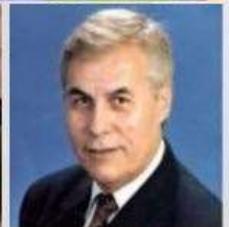
NOLI IP Solutions, PC will be attending and exhibiting at the **International Trademark Association (INTA)** Annual Meeting in Boston, Massachusetts.

Meet our **NOLI IP 2019 INTA Delegation**.

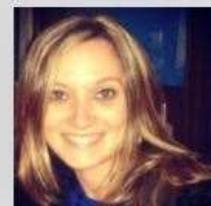
To schedule a meeting, please send us an email us at mail@noli-ipsolutions.com.



MARIANA NOLI, FOUNDER



SERGIO CHACON, PATENTS



LUCY NOLI, LATIN AMERICA



DIANE FISCHER, TRADEMARKS