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COMMISSION IMPLEMENTING DECISION (EU) 2025/1546

of 30 July 2025

on refusing protection in the Union of the Appellation of Origin ГЖЕЛЬ (GZHEL) registered in the International Register of Appellations of Origin and Geographical Indications of the Geneva Act

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ([1]), and in particular Article 7(2) thereof,

Whereas:

(1) In accordance with Article 5(1) and (2) of the 2015 Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications ([2]) (the 'Geneva Act'), the Competent Authorities of each Contracting Party to the Geneva Act may file applications for international registration of an appellation of origin (AO) or geographical indication with the International Bureau of the World Intellectual Property Organization (WIPO), which registers it in the International Register in accordance with Article 6 of the Geneva Act. In accordance with Article 9 of the Geneva Act, the other Contracting Parties are to protect registered AOs and geographical indications on their territories within their own legal system subject to any refusal, renunciation, invalidation or cancellation.

(2) In accordance with Article 6(4) of the Geneva Act, on 3 October 2024, the International Bureau of the WIPO ('the International Bureau') notified the Commission that the name ГЖЕЛЬ (GZHEL), applied by the Russian Federation, had been recorded as an AO in the International Register of Appellations of Origin and Geographical Indications under the Geneva Act. The name designates decorative and applied ceramic products (porcelain, majolica, fireclay, pottery) from the village of Turygino, in the Ramenskiy District, in the Moscow Region.

(3) Since there is no protection at Union level for geographical indications designating crafts products to date, the international registration of the AO ГЖЕЛЬ (GZHEL) was not published. In accordance with Article 4(1) of Regulation (EU) 2019/1753, only the international registration notified by the International Bureau relating to products in respect of which protection at Union level of geographical indications is provided are to be published in the *Official Journal of the European Union* to enable possible opposition to be lodged. Regulation (EU) 2023/2411 of the European Parliament and of the Council ([3]), providing for protection of geographical indications designating craft and industrial products will become applicable from 1 December 2025 in order to provide that registrations of craft and industrial geographical indications from third countries notified by WIPO are published in the *Official Journal of the European Union* and assessed with a view to granting protection.

(4) Therefore, in accordance with Article 7(2) of Regulation (EU) 2019/1753, the protection in the Union of the name ГЖЕЛЬ (GZHEL), designating decorative and applied ceramic products, registered as AO in the International Register under the Geneva Act should be refused.

([1]) OJ L 271, 24.10.2019, p. 1, ELI: http://data.europa.eu/eli/reg/2019/1753/oj.
([2]) OJ L 271, 24.10.2019, p. 15, ELI: http://data.europa.eu/eli/agree_internation/2019/1754/oj.
([3]) Regulation (EU) 2023/2411 of the European Parliament and of the Council of 18 October 2023 on the protection of geographical indications for craft and industrial products and amending Regulations (EU) 2017/1001 and (EU) 2019/1753 (OJ L, 2023/2411, 27.10.2023, ELI: http://data.europa.eu/eli/reg/2023/2411/oj).

(5) In addition, in accordance with Article 5s(1) of Council Regulation (EU) No 833/2014 ([4]), competent institutions under Union law, including the Commission, are not allowed to accept new applications for registration of geographical indications filed by Russian nationals or natural persons residing in Russia or by legal persons established in Russia.

(6) Furthermore, in accordance with Article 5s(4) of Regulation (EU) No 833/2014, the Union, when acting under the Convention Establishing the World Intellectual Property Organization, is obliged to use best efforts to ensure that WIPO or intellectual property offices constituted under Union law do not accept new applications for intellectual property rights by any Russian nationals or natural persons residing in Russia, or by legal persons, entities or bodies established in Russia.

(7) As АО ГЖЕЛЬ (GZHEL) has been notified to the Union for protection following its registration in the International Register, it is not possible to ensure that WIPO will not accept new applications for intellectual property rights by any Russian nationals or natural persons residing in Russia, or by legal persons, entities or bodies established in Russia. However, the protection sought for intellectual property rights, and in particular geographical indications, related to Russia should not be granted in the Union.

(8) As long as such restrictive measures against the applications and the protection of intellectual property rights concerning any Russian nationals or natural persons residing in Russia, or legal persons, entities or bodies established in Russia, are in force, the Commission should act in a way to stop the granting of any such protection of AO or geographical indication.

(9) Since several Member States, namely, Czechia, France, Hungary, Portugal and Slovakia are contracting parties to the Geneva Act, and considering the lack of competence of Member States to decide on national protection of an AO due to the fact that it is exclusive Union competence since the Union's accession to the Geneva Act in 2019, it is necessary to clarify that the refusal to ГЖЕЛЬ (GZHEL) applies to the whole territory of the Union. Furthermore, given the exclusive competence of the Union on the matter and the role the Commission exercises within the Geneva Act, of competent authority for the Union and for those Member States that are contracting parties to the Geneva Act, such refusal should be notified to WIPO on behalf of the Union and on behalf of Czechia, France, Hungary, Portugal and Slovakia.

(10) Although they are not competent to adopt decisions on the national protection of the AOs registered under the Geneva Act, in order to ensure consistency in protection of those AOs throughout the territory of the Union, Bulgaria and Italy, being signatories of the Lisbon Agreement, but not having yet acceded to the Geneva Act, should notify WIPO of the refusal of the protection of the АО ГЖЕЛЬ (GZHEL), if they accede to the Geneva Act, within one year from that accession.

HAS ADOPTED THIS DECISION:

Article 1

The protection of the name ГЖЕЛЬ (GZHEL), which is registered as an Appellation of Origin (AO) in the International Register, is hereby refused in the Union.

Article 2

The refusal of protection referred to in Article 1 applies to the entire territory of the Union. It shall be notified to the World Intellectual Property Organisation ('WIPO') on behalf of the Union and also on behalf of Czechia, France, Hungary, Portugal and Slovakia, as contracting parties to the Geneva Act.

([4]) Council Regulation (EU) No 833/2014 of 31 July 2014 concerning restrictive measures in view of Russia's actions destabilising the situation in Ukraine (OJ L 229, 31.7.2014, p. 1, ELI: http://data.europa.eu/eli/reg/2014/833/oj).

Article 3

Bulgaria and Italy shall notify WIPO of the refusal of protection concerning the АО ГЖЕЛЬ (GZHEL), within one year from their accession to the Geneva Act.

Article 4

This Decision shall enter into force on the day of its publication in the *Official Journal of the European Union*.

It shall be notified to the World Intellectual Property Organization.

Done at Brussels, 30 July 2025.

For the Commission
The President
Ursula VON DER LEYEN