

Commission regulation (EC) No 607/2009 of 14 July 2009 laying down certain detailed rules for the implementation of Council Regulation (EC) No 479/2008 as regards protected designations of origin and geographical indications, traditional terms, labelling and presentation of certain wine sector products (repealed)

## CHAPTER II

### PROTECTED DESIGNATIONS OF ORIGIN AND GEOGRAPHICAL INDICATIONS

#### SECTION 4

##### **Protection**

###### *Article 17*

##### **Decision on protection**

- 1 Unless applications for protection of designations of origin or geographical indications are rejected pursuant to Articles 11, 12, 16 and 28, the Commission shall decide to protect the designations of origin or geographical indications.
- 2 Decisions on protection taken pursuant to Article 41 of Regulation (EC) No 479/2008 shall be published in the *Official Journal of the European Union*.

###### *Article 18*

##### **Register**

- 1 The Commission shall maintain the 'Register of protected designations of origin and protected geographical indications' as provided for in Article 46 of Regulation (EC) No 479/2008, hereinafter referred to as 'the Register'.
- 2 A designation of origin or geographical indication which has been accepted shall be entered in the Register.

In the case of names registered under Article 51(1) of Regulation (EC) No 479/2008, the Commission shall enter in the Register the data provided for in paragraph 3 of this Article, with the exception of that of point (f).

- 3 The Commission shall enter the following data in the Register:
  - a registered name of the product(s);
  - b record of the fact that the name is protected as a geographical indication or designation of origin;
  - c name of the country or countries of origin;
  - d date of registration;
  - e reference to the legal instrument registering the name;
  - f reference to the single document.

### *Article 19*

#### **Protection**

1 Protection of a designation of origin or geographical indication shall run from the date on which it is entered in the Register.

2 In the event of unlawful use of a protected designation of origin or geographical indication, the competent authorities of the Member States shall on their own initiative, pursuant to Article 45(4) of Regulation (EC) No 479/2008, or at the request of a party, take the steps necessary to stop such unlawful use and to prevent any marketing or export of the products at issue.

3 The protection of a designation of origin or geographical indication shall apply to the whole denomination including its constitutive elements provided they are distinctive in themselves. A non-distinctive or generic element of a protected designation of origin or geographical indication shall not be protected.