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THE CONTENTS AND TERMINATION OF THE STATUS OF AUTHORISED USER OF INDICATIONS OF GEOGRAPHIC ORIGIN OF GOODS AND SERVICES

Božin Vlašković¹, Zoran Miladinović², Siniša Varga³,

Summary

Indication of geographic origin is a specific intellectual property (IP). Specificity of that IP is mirrored to its legal protection. The IP legal protection of indications of geographic origin is, at the one side, wider than of the other intellectual properties because IP legal protection of registered indication of geographic indication is essentially featured by certain public law element. But at the other side, it is notably narrower because more than one legal entity can be authorised for commercial use of the same indication of geographic origin. Furthermore, an authorised user can not obtain a right in the application nor assign registered indication of geographic origin, since these are not a subject of commerce that is one of the most important powers comprised in all others intellectual property rights, except in collective trademarks and certification marks rights. Authors in this paper deal with legal aspects of indication of geographic origin use.

Key words: indication of geographic origin, authorised user, contents of right, terminations of right.

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Introduction

Indication of geographic origin (in further text: IGO) is a "form of intellectual property rooted in agricultural policy and designed to highlight a link between the natural geographical advantages or the reputation associated with a place and the foodstuffs produced in that place" (McQueen et al., 2008, p. 692). It is a sign of distinctiveness used to denominate both territory and goods and services that originate from that territory (Miladinovic, Varga, 2011, p. 334/335). Although IGOs are multifunctional, they are principally considered as an important tool for rural development. They have helped maintain agricultural profitability even in such zones that can be deemed difficult or

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