SUBMISSION TO OBJECT TO TERMS PROPOSED BY THE EUROPEAN UNION FOR PROTECTION AS GEOGRAPHICAL INDICATIONS IN AUSTRALIA

Submitter's contact information

Name: Shawna Morris

Company represented, including ACN or ABN, if any: Consortium for Common Food Names (CCFN)

Other representative:

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Phone number: +1 (703) 528-4818

EU GI name you are objecting to (please use a new form for each term objected to)

MORTADELLA BOLOGNA

Ground(s) of objection to the protection of the EU GI name (please tick all the grounds that apply)

X	1. The EU GI name is used in Australia as the common name for the relevant good. *(See details below regarding grounds for our objection based on this element.)*
	2. The EU GI name is used in Australia as the name of a plant variety or an animal breed. *(Please provide any relevant information that shows the name is also a plant variety or animal breed, such as studies, articles, copies of websites or any other relevant information)*
	3. The EU GI name is identical to, or likely to cause confusion with a trade mark or geographical indication that is registered or the subject of a pending application in Australia. *(Please include the details of the GI or the trade mark including the trade mark number)*
	4. The EU GI name is identical, or likely to cause confusion with, an unregistered trade mark or geographical indication that has acquired rights through use in Australia. *(Please identify the trade mark or GI and provide information that demonstrates how it is being used in the Australian marketplace.)*
	5. The EU GI name contains or consists of scandalous matter. *(Please identify examples of how the name could be used in an offensive manner and who it would be offensive to.)*

Information or evidence supporting objection

1. The Opponent, the Consortium for Common Food Names ("CCFN"), is an independent, international non-profit alliance whose goal is to work with leaders in agriculture, trade, and intellectual property rights to foster the adoption of high standards and model geographical indication guidelines throughout the world. It is committed to working closely with all stakeholders as well as policymakers in the world to assist in amongst others, developing a clear and reasonable scope of protection for geographical indications as well as to foster adoption of a high-standard and model geographical indication guidelines worldwide.

2. The registration of "Mortadella Bologna" may impact the use of the common names of meats ("mortadella" and "bologna") and therefore it should only be registered in a manner that makes fully clear that the scope of protection for the GI does not in any way limit the rights of all to continue to use the generic terms or abbreviations "mortadella" and "bologna" when those terms are used independently. If such a limitation/clarification cannot be provided, then the GI should not be registered. Only through this approach is it possible to ensure that misunderstandings do not arise that would limit stakeholders' (located in Australia or in Australia's trading partners) abilities to use the generic terms "mortadella" and "bologna". In support of ground number 1 (the EU GI name is used in Australia as the common name for the relevant goods) above, CCFN presents the following evidence and information in support:

    - In Australia there are several producers which commercialized "mortadella" products, including through sales at well-known supermarkets like Coles and Woolworths, examples of the products sold in these retailers can be found in Exhibit 1 as well as a non-exhaustive list of producers in Australia.

    - Australia media articles are listing "mortadella" as a type of meat, including references to it being made in Australia, that's at threat of restriction. Link to the articles can be found in Exhibit 2.

    - The Consorzio Mortadella Bologna's IR designating Australia 753589 

(Australian certification registration 1563932) is for the full term "mortadella bologna." The goods of the IR designating Australia are "Mortadella

(spiced pork sausage)" which indicates that even the controlling Consorzio of the EU GI regards "mortadella" as the common name for a sausage.

- Other current and expired Australian trade mark registrations for goods including "mortadella" or "bologna" are in Annexure A. The registrants include Australian registrants and other registrants from outside the EU GI "mortadella bologna" region. The earliest (registration 100838 TIBALDI for "Sausage (including Salami and Mortadella); canned meats") dates from 1949, which is well prior to the establishment of the EU GI in 1998.

- Around the world, “mortadella” and “bologna” have been produced and sold as generic names for type of meats. The terms have been used in that sense for many years in a number of countries, including for meats that do not originate in Italy. Due to this long-standing and widespread production in other countries, including the U.S., Mexico, Argentina, New Zealand, and others, the terms “mortadella” and “bologna” have become the generic names for certain types of meat. Both “mortadella” and “bologna” have been produced and sold in the U.S. and in the countries mentioned before and exported to other countries. A table that provides a list of some of manufacturers and sellers who use “mortadella” and “bologna” as generic names can be found in Exhibit 3. Pages from each of the websites showing use of the generic terms are also attached as part of Exhibit 3. It is important to note that each of these websites can be accessed by the Australian consumer. Australia was the ninth largest pork importer in the world as at 2019 (https://thepigsite.com/news/2019/09/australia-importing-more-pork-than-ever) with pork and pork products representing the leading agricultural export category from the US to Australia in 2018 (USD$227 million - https://ustr.gov/countries-regions/southeast-asia-pacific/australia). Accordingly, protection of the EU GI in a manner which would prevent use of the common names "mortadella" or "bologna" would present an obstacle to the legitimate export activities of major trading partners in pork products.

- In prior EU FTAs (including in particular those with Japan, Honduras and Korea) the registration of the GI Mortadella Bologna has typically been accompanied by clarifications that the registration of this GI does not infringe upon the rights of others to use the generic terms “mortadella” and “bologna” and we strongly urge Australia to likewise specifically provide assurances that a registration of the GI Mortadella Bologna will not restrict in any way the ability of any company to use the terms “mortadella” and “bologna” as individual terms which may otherwise be

deemed "abbreviations" of the GI. Listed below are examples of how the EU clarified that the independent use of “mortadella” and/or “bologna” can be used as the names of that style of meats. Support for the list below can be found in Exhibit 4:

EU Clarification in FTAs

COUNTRY	STATUS
Japan	While “Mortadella Bologna” is registered as a geographical indication in Japan, the Japanese Ministry of Agriculture, Forestry and Fisheries (MAFF) has clarified that “mortadella” and “bologna” are considered generic terms and it is possible to use “mortadella” and “bologna” as long as it does not cause confusion.
Korea	In the letter from Ministry for Trade and Ministry of Foreign Affairs and Trade, Seoul, Korea to the US Trade Representative dated 20 June 2011, it is stated that: the Government of Korea understands that any restrictions or components that it may impose on the use of the compound terms would pertain only to the protection of the compound terms in their entirety. In other words, the individual components of the compound terms… are not the objects of GI protection under the Korea-EU FTA.
Honduras	While “Mortadella Bologna” has been registered as a GI, the government of Honduras has clarified the generic status of individual terms via public notices. Among the terms clarified as being generic is “bologna”.

- In a letter sent by EU Ambassador Almeida dated May 21, 2014 to the US Congress, he states that in the EU there is no protection for “bologna”, this can be found in Exhibit 5. Australia should certainly not extend protection for Mortadella Bologna that exceeds the scope of protection in the EU for this GI.

- The United States and Australia brought a World Trademark Organization dispute resolution procedure (DS174; DS290) against the EU’s geographical indication protection regime (the predecessor to the current EU protection regime). The EU defended its protection of geographical indications even when those protections would be in conflict with prior trademark rights. The EU was successful in defending its geographical indication regime based solely on the grounds that use

of the geographical indications registered pursuant to that regime would be considered a "fair use" under Article 17 of the TRIPS Agreement. It is striking that the EU now tries to deny the "fair use" of generic terms based on those same geographical indications. Specifically, the EU stated:

> *"Moreover, Article 17 [of the TRIPS Agreement] mentions expressly as an example of "limited exception" the "fair use of descriptive terms". Geographical indications are "descriptive terms"…. The use of a geographical indication in order to indicate the true origin of the goods and the characteristic associated to that origin is certainly a "fair" use of that descriptive term."*
>
> *WT/DS174/R/Add.2*
>
> *Annex B-2, page B-81, ¶318*
>
> *174RA2-01.pdf*

This bad faith action on the part of the EU clearly indicates that its efforts to protect "Mortadella Bologna" as a geographical indication in a manner that does not include a disclaimer for the separate use of "mortadella" and "bologna" in Australia is nothing more than an attempt to monopolize generic terms for the benefit of its producers and to the detriment of other producers from around the world and to the detriment of Australian supply chain purchasers and consumers who would be denied greater competition and more choices of cheese products

- The pursuit of protection for this EU GI despite clear evidence of the common names status of "mortadella" and "bologna" is imposing costly burdens on companies by forcing businesses (directly or via associations) to object to this GI to avoid negative impacts. Registration of the GI would compound this harm, resulting in heavy burdens on Australian food manufacturers/suppliers/importers, as well as on companies in Australia's trade partners, who are simply trying to continue to sell their products and maintain market access opportunities already established by Australia, whether domestically or via market access rights granted under prior FTAs such as the U.S.-Australia FTA. Granting protection for the term "Mortadella Bologna" as a GI without providing the proper clarification that "mortadella" and "bologna" are free to continue to use would be highly disruptive in terms of their continued sales and maintenance of future sales opportunities for these product types.

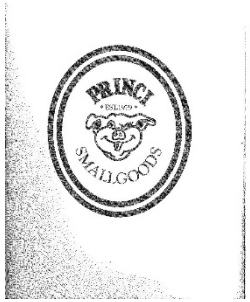
- Protection of EU GIs will give GI holders effectively "permanent" protection as a result of the typical nature of GI protection as well as wide ranging enforcement

rights against the use of common names as ingredients (which extends beyond the usual scope of trademark rights), as well as the ability to enforce protected GIs against what the EU asserts to be "deceptively similar" names, which could capture additional common names, names that include only part of the GI or part of the English translation of the foreign name. EU trademark owners can already obtain protection for their specific registered marks in Australia and should be required to pursue the exact same process open to all other mark applicants already. It is entirely inappropriate for Australia to contemplate granting EU producers special privileges that they could not win through use of the trademark system on the independent merits of their own applications.

3. For the foregoing reasons, we respectfully request that the term **MORTADELLA BOLOGNA** be denied protection as a geographical indication in Australia unless it is registered in a manner that makes fully clear that the scope of protection for the GI does not in any way limit the rights of all to continue to use the generic terms "mortadella" and "bologna".

Annexure A – Current and expired Australian trade mark registrations for goods including "mortadella" or "bologna"

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
TIBALDI	100838	Tibaldi Australasia Pty Ltd	28 NOV 1949	Class: 29 Sausage (including Salami and Mortadella); canned meats	Registered (Renewal Due Date 28 NOV 2025)
	593630	Nathan's Famous Systems, Inc.	06 JAN 1993	Class: 29 Meat products, namely, bologna, salami, corned beef, knockwurst, pastrami and frankfurters; potato chips and french fried potatoes; pickle relish, pickled tomatoes, pickles, sweet peppers and sauerkraut; and all other goods in this class	Registered (Renewal Due Date 06 JAN 2020)
	735847	Gruppo Fini S.p.A.	02 JUN 1997	Class: 29 Meat and meat products, including cooked, cured and smoked sausage, ham, salami, mortadella; jellies, and jams Class: 30 Pasta, tortellini, ravioli, gnocchi, bread, bread-sticks, crackers, rice; pastry and confectionery, chocolates; mustard, sauces	Registered (Renewal Due Date 02 JUN 2027)
NEGRONI	735849	A.I.A. AGRICOLA ITALIANA ALIMENTARE S.p.A	02 JUN 1997	Class: 29 Meat and meat products, including cooked, cured and smoked sausage, ham, salami, mortadella; jellies, jams, milk products, edible oils and fats	Registered (Renewal Due Date 02 JUN 2027)

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
	937023	Malda Pty Ltd	06 DEC 2002	Class: 29 Continental meats including hams, salami, mortadella, peperoni and bacon	Registered (Renewal Due Date 06 DEC 2022)
TRADER JOE'S	943929	Trader Joe's Company a California corporation a California corporation	17 FEB 2003	Class: 5 Vitamin and mineral supplements Class: 29 Processed fruits, canned fruits, bottled fruits, dried fruits, preserved fruits, frozen fruits, fruit chips, fruit paste, fruit pectin, fruit peels, fruit pulps, fruit rinds, fruit salads, fruit sauces, fruit topping, fruit-based snack food, fruit preserves and conserves, fruit-based fillings for cakes and pies, fruit-based spreads, cut or sliced fresh fruits, applesauce, processed apples, processed apricots, banana chips, processed blueberries, processed cherries, maraschino cherries, processed lemons, processed oranges, processed peaches, processed peels, raisins, cranberry sauce, crystallized fruit, jams, jellies, lemon curd, marmalade, processed dates, processed artichokes, processed asparagus, processed avocados, processed beans, baked beans, dried beans, processed beets, processed olives, processed mushrooms, processed	Registered (Renewal Due Date 17 FEB 2023)

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				onions, processed peppers, processed pimientos, processed potatoes, processed tomatoes, canned vegetables, canned soybeans, potato chips, yucca chips, coleslaw, dried soybeans, french fried potatoes, gherkins, guacamole, instant potatoes, lentils, onion rings, pickled vegetables, pickles, potato crisps, potato pancakes, preserved truffles, processed corn, salads (except macaroni, rice and pasta salad), sauerkraut, vegetable salads, processed vegetables, tomato paste, tomato puree, textured vegetable protein for use as a meat extender, tofu, processed pumpkin seeds, processed almonds, processed coconut, edible oils, peanut butter, nut butter, butter, butter substitutes, chocolate nut butter, cooking oil, processed edible seeds, rennet, candied fruit and candied fruit snacks and candied nuts, salad oil, processed nuts, tahini, vegetable oil, processed anchovies, processed clams, caviar, bacon, beef, corned beef, roast beef, bologna, chicken, chicken and dumplings, seafood, soups, bouillon, soup broth, soup mixes, chowder, clam juice, chili, chop suey, chow mein, processed crayfish, vegetable croquettes, fish, fish and chips, fish fillets, ham, ham; burger meat, hot dogs, jerky, liver paste, luncheon meats,	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				meat, meat substitutes, pate, pork, pork rinds, poultry, poultry substitutes, processed prawns, processed lamb, salami, salmon, mayonnaise-based sandwich spread, sardines, sausages, shellfish, processed shrimp, smoked salmon, lox, tunafish, turkey, veal, cream cheese, cheese, cheese spreads, cheese substitutes, cheese and cracker combinations, milk, half and half milk and cream mixture, non-dairy creamer, acidophilus milk, chocolate milk, cream, whey-based food beverages, soy-based food beverages used as a milk substitute, dairy-based food beverages, dairy-based chocolate food beverages, vegetable-based food beverages, vegetable-based chocolate food beverages, cottage cheese, dairy products (excluding ice cream, ice milk and frozen yogurt), dairy-based dips, dips (excluding salsa and other sauces used as dips), egg nog, egg substitute, eggs, margarine, margarine substitutes, sour cream substitutes, sour cream, whipping cream and yogurt, processed garlic, crystallised ginger, preserved ginger Class: 30 Artichoke sauce, bagels, bakery goods, baking powder, baking soda, barbecue sauce, biscuits, bran, bread, bread rolls, bread sticks, breakfast cereals,	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				brioches, buns, burritos, cake mixes, cakes, candy, candy cake decorations, candy coated popcorn, candy mints, capers, caramel popcorn, caramels, cereal-based snack food, chalupas, cheese flavoured puffed corn snacks, cheese sauce, cheesecake, chili powders, chili sauce, chocolate, chocolate chips, chocolate covered nuts, chocolate fondue, chocolate food beverages not being dairy-based or vegetable-based, chocolate powder, chocolate syrup, chocolate topping, chocolate truffles, chocolate-based fillings for cakes and pies, chow mein noodles, chutney, cinnamon, cloves, cocoa, cocoa mixes, coffee, cones for ice cream, confectionery chips for baking, cookies, corn chips, corn curls, corn flakes, corn meal, corn syrup, couscous, cracker and cheese combinations, crackers, crepes, crumpets, curry, custard-based fillings for cakes and pies, custards, danish pastries, dessert souffles, doughnuts, dried chili peppers, dumplings, eclairs, egg rolls, empanadas, enchiladas, fajitas, farina, flavoured ices, flavouring syrup, flour, flour-based chips, food starch, frozen confections, frozen custards, frozen entrees consisting primarily of pasta or rice, frozen yogurt, fruit ice, fruit pies, gingerbread, glazed popcorn, gnocchi, grain or	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				chicory based coffee substitutes, grain-based chips, grain-based food beverages, granola, granola-based snack bars, halvah, ham glaze, herb tea, herbal food beverages, honey, horseradish, hot chocolate, hot sauce, ice cream substitute, ice cream, kasha, ketchup, lasagna, licorice, macaroni, macaroni and cheese, macaroni salad, maple syrup, marinades, mayonnaise, meat pies, minced garlic, mince meat pies, mixes for making bakery goods, molasses, muffins, mustard, non-medicated lozenges, noodles, nutmeg, oatmeal, pancake mixes, pancake syrup, pancakes, parfaits, pasta, pasta salad, pasta shells, pastr; ies, peanut butter confectionery chips, pepper, pickle relish, pies, pizza, pizza sauce, popped popcorn, pot pies, powdered garlic, powdered ginger, pretzels, processed cereals, processed grains, processed oats, processed popcorn, puddings, puffed corn snacks, quiche, ravioli, ready-to-eat cereal derived food bars, relish, rice, rice salad, rice-based snack foods, rolled oats, rusks, salad dressings, salsa, salt, sandwiches, sauces, seasonings, sherbet, snack mix consisting primarily of crackers and/or pretzels and/or candied nuts and/or popped popcorn, sorbet, soy sauce, soy-based ice cream substitute,	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				spaghetti, spaghetti and meatballs, spaghetti sauce, spices, sugar, taco chips, taco shells, tamales, tartar sauce, tea, tea-based beverages with fruit flavouring, tomato sauce, tortilla chips, tortillas, vanilla, vinegar, wafers, waffles and wheat-based snack foods Class: 31 Raw nuts, pet food, raw fruits and vegetables and fresh flowers Class: 32 Ale, beer, non-alcoholic malt beverage, non-alcoholic punch, non-alcoholic cocktail mixes, carbonated and non-carbonated soft drinks, colas, ginger ale, ginger beer, fruit flavoured soft drinks, soft drinks flavoured with tea, fruit juices, fruit juice concentrates, aerated fruit juices, fruit drinks, fruit nectars, fruit punch, sweet cider, lemonade, syrup for making lemonade, syrups and essences for use in making soft drinks, tomato juice, vegetable juices, aloe vera juice, sports drinks, mineral water, seltzer water, soda water, spring water, aerated water, drinking water, lithia water, mineral water, quinine water and table water Class: 33 Alcoholic beverages in this class including wines and spirits	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				Class: 35 Bringing together for the benefit of others, a variety of goods, enabling customers to conveniently view and purchase those goods and including operation of stores specializing in food and beverages; and operation of retail mail order and Internet sale services featuring food and beverages	
TRADER JOE'S	943930	Trader Joe's Company a California corporation a California corporation	17 FEB 2003	Class: 5 Vitamin and mineral supplements Class: 29 Processed fruits, canned fruits, bottled fruits, dried fruits, preserved fruits, frozen fruits, fruit chips, fruit paste, fruit pectin, fruit peels, fruit pulps, fruit rinds, fruit salads, fruit sauces, fruit topping, fruit-based snack food, fruit preserves and conserves, fruit-based fillings for cakes and pies, fruit-based spreads, cut or sliced fresh fruits, applesauce, processed apples, processed apricots, banana chips, processed blueberries, processed cherries, maraschino cherries, processed lemons, processed oranges, processed peaches, processed peels, raisins, cranberry sauce, crystallized fruit, jams, jellies, lemon curd, marmalade, processed dates, processed artichokes, processed asparagus, processed avocados, processed beans, baked beans, dried beans, processed beets, processed olives, processed mushrooms, processed	Registered (Renewal Due Date 17 FEB 2023)

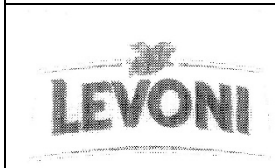
Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				onions, processed peppers, processed pimientos, processed potatoes, processed tomatoes, canned vegetables, canned soybeans, potato chips, yucca chips, coleslaw, dried soybeans, french fried potatoes, gherkins, guacamole, instant potatoes, lentils, onion rings, pickled vegetables, pickles, potato crisps, potato pancakes, preserved truffles, processed corn, salads (except macaroni, rice and pasta salad), sauerkraut, vegetable salads, processed vegetables, tomato paste, tomato puree, textured vegetable protein for use as a meat extender, tofu, processed pumpkin seeds, processed almonds, processed coconut, edible oils, peanut butter, nut butter, butter, butter substitutes, chocolate nut butter, cooking oil, processed edible seeds, rennet, candied fruit and candied fruit snacks and candied nuts, salad oil, processed nuts, tahini, vegetable oil, processed anchovies, processed clams, caviar, bacon, beef, corned beef, roast beef, bologna, chicken, chicken and dumplings, seafood, soups, bouillon, soup broth, soup mixes, chowder, clam juice, chili, chop suey, chow mein, processed crayfish, vegetable croquettes, fish, fish and chips, fish fillets, ham, ham; burger meat, hot dogs, jerky, liver paste, luncheon meats,	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				meat, meat substitutes, pate, pork, pork rinds, poultry, poultry substitutes, processed prawns, processed lamb, salami, salmon, mayonnaise-based sandwich spread, sardines, sausages, shellfish, processed shrimp, smoked salmon, lox, tunafish, turkey, veal, cream cheese, cheese, cheese spreads, cheese substitutes, cheese and cracker combinations, milk, half and half milk and cream mixture, non-dairy creamer, acidophilus milk, chocolate milk, cream, whey-based food beverages, soy-based food beverages used as a milk substitute, dairy-based food beverages, dairy-based chocolate food beverages, vegetable-based food beverages, vegetable-based chocolate food beverages, cottage cheese, dairy products (excluding ice cream, ice milk and frozen yogurt), dairy-based dips, dips (excluding salsa and other sauces used as dips), egg nog, egg substitute, eggs, margarine, margarine substitutes, sour cream substitutes, sour cream, whipping cream and yogurt, processed garlic, crystallised ginger, preserved ginger Class: 30 Artichoke sauce, bagels, bakery goods, baking powder, baking soda, barbecue sauce, biscuits, bran, bread, bread rolls, bread sticks, breakfast cereals,	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				brioches, buns, burritos, cake mixes, cakes, candy, candy cake decorations, candy coated popcorn, candy mints, capers, caramel popcorn, caramels, cereal-based snack food, chalupas, cheese flavoured puffed corn snacks, cheese sauce, cheesecake, chili powders, chili sauce, chocolate, chocolate chips, chocolate covered nuts, chocolate fondue, chocolate food beverages not being dairy-based or vegetable-based, chocolate powder, chocolate syrup, chocolate topping, chocolate truffles, chocolate-based fillings for cakes and pies, chow mein noodles, chutney, cinnamon, cloves, cocoa, cocoa mixes, coffee, cones for ice cream, confectionery chips for baking, cookies, corn chips, corn curls, corn flakes, corn meal, corn syrup, couscous, cracker and cheese combinations, crackers, crepes, crumpets, curry, custard-based fillings for cakes and pies, custards, danish pastries, dessert souffles, doughnuts, dried chili peppers, dumplings, eclairs, egg rolls, empanadas, enchiladas, fajitas, farina, flavoured ices, flavouring syrup, flour, flour-based chips, food starch, frozen confections, frozen custards, frozen entrees consisting primarily of pasta or rice, frozen yogurt, fruit ice, fruit pies, gingerbread, glazed popcorn, gnocchi, grain or	

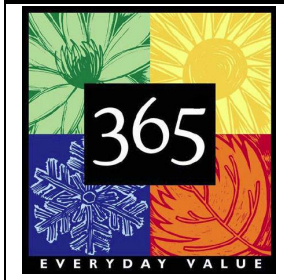
Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				chicory based coffee substitutes, grain-based chips, grain-based food beverages, granola, granola-based snack bars, halvah, ham glaze, herb tea, herbal food beverages, honey, horseradish, hot chocolate, hot sauce, ice cream substitute, ice cream, kasha, ketchup, lasagna, licorice, macaroni, macaroni and cheese, macaroni salad, maple syrup, marinades, mayonnaise, meat pies, minced garlic, mince meat pies, mixes for making bakery goods, molasses, muffins, mustard, non-medicated lozenges, noodles, nutmeg, oatmeal, pancake mixes, pancake syrup, pancakes, parfaits, pasta, pasta salad, pasta shells, pastr; ies, peanut butter confectionery chips, pepper, pickle relish, pies, pizza, pizza sauce, popped popcorn, pot pies, powdered garlic, powdered ginger, pretzels, processed cereals, processed grains, processed oats, processed popcorn, puddings, puffed corn snacks, quiche, ravioli, ready-to-eat cereal derived food bars, relish, rice, rice salad, rice-based snack foods, rolled oats, rusks, salad dressings, salsa, salt, sandwiches, sauces, seasonings, sherbet, snack mix consisting primarily of crackers and/or pretzels and/or candied nuts and/or popped popcorn, sorbet, soy sauce, soy-based ice cream substitute,	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				spaghetti, spaghetti and meatballs, spaghetti sauce, spices, sugar, taco chips, taco shells, tamales, tartar sauce, tea, tea-based beverages with fruit flavouring, tomato sauce, tortilla chips, tortillas, vanilla, vinegar, wafers, waffles and wheat-based snack foods Class: 31 Raw nuts, pet food, raw fruits and vegetables and fresh flowers Class: 32 Ale, beer, non-alcoholic malt beverage, non-alcoholic punch, non-alcoholic cocktail mixes, carbonated and non-carbonated soft drinks, colas, ginger ale, ginger beer, fruit flavoured soft drinks, soft drinks flavoured with tea, fruit juices, fruit juice concentrates, aerated fruit juices, fruit drinks, fruit nectars, fruit punch, sweet cider, lemonade, syrup for making lemonade, syrups and essences for use in making soft drinks, tomato juice, vegetable juices, aloe vera juice, sports drinks, mineral water, seltzer water, soda water, spring water, aerated water, drinking water, lithia water, mineral water, quinine water and table water Class: 33 Alcoholic beverages in this class including wines and spirits	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				Class: 35 Bringing together for the benefit of others, a variety of goods, enabling customers to conveniently view and purchase those goods and including operation of stores specializing in food and beverages; and operation of retail mail order and Internet sale services featuring food and beverages	
	1013846	Levoni S.p.A., an Italian joint stock company	02 AUG 2004	Class: 29 Meat and meat products, fish, poultry and game; meat extracts, charcuterie, salami, sausages, cooked and raw ham, bacon, mortadella, fresh meat, frozen meat, smoked delicacies, lard, milk, dairy products, eggs, milk products, cheese products, cheese, Grana cheese, yoghurt, cream, beverages in which milk predominates	Registered (Renewal Due Date 02 AUG 2024)
LE DELIZIE ZARA	1028786 (IR No.834140)	FFAUF ITALIA S.P.A.	23 JUL 2003 (Priority Date: 24 JAN 2003)	Class: 29 Meat, poultry, game, meat extracts; salamis, hams, mortadella, sausages; tomato juice for cooking; preserved meat; edible oils; eggs, milk and milk by-products; jellies, jams, marmalades, compotes Class: 30 Fresh, dried, frozen, deep-frozen, ready to use (semi-cooked) pasta; coffee, tea, cocoa, sugar, rice, tapioca, sago, coffee substitutes; flour and cereal preparations, bread, pastries and confectionery, ice-creams; honey, treacle; yeast, salt, mustard, vinegar, sauces (condiments); spices; sauces for pasta	Registered (Renewal Due Date 23 JUL 2023)

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				Class: 31 Agricultural and horticultural products; fresh fruits, malt Class: 32 Beers; mineral and carbonated waters, non-alcoholic drinks, fruit drinks and fruit juices; syrups and preparations for making drinks Class: 33 Wines, sparkling wines, draught wines, spirits, liqueurs	
TABLEFRESH	1113087	Metcash Trading Limited	10 MAY 2006	Class: 29 Meat, fish, poultry and game including bacon, hams, silverside, prosciutto, sausages, salami, frankfurts, pepperoni, mortadella, smoked salmon, turkey, chicken; seafood; meat extracts; prepared meals in this class, including prepared meals made from meat, fish, poultry and game; preserved meat products including tinned and salted meat, poultry and game; snack foods in this class; ready to eat snack foods in this class including potato chips; preserved, dried and cooked fruits and vegetables, including olives, sun dried tomatoes, roasted artichokes, vegetable dips; coleslaw; potato products; jellies, jams, compotes; eggs, milk and milk products including butters; cheeses; edible oils and fats; smallgoods and other delicatessen products	Registered (Renewal Due Date 10 MAY 2026)

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				Class: 30 Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery; bakery products including bread, pastries, biscuits, cakes, cookies, pies, pasties, sausage rolls, pizza and other pastry products; filled sandwiches, rolls and buns; sweets and ices, desserts; prepared meals in this class; pasta, pasta sauces, pasta salads, honey, treacle; yeast, baking-powder; salt, mustard; vinegar, sauces (condiments) and dips; salad dressings; spices; snack foods in this class; corn chips, tortilla chips, rice chips, rice snacks, crackers, pretzels, popped corn	
	1131480	ALCISA ITALIA S.p.A. con socio unico	24 AUG 2006	Class: 29 Meat, bologna sausages, cooked and uncooked sausages, salt meats	Registered (Renewal Due Date 24 AUG 2026)

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
	1160846	Amazon Technologies, Inc.	13 FEB 2007	Class: 3 Laundry detergent, liquid and dry dishwashing soap, all purpose cleaning preparations, glass cleaning preparations, scouring cleaning preparations and essential oil extracts for personal use, toothpaste, hair shampoo, skin soap, skin and moisturizing lotion, hair conditioners, and bath and shower gels Class: 4 Candles and charcoal briquettes Class: 5 Vitamins, vitamin supplements, mineral supplements, nutritional supplements, herbal supplements, dietary food supplements, nutritional drink mix for use as a meal replacement or supplement, meal replacement powders, nutritional food bars, and baby food Class: 16 Paper towels, toilet paper, paper napkins, and paper coffee filters Class: 21 Housewares, including, coffee mugs, dishes, drinking glasses, and plastic food storage containers, and bakeware Class: 29 Frozen boxed dinners consisting primarily of meat, fish, poultry or vegetables; soups, jams, frozen fruits, frozen vegetables, dried fruit, marmalade, potato and fruit-based snack foods, potato and fruit-based chips, vegetable-based chips, processed potatoes, processed	Registered (Renewal Due Date 13 FEB 2027)

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				vegetables, processed fruits, processed herbs, frozen potato dishes, processed beans, processed nuts, snack mixture consisting primarily of processed fruits, processed nuts and/or raisins, nut butters, fruit spreads, olive oil, canola oil, cooking oil, canned tuna, milk, cream, dairy product being half milk and half cream, cream cheese, cheeses, yogurt, butter; soy-based food bars, fruit sauces, tomato sauce and paste, chilli, bean dip, margarine, soy-based and rice-based food beverages used as a milk substitute, eggs, butter; meats; fish; seafood; poultry; dairy products (excluding ice cream, ice milk and frozen yogurt); luncheon meats; processed meat, namely bacon, beef, bologna, chicken, ham, pork, salami sausage, sausage links, and turkey Class: 30 Bread, bakery products, bakery desserts, and rolls, processed cereals, processed grains, pasta, macaroni and cheese, ready to eat cereal-based food bars, whole grain and dry fruit bars, wheat-based food bars, chocolate-based food bars, corn-based chips, tortilla chips, cheese flavored puffed corn snacks, flour-based chips, crackers, cereal-based snack foods, corn-based snack foods, rice-based snack foods, wheat-based snack foods,	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				confectionery chips for baking, chocolate chips, pizza, whole grain and dry fruit bars, frozen fruit bars, ice cream, frozen confections, flour, mayonnaise, coffee, ketchup, relish, vinegar, spices, natural sweeteners, sauces, pasta sauce; tomato sauce, muesli, rice-based food bars, processed popcorn, pretzels, salad dressing, mustard, hot sauce, honey, extracts used as flavoring, marinades, chocolate syrup, barbecue sauces, cheese sauce, salsas, whole grain and dry fruit bar, candy confectionery, frozen yogurt, sorbet, biscuits, cookies, frozen boxed dinners consisting primarily of pasta or rice; waffles Class: 31 Unprocessed cereals, unprocessed vegetables, pet food, unprocessed popcorn, unprocessed fruit, unprocessed herbs, unprocessed beans and rice, unprocessed grains for eating, and unprocessed truffles Class: 32 Fresh and concentrated fruit juices, fresh and concentrated vegetable juices, soft drinks, lemonade, fruit punch, sports drinks, sparkling water, spring water and bottled drinking water, fresh and concentrated fruit and vegetable juice combinations, sports drinks, and aloe vera drinks Class: 33 Wine	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
365 EVERYDAY VALUE	1160849	Amazon Technologies, Inc.	13 FEB 2007	Class: 3 Laundry detergent, liquid and dry dishwashing soap, all purpose cleaning preparations, glass cleaning preparations, scouring cleaning preparations and essential oil extracts for personal use, toothpaste, hair shampoo, skin soap, skin and moisturizing lotion, hair conditioners, and bath and shower gels Class: 4 Candles and charcoal briquettes Class: 5 Vitamins, vitamin supplements, mineral supplements, nutritional supplements, herbal supplements, dietary food supplements, nutritional drink mix for use as a meal replacement or supplement, meal replacement powders, nutritional food bars, and baby food Class: 16 Paper towels, toilet paper, paper napkins, and paper coffee filters Class: 21 Housewares, including, coffee mugs, dishes, drinking glasses, and plastic food storage containers, and bakeware Class: 29 Frozen boxed dinners consisting primarily of meat, fish, poultry or vegetables; soups, jams, frozen fruits, frozen vegetables, dried fruit, marmalade, potato and fruit-based snack foods, potato and fruit-based chips, vegetable-based chips, processed potatoes, processed	Registered (Renewal Due Date 13 FEB 2027)

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				vegetables, processed fruits, processed herbs, frozen potato dishes, processed beans, processed nuts, snack mixture consisting primarily of processed fruits, processed nuts and/or raisins, nut butters, fruit spreads, olive oil, canola oil, cooking oil, canned tuna, milk, cream, dairy product being half milk and half cream, cream cheese, cheeses, yogurt, butter; soy-based food bars, fruit sauces, tomato sauce and paste, chilli, bean dip, margarine, soy-based and rice-based food beverages used as a milk substitute, eggs, butter; meats; fish; seafood; poultry; dairy products (excluding ice cream, ice milk and frozen yogurt); luncheon meats; processed meat, namely bacon, beef, bologna, chicken, ham, pork, salami sausage, sausage links, and turkey Class: 30 Bread, bakery products, bakery desserts, and rolls, processed cereals, processed grains, pasta, macaroni and cheese, ready to eat cereal-based food bars, whole grain and dry fruit bars, wheat-based food bars, chocolate-based food bars, corn-based chips, tortilla chips, cheese flavored puffed corn snacks, flour-based chips, crackers, cereal-based snack foods, corn-based snack foods, rice-based snack foods, wheat-based snack foods,	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				confectionery chips for baking, chocolate chips, pizza, whole grain and dry fruit bars, frozen fruit bars, ice cream, frozen confections, flour, mayonnaise, coffee, ketchup, relish, vinegar, spices, natural sweeteners, sauces, pasta sauce; tomato sauce, muesli, rice-based food bars, processed popcorn, pretzels, salad dressing, mustard, hot sauce, honey, extracts used as flavoring, marinades, chocolate syrup, barbecue sauces, cheese sauce, salsas, whole grain and dry fruit bar, candy confectionery, frozen yogurt, sorbet, biscuits, cookies, frozen boxed dinners consisting primarily of pasta or rice; waffles Class: 31 Unprocessed cereals, unprocessed vegetables, pet food, unprocessed popcorn, unprocessed fruit, unprocessed herbs, unprocessed beans and rice, unprocessed grains for eating, and unprocessed truffles Class: 32 Fresh and concentrated fruit juices, fresh and concentrated vegetable juices, soft drinks, lemonade, fruit punch, sports drinks, sparkling water, spring water and bottled drinking water, fresh and concentrated fruit and vegetable juice combinations, sports drinks, and aloe vera drinks Class: 33 Wine	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
FAISEL	1291136	Mosslee Pty Ltd	25 MAR 2009	Class: 29 Meat, cooked meats including beef, silverside, chicken, turkey; meat extracts; meat products including sausages, hotdogs, bratwurst, kransky, debricina, sausage mince, frankfurts, meatloaf, chicken loaf, french polony, salami, strasburg, kabana, mortadella, smoked beef, smoked turkey breast, smoked turkey roll, pastrami, beef luncheon, chicken luncheon, turkey luncheon, lamb luncheon; ham and bacon alternatives including beef bacon, breakfast slice, breakfast rasher, beef rasher, turkey ham, beef ham; halal meat; halal meat products; uncooked processed meat; fresh meat; fermented meat products; dried meat products; smallgoods; preserved, dried and cooked fruits and vegetables; snack foods based on any of the foregoing	Registered (Renewal Due Date 25 MAR 2029)
HYLIFE	1374326	Hylife Foods International Ltd.	27 JUL 2010	Class: 5 Semen, ova and all other genetic material in this class for artificial insemination of animals Class: 29 Meat, including, fresh and processed pork; processed meat products, including, bacon, ham, sausages, wieners, kielbasa and bologna; food products, including, marinated meat, seasoned meat and prepared meals containing meat	Registered (Renewal Due Date 27 JUL 2030)

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				Class: 31 Live animals, including, pigs, swine, hogs, boars, sows, weanlings, feeders, gilts, breeding stock and market hogs; embryos Class: 44 Animal genetic services; farm management services	
TRUST YOU CAN TRACE	1374327	Hylife Foods International Ltd	27 JUL 2010	Class: 5 Semen, ova and all genetic material in this class for artificial insemination of animals Class: 29 Meat, including, fresh and processed pork; processed meat products, including, bacon, ham, sausages, wieners, kielbasa and bologna; food products, including, marinated meat, seasoned meat and prepared meals containing meat Class: 31 Live animals, including pigs, swine, hogs, boars, sows, weanlings, feeders, gilts, breeding stock and market hogs; embryos Class: 44 Animal genetic services; farm management services	Registered (Renewal Due Date 27 JUL 2020)

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
	1417480	Hylife Foods International Ltd.	31 MAR 2011	Class: 29 Meat, namely fresh and processed pork; processed meat products, namely bacon, ham, sausages, wieners, kielbasa, bologna, marinated meat and seasoned meat Class: 44 Agricultural management services	Registered (Renewal Due Date 31 MAR 2021)
	1463749 (IR No.935785)	NLBS CONSULTING LTD.	10 NOV 2011	Class: 29 Vienna sausage "wurstel", cooked and raw hams, cooked hams "spalla cotta", bacon, salamies and Bologna sausages	Registered (Renewal Due Date 17 JUL 2027)
OLD BAY	1476494	McCormick & Company, Incorporated	23 FEB 2012	Class: 29 Sausages; crab cakes Class: 30 Spices, seasonings, spice blends and seasoning blends; sauces, seasoned breadcrumbs, seasoned batter mix for seafood, poultry and vegetables, shrimp and crab boil, marinades; catsup seasoning, meat seasoning, poultry seasoning, braunschweiger seasoning, sausage seasoning, frankfurter seasoning, bologna seasoning, fish seasoning, relish seasoning, gravy seasoning, hamburger seasoning	Registered (Renewal Due Date 23 FEB 2022)

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
	1489656	Peric Smallgoods Pty Ltd	08 MAY 2012	Class: 29 Smallgoods; meat, fish, poultry and game; smoked food products; meat products; cold meats; tinned meats; preserved meats; smoked meats; smoked prepared meat; sausages; sausage meat; sausage products; smoked sausages; salami; meat extracts; mortadella; pork sausages; pork products; pork; pork products being cuts of meat; pork sausages; processed pork meats; cooked pork meats; lamb; lamb (prepared meat); lamb products; chicken products; ham; ham products; hamburgers (meat patties); bacon; bacon products; bacon slices; mince; minced meat; frankfurts; meat extracts; poultry extracts; pork extracts; pates	Registered (Renewal Due Date 08 MAY 2022)
	1563932 (IR No.753589)	CONSORZIO MORTADELLA BOLOGNA	16 APR 2013	Class: 29 Mortadella (spiced pork sausage)	Registered (Renewal Due Date 23 JAN 2021)

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
	1574928 (IR No.1170896)	FONTANA ERMES S.P.A.	04 JUN 2013 (Priority Date: 30 JAN 2013)	Class: 29 Hams; charcuterie; cold cuts; cooked ham; smoked ham; raw ham; salami; sausages; mortadella; bacon; bacon rinds; coppa; whole roasted pigs; dried salted meat; bacon lard; cured raw beef; turkey; roasted sliced turkey; chicken breast fillets; chicken; frozen appetizers consisting primarily of chicken; beef slices; sliced meat; meat, prepared; meat, preserved; meat, processed; packaged meats; deli meats; salted meats; processed meat products; entrees consisting primarily of meat; prepared meals consisting primarily of meat; packaged meals consisting primarily of meat; cheese; smoked cheese; processed cheese; hard cheese, all the aforesaid goods being of Italian origin, especially of Parma	Registered (Renewal Due Date 04 JUN 2023)
	1729744 (IR No.1270125)	SALUMIFICIO VITALI S.p.A.	26 FEB 2015 (Priority Date: 24 FEB 2015)	Class: 29 Meat; pork meat; charcuterie; ham; cured ham; salami; mortadella (Bologna sausage); sausages; hotdog sausages; smoked sausages; bacon; lard; bacon bits; smoked meat; game	Registered (Renewal Due Date 26 FEB 2025)
	1734014 (IR No.1272628)	GRANDI SALUMIFICI ITALIANI S.p.A.	24 MAR 2015 (Priority Date: 11 FEB 2015)	Class: 29 Meat, fish, poultry and game; meat, fish, poultry and game-based food preparations for stuffing pasta; meat extracts; cooked, matured, smoked charcuterie in general of meat of all kinds; sausages, frankfurters; spreadable pate of all possible kinds and flavours, pate based on	Registered (Renewal Due Date 24 MAR 2025)

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				meat, fish, poultry and/or game, vegetarian pate, meat products; preserved, frozen, dried and cooked fruits and vegetables; preserves, jellies, jams, compotes; broths, bouillons; eggs, milk and milk products; cheese, milk products, edible oils and fats Class: 30 Coffee, tea, cocoa, sugar, rice, tapioca, sago, coffee substitutes; flour and preparations made from cereals, bread, pasta, fresh pasta, products made from fresh, dried or pre-cooked pasta, stuffed pasta; flour, pastry and confectionery, ices; honey, treacles; yeast, baking-powder; salt, mustard; vinegar, sauces, gravies, condiments based on meat of all kinds; condiments based on speck, frankfurters, ham, mortadella; spices	
DUE LEONI	1739048	LEONCINI S.R.L.	04 DEC 2015	Class: 29 Meat and meat products; salami; sausages; pork sausage; mortadella; cotechino (boiled pork sausage); wurstel; zampone (stuffed pig's trotter); charcuterie; ham; cooked ham; smoked ham; pancetta; bacon; coppa (cured neck of pork); speck; bresaola	Registered (Renewal Due Date 04 DEC 2025)
NEVIA FOODS	1773557	Nevia Foods Pty Ltd	27 MAY 2016	Class: 29 Meat extracts, namely, salamis, hams, mortadella, sausages; prepared pork products, namely prosciutto; antipasti, mainly consisting of meat, fish, seafood; Olive oil, Stuffed Olives; capsicum extracts; dried	Registered (Renewal Due Date 27 MAY 2026)

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				tomatoes; Hard cheeses, namely, cheddar cheese, mozzarella cheese and havarti cheese, soft cheeses, namely, cream cheese, brie and camembert, cottage cheese, sour cream, yogurt	
Y IFANTIS ESTI	1843887 (IR No.1343807)	A. & C. IFANTIS S.A.	22 SEP 2016 (Priority Date: 01 SEP 2016)	Class: 29 Meat, fish, poultry and game, processed meat products, deli meats, vegetarian deli meats, turkey, bacon, turkey bacon, chicken nuggets, chicken croquettes, luncheon meat, mortadella, sausages; meat extracts; preserved, dried and cooked fruits and vegetables; jellies, jams, compotes; eggs, milk and milk products, yogurt, strained yogurt, Greek yogurt; edible oils and fats, vegetable oils for food; olive oil, extra virgin olive oil, olive oil for food, olives, green olives, preserved olives, processed olives, olive pastes; olives stuffed with almonds; olives stuffed with feta cheese in sunflower oil; olives stuffed with red peppers; olives stuffed with red peppers and almonds; olives stuffed with pesto in sunflower oil; cheese, feta cheese; vegetable salads; antipasto salads; salads in vinegar (pickles), traditional Greek salads, tzatziki, cheese dips; raisins, tahini [sesame seed paste]; prepared meat dishes, prepared vegetable dishes	Registered (Renewal Due Date 22 SEP 2026)

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				Class: 30 Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, bread, pastry and confectionery, confectionery products, ices; honey, treacle, propolis; yeast, baking-powder; salt, mustard; vinegar, balsamic vinegar; sauces; spices; ice; pizzas, frozen pizza; dressings for salad; dipping sauces; pies; halvah; prepared pasta dishes	
888Eternity	1863214 (IR No.1358281)	UAB "Atlantic Duty Free"	19 APR 2017 (Priority Date: 06 NOV 2016)	Class: 31 live animals, organisms for breeding	Registered (Renewal Due Date 19 APR 2027)
SAMAWI	1876211 (IR No.1366260)	UAB "Atlantic Duty Free"	03 MAY 2017 (Priority Date: 05 NOV 2016)	Class: 29 Fish, seafood and molluscs; meat; dairy products and dairy substitutes; processed fruits, fungi and vegetables (including nuts and pulses); birds eggs and egg products; oils and fats; pre-packaged dinners consisting primarily of seafood; antipasto salads; stewed apples; eggplant paste; food served in casseroles consisting primarily of meat, fish, poultry, game and vegetables; shepherd's pie; banana chips; organic nut and seed-based snack bars; bisques; stock; ox bone based broth (seolleongtang); broth [soup]; stock cubes; caesar salad; caponata; chicharron; chile con queso; chili con carne;	Registered (Renewal Due Date 03 MAY 2027)

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				chop suey; dahls; dairy puddings; artificial milk based desserts; desserts made from milk products; chowder; dairy-based dips; prepared meals consisting substantially of seafood; prepared meals consisting principally of game; instant soup; fish in olive oil; fish with chips; dips; dolmas; condensed tomatoes; soups containing steamed eggs; stews; roast beef flavoured extract; faggots [food]; falafel; cooked dish consisting primarily of chicken and ginseng (samgyetang); cooked dish consisting primarily of soybean paste and tofu (doenjang-jjigae); cooked dish consisting primarily of rich soybean paste and tofu (cheonggukjang-jjigae); cooked dish consisting primarily of fermented vegetable, pork and tofu (kimchi-jjigae); cooked dish consisting primarily of stir-fried chicken in a fermented hot pepper paste (dak-galbi); cooked dish consisting primarily of stired-fried beef in a fermented soy sauce (sogalbi); prepared meals made from meat [meat predominating]; prepared meals made from poultry [poultry predominating]; prepared meals containing [principally] eggs; prepared dishes consisting principally of meat; prepared meals containing [principally] chicken; prepared meals containing [principally] bacon; cooked meat dishes; cooked truffles;	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				frozen cooked fish; stock in the form of granules; chilled dairy desserts; steamed cakes of smashed fish and yam (hampen); fish stock; fish cakes; fish jellies; fish croquettes; steamed or toasted cakes of fish paste (kamaboko); fish sausages; beef bouillon; broth concentrates; meatballs; prepared meat dishes; fruit desserts; fruit-based snack food; chicken salad; frozen french fries; frozen pre-packaged entrees consisting primarily of seafood; chile rellenos; filled potato skins consisting primarily of potato, meat and cheese; stuffed olives; bombay mix consisting primarily of fried lentils, peanuts, corn, chickpeas and curry leaves; instant stew; instant miso soup; custard style yoghurts; yoghurt desserts; chilled meals made from fish; potato fritters; potato fritters; bottled vegetables; vegetable-based entrees; vegetable-based snack foods; vegetable stock; prepared vegetable dishes; vegetable chips; salted nuts; gumbo; scotch eggs; corned beef hash; prepared dishes consisting primarily of fishcakes, vegetables, boiled eggs, and broth (oden); frozen prepared meals consisting principally of vegetables; chicken croquettes; chicken stock; chicken balls; legume salads; soy-based snack foods; meat boiled down in soy sauce (tsukudani meat);	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				bologna; matzo ball soup; powdered milk for food purposes; mixes for making soup; mixes for making broths; vegetable soup preparations; veal stock; potato chips; potato flakes; potato-based gnocchi; potato dumplings; potato pancakes; potato fritters; mashed potato; potato salad; potato snacks; radish cubed kimchi (kkakdugi); consommes; mincemeat made from fruits; stuffed cabbage rolls; coconut shrimp; canned pork and beans; soups; croquettes; beef jerky; sugar-coated fruits on a stick; nut-based snack foods; nut-based food bars; spiced nuts; prepared nuts; olives stuffed with feta cheese in sunflower oil; olives stuffed with red peppers; olives stuffed with red peppers and almonds; olives stuffed with almonds; olives stuffed with pesto in sunflower oil; omelets; breaded and fried jalapeno peppers; vegetable marrow paste; pollen prepared as foodstuff; french fries; quenelles; rhubarb in syrup; beef stew; hash brown potatoes; rosti [fried grated potato cakes]; roast chestnuts; roasted nuts; potato-based salads; potato-based snack foods; snack foods based on nuts; meat-based snack foods; tofu-based snacks; snack foods based on vegetables; snack foods based on legumes; soy chips; soy burger patties; puffed pork rind;	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				potato sticks; canned soups; extracts for soups; soup concentrates; soup pastes; soup (preparations for making -); soup powders; soup cubes; teriyaki chicken; frozen appetizers consisting primarily of chicken; frozen appetizers consisting primarily of seafood; tofu; tofu burger patties; vegetable burgers; vegetarian sausages; clam juice; hazelnuts, prepared; prepared snails [escargot]; yucca chips; tzatziki; prepared salads; preparations for making bouillon; onion rings; stock [prepared]; soya [prepared]; edible birds' nests; ready cooked meals consisting wholly or substantially wholly of meat; ready cooked meals consisting wholly or substantially wholly of game; ready cooked meals consisting wholly or substantially wholly of poultry; pre-cooked miso soup; pre-cooked soup; pre-cooked curry stew; pre-packaged dinners consisting primarily of game; cooked meals consisting principally of fish; chilled foods consisting predominately of fish; prepared meals consisting primarily of meat substitutes; white pudding; sausages in batter; spicy beef broth (yukgaejang) Class: 30 Baked goods, confectionery, chocolate and desserts; ice, ice creams, frozen yogurts and sorbets;	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				coffee, teas and cocoa and substitutes therefor; salts, seasonings, flavourings and condiments; processed grains, starches, and goods made thereof, baking preparations and yeasts; sugars, natural sweeteners, sweet coatings and fillings, bee products; pineapple fritters; french toast; flavoured popcorn; snack food products consisting of cereal products; snack food products made from potato flour; snack foods prepared from maize; snacks manufactured from muesli; banana fritters; baozi [stuffed buns]; flaky pastry containing ham; pretzels; brioches; bean jam buns; frankfurter sandwiches; buckwheat jelly (memilmuk) [confectionery]; burritos; calzones; chalupas; cheeseburgers [sandwiches]; chimichanga; chinese steamed dumplings (shumai, cooked); grain-based chips; crisps made of cereals; chow mein; chow mein [noodle-based dishes]; crackers made of prepared cereals; crackers flavoured with meat; crackers flavoured with vegetables; crackers flavoured with herbs; crackers flavoured with cheese; crackers flavoured with spices; fish crackers; crepes; egg pies; empanadas; enchiladas; chocolate-based ready-to-eat food bars; fajitas; pastries containing vegetables and fish; rice-based prepared meals;	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				prepared meals in the form of pizzas; prepared meals containing [principally] pasta; pies containing meat; meat pies; meat pies [prepared]; fresh pies; fresh pizza; fresh sausage rolls; stir fried rice cake [topokki]; egg rolls; spring rolls; prawn crackers; fried corn; chilled pizzas; frozen pastry stuffed with meat; frozen pastry stuffed with vegetables; filled baguettes; pasta containing stuffings; chinese stuffed dumplings (gyoza, cooked); filled bread rolls; vegetable pies; pellet-shaped rice crackers (arare); rice based dishes; meals consisting primarily of pasta; corn kernels being toasted; toasted sandwiches; toasted cheese sandwich; toasted cheese sandwich with ham; chips [cereal products]; cereal-based snack food; gimbap [korean rice dish]; mincemeat pies; flapjacks; hamburgers being cooked and contained in a bread roll; hamburgers contained in bread rolls; hot sausage and ketchup in cut open bread rolls; millet cakes; hot dog sandwiches; snack food products made from cereal flour; snack food products made from rice flour; snack food products made from soya flour; snack foods made from corn; snack foods made from corn and in the form of puffs; snack foods made from corn and in the form of rings; puffed corn snacks; cereal snack	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				foods flavoured with cheese; jiaozi [stuffed dumplings]; canapes; caramel coated popcorn with candied nuts; kimchi pancakes (kimchijeon); sticky rice cakes (chapsalttock); shrimp dumplings; preserved pizzas; korean-style pasta soup [sujebi]; glutinous pounded rice cake coated with bean powder (injeolmi); stir-fried noodles with vegetables (japchae); cheese curls [snacks]; macaroni with cheese; pumpkin porridge (hobak-juk); lasagne; seaweed flavoured corn chips; maize, roasted; corn chips; vegetable flavoured corn chips; macaroni salad; microwave popcorn; sandwiches containing fish fillet; sandwiches containing meat; steamed buns stuffed with minced meat (niku-manjuh); caramel coated popcorn; crackers filled with cheese; mung bean pancakes (bindaetteok); nachos; ready-made dishes containing pasta; noodle-based prepared meals; canned pasta foods; pasta salad; okonomiyaki [japanese savory pancakes]; pasta dishes; pastries containing vegetables and meat; pastries containing vegetables and poultry; pies; pies containing fish; pies containing poultry; pies containing vegetables; pies containing game; pies [sweet or savoury]; stir-fried rice; pancakes; green onion pancake [pajeon]; prepared	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				savory foodstuffs made from potato flour; savory pastries; pizza crust; pizza bases; prepared pizza meals; pizza; pizzas [prepared]; candy coated popcorn; pot pies; puffed cheese balls [corn snacks]; popcorn; quesadillas; quiches; ramen [japanese noodle-based dish]; ravioli; ravioli [prepared]; rice mixed with vegetables and beef [bibimbap]; rice crisps; prepared rice dishes; rice dumplings; rice dumplings dressed with sweet bean jam (ankoro); rice crackers; rice cakes; rice biscuits; rice salad; rice-based snack food; risotto; salted tarts; samosas; sandwiches; sandwiches containing fish; sandwiches containing chicken; sandwiches containing minced beef; sandwiches containing salad; pork pies; rice crackers [senbei]; sesame snacks [confectionery]; snack foods made from wheat; snack food products made from cereal starch; snack food products made from maize flour; snack food products made from rusk flour; snack foods made of whole wheat; cheese flavored puffed corn snacks; spaghetti and meatballs; canned spaghetti in tomato sauce; extruded wheat snacks; pre-baked pizzas crusts; meals consisting primarily of rice; snack foods consisting principally of bread; pre-packaged lunches consisting primarily of rice,	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				and also including meat, fish or vegetables; snack foods consisting principally of extruded cereals; prepared meals containing [principally] rice; wonton chips; wontons; soft pretzels; wholewheat crisps; poultry and game meat pies; wrap [sandwich]; sausage rolls; prepared foodstuffs in the form of sauces; pasta-based prepared meals; onion biscuits Class: 31 Foodstuffs and fodder for animals; agricultural and aquacultural crops, horticulture and forestry products; live animals, poultry for breeding Class: 32 Beer and beer-based beverages; non-alcoholic beverages; preparations for making beverages Class: 33 Alcoholic beverages (except beer); preparations for making alcoholic beverages	
My feelings	1907848 (IR No.1389545)	UAB "Atlantic Duty Free"	27 JUL 2017 (Priority Date: 11 FEB 2017)	Class: 29 Fish, seafood and molluscs; meat; dairy products and dairy substitutes; processed fruits, fungi and vegetables (including nuts and pulses); birds eggs and egg products; oils and fats; pre-packaged dinners consisting primarily of seafood; antipasto salads; stewed apples; eggplant paste; meals consisting primarily of meat, fish, poultry or vegetables, prepared in casseroles; shepherd's pie; bisques; stock; ox bone based broth (seolleongtang);	Registered (Renewal Due Date 27 JUL 2027)

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				broth [soup]; stock cubes; caesar salad; caponata; chicharron; chile con queso; chili con carne; chop suey; dal [prepared dish]; dairy puddings; artificial milk based desserts; desserts made from milk products; chowder; dairy-based dips; prepared meals consisting substantially of seafood; prepared meals consisting principally of game; instant soup; fish in olive oil; fish and chips; dips; dolmas; condensed tomatoes; steamed egg hotchpotch; stews; roast beef flavoured extract; faggots [food]; falafel; cooked dish consisting primarily of chicken and ginseng (samgyetang); cooked dish consisting primarily of soybean paste and tofu (doenjang-jjigae); cooked dish consisting primarily of rich soybean paste and tofu (cheonggukjang-jjigae); cooked dish consisting primarily of fermented vegetables, pork and tofu (kimchi-jjigae); cooked dish consisting primarily of stir-fried chicken and fermented hot pepper paste (dak-galbi); cooked dish consisting primarily of stired-fried beef and fermented soy sauce (sogalbi); prepared meals made from meat [meat predominating]; prepared meals made from poultry [poultry predominating]; prepared meals containing [principally] eggs; prepared dishes consisting principally of meat; prepared meals	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				containing [principally] chicken; prepared meals containing [principally] bacon; cooked meat dishes; cooked truffles; frozen cooked fish; stock in the form of granules; chilled dairy desserts; steamed cakes of smashed fish and yam (hampen); fish stock; fish crackers; fish cakes; fish jellies; fish croquettes; steamed or toasted cakes of fish paste (kamaboko); fish sausages; beef bouillon; broth concentrates; meatballs; prepared meat dishes; fruit desserts; chicken salad; frozen pre-packaged entrees consisting primarily of seafood; chile rellenos; stuffed olives; bombay mix; instant stew; instant miso soup; custard style yoghurts; yoghurt desserts; chilled meals made from fish; potato fritters; bottled vegetables; vegetable-based entrees; vegetable stock; prepared vegetable dishes; salted nuts; gumbo; scotch eggs; corned beef hash; prepared dishes consisting primarily of fishcakes, vegetables, boiled eggs, and broth (oden); frozen prepared meals consisting principally of vegetables; chicken croquettes; chicken stock; chicken balls; legume salads; meat boiled down in soy sauce (tsukudani meat); bologna; matzo ball soup; powdered milk for food purposes; mixes for making soup; mixes for making broths;	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				vegetable soup preparations; veal stock; potato-based gnocchi; potato fritters; mashed potato; potato salad; radish cubed kimchi (kkakdugi); consommes; mincemeat made from fruits; stuffed cabbage rolls; coconut shrimp; canned pork and beans; soups; croquettes; beef jerky; sugar-coated fruits on a stick; spiced nuts; olives stuffed with feta cheese in sunflower oil; olives stuffed with red peppers; olives stuffed with red peppers and almonds; olives stuffed with almonds; olives stuffed with pesto in sunflower oil; omelets; breaded and fried jalapeno peppers; vegetable marrow paste; quenelles; rhubarb in syrup; beef stew; rosti [fried grated potato cakes]; roast chestnuts; roasted nuts; potato-based salads; meat-based snack foods; soy burger patties; puffed pork rind; canned soups; extracts for soups; soup concentrates; soup pastes; soup (preparations for making -); soup powders; soup cubes; teriyaki chicken; frozen appetizers consisting primarily of chicken; frozen appetizers consisting primarily of seafood; tofu; tofu burger patties; vegetable burgers; vegetarian sausages; clam juice; hazelnuts, prepared; prepared snails [escargot]; tzatziki; prepared salads; preparations for making bouillon; onion rings; stock	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				[prepared]; soya [prepared]; edible birds' nests; ready cooked meals consisting wholly or substantially wholly of meat; ready cooked meals consisting wholly or substantially wholly of game; ready cooked meals consisting wholly or substantially wholly of poultry; pre-cooked miso soup; pre-cooked soup; pre-cooked curry stew; pre-packaged dinners consisting primarily of game; cooked meals consisting principally of fish; chilled foods consisting predominately of fish; prepared meals consisting primarily of meat substitutes; white pudding; sausages in batter; spicy beef broth (yukgaejang) Class: 30 Coffee, tea, edible salt, seasonings, spices, flavourings for beverages other than essential oils; sugar, sweeteners (natural -), pineapple fritters; flavoured popcorn; banana fritters; baozi [stuffed buns]; flaky pastry containing ham; pretzels; brioches; bean jam buns; frankfurter sandwiches; burritos; chalupas; cheeseburgers [sandwiches]; chimichanga; chinese steamed dumplings (shumai, cooked); crackers flavoured with cheese; enchiladas; pastries consisting of vegetables and fish; rice-based prepared meals; prepared meals in the form of pizzas; prepared meals containing [principally] pasta; pies	

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				containing meat; meat pies; fresh pizza; fresh sausage rolls; egg rolls; spring rolls; prawn crackers; fried corn; chilled pizzas; frozen pastry stuffed with meat; frozen pastry stuffed with vegetables; pasta containing stuffings; chinese stuffed dumplings (gyoza, cooked); filled bread rolls; vegetable pies; rice based dishes; meals consisting primarily of pasta; corn kernels being toasted; toasted sandwiches; toasted cheese sandwich; toasted cheese sandwich with ham; gimbap [korean rice dish]; mincemeat pies; flapjacks; hamburgers being cooked and contained in a bread roll; hamburgers contained in bread rolls; hot sausage and ketchup in cut open bread rolls; millet cakes; hot dog sandwiches; jiaozi [stuffed dumplings]; shrimp dumplings; preserved pizzas; korean-style pasta soup [sujebi]; stir-fried noodles with vegetables (japchae); cheese curls [snacks]; macaroni with cheese; pumpkin porridge (hobak-juk); lasagne; macaroni salad; microwave popcorn; sandwiches containing fish fillet; sandwiches containing meat; steamed buns stuffed with minced meat (niku-manjuh); ready-made dishes containing pasta; noodle-based prepared meals; canned pasta foods; pasta salad; okonomiyaki [japanese savory pancakes]; pasta	

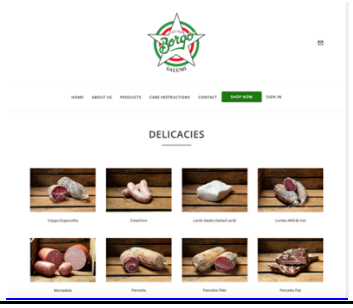
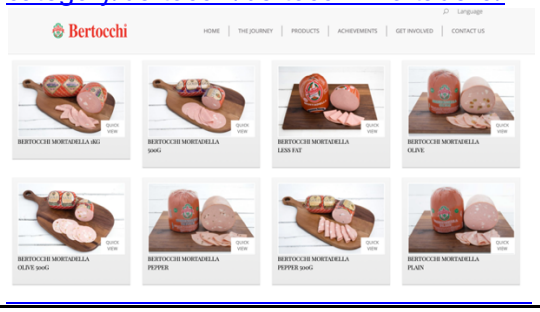
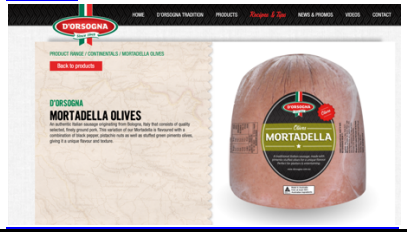
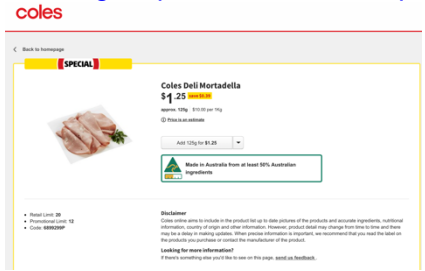
Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				dishes; pastries consisting of vegetables and meat; pastries consisting of vegetables and poultry; pies containing fish; pies containing poultry; pies containing vegetables; pies containing game; stir-fried rice; savory pastries; prepared pizza meals; pizza; pot pies; popcorn; quiches; ramen [japanese noodle-based dish]; ravioli; prepared ravioli; bibimbap [rice mixed with vegetables and beef]; prepared rice dishes; rice salad; risotto; salted tarts; samosas; sandwiches; sandwiches containing fish; sandwiches containing chicken; sandwiches containing minced beef; sandwiches containing salad; pork pies; spaghetti and meatballs; canned spaghetti in tomato sauce; meals consisting primarily of rice; pre-packaged lunches consisting primarily of rice, and also including meat, fish or vegetables; prepared meals containing [principally] rice; poultry and game meat pies; sausage rolls; prepared foodstuffs in the form of sauces; pasta-based prepared meals Class: 32 Beer and beer-based beverages; non-alcoholic beverages; preparations for making beverages Class: 33 Alcoholic beverages (except beer); preparations for making alcoholic beverages	

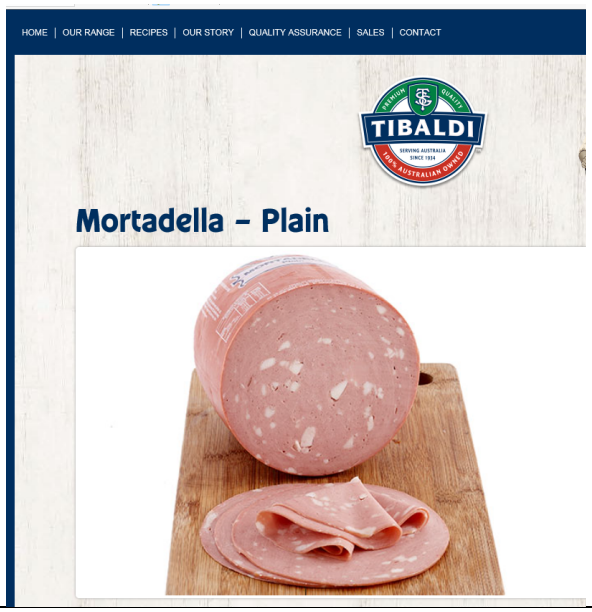
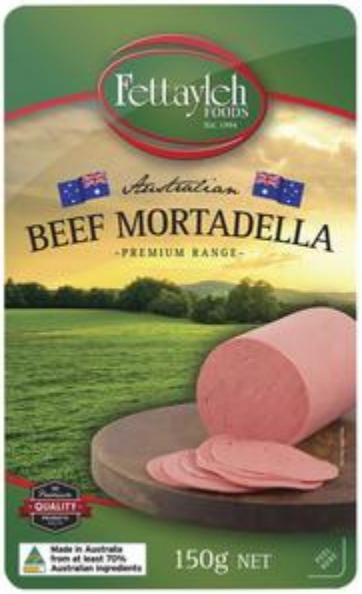
Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
PRINCI	1937298	Malda Pty Ltd	28 JUN 2018	Class: 29 Gourmet and Continental meats including hams, salami, mortadella, peperoni, sausages, chorizo, cacciatore, proscuito, coppa, casalingo, bresaola, brawn, lombo and bacon Class: 35 Wholesaling and retailing of gourmet and continental meats including hams, salami, mortadella, peperoni, sausages, chorizo, cacciatore, proscuito, coppa, casalingo, bresaola, brawn, lombo and bacon, both on-line and via physical retail and wholesale stores or outlets	Registered (Renewal Due Date 28 JUN 2028)
PRINCI SMALLGOODS	1937299	Malda Pty Ltd	28 JUN 2018	Class: 29 Gourmet and Continental meats including hams, salami, mortadella, peperoni, sausages, chorizo, cacciatore, proscuito, coppa, casalingo, bresaola, brawn, lombo and bacon Class: 35 Wholesaling and retailing of gourmet and continental meats including hams, salami, mortadella, peperoni, sausages, chorizo, cacciatore, proscuito, coppa, casalingo, bresaola, brawn, lombo and bacon, both on-line and via physical retail and wholesale stores or outlets	Registered (Renewal Due Date 28 JUN 2028)
ROLLINO	1987712 (IR No.1448637)	CASALE S.p.A.	31 OCT 2018 (Priority Date: 29 OCT 2018)	Class: 29 Meat; sliced meat; meat, frozen; meat, preserved; meat, tinned; meat extracts; meat jellies; packaged meats; meat, processed; prepared meals consisting primarily of meat, fish, poultry or vegetables;	Registered (Renewal Due Date 31 OCT 2028)

Australia					
Mark	**Number**	**Owner**	**Filing Date**	**Classes/Goods and Services**	**Status**
				prepared meals consisting primarily of meat substitutes; sausages; salami; ham; milk; milk substitutes; cheese; milk and milk products; frozen fruits; fruit, preserved; fruit, stewed; fruit jellies; fruits, tinned; nuts, processed; frozen vegetables; cut vegetables; vegetables, processed; vegetables, tinned; eggs; mortadella; oils and fats for food.	

Exhibit 1:

Non-exhaustive list of producers and products sold at retailers

Company Name	Website
Borgo	https://www.borgo.com.au/about-us 
Bertocchi	http://new.bertocchi.com.au/product-category/bertocchi/bertocchi-mortadella/ 
Zammit Ham Company	https://www.zammitham.com.au/shop/item/mortadella1 
D'Orsogna	https://www.dorsogna.com.au/catalogue/product/mortadella-olives 
Coles private brand	https://shop.coles.com.au/a/a-wa-metro-maddington/product/mortadella-plain 
Company Name	**Website**

Tibaldi	http://www.tibaldi.com.au/mortadella-plain/ 
Fettayleh	https://shop.coles.com.au/a/a-nsw-metro-macarthur-square/product/fettayleh-meat-mortadella 

“Mortadella” Products at retailers:

coles

Back to products



Bertocchi Pepper Mortadella

$1.43

approx. 125g | $11.40 per 1Kg

Price is an estimate

Temporarily unavailable

View alternatives

Made in Australia from less than 10% Australian ingredients

Indicated price based on approx. weight. Weight may vary between 115g and 135g.

Disclaimer

coles

Back to products



Coles Deli Mortadella

$1.43

approx. 125g | $11.40 per 1Kg

Price is an estimate

Temporarily unavailable

View alternatives

Made in Australia from less than 10% Australian ingredients

coles

Back to products



Continental Kosher Butchers Mortadella

$7.05

200g | $35.25 per 1Kg

Add 1 for $7.05

Made in Australia from at least 96% Australian ingredients

coles

Back to products

NEW



Primo Mortadella Sliced

$3.25

100g $3.25 per 100G

Temporarily unavailable

View alternatives

Made in Australia from at least 25% Australian ingredients

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woolworths

Lists Catalogue Recipes Discover

mortadella

Specials | Fruit & Veg | Meat, Seafood & Deli | Bakery | Dairy, Eggs & Fridge | Pantry | Freezer | Drinks | Liquor | Baby | Pet | Health & Beauty

Back



Bertocchi Mortadella Plain Shaved From The Deli per kg

$12.50 $12.50 / 1KG

Save to list + Add to cart

Check stock in our stores

Product Details

Shop this product for your chance to win an Aussie holiday. Find out more.

Made in Australia from less than 10% Australian ingredients

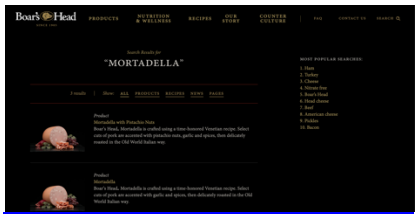
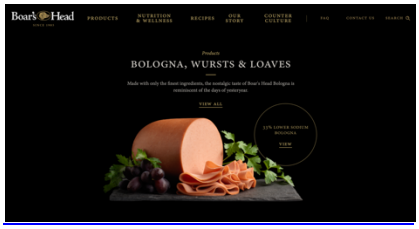
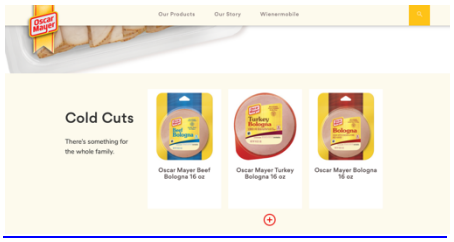
Exhibit 2: Links to press articles using the common term “mortadella”

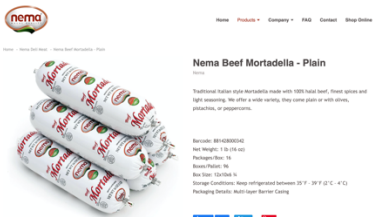
https://www.delicious.com.au/eat-out/latest-news/article/move-over-proscuitto-mortadella-fast-becoming-citys-trendiest-cured-meat/iv46krr8

https://www.goodfood.com.au/eat-out/news/the-new-deli-why-delicatessens-are-making-a-comeback-around-melbourne-20180213-h0w0w4

Exhibit 3:

Non-exhaustive List of Companies Producing Meat containing the term "mortadella" and "bologna" as a generic name outside Australia.

Company Name	Country	Website
Board's Head (mortadella)	United States	https://boarshead.com/search?terms=mortadella 
Board's Head (bologna)	United States	https://boarshead.com/products/bolognas-wursts-loaves 
Kraft Foods - Oscar Mayer	United States	https://www.oscarmayer.com/our-products/coldcuts 
Carando	United States	http://carando.com/products/mortadella 

Company Name	Country	Website
Olympia Provisions	United States	https://www.olympiaprovisions.com/products/mortadella?variant=9300798405&gclid=CjwKCAjwo9rtBRAdEiwA_WXcFlWn3-euZzn9bKgfH2wQHrqC2lzCVh6MR30Md66Rjznk7B8Ksi7czBoCSVQQAvD_BwE 
Nema Halal	United States	https://www.nemahalal.com/collections/nema-deli-products/products/nema-beef-mortadella-plain 
Amish Foods	United States	https://www.amishfoods.com/meats/sweet-bologna 
Berks Fods	United States	https://www.berksfoods.com/retail-ring-bologna/ 

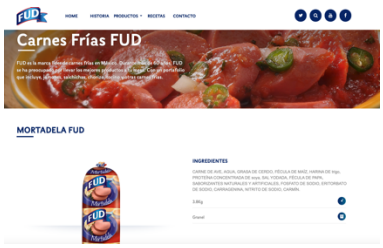
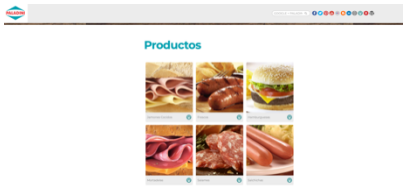
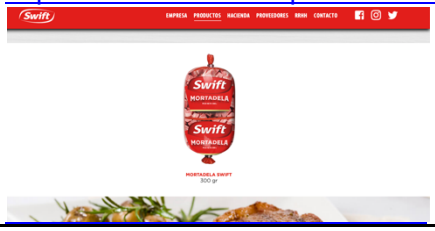
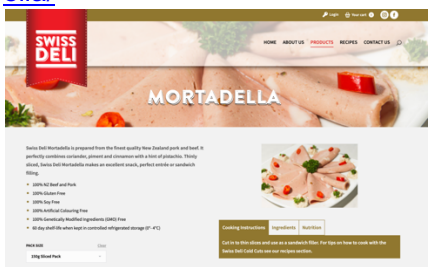
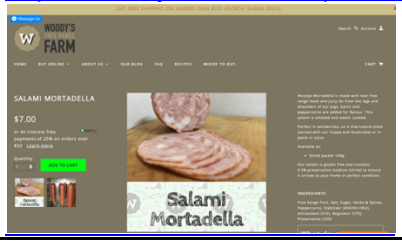
Company Name	Country	Website
Alimentos FUD	Mexico	http://www.fud.com.mx/products/mortadela-fud/ 
Paladini	Argentina	https://www.paladini.com.ar/productos.php 
Peñaranda	Mexico	http://penaranda.com.mx/mortadelas 
Swift	Argentina	http://sitio.swift.com.ar/productos.html 
Swiss Deli	New Zealand	https://www.swissdeli.co.nz/product/mortadella/ 
Woody's Farm	New Zealand	https://woodysfarm.co.nz/products/salami 

Exhibit 4: EU FTAs clarifications on the use of "mortadella" and "bologna"



THIS REPORT CONTAINS ASSESSMENTS OF COMMODITY AND TRADE ISSUES MADE BY USDA STAFF AND NOT NECESSARILY STATEMENTS OF OFFICIAL U.S. GOVERNMENT POLICY

Voluntary _ Public

Date: 12/20/2017
GAIN Report Number: JA7151

Japan

Post: Tokyo

MAFF Approves 70 EU-Proposed GIs for Agricultural Items

Report Categories:
Agricultural Situation

Approved By:
Christopher Riker

Prepared By:
Daisuke Sasatani

Report Highlights:
Japan's Ministry of Agriculture, Forestry and Fisheries approved 70 European Union (EU)-proposed geographical indications for agricultural items on December 15, 2017. NOTE: The EU had been seeking protections for 71 agricultural items, but a formal decision on "Comté" will come later -- after the extended public comment period closes on January 29, 2018. The 70 protections will become effective on the date the Japan-EU Economic Partnership Agreement enters into force (currently anticipated to occur in 2019).

Keywords: JA7151, cheese, labeling, certification

General Information:
Following the announcement of the Economic Partnership Agreement (EPA) between the European Union (EU) and Japan in early July, Japan's Ministry of Agriculture, Forestry and Fisheries (MAFF) published a list of 71 proposed geographical indications (GIs) for which the EU sought protections in Japan (see JA7098, JA7111, and JA7119).

After the conclusion of a three month public comment period, MAFF released its final decision on the EU's request on December 15, 2017[1] (see Attachment 1 below and MAFF's website at: http://www.maff.go.jp/j/shokusan/gi_act/attach/pdf/index-52.pdf). NOTE: The production process outlined in the GI application to protect "Comté" was subsequently modified. Accordingly, the deadline for public comments on the EU's request to protect "Comté" was extended until January 29, 2018.

The 70 GI protections designated for EU agricultural products will become effective on the date the Japan-EU EPA enters into force (currently anticipated to occur in 2019). MAFF, however, has clarified certain elements of these GI protections for interested parties:

- Although compound terms requested by the EU will be protected, use of the underlined terms {see Attachment 1, Exhibit 2 below} alone (e.g., Romano, Pecorino, Grana, Padano, Nürnberger, Bratwürste, Rostbratwürste, Mortadella, and Bologna) will be permitted for use by non-EU producers so long as the products are not intended to imitate GI terms.

- Cutting and packing of some GI-protected cheese products on the list will be required to be performed in the concerned region. However, if consumed in Japan, it will be permitted to cut and pack the products identified below (i.e., shaded: see Exhibit 2 below) in Japan for a period of seven years. This policy will be reviewed 3 years after the EU-Japan EPA is effectuated.

- The term "Parmesan" can be used alone as a name for hard cheese if it does not cause consumers to have a misconception that the product is Parmigiano Reggiano.

- Codex Alimentarius standard terms (e.g., Mozzarella, Cheddar, Edam, Gouda, Emmental, Provolone, Camembert, Brie) will not be protected and will remain available for use by non-EU producers.

- Portions of fruit and vegetable names underlined below can be used as variety names if it does not cause consumers to have a misconception that the products in question are authentic products with the GI. For example:

    - Citricos Valencianos will be protected, but Valencianos will not be protected.
    - Elia Kalamatas will be protected, but Kalamatas will not be protected.
    - Pêra Rocha do Oeste will be protected, but Rocha will not be protected.

[1] The Ministry of Finance's National Tax Agency is currently evaluating public comments submitted on 139 EU-proposed GIs for wine, spirits, and other alcoholic beverages.

(Exhibit 2)

The list of 71 items from EU region under the GI agreement

Category	GI item	Note
Dairy (27)	Belgium-Beurre d'Ardenne Denmark-Danablu France-Camembert de Normandie France-Comte France-Brie de Meaux France-Roquefort France-Emmental de Savoie France-Reblochon / Reblochon de Savoie Greece-Φέτα(Feta) Italy-Parmigiano Reggiano* Italy-Gorgonzola Italy-Asiago Italy-Fontina Italy-Mozzarella di Bufala Campana Italy-Grana Padano Italy-Pecorino Romano Italy-Pecorino Toscano Italy-Provolone Valpadana Italy-Taleggio The Netherlands-Gouda Holland The Netherlands-Edam Holland Portugal-Queijo S. Jorge Spain-Idiazabal Spain-Mahón-Menorca Spain-Queso Manchego The United Kingdom-West Country farmhouse Cheddar cheese The United Kingdom-White Stilton cheese / Blue Stilton cheese	- The portion of names underlined can be used alone if it could not cause consumers to have a misconception that the products in question are authentic products with the geographical indication - The shaded cheeses can be cut into pieces in Japan if the purpose is to consume within Japan for 7 years after the implementation of the agreement. (Reviews will be conducted within 3 years after the implementation of the agreement, and a solution will be found by the expiration of the coordination period of 7 years.) * The term "Parmesan" can be used alone as a name of hard cheese if it could not cause consumers to have a misconception that the product is Parmigiano Reggiano.
Meat (14)	Austria-Tiroler Speck Belgium-Jambon d'Ardenne France-Canard à foie gras du Sud-Ouest (Chalosse, Gascogne, Gers, Landes, Périgord, Quercy)	- The portion of names underlined can be used alone if it could not cause consumers to have a misconception that the products in question are authentic products with the geographical indication
	France-Jambon de Bayonne Germany-Nürnberger Bratwürste / Nürnberger Rostbratwürste Hungary-Szegedi szalámi / Szegedi téliszalámi Italy-Mortadella Bologna Italy-Prosciutto di San Daniele Italy-Prosciutto Toscano Italy-Zampone Modena Italy-Bresaola della Valtellina Spain-Jabugo Spain-Jamón de Teruel / Paleta de Teruel Spain-Guijuelo	

MINISTER FOR TRADE
MINISTRY OF FOREIGN AFFAIRS AND TRADE
SEOUL, KOREA

June 20, 2011

The Honorable Ron Kirk
United States Trade Representative
Washington, D.C.
United States of America

Dear Ambassador Kirk:

I, too, enjoyed meeting you at the recent Ministerial meetings. The APEC meeting in Big Sky was a good sign for the success of APEC this year and the demonstration of your excellent chairmanship.

In response to your letter, I would like to follow up on my letter of February 24, 2010 regarding Geographical Indications (GIs) in our free trade agreement with the European Union. I understand that this issue continues to be of concern to your government, and seek to offer some further clarifications.

First, with regard to some of the GI terms that are set forth in Annex 10-A to the Korea-EU Free Trade Agreement (Geographical Indications for Agricultural Products and Foodstuffs), as you will note, a number of those terms are compound terms; i.e., they are terms comprised of more than one element. For example, the terms include "Brie de Meaux," "Emmental de Savoie," "Grana Padano," "Mozzarella di Bufala Campana," "Parmigiano Reggiano," "Pecorino Romano," and "Provolone Valpadana."

With respect to these terms, the Government of Korea understands that any restrictions or requirements it may impose on the use of these compound terms would pertain only to the protection of the compound terms in their entirety. In other words, the individual components of the compound terms, for example, "grana", "parmigiano", "provolone", or "romano", themselves, including their translation or transliteration, are not the objects of GI protection under the Korea-EU FTA. Accordingly, the Government of Korea further understands that Article 10.21.1 of the Korea-EU FTA will govern the scope of protection of compound term GIs in relation to the use of their individual components.

The Government of Korea understands that the terms "camembert," "mozzarella," "emmental," and "brie," in either the English or Korean languages, are generic terms that indicate types of cheeses in Korea, and that the use of these terms is therefore not restricted as a result of the Korea-EU FTA. In addition, I confirm that these terms are merely illustrative examples, not an exhaustive list of generic terms in Korea. My Government believes that "cheddar," among others, may be another such example that indicates a type of cheese.

I confirm, further to my letter of February 24, 2010, that any protection Korea may extend to an asserted GI, pursuant to the Korea-EU FTA or otherwise, will not limit existing rights that a right-holder, or an entity authorized by a right-holder, may have with respect to the continued use of a trademark, including collective marks and certification marks, or with respect to the maintenance of a trademark registration. Further, any protection that Korea may extend to an asserted GI would not be a basis for Korea to deny a request by the owner of an existing trademark that would otherwise be granted under Korea's law, including, for example, a request to re-new or otherwise secure protection of the trademark before the owner's registration lapses.

I also confirm that names to be protected under the GI provisions of the Korea-EU FTA are the original language expressions listed in the left column of the tables in Annex 10-A to the FTA. Therefore, the Korea-EU FTA does not create any right for the GI right holders to use the GI in translation or transliteration in any other language. The GIs rather shall be protected against the use of their translation or transliteration in accordance with Article 10.21.1(b) of the Korea-EU FTA. Even in such a case, continued use of prior trademarks will not be prejudiced, as discussed above.

Finally, in my February 24, 2010 letter, I noted that the third party opposition procedure will be provided in accordance with the relevant provisions of the Korea-US FTA in a timely manner. To further clarify this matter, I confirm that Korea will allow third parties to oppose any proposal to designate any term as a GI, whether these proposals are made pursuant to the Korea-EU FTA, or to any other future agreements with other trading partners. In addition, before Korea identifies additional terms as GIs under the Korea-EU FTA, it will provide, by published administrative guidelines, that designations of asserted GIs may be opposed in Korea on the grounds that would include: (1) the term is generic in Korea; (2) the term is confusingly similar to a pre-existing trademark or geographical indication that was either previously applied for or registered or established through use; (3) the term is confusingly similar to a well-known trademark; and (4) the term does not meet the definition of a GI.

I hope that this will help address your concerns. I, too, look forward to working closely with you to take the KORUS Agreement into entry into force as soon as possible.

Sincerely,



Jong-Hoon Kim

Related Countries & Regions

Related Topics

United States and Honduras Achieve Breakthrough on Intellectual Property Protection and Enforcement



New 2016 Work Plan will benefit American agriculture, creative industries, telecommunications, textiles and apparel and other exports that support high-paying jobs here at home by preventing piracy and intellectual property theft

Washington, D.C. – The Office of the United States Trade Representative (USTR) announced today that the Government of Honduras (GOH) has committed to undertake a series of actions to strengthen the protection and enforcement of intellectual property in Honduras after the United States took special measures last year to increase engagement on intellectual property enforcement there.

This breakthrough was reached after the United States carried out an Out-Of-Cycle Review of intellectual property protection in Honduras in order to determine if that country should be placed on USTR's Special 301 intellectual property Watch List.

These new GOH commitments in the 2016 Work Plan (https://ustr.gov/sites/default/files/IP-Work-Plan-Honduras-02292016-FINAL.pdf) will address concerns raised by the United States in the Out-Of-Cycle Review and will strengthen implementation of the CAFTA-DR commitments relating to intellectual property.

"Today's agreement is an important success for the fair treatment of American businesses and workers, including in the dairy, creative industries, telecommunications textiles and apparel and industries," said U.S. Trade Representative Michael Froman. **"Honduras is to be commended for the new commitments it has made to advancing intellectual property protection and enforcement, and for the collaborative approach it has taken to resolving these issues with us."**

Intellectual property rights (IPR) enforcement is the principal focus of the commitments by the Honduran government. To bolster criminal enforcement, the GOH will substantially increase the number of prosecutors specializing in criminal IPR enforcement by the end of this March. The GOH has also committed to publish quarterly reports on prosecution case activity, in order to promote transparency and accountability as this plan is implemented.

Additionally, the Work Plan addresses signal piracy in cable and satellite transmissions. Prosecutors will work to efficiently resolve pending criminal investigations associated with this problem and GOH authorities will engage with rights holders to promote expanded use of administrative enforcement options. The GOH's cable regulatory authorities have committed to accept right holder identification of authorized cable licensees, and to take appropriate administrative enforcement actions, including the imposition of fines and suspension of business licenses in appropriate cases. These regulatory authorities also committed to publish quarterly reports on administrative enforcement activity.

The Work Plan also addresses the need for greater clarity in the scope of protection for geographical indications (GIs). GOH authorities have committed to clarify how an interested party may seek clarification as to whether individual components of a compound geographical indication are generic and therefore not entitled to GI protection when used in isolation. The GOH has also made key commitments to clarify the possible generic status of individual terms in future cases, via public notices. For greater clarity as to the scope of GIs already granted, Honduran authorities have posted clarifying information on a GOH official webpage. Among the terms clarified as being generic in that information are "parmesano" (the Spanish language term for "parmesan"), "provolone," and "bologna." These commitments will assist U.S. food and agricultural producers, such as dairy farmers, to increase trade in cheese and meat products with Honduras.

Other commitments provide cross-cutting benefit. GOH authorities have committed to review draft measures to improve border enforcement through implementation of a customs trademark registry. The GOH also committed to reactivate the Interagency Commission to Combat Piracy and Counterfeiting in order to strengthen interagency coordination and cooperation in the protection of intellectual property rights in Honduras.

Exhibit 5 – Letter to U. S. Congress from EU Ambassador Almeida

EUROPEAN UNION
DELEGATION TO THE UNITED STATES OF AMERICA

The Head of Delegation

Washington, May 21, 2014
del-usa.dir(2014)1784113
JVA/GM/eba

The Honorable Reid Ribble
US House of Representatives
Longworth House Office Building
Washington, DC 20515

Subject: Geographical Indications in the TTIP context

Dear Representative,

There has been a great deal of concern expressed in the US about the European Union's position on geographical indications (GIs), in the context of our ongoing Transatlantic Trade and Partnership Agreement (TTIP) talks. I would like to take this opportunity to explain why GIs are so important to the EU, but also why we think our ask on this is fair, reasonable and pragmatic.

Why GI's matter so much in Europe

In your letter to USTR and USDA of May 9, 2014 you rightly pointed out that the EU, within the general negotiation of TTIP, is seeking protection for its geographical indications. This is indeed true; in the EU we do indeed see TTIP as a unique opportunity to improve the protection of a select number of food names that have - or may have in the future - a role to play in the US market. This stems from a genuine, and I do believe, shared objective to guarantee a fair treatment for unique products and increase transparency for consumers seeking more accurate information about the content and the origin of their food.

The protection of all sorts of intellectual property rights (IPR) is one of the foundations of both the US and the EU economic systems, as millions of jobs across the Atlantic depend on an effective protection of those legitimate rights. Geographical indications are a recognized part of this IPR family. The WTO that the EU and the US negotiated together as founding members recognizes the concept of GIs, albeit in our view with an insufficient degree of protection for legitimate right holders. Just as we both seek effective protection for other IPR rights in the WTO and in bilateral agreements, the EU does not see why GIs in the context of TTIP should be an exception and should not be treated at par with other IPR.

In fact, there are voices in the US strongly supporting the geographical indications' approach and advocating a better protection for this particular property right. These are producer groups recognizing the value of that approach for their business, whether domestically in the US or vis-à-vis export markets. It is important to note that the EU

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already recognizes and protects a number of non-EU GIs, including Napa Valley wines, and it is certainly open to registering more US products.

What we seek in TTIP

The EU and US have already concluded a Wine Agreement in 2006 which is proving to be a successful tool to promote a fair and successful reciprocal trade in wine between us. Protection of origin names in the respective territories was at the very center of that undertaking. Based on this success, the EU finds it only makes sense to consider similar treatment, securing an effective protection for geographical indications for foods other than wine and spirits.

The EU approach to GIs in its trade negotiations has often been interpreted as an attempt to "monopolize" common food names used worldwide for the benefit of some European producers. This is wrong. The EU legislation on GIs foresees that a name that has become generic cannot be protected and can therefore be freely used by all. We also accept that a name that is protected as a GI in the EU could be considered as generic in another territory such as the US. The EU believes that this test should be done on the basis of serious evidence, not mere assumptions.

For instance, we do not protect in the EU a whole series of names you will immediately recognise – camembert, brie, cheddar, edam, emmental, gouda, mascarpone, mozzarella, provolone, blue and bologna - despite the fact that these names are undisputedly of European origin and often refer to a specific place in Europe. To say that we seek protection for these names is totally erroneous.

We have therefore been perplexed to see media reports stating that we are looking to protect names such as chorizo, ricotta, salami, kielbasa, chevre and prosciutto. This is simply wrong, as these terms are generic and are not protected within the EU. The bulk of the US agricultural industrial production operates using these terms and we in no way question this.

Except for a handful of GIs, the fact is that the names for which we are seeking protection in the United States do not conflict with US food labels. Providing an effective protection and enforcement of the non-problematic terms and finding pragmatic solutions for the handful of terms on which we do disagree is the task of our respective negotiators. We have done this before with other trade partners, and with pragmatism from both sides, a mutually acceptable way through will be found.

TTIP represents a unique opportunity for growth and jobs for both sides of the Atlantic, including in agriculture. We are at your disposal to take this agenda forward, to achieve an ambitious and balanced agreement.

Yours sincerely,

João Vale de Almeida
Ambassador

CC: Messrs. Froman, Vilsack

Important information regarding the receipt and handling of your submission

We will send a confirmation message to you when we receive your submission. We may also contact you if we need to clarify matters in your objection.

DFAT reserves the right to release information publicly and/or to the EU, including any information contained in your submission and supporting evidence, unless: (i) you indicate in your submission the parts of your submission and supporting evidence you do not wish to be made public or provided to the EU (noting the EU will need to be provided with your objection for it to be considered); or (ii) you clearly identify it as commercial-in-confidence information. Consider including commercial-in-confidence information as separate annexures to the submission.

You will retain the ownership of any intellectual property rights in your submission. You consent, however, to DFAT using your submission, free of charge, for the purposes outlined above.

Before making a submission, please ensure you have read the information on the DFAT webpage applicable to submissions. If your submission contains commercial-in-confidence information, you must clearly identify it.

We request you send your submission as a Microsoft Word document or readable PDF (not a scan).

Privacy notice – collection, use and disclosure of your personal information

This notice describes how the Department collects, uses and discloses your personal information in accordance with our obligations under the *Privacy Act 1988* (Cth) (Privacy Act). Personal information includes your name, contact details and any information (including comments and objections) you provide in your submission that could be used to reasonably identify you.

Why is DFAT collecting your personal information?

DFAT is collecting your personal information for the purpose of this public objection procedure to inform negotiations with the EU on GIs and outcomes on GI protection.

How will DFAT use, share or disclose your personal information?

DFAT may use your personal information to:

- contact you about your objections, comments or supporting evidence
- consult with other Australian Government agencies, including IP Australia, and ministerial offices, and
- inform the Australian Government's decision about whether to recognise the EU's terms as GIs under the Australia-EU FTA.

DFAT may publicly release any information received as part of this consultation, in part or in full. If you do not consent for some or all of your personal information contained in your submission to be shared with Australian Government agencies or to be disclosed to overseas third party recipients, including the EU or to be used in any other way, you should clearly state this when you make your submission to DFAT.

DFAT may disclose your personal information to third parties operating outside Australia. If you consent to this disclosure, you understand that DFAT will not be required to take reasonable steps to ensure that the relevant overseas third party recipients do not breach the Australian Privacy Principles. This means that if an overseas third party recipient handles your personal information in a way that breaches the Australian Privacy Principles, DFAT will not be accountable under the Privacy Act and you will not be able to seek redress under the Privacy Act. By providing your

submission to DFAT, you consent to DFAT disclosing your personal information to third parties operating outside Australia, including the EU.

Privacy Policy

DFAT's Privacy Policy contains further information about how you can access your personal information, seek correction of that information, and complain about a breach of the Australian Privacy Principles. DFAT's Privacy Policy is available at: https://dfat.gov.au/about-us/corporate/privacy/Pages/privacy.aspx.

Freedom of Information (FOI)

Please note your submission may be subject to a request made under the *Freedom of Information Act 1982* (Cth). Further information about DFAT's FOI Act obligations are available here: https://dfat.gov.au/about-us/corporate/freedom-of-information/Pages/freedom-of-information.aspx

Disclaimer

The submission of an objection or objections or comments will not determine whether an EU term will or will not be protected as a GI under the Australia-EU FTA and in Australia.

This objections process does not guarantee the protection of any of the terms identified as GIs under the Australia-EU FTA or in Australia.

The information in this public objections procedure is provided as a guide only and does not constitute legal advice. We encourage any person submitting an objection to contact a qualified legal professional.