## World Trademark Review Daily

## Austria and Croatia object to Slovenia's Kranjska Geographical indications/appellations of origin sausage application International - ITEM d.o.o

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On March 24 2009 Slovenia filed an application with the European Commission for the protection of *Kranjska klobasa*' (Kranjska sausage), also known as Krainer sausage, as a geographical designation of origin. Austria and Croatia filed statements of objections with the commission within the deadline of six months after the publication of the application (*Official Journal of the European Union* C 48/23 of February 1 2012).

Kranjska sausage is a pasteurised, semi-durable sausage which is produced from coarsely minced pork and pork fat following a special recipe. The history of the sausage and its name date back to the Austro-Hungarian empire, which comprised, among others, modern-day Austria, Hungary, Croatia and Slovenia. Kranjska (Krein) was a county with territories within modern-day Slovenia. The first written recipes for Kranjska sausage were published in 1896 and, nowadays, this specialty enjoys the status of national dish in Slovenia.

The Austrian variation of Kranjska sausage, called *Käsekrainer*, is made with small chunks of cheese and is popular in Austria. In April 2012 Austria filed an objection with the European Commission, fearing that the Austrian producers of *Käsekrainer* would have to rename this well-established product if the protected designation of origin 'Kranjska sausage' were registered. Slovenia and Austria managed to reach a preliminary agreement, which allows the sausage to be produced in Austria under certain conditions.

Croatia is also a large producer and consumer of Kranjska sausage (the annual production is worth approximately €10 million). Croatia filed an objection in August 2012, seeking to ensure that Croatian producers would still be allowed to use the name Kranjska to designate their sausage. According to Croatian producers, the name Kranjska is a generic term designating a certain type of sausage, and not a geographical designation of origin.

The Slovenian Ministry of Agriculture is now waiting for the European Commission to establish whether the Austrian and Croatian statements of objections are justified. If so, the commission will invite all involved countries to reach an official agreement. Should this fail, the application will have to be re-examined by the commission.

This case is interesting in that it shows how complicated it can be to name products with rich historical backgrounds.

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