

Geographical indications: the history of the Swedish horse and knife

By Petter Rindforth, Fenix Legal



Since 1992 a special type of protection for wines, spirit drinks and other agricultural products and foodstuffs such as cheese has been available in the European Union. It is called geographical indications (GI).

The difference between GIs and trademarks is that the GI does not relate to a product produced by a specific company—instead it identifies specific goods as produced in a certain place, having certain characteristics that are due to that place of production. The most well-known GI may be Champagne, identifying the specific wine as originating from the Champagne region of France.

However, there is currently no EU-wide GI protection for craft and industrial goods. In November 2020 the European Commission published an Inception Impact Assessment of an EU-wide initiative on geographical indications for non-agricultural products, in order to solve that lack of protection.

A majority of the 69 submissions from member states, public authorities and non-governmental organisations gave an overall support to extend GI protection to non-agricultural products, but also pointed out the importance that these products meet certain conditions, including an initial limited but extendable period for protection of a registered GI, to ensure that the protection only covers GI registrations that are actually in use.

Some stakeholders opposed the extension, referring to the fact that the link between products and their geographical origin is more based on human factors (eg know-how, tradition) than on natural factors (eg soil, climate).

On April 13, 2022, the Commission adopted a proposal for a regulation on GIs for craft and industrial products to enable producers to protect such products and their traditional know-

how in Europe and beyond, including measures to a) act against fake products, b) enable straightforward and cost-efficient registration of GIs for craft and industrial products, c) allow full compatibility with international GI protection by enabling producers of registered craft and industrial GIs to protect their products in all signatory countries of the Geneva Act on Appellations of Origin and Geographical Indications, d) support development of Europe's rural and other regions by providing incentives for producers, especially micro, small and medium-sized enterprises, to invest in new authentic products, create niche markets and attract tourists.

The regulation is likely to be adopted at the end of 2023, and come into force two years later.

Sweden has not been so active in registering traditional GIs, with only 26 protected names so far, including Swedish Vodka, Kalix Ljörom (roe), and Svecia (cheese), compared to Italy (915), and France (790).

The extended GI system may be more interesting, as we have several well-known non-agricultural products in Sweden, some originating from the same geographical area: the city of Mora in Dalarna county.

Dalahästen (the Dala horse)

In the 18th century, people in the villages around Mora began carving wooden horses. It was mainly to pass the evenings spent in log cabins in the forest, and primarily as toys for children. These simple wooden horses were later painted in bright colours inspired by the flower patterns painted on furniture and walls in the region. They soon became an important source of income for poorer families, and travelling salesmen selling traditional household items used Dala horses as payment for board and lodgings. When a large red Dala horse was placed at the entrance to Sweden's pavilion

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at the World's Fair in New York in 1939, it got its international breakthrough and its status as a symbol of Sweden.

Dala horses are not registered as trademarks, simply because of the fact that they are produced by a number of independent companies, all based in Dalarna. The problem is that there are also a lot of fake products on the market.

Morakniv (Mora knife)

Mora also has a long tradition of making knives for household needs, dating back to the 17th century. Around 1870 a couple of local factories started to produce Mora knives commercially. Three of them later on merged and created the company today called Morakniv.

Unlike Dalahästen, the word 'Morakniv' is a registered trademark (since 2005), in Sweden and abroad.

Both the horse and the knife are geographical indications, but Morakniv has become a well-protected traditional trademark, whereas Dalahästen will have to wait and see if local producers apply for the new GI protection. ●

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