ARTICLE 14.28

Lists of geographical indications

1. Following the completion of an opposition procedure and an examination of the geographical indications of the United Kingdom listed in Section A of Part 1 and Section A of Part 2 of Annex 14-B, Japan shall recognise that those indications are geographical indications within the meaning of paragraph 1 of Article 22 of the TRIPS Agreement and that they have been registered by the United Kingdom under the system referred to in Article 14.27. Japan shall protect those geographical indications in accordance with this Sub-Section.

2. Following the completion of an opposition procedure and an examination of the geographical indications of Japan listed in Section B of Part 1 and Section B of Part 2 of Annex 14-B, the United Kingdom shall recognise that those indications are geographical indications within the meaning of paragraph 1 of Article 22 of the TRIPS Agreement and that they have been registered by Japan under the system referred to in Article 14.27. The United Kingdom shall protect those geographical indications in accordance with this Sub-Section.

ARTICLE 14.29

Scope of protection of geographical indications

1. Subject to Article 14.33 each Party shall, in respect of geographical indications of the other Party listed in Annex 14-B, provide the legal means for interested parties to prevent in its territory:[1]

(a) the use of a geographical indication identifying a good for a like good[1] not meeting the applicable requirement of specifications of the geographical indication even if:

(i) the true origin of the good is indicated;

(ii) the geographical indication is used[2] in translation or transliteration[3]; or

(iii) the geographical indication is accompanied by expressions such as "kind", "type", "style", "imitation", or the like;

(b) the use of any means in the designation or presentation of a good that indicates or suggests that the good in question originates in a geographical area other than the true place of origin in a manner which misleads the public as to the geographical origin or nature of the good; and

(c) any other use which constitutes an act of unfair competition within the meaning of Article 10*bis* of the Paris Convention.

2. Each Party may determine the practical conditions under which the homonymous geographical indications will be differentiated from each other in its territory, taking into account the need to ensure equitable treatment of the producers concerned and that consumers are not misled.

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[1] For the purposes of this paragraph, and notwithstanding Sub-Section 2 of Section C, each Party may provide for enforcement by administrative action.

[1] For the purposes of this paragraph, paragraph 4 of Article 14.31 and paragraphs 1 and 2 of Article 14.33, "like good", in relation to a good for which a geographical indication has been protected in a Party's system as referred to in paragraph 2 of Article 14.27, means a good that would fall within the same category of good as the good for which a geographical indication has been registered in that Party.

[2] For greater certainty, it is understood that this is assessed on a case-by-case basis. This provision does not apply where evidence is provided that there is no link between the protected name and the translated or transliterated term.

[3] For the purposes of this Sub-Section, transliteration covers the conversion of characters following the phonetics of the original language or languages of the relevant geographical indication.