

Press Release



What's in a name?

Intellectual property (IP) rights - the legal protection given to certain types of inventions and information - are often the most valuable asset that a business can own. Sometimes IP rights are the most difficult to define and safeguard, yet failure to protect these assets can detriment your market differentiation, give your competitors the edge and ultimately damage your business' profitability.

Last month, the year-long battle between Northern Foods and the Department of Environment, Food and Rural Affairs (DEFRA) culminated in Northern Foods withdrawing its legal challenge over the right to produce so-called "Melton Mowbray" pork pies outside of the central region. This has been hailed as a triumph for traditional British food manufacturers.

However the judgement by DEFRA confirmed that if the 'Melton Mowbray' pork pies received Protected Geographical Indication (PGI) status, long-standing manufacturers would be given five years to move their production within an area of 1,800 square miles of the East Midlands.

The EU's Geographical Indications (GI) system is in place to protect local food producers from having their traditional brand names used by processors elsewhere. This system for the protection of food names on a geographical or traditional recipe basis is similar to the familiar "appellation control" system used for wine.

Simon Dakin, Associate at Actons Solicitors says: "At the heart of this case was the real brand value and origin of the product's name and its potential manufacture by larger companies outside a particular geographic area. The PGI stamp is a really effective way for local food manufacturers to protect the valuable identity of their products."

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For advice on intellectual property rights or any other aspect of commercial law, please contact Simon Dakin on **0115 9 100 200** or email enquiries@actons.co.uk.

Notes

1. <http://www.foodanddrinkeurope.com/news/ng.asp?n=71868-northern-foods-melton-mowbray-geographical-indications>
2. http://www.solicitorsjournal.com/story.asp?sectioncode=2&storycode=9028&c=3&eclipse_action=getsession
3. <http://news.bbc.co.uk/1/hi/magazine/3934323.stm>



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