

REGULATIONS
FOR THE PROCEDURE FOR RECOGNIZING
APPELLATION OF ORIGIN
AND THE PROCEDURE FOR RECOGNIZING
RIGHT FOR USE OF AN APPELLATION OF ORIGIN

I. GENERAL PROVISIONS

Article 1

These Regulations govern the procedure for recognizing appellation of origin and the procedure for recognizing a right for appellation of origin; the publishing of the recognized appellation and the authorized user in the official gazette of the Industrial Property Protection Office (hereinafter referred to as: the Office); the content of the document for recognized right of an authorized user of the appellation of origin; the procedure for registration of modifications referring to the authorized users of the appellation of origin in the register; the prolongation of the right of an authorized user of the appellation of origin and the procedure for publishing the invalidity of the conclusion for recognized appellation of origin and of the conclusion for recognizing a right for use of appellation of origin.

II. PROCEDURE FOR RECOGNIZING
APPELLATION OF ORIGIN AND RECOGNIZING
A RIGHT TO USE THE APPELLATION OF ORIGIN

Article 2

For recognizing an appellation of origin and for recognizing the right to use the appellation of origin, an application for recognizing an appellation of origin or for recognizing the right to use the appellation origin shall be submitted to the Office, in writing.

**1. Content of Application for Recognizing Appellation of Origin
and of Application for Recognizing the Right
to Use Appellation of Origin**

Article 3

1. The application for recognizing an appellation of origin shall be submitted in three copies.

2. The application shall be accompanied by a statement about the manner of production and the specific properties and quality of the product to which the appellation of origin refers, in one copy.

3. The application shall be submitted on a blank form ZZIS OP-1 which is included in these Regulations.

Article 4

The statement about the way of production and the specific properties and quality of the product shall contain the following indications:

(i) information about the party that submitted the application for appellation of origin: name and address for a natural person; name and residence for a legal entity;

(ii) geographical name of the product protected by the appellation of origin;

(iii) professionally made description of the manner and procedure of production or manufacturing of the product;

(iv) information about the specific properties and quality of the product and the way those specific properties are conditioned by the climate, the weather or the common manner and procedure of production or manufacturing;

(v) information about the quantity of annual production of the said product.

Article 5

1. The application for recognizing the right to use an appellation of origin shall be submitted in three copies.

2. The application shall be accompanied by:

(i) evidence for the activity of the applicant, in one copy;

- (ii) manner of marking the product with labels, in eight copies;
 - (iii) evidence for performed control by a competent institution that the product produced by the applicant satisfies the conditions for recognizing the right to use the appellation of origin, which cannot be older than six months from the date of submission of the application, in one copy;
 - (iv) evidence that the applicant produces a product which satisfies all the conditions for receipt of an appellation of origin, in one copy;
 - (v) evidence which shows the quantity of the annual production of the said product by the applicant, in one copy;
 - (vi) evidence for paid fee, in one copy.
3. The application shall be submitted on a blank form ZZIS OK-1 which is included in these Regulations.

Article 6

For the manner of marking a product under Article 5 of these Regulations, the applicant for recognizing the right to use the appellation of origin shall submit labels in colour (where there are two or more of them on the said packing) in eight copies out of which four shall be put on the adequate space on the form. Where the labels are bigger than the adequate space marked on the form, they shall be reduced to fit the format whereas the other four shall be submitted in their natural size.

2. Registers of Applications for Recognizing Appellation of Origin and Applications for Recognizing the Right to Use the Appellation of Origin

2.1. Register of Applications for Recognizing Appellation of Origin

Article 7

The applications for recognizing an appellation of origin shall be registered in the Register of Applications for Recognizing Appellation of Origin, which shall contain the following indications:

- (i) the number of the application for recognizing appellations of origin: the OP-number;
- (ii) date of submission of the application;
- (iii) address, telephone number and fax number for correspondence;
- (iv) information about the applicant: name and address for a natural person; name and residence for legal entity; name of the authority or the authority of the independent management unit;
- (v) type of activity performed by the applicant;
- (vi) where the application is submitted through an agent, information about the agent: name and address for a natural person; name and residence for legal entity and registration number of the agent;
- (vii) geographical name of the product protected with the appellation of origin;
- (viii) name of the region from which the product originates with clearly marked borders according to the land-registry;
- (ix) information about how the procedure ended, date of recognizing the appellation and register number of the appellation of origin;
- (x) information about any modifications.

2.2. Register of Applications for Recognizing the Right to Use an Appellation of Origin

Article 8

The applications for recognizing the right to use an appellation of origin shall be registered in the Register of Applications for Recognizing the Right to Use an Appellation of Origin, which shall contain the following indications:

- (i) the number of the application for recognizing the right to use an appellation of origin: the OK-number;
- (ii) date of submission of the application;
- (iii) address, telephone number and fax number for correspondence;
- (iv) information about the applicant: name and address for a natural person; name and residence for legal entity;
- (v) type of activity performed by the applicant;
- (vi) where the application is submitted through an agent, information about the agent: name and address for a natural person; name and residence for legal entity and registration number of the agent;
- (vii) geographical name of the product protected with appellation of origin;
- (viii) OP-number and registration number of the appellation of origin to which the application for recognizing the right to use an appellation of origin refers;
- (ix) type of product to which the appellation of origin refers;
- (x) information about any modifications;
- (xi) information about the paid fees.

3. Recognizing Appellation of Origin and Recognizing the Right to Use an Appellation of Origin

3.1. Recognizing an Appellation of Origin

Article 9

1. Where it is confirmed that the conditions for recognizing appellation of origin are satisfied, a certificate of recognizing the appellation shall be issued and the information about the recognized appellation of origin shall be published in the official gazette of the Office.

2. The registration in the Register for Recognized Appellations of Origin under Article 33 of the Industrial Property Law shall be made ex-officio by the Office.

3.2. Recognizing the Right to Use an Appellation of Origin of a Product

Article 10

1. Where the conditions for recognizing the right to use an appellation of origin are satisfied, the Office shall notify the applicant of the fact in writing and shall invite him to pay, within one month from the date of receipt of the notification, the expenses for the publication of the information for authorized user of the appellation of origin in the gazette of the Office, as well as the fees for using the appellation of origin.

2. Where the applicant submits evidence for paid expenses and fees in the given period of time, the Office shall issue a certificate for recognizing the right to use an appellation of origin of a product. The recognized right shall be registered in the Register for Users of an Appellation of Origin and shall be published in the official gazette of the Office.

3. The registration in the Register for Users of an Appellation of Origin under Article 33 of the Law for Industrial Property shall be made ex-officio by the Office.

4. Where the applicant does not submit evidence for paid expenses and fees in the period of time referred in paragraph 1 of this article, the right shall not be recognized and

a certificate for rejection of the application for recognizing the right to use an appellation of origin shall be issued.

III. PUBLICATION OF RECOGNIZED APPELLATION
OF ORIGIN AND AUTHORIZED USER
IN THE GAZETTE OF THE OFFICE

1. Publication of Recognized Appellation of Origin

Article 11

1. The following information about the recognized appellation of origin shall be published in the gazette of the Office:

- (i) registration number of the appellation of origin;
- (ii) number and date of the certificate for recognizing an appellation of origin;
- (iii) date of registration in the register;
- (iv) geographical name which is protected with appellation of origin;
- (v) type of product to which the appellation of origin refers;
- (vi) name of the geographical region, i.e. the area from which the product originates, with clearly marked borders.

2. Information about any modifications in the Register for Appellations of Origin shall also be published in the gazette of the Office, especially those concerning:

- (i) the authorized users of a certain appellation of origin;
- (ii) publication of invalidity of the certificate for appellation of origin.

**2. Publication of Information about the Authorized User
of Appellation of Origin**

Article 12

1. The following information about the authorized user of appellations of origin shall be published in the gazette of the Office:

- (i) registration number of the authorized user of appellation of origin;

(ii) number and date of the certificate for recognizing the right to use an appellation of origin;

(iii) date of recognizing the right to use an appellation of origin;

(iv) information about the authorized user: name and address for a natural person; name and residence for a legal entity;

(v) registration number of the appellation of origin for which the user is authorized;

(vi) geographical name which is protected by appellation of origin;

(vii) where the application is submitted through an agent, information about the agent: name and address for a natural person; name and residence for a legal entity and registration number of the agent;

(viii) type of product to which the appellation of origin refers;

(ix) manner of marking the product (labels);

(x) territory to which the authorized user of the appellation of origin belongs, name of the geographical region or area where the activity takes place, i.e. where certain product protected by appellation of origin is being produced;

(xi) date to which the right of an authorized user referring to a given appellation of origin is valid.

2. The following information shall also be published in the gazette of the Office:

(i) registration of modifications in the Register for Users of Appellations (modifications concerning the authorized user);

(ii) prolongation of the right to use an appellation of origin;

(iii) information about the termination of the right to use an appellation of origin, as well as the reason for the termination of that right;

(iv) publishing of invalidity of the certificate for recognizing the right to use an appellation of origin.

IV. DOCUMENT FOR RECOGNIZED RIGHT
OF AN AUTHORIZED USER
OF APPELLATION OF ORIGIN

Article 13

1. The document for recognized right of an authorized user of appellation of origin shall contain the following indications:

(i) registration number of the authorized user and date of recognizing the right to use appellation of origin;

(ii) information about the authorized user: name and address for a natural person; name and residence for a legal entity;

(iii) registration number of the appellation of origin;

(iv) geographical name protected with the appellation of origin;

(v) reference to the type of product to which the appellation of origin refers;

(vi) manner of marking the product (labels);

(vii) name of the geographical region from which the product originates, with clearly marked borders according to the land-registry;

(viii) date of registration the recognized right in the Register of Users of Appellations of Origin;

(ix) date to which the right of an authorized user is valid;

(x) date of issuing the document.

V. REGISTRATION OF CHANGES REFERRING
TO AUTHORIZED USERS OF APPELLATIONS
OF ORIGIN IN THE REGISTER

Article 14

1. The request for registration of the changes in the adequate register shall be submitted on a blank form OK-2 which contains the following indications:

(i) reference to the register in which it is requested for the changes to be registered;

(ii) name and address of the natural person or name and residence of the legal entity who/which is an authorized user of the appellation, according to the situation in the registers;

(iii) registration number of the authorized user of appellation of origin;

(iv) registration number of the appellation of origin;

(v) where the request is submitted through an agent, information about the agent: name and address for a natural person; name and residence for a legal entity and registration number of the agent;

(v) reference to the type of change and its content;

(vi) signature of the requesting party or the agent.

2. The request referred to in paragraph 1 of this article shall be accompanied by:

- evidence for the legal basis of the change which is requested to be registered in the register;

- where the request is submitted through an agent, the authorization of the agent;

- evidence for paid fee for the request.

3. The blank form OK-2 is included in these Regulations.

VI. PROLONGATION OF THE RIGHT FOR AUTHORIZED USER OF APPELLATION OF ORIGIN

Article 15

1. The request for prolongation of the right for authorized user of the appellation of origin shall be submitted on blank form OK-3 which shall contain the following indications:

(i) information about the authorized user: name and address for a natural person; name and residence for a legal entity;

(ii) registration number of the authorized user and date of recognizing the right to use the appellation of origin;

(iii) where the application is submitted through an agent, information about the agent: name and address for a natural person; name and residence for a legal entity and the registration number of the agent;

- (iv) registration number of the said appellation of origin;
 - (v) information about the performed control of the product - number and date of the issued certificate for the tested and determined quality of the product;
 - (vi) signature and seal of the requesting party.
2. The request referred to in paragraph 1 of this article shall be accompanied by:
- where the request is submitted through an agent, the authorization of the agent;
 - evidence of a performed control by the adequate institution that the product produced by the requesting party satisfies all the conditions for recognizing the right to use the appellation of origin thereof, which cannot be older than six months from the date of the submission of the request;
 - evidence for paid fee for the request.
3. The blank form OK-3 is included in these Regulations.

VII. PROCEDURE FOR DECLARING
THE CERTIFICATE AS INVALIDITY
OF A RECOGNIZED APPELLATION OF ORIGIN
OR CERTIFICATE FOR RECOGNIZING
THE RIGHT TO USE AN APPELLATION OF ORIGIN

Article 16

1. The procedure for declaring the certificate of a recognized appellation of origin or the certificate for recognizing the right to use an appellation of origin as invalidity shall start with the submission of a proposal in writing addressed to the Office.
2. The proposal referred to in paragraph 1 of this article shall be submitted to the Office in two copies. Where the proposal in question is a proposal for declaring the certificate of a recognized appellation of origin which has several authorized users for invalidity, the proposal referred to in paragraph 1 of this article shall be submitted in as many copies as there are authorized users.
3. The proposal shall contain the following indications:

(i) information about the party that submits the proposal: name and address for a natural person; name and residence for a legal entity;

(ii) name and address for a natural person; name and residence for a legal entity or address of the authorized user; where the proposal in question is a proposal for declaring the certificate for a recognized appellation of origin which has several authorized users as invalidity, information about all the authorized users;

(iii) reference that what is required with the proposal is declararion of the certificate for a recognized appellation of origin or certificate for recognizing the right to use an appellation of origin as invalidity;

(iv) registration number of the appellation of origin;

(v) registration numbers of the users of the appellation;

(vi) geographical name protected with the appellation of origin;

(vii) name of the geographical region, i.e. the area from which the product protected with the appellation of origin originates;

(viii) where the proposal is submitted through an agent, the authorization of the agent;

(ix) the reasons for which the declaration of the certificate as invalidity is requested, as well as evidence for those reasons;

(x) evidence for paid fee for the proposal;

(xi) signature and seal of the party that submits the proposal.

Article 17

The certificate for declaring the certificate of a recognized appellation or the certificate for recognizing the right to use an appellation of origin origin as invalidity shall be registered in the Register for Recognized Appellations of Origin and in the Register for Users of Appellations of Origin, and shall be published in the official gazette of the Office.

VIII. FINAL PROVISIONS

Article 18

The day these Regulations enter into force, the Regulations for closer arrangement of the questions regarding the procedure of recognizing the rights with which innovations and distinction marks are being protected ("Official Paper of SFRJ" No. 35/82) are no longer valid.

Article 19

These Regulations enter into force the day following the day of its publishing in the "Official Paper of the Republic of Macedonia".

No. 03- 914
May 14, 1998
Skopje

Minister of Development
Abdimenaf Neziri

BLANK FORM: OP-1

**APPLICATION
for recognizing
an appellation of origin**
(to be filled in on a type-writer)

1. Address for correspondence:

Telephone:

Fax:

2. Applicant (name and address for a natural person; name and residence for a legal entity, name of the authority or the authority of the independent management unit):

3. Agent:

registration number:

4. Geographical name of the product protected with appellation of origin:

5. Reference to the type of product to which the appellation of origin refers:

6. Geographical region from which the product originates:

7. Factors which condition the specific properties of the product:

a) natural conditions (climate, soil...):

b) human factor (traditional procedure of production):

8. The specific properties and quality of the product conditioned by the geographical environment:

9. Authorized institution for control of the quality of the product (name and residence of the legal entity):

10. Supplements:

statement for the product to which the appellation of origin refers;
authorization of the agent.

Signature and seal

FOR THE OFFICE:

DATE OF SUBMISSION:

REGISTRATION No:

APPLICATION No: OP ____ / ____

Signature of the authorized person

BLANK FORM OK-1

APPLICATION
for recognizing right to use
appellation of origin
(to be filled in on a type-writer)

1. Address for correspondence:	
Telephone number:	Fax:
2. Applicant (name and address for a natural person; name and residence for a legal entity):	
3. Agent:	registration number:
4. Geographical name of the product protected with appellation of origin:	
	registration number:
5. Reference to the type of product to which the appellation of origin refers:	
6. Territory to which the user of the appellation of origin belongs, name of the geographical region:	
7. Quantity of annual production (according to the constant capacity):	

8. Manner of marking the product (label, front, back):

9. Institution authorized to control the quality of the product (name and residence of the legal entity);

10. Information about the performed control of the product (number and date of the issued document for the confirmed quality of the product);

11. Supplements:

**evidence for the activity of the applicant (certificate from the register);
marking of the product, labels (in 8 copies);
evidence that the applicant produces a product which satisfies all the
conditions for receiving appellation of origin;
evidence for performed control of the quality of the product;
evidence for the possible quantity of production;
authorization of the agent;
evidence for paid fees.**

Signature and seal

FOR THE OFFICE:

DATE OF SUBMISSION:

REGISTRATION No:

APPLICATION No: OK ___/___

Signature of the authorized person

BLANK FORM OK-2

REQUEST
for registration of a modification
in the registers
(to be filled in on a type-writer)

1. Modification in: register for applications for recognizing appellation of origin of a product register for users of appellations of origin	
2. Request number: OK _____ / _____	
3. Registration number of the authorized user: _____	
4. Registration number of the said appellation of origin:	
5. The right for authorized user is valid until:	
6. Name and address for a natural person, name and residence for a legal entity who/ which submits the request or is an authorized user of the appellation of origin:	
7. Requesting party:	
8. Agent:	registration number:
9. Reference to the type of modification and its content:	
10. Supplements: authorization of the agent; evidence for legal basis for registration of the modification; evidence for paid fee.	
_____ Signature and seal	
FOR THE OFFICE:	
DATE OF SUBMISSION:	
REGISTRATION No:	
	_____ Signature of the authorized person

BLANK FORM OK-3

REQUEST
for prolongation of the right for authorized user
of an appellation of origin
(to be filled in on a type-writer)

1. Registration number of the authorized user of the appellation of origin:	
2. Date of registration in the register for users of appellations of origin:	
3. The right for an authorized user is valid until:	
4. Name and address for a natural person, name and residence for a legal entity who/which is an authorized user of the appellation of origin:	
5. Registration number of the said appellation of origin:	
6. Information about performed control of the product - number and date of the issued certificate for the tested and determined quality of the product:	
7. Agent:	registration number:
8. Supplements: authorization of the agent; evidence for performed control of the product; evidence for paid fee. <p style="text-align: right;">_____ Signature and seal</p>	
FOR THE OFFICE:	
DATE OF SUBMISSION:	
REGISTRATION No:	

Signature of the authorized person