

**Council for Trade-Related Aspects  
of Intellectual Property Rights**

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**MAIN DEDICATED INTELLECTUAL PROPERTY LAWS AND REGULATIONS  
NOTIFIED UNDER ARTICLE 63.2 OF THE AGREEMENT**

**SLOVENIA**

The following communication, dated 2 March 1999, has been received from the Permanent Mission of the Republic of Slovenia.

Pursuant to Article 63, paragraphs 1 and 2, of the Agreement on Trade-Related Aspects of Intellectual Property Rights, the Republic of Slovenia hereby notifies its legislation titled as "Decree on the Geographical Indication of the Lipicanec (Lipizzaner) Horse", which was adopted by the Government of Slovenia on 21 January 1999, published on 22 January 1999 and came into force on 23 January 1999.

The text of the Decree is reproduced below.<sup>1</sup>

**Conseil des aspects des droits de propriété  
intellectuelle qui touchent au commerce**

**PRINCIPALES LOIS ET RÉGLEMENTATIONS CONSACRÉES  
À LA PROPRIÉTÉ INTELLECTUELLE NOTIFIÉES  
AU TITRE DE L'ARTICLE 63:2 DE L'ACCORD**

**SLOVÉNIE**

La communication suivante, datée du 2 mars 1999, a été reçue de la Mission permanente de la République de Slovénie.

Conformément à l'article 63, paragraphes 1 et 2, de l'Accord sur les aspects des droits de propriété intellectuelle qui touchent au commerce, la République de Slovénie notifie par la présente le texte législatif intitulé "Décret concernant l'indication géographique pour le cheval Lipicanec (Lipizzan)", qui a été adoptée par le gouvernement slovène le 21 janvier 1999, et publiée le 22 janvier 1999, et qui est entré en vigueur le 23 janvier 1999.

Le texte du Décret est reproduit ci-après.<sup>1</sup>

**Consejo de los Aspectos de los Derechos de Propiedad  
Intellectual relacionados con el Comercio**

**PRINCIPALES LEYES Y REGLAMENTOS DEDICADOS A LA  
PROPIEDAD INTELECTUAL NOTIFICADOS EN VIRTUD  
DEL PÁRRAFO 2 DEL ARTÍCULO 63 DEL ACUERDO**

**ESLOVENIA**

La siguiente comunicación, de fecha 2 de marzo de 1999, ha sido recibida de la Misión Permanente de la República de Eslovenia.

De conformidad con los párrafos 1 y 2 del artículo 63, del Acuerdo sobre los Aspectos de los Derechos de Propiedad Intellectual relacionados con el Comercio, la República de Eslovenia notifica por la presente su Ley titulada "Decreto sobre la Indicación Geográfica del Caballo Lipicanec (Lipizzaner)", que ha sido aprobada por el Gobierno de Eslovenia el 21 de enero de 1999, publicada el 22 de enero de 1999 y que entró en vigor el 23 de enero de 1999.

El texto del Decreto se reproduce a continuación.<sup>1</sup>

<sup>1</sup> In English only/En anglais seulement/En inglés solamente.

On the basis of the first paragraph of Article 22 of the Agreement on Trade-Related Aspects of Intellectual Property Rights (Official Gazette of the Republic of Slovenia - MP, No. 10/95) and the first paragraph of Article 21 of the Law on the Government of the Republic of Slovenia (Official Gazette of the Republic of Slovenia, Nos. 4/93, 71/94, 23/96 and 47/97), the Government of the Republic of Slovenia hereby issues the following

**DECREE**  
**on the geographical indication of the Lipicanec (Lipizzaner) horse**

**Article 1**  
**(Geographical indication)**

- (1) In accordance with the first paragraph of Article 22 of the Agreement on Trade-Related Aspects of Intellectual Property Rights (Official Gazette of the Republic of Slovenia - MP, No. 10/95), the name of the Lipicanec's geographical origin shall be protected as the geographical indication of this noble autochthonous breed of horses of world-wide reputation, originating in the Lipica area, which are distinguished by the characteristics defined in Article 3 of this Decree.
- (2) The protection of the geographical indication "Lipicanec" defined in the first paragraph of this Article shall also include the name of the village of Lipica, and their derivatives and translations into other languages.

**Article 2**  
**(Use of the geographical indication)**

- (1) The geographical indication "Lipicanec" shall be used exclusively for the indication of those horses which fulfil all the following conditions:
  - they bear the characteristics defined in Article 3 of this Decree;
  - they are entered in the pedigree books kept directly by the competent authorities in the Republic of Slovenia, or by the organisations or persons authorised by these authorities;
  - they are branded with one of the official signs, which are defined in the Appendix to this Decree, which is a constituent part of this Decree.

**Article 3**  
**(Characteristics)**

- (1) The characteristics of the horse to which the geographical indication refers shall be as follows:
  - it has a medium-sized frame in the form of a horizontally-laid rectangle;
  - the head is relatively large, lean and noble, with a more or less convex profile;
  - the neck is set high and often gracefully arched, with the withers set relatively low;
  - the back is relatively long, but wide and firm;
  - the loins are flat and broad, the croup is level, and the tail is set high;
  - the shoulder is relatively upright, sufficiently long and well-muscled;
  - the chest is deep and broad, and the ribs are well-arched;
  - the thigh is well-muscled, the legs are strong, with well-defined joints and medium-sized hooves;

- the stance is good, gaits are high but condensed covering sufficient ground;
- the height at the withers (measured by stick/band) is between 148 and 165 cm for mares, and between 150 and 168 cm for stallions;
- the average weight of an adult animal is around 500 kg;
- its colour is grey or white, achieved between the ages of 6 and 10 years old; black and bay colours sometimes appear.

#### **Article 4** **(Entry in the register)**

The geographical indication "Lipicanec" shall be entered in the register of appellations of origin at the Slovenian Intellectual Property Office on the date of the entry into force of this Decree.

#### **Article 5** **(Official signs)**

- (1) The official signs defined in the Appendix to this Decree shall be the official signs indicating control and warranty used for the marking of those horses to which the geographical indication "Lipicanec" refers.
- (2) Both official signs shall be internationally protected in accordance with Article 6<sup>ter</sup> of the Paris Convention for the Protection of Industrial Property (Official Gazette of the SFRY - MP, Nos. 5/74 and 7/86; Official Gazette of the Republic of Slovenia - MP, No. 9/92).

#### **Article 6** **(Ex officio refusal of the mark)**

Any request for the registration of a mark that includes or is composed of the geographical indication "Lipicanec", the name of the village Lipica, and derivatives and translations of the geographical indication and the name of the village shall be refused or declared as null and void ex officio by the Slovenian Intellectual Property Office for any type of goods or service not originating in the area of Lipica.

#### **Article 7** **(Notification)**

This Decree shall be notified to the Council for Trade-Related Aspects of Intellectual Property Rights at the World Trade Organisation in Geneva.

#### **Article 8** **(Execution of the procedure)**

The procedure for obtaining international protection of the official signs defined in the second paragraph of Article 5 of this Decree and the procedure for notification according to Article 7 of this Decree shall be executed by the Slovenian Intellectual Property Office.

**Article 9**  
**(Entry into force)**

This Decree shall enter into force on the day following its publication in the Official Gazette of the Republic of Slovenia.

No.: 391-01/99-1

Ljubljana, 21 January 1999

**Government of the Republic of Slovenia**

**Dr Janez Drnovšek (in his own hand)**  
President

APPENDIX

SIGN 1



SIGN 2

