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**1 ARTICLE 23**

**1.1 Text of Article 23**

**Article 23**

*Additional Protection for Geographical Indications  
for Wines and Spirits*

1. Each Member shall provide the legal means for interested parties to prevent use of a geographical indication identifying wines for wines not originating in the place indicated by the geographical indication in question or identifying spirits for spirits not originating in the place indicated by the geographical indication in question, even where the true origin of the goods is indicated or the geographical indication is used in translation or accompanied

"The Panel agrees that Articles 22.3 and 23.2 can resolve conflicts with *later* trademarks but they do not resolve conflicts with prior trademarks that meet the conditions set out in Article 24.5."<sup>2</sup>

#### **1.4 Relationship with other provisions of the TRIPS Agreement**

3. In *EC – Trademarks and Geographical Indications*, the Panel discussed the relationship between Article 23.1, 23.2 and Article 24.5. See also the Section on Article 24.

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<sup>2</sup> Panel Reports, *EC – Trademarks and Geographical Indications (US)*, para. 7.622, and *(Australia)*, para. 7.622.