

Refusal of trademark registration on the ground of evocation of an Appellation of Origin



The decision of 7 October 2025, issued by the First Board of Appeal of the European Union Intellectual Property Office (EUIPO) in Case R590/2025, **confirms the interpretative approach** regarding the concept of “evocation” in relation to the **use of a name protected under an Appellation of Origin or Geographical Indication within a trademark**.

Protection of differentiated quality schemes in the European Union

Due to the intervention of our team of **expert trademark attorneys**, the Board annulled the initial decision rendered by the Opposition Division and **upheld the appeal in its entirety**, finding that **the figurative mark “CHANDON CHANT DES CIGALES” evokes the Protected Appellation of Origin “CIGALES”**, on the ground that the contested sign may lead the average consumer to establish a mental association with the products covered by the Protected Appellation of Origin , even in the absence of a direct similarity or likelihood of confusion.

Likewise, by applying the concept of “evocation”, the Board confirms the interpretative line that allows for the full refusal of the trademark application — that is, not only for “comparable” products such as wine and sparkling wines, but also for “non-comparable” products such as other alcoholic beverages (except beer), cider, digesters (liqueurs), and spirits.”

The decision also draws a clear distinction between the assessment of the likelihood of confusion between two trademarks and the concept of evocation of a protected Appellation of Origin.

In the former, a certain degree of similarity between the respective signs is required, depending on the specific circumstances. In the latter, however, given the enhanced protection granted under the differentiated quality scheme, it is sufficient that the contested mark merely evokes the protected name, without requiring a likelihood of confusion or direct imitation.

This decision **reinforces the protection of Appellations of Origin against misuse in trademark registrations**, and underscores the importance of adopting an appropriate legal strategy for the effective defense of Intellectual Property rights, particularly in the context of differentiated quality schemes within the European Union.

Advice on the protection of Appellations of Origin

At **UNGRIA**, we have a team of **attorneys specialized in Appellations of Origin** who can advise you on the registration and/or protection of Appellations of Origin and Geographical Indications, as well as on the defense between trademarks and these quality seals.

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