

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^{ter} 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.:
Ljubljana,

Government of the Republic of Slovenia

Dr Janez Drnovšek (in his own hand)
President