

First conviction over fake Bordeaux wine in China

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The CIVB (the *Conseil Interprofessionnel del Vin de Bordeaux*) has announced that criminal proceedings against a counterfeiter of Bordeaux wines were successfully completed for the first time in China.

Bordeaux Wine and its China Market

Bordeaux is the largest wine-growing area in France, with around 400 wineries, and CIVB represents nearly 10,000 Bordeaux wine producers and growers.

Bordeaux region is located in the southwest of France and Bordeaux Wine, produced there, takes its name from that area. There are currently 60 appellations recognized as *Appellation d'Origine Controlée*, which is the largest number among any other wine region in France as well as in all of Europe.

On a worldwide point of view, China is the largest market for Bordeaux wines, accounting for 23 per cent of the region's output by volume and 27 per cent by value, according to an AFP report. Bordeaux gained 'geographical indication' status in China in 2015, and this was extended to cover individual appellations in 2016. Nowadays, the China Trademark Office (CTMO) recognizes around 45 Bordeaux appellations and also a collective trademark Bordeaux in Latin & Chinese character in Class 33, designating wines.

Bordeaux counterfeit in China

In March last year, the CIVB alerted authorities after becoming suspicious about an exhibitor scheduled to attend to the Chengdu Wine Fair. Thanks to CIVB collaboration, police seized Bordeaux wines displayed by the exhibitor at the show, and later discovered a counterfeit batch of 10,000 bottles. Therefore, Chengdu authorities passed the case to Shanghai and the CIVB offered its technical support.

A trademark infringement lawsuit was filed against the counterfeiter wherein the Pudong Court of Shanghai convicted him and imposed an 18-months sentence, last 4 June. The sentence has been suspended, but the counterfeiter has received a personal fine of 50,000 RMB (€ 6,500), while his company has been fined 100,000 RMB (€ 13,000).

CIVB's optimism on the topic

Bordeaux is the first collective trademark to have won a victory in criminal proceedings in China. Considering the market share, it can be said that this is a significant victory for Bordeaux wine companies and it will act as a deterrent to other such counterfeiters in China, a sort of a major milestone in a decade-long battle against counterfeits. In fact, while counterfeit fine wine is a worldwide issue, there has been a particular focus on China as the country has grown to become a major market in the 21st century. Winemakers from Champagne to Napa Valley have sought greater trademark protection, working in coordination with Chinese officials and there are currently 15 criminal cases pending.

"This conviction is a very significant step forward in the fight against counterfeiting that the CIVB has been waging for more than 10 years", the CIVB said in a statement. "This case could act as a catalyst and encourage the various Chinese authorities to pursue similar cases and bring them to a successful conclusion. Prison sentences will constitute a significant deterrent for counterfeiters", it added.


To conclude, CIVB president Bernard Farges said: "The CIVB congratulates the determination of the Chinese authorities in bringing this case to a successful conclusion. This victory for the Bordeaux wine industry serves as an encouragement for the CIVB to continue its work to prevent the counterfeiting phenomenon in China".

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