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Brands, Geographical Origin, and the Global Economy: A History from the Nineteenth Century to the Present, by David M. Higgins, (Cambridge: CUP, 2018), 334 pp., £90, ISBN: 978 1 107 03267 5.

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At a time where intellectual property rights hold so much value and are at the centre of numerous trade and political discussions, such as their place in the Brexit negotiations – particularly in the cases of trademarks and geographical indications (GIs) – Higgins’ book, *Brands, Geographical Origin, and the Global Economy: A History from the Nineteenth Century to the Present*, is an important reminder of where these concepts originally stemmed from. Higgins’ manuscript considers the evolution of product demarcation mostly focusing on the late 1800s to the present, although while making some references to earlier relevant developments such as the significance of the rise and fall of the guilds. He does so while demonstrating significant archival research, comprising numerous original contributions and analysis of primary sources. Higgins also sheds light on various brand and GI disputes which have shaped the area of the law covered by this book in recent history – such as the US and Australia dispute with the EU regarding the discriminatory nature of EC Regulation 2081/92 (205-209). Overall, Higgins incorporates many different types of sources, giving an excellent overview of the various historical developments in relation to GIs, indications of origin, and branding, and creates a very good basis for research which relate to these subject areas.

In his book, Higgins does not limit his analysis to a single discipline but brings in thoughts and perspectives from geography and economics (9-10). He discusses and explores the history of many different aspects of branding, from GIs and trademarks to national marks and countries of origin, making this book relevant for those interested in a diverse range of areas such as intellectual property law, international trade, global economy, and the history of food. In particular, Higgins creates very useful links between indications of origin and global economic considerations, such as through his discussion around the market impact of ‘passing-off’, where he explains that such misrepresentation confuses market signals, making it difficult to know, for example, whether the demand for New Zealand lamb increased due to its quality or because it was passed off as Welsh lamb (3). This multi-disciplinary approach also means that depending on one’s area of research, different chapters may be relevant. It is therefore useful that some of the chapters are self-contained and may be read independently from each other. Other chapters however, do cover different topics and are divided by historical eras and therefore need to be investigated a little bit further in order to draw out the relevant information. This is somewhat inevitable due to the complexity and overlapping of various types of brands and marking systems. Nevertheless, the book very helpfully highlights global regulatory developments, such as the development of the protection for indications of origin from the Madrid Agreement to TRIPS, while still discussing the regional EU system for GI protection. As elements of these topics are spread widely throughout the different chapters, with a bit of back and forth, the general overview of some of these ideas and developments which Higgins provide at the

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end of his first chapter when outlining the structure of the book is key to allow the reader to more easily access this information in the rest of the book.

Furthermore, Higgins makes the intellectual property law concepts of GIs and brands accessible and relatable by easing the reader into the discussion through the use of relatable references and anecdotes, where Champagne is not only one of James Bond and Churchill's drinks, but is also customarily sprayed by top racers in Formula 1 (1). The engaging nature of Higgin's writing further assists in making this book a very comprehensible analysis of the historical development of brands and GIs. One difficult aspect of the book however – which is inherent of the fact that the different types of marks and protections have evolved through time with different names – is the fact that numerous different terms are used throughout the book such as 'indications of source', 'IGOs', 'PGIs', 'GIs', 'certification marks', 'indications of origin', 'appellations', making it very difficult at times to distinguished them from one another. Despite Higgins explicitly defining, in his first Chapter, how these terms will be used, it is nevertheless sometimes difficult to follow this language use, in particular as some terms seem to be used interchangeably, in part possibly for historical accuracy. This, nonetheless, reflects the complexity of the historical developments of brands and GIs.

In *Brands, Geographical Origin, and the Global Economy*, Higgins considers various important issues associated with branding, GIs, and indications of origins, such as trade and misrepresentation, but also draws examples from various different jurisdictions such as France, the United States, the United Kingdom, and Switzerland. As the book refer to 'the global economy', it may perhaps have been beneficial to include further examples representing the global south perspective. The book makes reference to some global south countries but not in the same depth.

The book can, at times, leave the reader wishing for more insight. For example, Higgins states that "IGOs cannot be exclusively appropriated by an individual because this would create a monopoly and debar others located in the same area from using it" (16). However, this would possibly benefit from further explanation of why this would not be acceptable. Are trademarks not creating such a monopoly? Does allowing producers from the defined area only to use the GI not mean that a monopoly is given to the area? Higgins also brings forth the idea that the owner of a trademark would, if they were to receiving protection for the GI name, deprive the community of its use, despite not having contributed to the building of the GI's reputation, which would be 'unjust' (17). This idea of injustice in this scenario, and how it differs from the ownership of a brand would have been a very interesting area to explore. Although these questions may be outside the realm of this book.

An important aspect of the book is the link between branding and consumer behaviour. Higgins, for example, explores the marketing importance of brands and indications of origin, highlighting relevant studies which have explored the issue, considering interesting insights such as the possibility that 'perception of origin' may matter more in the consumer's mind than actual origin (21). This idea is arguably also an important facet of the debate around the purpose of GIs, as some labels – PGI in the EU – require only one of the manufacturing stages to take place in the protected region. As a result, one may therefore question to what extent this product 'originates' in that region. Higgins' historical analysis of trade and

indications origin more generally also highlights the important link between the rise of international trade from the 19th century and the significance of giving consumers information about products' origin (30-32). Indeed, prior to the growth in international trade, consumers may have assumed that most products originated from the local region or thereabouts. Once products were coming and going to and fro, all over the world, it would have been difficult – no doubt – for consumers to know where what they were consuming came from, unless it was explicitly stated by the product. Furthermore, producers were not bound by the excessive packaging and labelling rules that exist today,¹ and therefore, stating the place of origin of a product in its name would have probably been an easy way to communicate such information. Higgins also interestingly demonstrates in his third chapter that state intervention was minimal in the meat trade in countries such as New Zealand, Australia, Canada, and the US in the early 20th century. Although exported meat was controlled for food safety, there were very little – if any – focus on ensuring that the products were marked with the appropriate origin or are of certain quality (68-69). This disinterest in product quality and in the image that these products will reflect once it enters the global market is surprising and is potentially a far cry from today's disputes occurring for protected origins, such as the dispute between the US and India regarding the protection of the term 'Basmati' rice.² Higgins' insights therefore go far beyond a simple historical account. This is once more illustrated by his extremely interesting discussion of the meaning of the word 'quality' in the context of GIs (233-238).

Brands, Geographical Origin, and the Global Economy: A History from the Nineteenth Century to the Present is overall a very complete book that, despite the complexity of overlapping historical developments in the area, provides much-needed clarity as to the origins of branding, indications of origin, and GIs. The book does so in a very accessible and multidisciplinary way, making it relevant for various different types of research, and gives access to insight from restricted primary sources. A manuscript that considers the past in such depth, can certainly help us understand aspects of the present and thus assist us in defining the future.

¹ Alan Turner, 'Prepacked Food Labelling: Past, Present and Future' (1995) 97 *British Food Journal* 23, 23; Richard Milne, 'Arbiters of Waste: Date Labels, the Consumer and Knowing Good, Safe Food' (2012) 60 *The Sociological Review* 84, 86.

² Estelle Biénabe and Delphine Marie-Vivien, "Institutionalizing Geographical Indications in Southern Countries: Lessons Learned from Basmati and Rooibos" (2017) 98 *World Development* 58; Dwijen Rangnekar and Sanjay Kumar, "Another Look at Basmati: Genericity and the Problems of a Transborder Geographical Indication" (2010) 13 *The Journal of World Intellectual Property* 202.