

3. A single natural or legal person may be deemed to be a group for the purpose of this Chapter if both of the following conditions are fulfilled:

- (a) the person concerned is the only producer willing to submit an application; and
- (b) the defined geographical area possesses characteristics which differ appreciably from those of neighbouring areas, the characteristics of the spirit drink are different from those produced in neighbouring areas or the spirit drink has a special quality, reputation or other characteristic which is clearly attributable to its geographical origin.

4. In the case of a geographical indication that designates a cross-border geographical area, several groups from different Member States or third countries may submit a joint application for registration.

Where a joint application is submitted, it shall be submitted to the Commission by a Member State concerned, or by an applicant group in a third country concerned, directly or through the authorities of that third country after consultation of all the authorities and applicant groups concerned. The joint application shall include the declaration referred to in point (c) of Article 23(2) from all the Member States concerned. The requirements laid down in Article 23 shall be fulfilled in all Member States and third countries concerned.

In the case of joint applications, the related national opposition procedures shall be carried out in all the Member States concerned.

5. Where the application relates to a geographical area in a Member State, the application shall be submitted to the authorities of that Member State.

The Member State shall scrutinise the application by appropriate means in order to check that it is reasoned and meets the requirements of this Chapter.

6. As part of the scrutiny referred to in the second subparagraph of paragraph 5, the Member State shall initiate a national opposition procedure that ensures adequate publication of the application referred to in paragraph 5 and that provides for a reasonable period within which any natural or legal person having a legitimate interest and resident or established on its territory may submit an opposition to the application.

The Member State shall examine the admissibility of any opposition received in accordance with the criteria referred to in Article 28.

7. If, after assessment of any opposition received, the Member State considers that the requirements of this Chapter are met, it may take a favourable decision and submit an application dossier to the Commission. In such a case, it shall inform the Commission of admissible oppositions received from a natural or legal person that has legally marketed the products in question, using the names concerned continuously for at least five years preceding the date of the publication referred to in paragraph 6. Member States shall also keep the Commission informed of any national judicial proceedings that may affect the registration procedure.

The Member State shall ensure that where it takes a favourable decision pursuant to the first subparagraph, that decision is made public and that any natural or legal person having a legitimate interest has an opportunity to appeal.

The Member State shall ensure that the version of the product specification on which its favourable decision is based is published, and shall provide electronic access to the product specification.

The Member State shall also ensure adequate publication of the version of the product specification on which the Commission takes its decision pursuant to Article 26(2).

8. Where the application relates to a geographical area in a third country, the application shall be submitted to the Commission, either directly or via the authorities of the third country concerned.

9. The documents referred to in this Article which are sent to the Commission shall be in one of the official languages of the Union.

Article 25

Provisional national protection

1. On a provisional basis only, a Member State may grant protection to a name under this Chapter at national level, with effect from the date on which an application is submitted to the Commission.

2. Such national protection shall cease on the date on which either a decision on registration under this Chapter is taken or the application is withdrawn.
3. Where a name is not registered under this Chapter, the consequences of such national protection shall be the sole responsibility of the Member State concerned.
4. The measures taken by Member States under paragraph 1 shall produce effects at national level only, and shall have no effect on intra-Union or international trade.

Article 26

Scrutiny by the Commission and publication for opposition

1. The Commission shall scrutinise by appropriate means any application that it receives pursuant to Article 24, in order to check that it is reasoned, that it meets the requirements of this Chapter, and that the interests of stakeholders outside the Member State of application have been taken into account. Such scrutiny shall be based on the single document referred to in point (c) of Article 23(1), shall consist of a check that there are no manifest errors in the application, and, as a general rule, shall not exceed a period of six months. However, where this period is exceeded, the Commission shall immediately indicate in writing to the applicant the reasons for the delay.

The Commission shall, at least each month, make public the list of names for which registration applications have been submitted to it, as well as their date of submission. The list shall also contain the name of the Member State or third country from which the application came.

2. Where, based on the scrutiny carried out pursuant to the first subparagraph of paragraph 1, the Commission considers that the requirements of this Chapter are met, it shall publish in the *Official Journal of the European Union* the single document referred to in point (c) of Article 23(1) and the publication reference of the product specification.

Article 27

Opposition procedure

1. Within three months from the date of publication in the *Official Journal of the European Union*, the authorities of a Member State or of a third country, or a natural or legal person having a legitimate interest and resident or established in a third country may submit a notice of opposition to the Commission.

Any natural or legal person having a legitimate interest and resident or established in a Member State other than that from which the application was submitted, may submit a notice of opposition to the Member State in which that person is resident or established within a time limit permitting an opposition to be submitted pursuant to the first subparagraph.

A notice of opposition shall contain a declaration that the application might infringe the requirements of this Chapter.

A notice of opposition that does not contain such a declaration shall be void.

The Commission shall forward the notice of opposition without delay to the authority or body that submitted the application.

2. If a notice of opposition is submitted to the Commission and is followed within two months by a reasoned statement of opposition, the Commission shall check the admissibility of this reasoned statement of opposition.
3. Within two months from the receipt of an admissible reasoned statement of opposition, the Commission shall invite the authority or person that submitted the opposition and the authority or body that submitted the application to engage in appropriate consultations for a period that shall not exceed three months. That deadline shall start on the date when the invitation to the interested parties is delivered by electronic means.

The authority or person that submitted the opposition and the authority or body that submitted the application shall start such appropriate consultations without undue delay. They shall provide each other with the relevant information to assess whether the application for registration complies with the requirements of this Chapter. If no agreement is reached, that information shall also be provided to the Commission.