

DEVELOPMENT PROSPECTS AND BENEFITS OF PRODUCTION OF GOODS WITH THE GEOGRAPHICAL INDICATION "MELITOPOL CHERRY"

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UDC 339.5
JEL: O34; Q13

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It is determined under the conditions of modern development of the world economy there is a steady growth of international trade in goods and services that contain an innovative component and are protected by intellectual property rights. It is argued that this ensures the growth of exports of countries with developed market economies and forms a significant component of the national economies of their countries. The main purpose of this article is to study theoretical and practical aspects of functioning of the world intellectual property market. The main trends and features of development of the market for goods with a geographical indication are analyzed. It is noted that nowadays agricultural products of regional origin, which are in high demand due to their unique and original features, are becoming especially relevant. The growth of significance of certified local products and its influence on business development is determined. The main stages of regional branding of local traditional products are characterized and a mechanism for increasing Ukraine's competitive position on the world market is proposed. The study analyzed the dynamics of indicators related to the use of industrial property in Ukraine, including geographical indications. As a result of the research the importance of economic functions of intellectual property is substantiated and it is proved that the use of its objects is aimed at increasing the competitiveness of an individual enterprise, organization and the State as a whole. The main focus is on the prospects for development and benefits of production of goods with the geographical indication "Melitopol cherry". It is established that the wide use of means of individualization promotes creation of a healthy competitive environment in the conditions of market economy development. The advantages of using the geographical indication "Melitopol cherry" for Ukrainian producers are determined.

Keywords: geographical indications, intellectual property, intellectual property right, "Melitopol cherry".

Fig.: 1. **Tabl.:** 1. **Bibl.:** 18.

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УДК 339.5
JEL: O34; Q13

Чернуха Т. С., Говоровська А. В. Перспективи розвитку та переваги виробництва товару з географічним зазначенням «Мелітопольська черешня»

Визначено, що за умов сучасного розвитку світової економіки відбувається неухильне зростання міжнародної торгівлі товарами та послугами, які містять інноваційну компоненту та захищаються правами інтелектуальної власності. Аргументовано, що саме це забезпечує зростання обсягів експорту країн із розвинутою ринковою економікою й утворює вагомий складову національних економік відповідних країн. Основною метою статті є вивчення теоретичних і практичних аспектів функціонування світового ринку інтелектуальної власності. Проаналізовано основні тенденції й особливості розвитку ринку товарів з географічним зазначенням. Зауважено, що наразі особливої актуальності набувають сільсько-господарські товари регіонального походження, підвищений попит на які зумовлений їхніми унікальними й оригінальними ознаками. Визначено зростання значущості сертифікованих місцевих продуктів та їхній вплив на розвиток бізнесу. Охарактеризовано основні етапи регіонального брендингу місцевих традиційних продуктів і запропоновано механізм підвищення конкурентних позицій України на світовому ринку. У ході дослідження проведено аналіз динаміки показників, пов'язаних з використанням об'єктів промислової власності в Україні, у тому числі географічних зазначень. У результаті дослідження обґрунтовано важливість економічних функцій інтелектуальної власності та доведено, що використання її об'єктів направлено на підвищення конкурентоспроможності як окремого підприємства, організації, так і держави в цілому. При цьому основну увагу зосереджено на перспективах розвитку та перевагах виробництва товару з географічним зазначенням «Мелітопольська черешня». Встановлено, що в умовах розвитку ринкової економіки широке використання засобів індивідуалізації сприяє створенню здорового конкурентного середовища. Визначено переваги від використання географічного зазначення «Мелітопольська черешня» для українських виробників.

Ключові слова: інтелектуальна власність, географічне зазначення, право інтелектуальної власності, «Мелітопольська черешня».

Рис.: 1. **Табл.:** 1. **Бібл.:** 18.

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The relevance of the study is determined by the peculiarity of the modern development of the world economy and lies in the growth of international trade in goods and services that contain an innovative component and are protected by intellectual property rights.

At the same time, the importance of the economic functions of intellectual property (hereinafter the IP) associated with the use of property rights to its objects is growing rapidly. It shows the primary significance of intellectual property over traditional resources and production methods, and it also highlights the issues of strategic management of IP rights.

Owing to changes in the economic situation in Ukraine and the world, the interest in the problems of intellectual property management is attributable to its increasing importance in the reproductive processes in the intellectual capital and its final product which takes the form of intangible assets in the digitalization of the economy.

Technological development is one of the basic factors in the formation of the global intellectual property market. At present, it functions as a separate sector of the global market, is characterized by dynamic development, and also has a significant impact on macroeconomic indicators. Its specific features allow analysing the conditions and patterns of economic development of individual regions and countries of the world depending on the degree of their integration into the global IP market. In this regard, research of the current state, main tendencies, and prospects of developing the world market of intellectual property products has particular importance.

The modern market of intellectual property is characterized not only by specific development trends but also by its inherent contradictions which are based on the peculiarities of the intellectual product as an object of market relations. At the same time, it ensures the growth of countries' exports with developed market economies and forms a significant component of the national economies of relevant countries.

The global IP market is an important subject for scientific research. Its formation and development in the context of globalization have been studied in the works of Ukrainian and foreign scientists. Commercialization of research objects is revealed in the works of foreign researchers M. Porter and J. Schumpeter. Current trends in the formation and development of intellectual property in the context of complex and contradictory processes of economic globalization are reflected in the studies of domestic scientists V. D. Bazilevich and P. G. Pererva [1; 2]. V. P. Chebotarov, H. O. Androshchuk, P. M. Tsibulyov and T. V. Pysarenko focused on the management of the intellectual property and the development of the modern industrial property market [3–6].

The formation and development of intellectual capital is the main driver of socio-economic as well as scientific and technological progress. The objective reality is that intellectual capital, the basis of which is formed

primarily by new knowledge, determines the innovative development and economic competitiveness at the present stage of civilization development [7].

It should be noted that the relationship between knowledge exchange, communication and image technologies together with intellectual property is the main force aimed at increasing the competitiveness of an individual enterprise, an organization and a state as a whole.

In addition, objects of intellectual property as a source of economic impact have two main directions of its obtaining: growth in profitability and productivity. Revenue growth is achieved by using the commercialization of innovative products, and productivity growth is accomplished through getting additional competitive and intangible advantages.

In Ukraine, the European Union (hereinafter the EU) project called "Support to the Development of a Geographical Indications System in Ukraine" has been implemented since 2017. Its purpose is to help our country to create an effective system of designating goods that are mainly determined by geographical location. The project cooperates with government agencies, manufacturers, business and consumer associations, tour operators and all other stakeholders who seek to create new brands with the geographical indication and, in general, improve the system of geographical indications in Ukraine.

A geographical indication (hereinafter the GI) is the name of a place that identifies a product that originates from this geographical location and has a special quality, reputation or other characteristics due mostly to the geographical location. At least one of the stages of goods production (manufacture, extraction, processing or preparation) must be carried out in the designated geographical area.

In conditions of fierce competition, any geographical indications require certain characteristics of quality. Geographical labelling first appeared as a French certification system for certain types of wines, cheeses, oils and other agricultural products by geographical indicators. Today, under the regulations of Rules of Procedure of the European Parliament and the Council, there are three variants of label schemes, the purpose of which is to ensure a fair income for producers from the sale of quality products. It guarantees unified protection of names as an intellectual property right, providing consumers with clear information about the properties of the product.

At present, agricultural products of regional origin are becoming especially relevant, the increased demand for which is due to their unique features. Therefore, regional branding of local traditional products will not only be beneficial for the producer, but can also become an indicator of regional development as a whole. Certified local products will affect business development: the value of the products and local resources will increase, agro-industrial integration will be developed, and the situation should be considered as a socio-economic process of

combining all spheres of agro-industrial production into a single dynamic system [8].

In Ukraine, the state registration of a quality indication of the origin of goods and/or the right to use them is carried out on behalf of the state by the authorized body – the Ministry of Economic Development, Trade and Agriculture by introducing relevant information on the names of places of origin and geographical indications of origin of goods and rights to use registered quality indications of origin of goods to the State Register of Geographical Indications of Ukraine. And the registration of the right to use quality indications of origin of goods, that has already been implemented, is verified by a certificate valid for 10 years from the date of application.

Recently, the registration of another geographical name with historical origin has been completed in Ukraine: on the 8th of September 2020, “Melitopol Cherry” received the official title of a geographical brand. It is the first Ukrainian stone fruit that has the right to be recognized in the EU. “Melitopol Cherry” is a commodity of the elite class, meaning the fruits are harvested by hand. They are characterized by a rich aroma and taste, a balanced content of sugar and acid, as well as excellent marketable properties.

The application for registration of the geographical indication of origin of the goods was submitted by the Melitopol Cherry Growers’ Association based on the results of joint work of the Ministry of Agrarian Policy and Food, the Ministry of Economy, the EU project “Support to the development of geographical indications system in Ukraine” and the international technical assistance project “Partnership for Urban Development” (the PROMIS Project) as early as the end of December 2019.

The package of documents took a year to be prepared and contained the following main components: historical information, data from museums, the state archives of Zaporizhzhia and Melitopol, scientific description of the soil on which the product is grown, description of climatic conditions and meteorological information to confirm the uniqueness of manufacturing conditions, description of the main conditions of cultivation technology, information on norms of applying fertilizers and irrigation, a full package of requirements for quality, harvesting process, transportation, cooling and packaging, as well as a list of varieties that were included in the certification. These aspects will truly guarantee the uniqueness, value, safety, environmental friendliness of the product and the reliability of this brand. After all, more than forty varieties are currently used for the production of Melitopol cherries, and only twelve, which mainly belong to the local selection, are included in the specification of the product in terms of geographical indication.

It is currently the first Ukrainian stone fruit registered as a geographical indication and has the right to be recognized in the EU. From now on, cherries which are

grown in the area around the city of Melitopol on both banks of the Molochna River, within the city of Melitopol and the surrounding settlements, will have the right to be called “Melitopol”.

Undoubtedly, one of the hallmarks of the Zaporizhzhia region is the cherry crop. Of the 70–80 thousand tons of cherries that are produced annually in Ukraine, 25% are the fruits of varieties selected by the Station of Horticulture named after M. F. Sidorenko [9]. At the same time, Ukraine takes the honourable tenth place among the world’s largest producers in terms of exports. One of the main competitors of Melitopol Cherry is Italian cherries which also are marked with geographical significance.

Cherries in Melitopol are a cult. In June, the city hosts the annual festival “Cherry”, where you can try a variety of dishes made of cherries and even admire the paintings made of red, yellow and ruby berries. Thus, at the 2018 festival, Ukraine set a record for creating the largest cherries in our country [10]. Melitopol cherries are a product that has long been a symbol of quality and excellent taste for Ukrainians. And it was already a national brand, only without official registration. It was the main problem: if there are two types of cherries on the counter, and one of them will have a sticker “Melitopol cherry”, it is bought faster and at a much higher price. Many of the “dishonest” manufacturers and sellers across the country have used this name to increase sales.

Tetiana Maliuk, Deputy Director for Research at the Melitopol Research Station of Fruit Growing of the Institute of Horticulture, says that Melitopol cherries have been known in Europe for a long time, but they did not have a clear geographical indication. At the beginning of the twentieth century, it was delivered in a special fluid to France, to a special store called “Melitopol Cherry” [11].

While considering the intellectual potential of Ukraine as a dynamic system, the state of development of the IP sphere was analyzed on the example of industrial property objects for the last 5 years. After all, inventions, utility models, industrial designs, trademarks and geographical indications are evaluated primarily from the perspective of industrial significance, economic efficiency, profit during their use in production activities. Comparative registration indicators for protection certificates for industrial property objects are given in *Tbl. 1* and *Fig. 1*.

Therefore, the analysis of the relevant indicators in 2020 revealed a positive trend in the registration of inventions under the Patent Cooperation Treaty (hereinafter the PCT), trademarks, geographical indications and international registrations compared to the previous year by +6.8%, +13.4%, +100% and +16.8% respectively. At the same time, the total number of registrations of objects of industrial property, inventions, utility models and industrial designs decreased by –1.1%, –3.4%, –24.1% and –21.2% respectively.

Table 1

Dynamics of registration of objects of industrial property during 2016–2020, units

Objects of industrial property	2016	2017	2018	2019	2020	2017 to 2016 (%)	2018 to 2017 (%)	2019 to 2018 (%)	2020 to 2019 (%)
Total registered	27947	29671	29267	30590	30255	106.2	98.6	104.5	98.9
Inventions, including:	2813	2590	2469	2255	2179	92.1	95.3	91.3	96.6
Under the PCT	1410	1239	1142	913	975	87.9	92.2	79.9	106.8
Utility models	9044	9442	8620	8412	6385	104.4	91.3	97.6	75.9
Industrial designs	2469	2390	2297	2599	2047	96.8	96.1	113.1	78.8
Trademarks	13618	15248	15877	17322	19640	112.0	104.1	109.1	113.4
GI	3	1	4	2	4	33.3	400.0	50.0	200.0
International registrations	7620	5565	7499	7206	8415	73.0	134.8	96.1	116.8

Source: compiled by the author according to the data of the Ukrpatent [12].

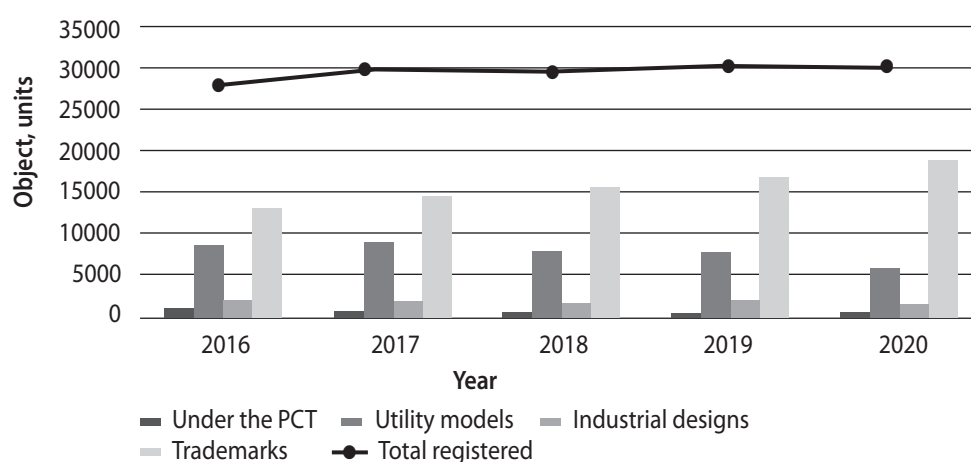


Fig. 1. Dynamics of registering industrial property objects during 2016–2020

As the National News Agency of Ukraine “Ukrinform” reported in March 2020, the list of “Geographical Indicators” of the EU included 3322 product names. It also should be noted that this list is constantly being updated.

The European Commission notes that European food products are safe, nutritious and of high quality. This is often achieved due to the traditional methods of producing such products, high standards which are recognized worldwide, and as a rule, have a clear geographical origin, and names protected from copying or forgery by intellectual property rights and relevant EU legislation.

The European Union generates almost 75 billion euros in annual profits from trade in goods with a geographical indication. This is stated in a study, the results of which are published on the website of the European Commission.

“Sales of agricultural products and beverages, the names of which are protected in the list of “Geographical Indicators” of the European Union, bring a profit of 74.76 billion euros. About a fifth of this amount is the result of exports of these products from the European

Union. According to data of the study, the sales of goods with protected geographical names are on average twice as high as those of similar goods without the appropriate certification”, the European Commission said in its statement [13].

At the same time, The European Union-Ukraine Association Agreement, which provides Ukraine with many opportunities for the recognition of its geographical brands in the EU, also imposes international obligations. “Geographical indication can be characterized as the protection and preservation of the traditions of a particular region, the uniqueness of the product itself and/or the process of its manufacture. Therefore, products produced in other regions may be similar to the original or manufactured “by technology”, but they cannot be called by the same name. That is why geographical indications protect according to a certain territory, and not a separate manufacturer, which significantly distinguishes them from trademarks”, explains Kateryna Shor, project manager at the “Adaptation to EU legislation: the implementation practice” [14].

Ukrainian producers still lack adequate experience in using geographical indications in the EU market. It should be understood that the protected GI will belong to the relevant association, control functions are entrusted to the state and the name can be used by almost any manufacturer that meets the criteria and has previously notified the competent authority.

Currently, the public associations have been established in Ukraine for processing applications for the registration of the geographical indications of origin of goods, namely:

- ✦ On the 31st of August 2018, the first association in Ukraine was registered, the purpose of which is to promote and protect the domestic product with a geographical indication – the Association of Producers of Traditional Carpathian Highland Cheeses. The association decided to register “Hutsul sheep bryndza” as the first geographical indication for cheese in Ukraine;
- ✦ On the 19th of February 2019, the second Ukrainian Association for the Management of Geographical Indications – the Association of Carpathian Herds – was registered to manage the geographical indication “Hutsul cow cheese”;
- ✦ On the 20th of March 2019, the Association of Melitopol Cherry Growers was registered. It was established to manage the geographical indication “Melitopol Cherry”;
- ✦ On the 22nd of April 2019, the first association of wine producers in Ukraine was registered in the Odesa region which took care of the development of the wine zone, registration and control of the geographical indications for wine – the Association of Winegrowers and Winemakers “Danube Bessarabia”;
- ✦ On the 30th of July 2019, the Association of Kherson Watermelon Producers was registered which was established to manage the geographical indication “Kherson Watermelon”.

Experts say that in the situation when more and more participants are joining the process, the country can increase exports and diversify markets for their “branded products”. Because right now, though Ukraine exports a large number of goods, there are almost no Ukrainian branded ones with registered GI. In addition, the development of a system of geographical indications will help address several trade-related issues, such as quality standard issues in the sector. The development of local brands can improve the quality of products for both foreign and domestic consumers [14].

Agriculture is one of the most important sectors of domestic economy. The life and health of people depend on the availability and quality of food, and the level of development of the agro-industrial sector of a state is a key element of its food security. Ukraine has favourable conditions for the development of the agricultural sector

which allows ensuring domestic consumption of quality and environmentally friendly products of the agro-industrial complex and increasing its supply to the world market [15].

On the territory that is under the requirements of the geographical brand “Melitopol Cherry”, there are 28 farms that occupy about 1720 hectares of plantations. At present, only 20% of producers adhere to the production norms prescribed in the certificate. In this case, three levels of control are applied: the first – by the manufacturer, the second – by the association of producers and the third – by an independent external (state or private) supervisory authority. It allows us to guarantee consumers the highest quality of traditional products. Therefore, Europe has strict requirements for certification, for example, cherries have only seven.

The sustainable development of agricultural producers can be achieved by creating favourable conditions for foreign economic activity by agricultural producers, improving the certification system and the legal regulation of relations in agriculture. The status of the geographical brand will strengthen the export potential of the Zaporizhzhia region, will open opportunities for the promotion of local producers.

Intellectual property is an important tool for creating the image of a company in the minds of current and potential customers and its positioning in the market [16]. In the conditions of the development of market economies, the widespread use of means of individualization contributes to the creation of a healthy competitive environment. However, Ukraine will have to make a lot of efforts to overcome unfair competition.

Finally, it should be added that cherries belong to the highly profitable fruit crops. In recent years, Ukraine has seen a rapid increase in the area of its plantations. According to this indicator, they came out on top among stonecrops [17].

But the development of the cherry segment largely depends on production rather than the situation in the international market. For some types of fruit, the stone segment is characterized by greater instability than the grain because of the period of flowering and setting of these plants, which happens, mainly, during reverse frosts [18].

In conclusions, we would like to enumerate the advantages of using the geographical indication “Melitopol Cherry” for Ukrainian producers:

- ✦ the concept of GI includes quality requirements, so consumers are more likely to choose such goods;
- ✦ GI protects producers in a certain territory;
- ✦ GI is becoming an increasingly important economic tool in international trade;
- ✦ in the condition of development of a market economy, the widespread use of GI contributes to the creation of a healthy competitive environment;

- ✦ producers will be able to form large batches of the fresh and chilled cherries to minimize transportation costs and other current expenses.
- ✦ manufacturers will be able to invest in product quality, build a reputation around the distinctive mark, occupy new market segments and receive “price premiums” to the standard cost of the product.

CONCLUSIONS

In Ukraine, the market of intellectual property has become fully operational relatively recently, and the dynamics of its development remains disproportionately low about the scientific and technological potential of the country. Meanwhile, in the modern world, intellectual property is becoming a valuable asset that increasingly affects the capitalization and success of companies in competition. Therefore, the formation of the IP market today is one of the main areas of developing the Ukrainian market economy.

It can be concluded that there is a potential for the production of horticultural products and the increasing role of Ukraine in the world agricultural market. Climatic conditions of the city of Melitopol, relatively cheap labour, proximity to the world's largest consumers, further implementation of quality control and protection system make it possible for Ukraine to compete in the already established agricultural market and increase profits. The appellation of origin will serve to support the growth of exports of the agro-industrial complex of this region. And the geographical designation “Melitopol cherry” will be actively used as an important and effective tool for individualization and recognition of producers to attract more consumer attention to their food products.

As a result, the acquisition of rights to geographical indications will perform an important function of protecting the recognizable properties of products through which manufacturers will collectively succeed in the market. ■

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