

**Second Meeting of the New Zealand – European Union FTA Committee on Investment,
Services, Digital Trade, Government Procurement and Intellectual Property, including
Geographical Indications
*IP formation***

21 April 2026

Minutes

Both Parties (in a hybrid format) discussed the implementation of the IP Chapter of the FTA, in particular:

1. Geographical indications

NZ's Ministry for Primary Industries (MPI) shared a PowerPoint presentation that explained the enforcement activities and procedures under the Geographical Indications Registration Act 2006. This has included: delivering training to the Food Compliance Services/Compliance Investigations teams on the enforcement approach and requirements under the GIs Act; warranting of Food Compliance Officers/Compliance Investigators as GI Officers; engaging with industry on MPI's enforcement role, requirements and phase out periods; and determining sources for complaints or information as industry, government stakeholders and consumers. No complaints or information have been received.

The EU indicated that it will provide NZ with some feedback received from EU GI right holders. The EU set out its position on the list of the prior users referred to in the FTA.

More information on GIs enforcement in New Zealand can be found on the IPONZ website: [Enforcing geographical indications | Intellectual Property Office of New Zealand](#)

The EU noted that, while evocation is not currently addressed in the GI chapter within the scope of the Free Trade Agreement, it raised considerations regarding instances where New Zealand businesses may reference EU GIs in ways that could create associations in the minds of consumers. The EU indicated its intention to share examples on such evocations and requested further clarification on the available avenues for EU GI holders to address such matters.

2. Enforcement of IP

Both Parties acknowledged the importance of IPR training for border authorities and cooperation between customs and industry stakeholders to improve seizure levels and reduce counterfeit flows.

The Parties exchanged information on how small parcel shipments are being dealt with. The EU noted the huge increase in these shipments and challenges associated with IP enforcement. The EU shared two relevant documents that have been developed on this issue. NZ indicated it was also a challenge, although acknowledged the scale was different, and provided an update on a goods clearance levy regime introduced by NZ Customs that includes consignment-based charging for low value goods. It was suggested that this issue could be discussed by Customs counterparts in the relevant EU FTA Committee.

The EU indicated interest in the new NZ High Court rules on "evidence first" and ensuring that the procedural changes facilitate, rather than hinder, enforcement actions.

3. Copyright

NZ provided an update on implementation of Art. 18.13 (Term of protection) and Art. 18.17 (Protection of technological measures). Meetings are being held with relevant stakeholders and NZ is working towards meeting the commitments within the timeframe set out in the FTA. The EU highlighted the importance for the industry of prompt implementation of those provisions. NZ will provide a further update once the next steps have been completed.

The Parties exchanged information on how they're considering AI, in relation to the protection of IP. DG CNECT gave a presentation on how the EU is approaching the issue, including implementation of the EU's 2019 Directive and AI Act 2024. NZ noted that it is looking to be a fast adopter of international trends and that domestic stakeholders support this approach.

4. AoB

The EU enquired about the possibility of publishing guidance for the TM applicants which would help to assess whether the applied TM is *likely to offend a significant section* of the community. In response, regarding cultural heritage and Indigenous rights, NZ referred to the guidance provided on the IPONZ website and the work of the Māori Trade Marks Advisory Committee. Further information can be found here: [Māori culture and intellectual property | Intellectual Property Office of New Zealand](#)

The EU enquired about the consultations on the Regulatory Guidelines on New Medicines Applications and their compatibility with the FTA. NZ indicated that the Ministry of Foreign Affairs and Trade has been consulted to ensure that any changes are consistent with the FTA obligations. The consultation process closed recently so the next step will be for the Ministry of Health to consider the feedback received and make policy recommendations about how to proceed, before Ministers make any decisions about either amendments to the Medicines Act or changes to regulations.

Chair:

Kate Neilson

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