



Australian Government

Wine Australia

MEDIA RELEASE

New fortified names registered in Australia

Australian trademark registration has been completed for “Apera” and “Topaque” the new names chosen for Australian products previously sold as “Sherry” and “Tokay” respectively.

Producers wishing to use these terms should now formally notify Wine Australia, which owns the trademark for both terms, in order to enter into a licence agreement. Wine Australia is required to keep a record of businesses using the terms.

Prescribed *Rules of Use* also apply, and these can be downloaded in PDF format from www.wineaustralia.com/australia/Default.aspx?tabid=5540

Australian producers have been prohibited from using the term “Sherry” since September 1 last year but can continue to use “Tokay” until 1 September 2020 in Australia and other countries with laws that allow its use as part of a 10-year phase in period. “Topaque” can be used immediately.

The new descriptors for Apera, replacing Fino, Amontillado and Oloroso, are Dry, Medium Dry, Medium Sweet/Semi-Sweet and Sweet.

The changes follow the ratification of the *Agreement between Australia and the European Community on Trade in Wine*, under which Australia agreed to relinquish use of European geographical indications in return for a number of benefits providing improved access to European markets.

“Apera” and “Topaque” have been registered in a number of key export markets to ensure producers have certainty regarding their use in those countries.

Exporters should be aware, however, that the registration of “Apera” in Europe has been slowed down by the need to respond to a trademark opposition lodged against the name. Until this is finalised, product labelled as “Apera” should not be exported to the EU.

The new names were chosen after extensive consultation as part of a project to develop a new strategy for promoting Australian fortified wines. The strategy, *Dawning of a New Era*, was released in June 2009. The final report can be downloaded at www.wfa.org.au/fortified_wine.aspx

To notify Wine Australia of their intention to use “Apera” and/or “Topaque”, companies should contact Andreas Clark, General Manager Legal & Corporate Services, at andreas.clark@wineaustralia.com or on [\(08\) 8228 2072](tel:0882282072).

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