

EMMENTALER AOP SECURES ABSOLUTE PROTECTION IN ITALY

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With the legal representation by [Lenz & Staehelin](#)'s **Jürg Simon** (pictured) and Milano based legal professional, **Cesare Galli**, Emmentaler Switzerland, the producer organization of Emmentaler AOP, has recently achieved a significant victory in a long-standing legal battle, asserting the absolute protection of its renowned cheese in Italy. This achievement stems from the continued application of the 1951 Stresa Convention, which governs the usage of appellations of origin and denominations of cheeses.

A dispute concerning the protection of Emmentaler AOP in Italy that had lasted over ten years culminated with the decision of Italy's Supreme Court of Cassation on 11 October 2022. Following claims filed by Emmentaler Switzerland in 2012 and 2015, the Milan Court of First Instance had previously confirmed that the name Emmentaler (as an isolated designation) may only be used in Italy for the original Swiss product produced in line with the Swiss government's specifications for Emmentaler AOP, as the 1951 Stresa Convention remains applicable. The Milan Court of Appeal upheld this decision in 2017 and 2018. With its decision, the Supreme Court of Cassation has confirmed that Emmentaler AOP is fully protected in Italy.

Parties who infringe the protection of origin applicable to Emmentaler AOP in the Italian market owe the producer organisation Emmentaler Switzerland damages, both for loss of profits (product-related contributions) and reputational damage.