

Marie-Gabrielle Plasseraud opens her firm specialized in intellectual property law, digital law, and typicity.

A graduate of Sciences Po Paris and holder of a master's degree in industrial property law from the University of Paris II, Marie-Gabrielle Plasseraud, 38, has been a member of the Paris Bar since 2011. She has practiced with major law firms and also with trademark and patent attorneys in Paris and New York: Hogan Lovells, EGYP (now Groupe Plasseraud IP) and De Gaulle Fleurance & Associés. In 2022, she founds Marie-Gabrielle Plasseraud Avocats, dedicated to intellectual property law, digital law and the defense of intangible assets of companies and local authorities.

Marie-Gabrielle Plasseraud regularly publishes in the press and has co-written, in collaboration with Yves Plasseraud, a leading expert in intellectual property, the book *Typicité*, which focuses on the enhancement of the unique identity and heritage of territories as a key factor in their development and economic growth. In addition, Marie-Gabrielle Plasseraud teaches at the School of Public Affairs of Sciences Po Paris.

● A dynamic practice of intellectual property

Marie-Gabrielle Plasseraud Avocats is an independent law firm dedicated to innovation and intellectual property, offering personalized support to French and international clients. Its areas of expertise focus on intellectual property law (trademarks, copyrights, designs) and new technology law (digital, e-commerce, IT).

Marie-Gabrielle Plasseraud Avocats accompanies its clients in both advisory and litigation matters: creation of intellectual property portfolios, strategic management of these intangible assets, defense of rights (judicial and administrative litigation, anti-counterfeiting measures). Cases are handled in collaboration with French and international colleagues, patent attorneys, marketers and analysts.

● Typicity, a committed approach

With the ambition of enhancing the local in order to change the global, the firm proposes to accompany the protection and enhancement of the unique, local territorial identity of public entities and private actors, in the perspective of their sustainable development. In line with its values, the firm makes social and environmental impact its driving force. Local production, responsible tourism, and geographical indications are essential strategic assets in the new "made in" economy.

Territories and products with a strong identity and brands anchored in their geographical environment represent an underexploited development tool that is just waiting to be mobilized and used. However, these assets must first be identified and protected. The necessary legal tools exist, and the key to success is to integrate them into an extensive product or institutional or corporate strategy. Marie-Gabrielle Plasseraud Avocats offers this new and unique service, in addition to its recognized expertise in intellectual property law.

"Gevrey-Chambertin wines, Scottish whisky, Tuscan landscapes... Territorial anchoring has always been one of the structuring elements of the identity of products, landscapes or even experiences. This typicity can be a vector of trust, a marketing and storytelling tool", explains Marie-Gabrielle Plasseraud.

About us

Dedicated to intellectual property, digital and typicity law since 2022, Marie-Gabrielle Plasseraud Avocats particularly supports the promotion and defense of intangible assets of public and private actors. It makes social and environmental sustainability its driving force, matching its service proposal with its own corporate values.

Press Inquiries

presse@mg-plasseraud.com +33 6 16 68 73 42
Pictures available in HD format upon request

Intellectual property, a key to the "made in" economy

In the era of global crises and disorganization of production chains, of reindustrialization concerns, of the need for authenticity, of the climate emergency, calling for quality and safety, we are entering the era of "made in" goods, services and actors. Brands and territories, which have acquired an important notoriety and reputation through their talent - which is unique - and over time - which is precious - are more than ever coveted. Counterfeiting, usurpation, commercial falsification... are regularly in the news.

Protecting intangible assets, in short, seems obvious. Because **intangible assets are not only a source of wealth**: they have a soul. To be deprived of these assets is as much a source of incomprehension as it is of distress. And yet, **many companies, producers and local authorities often think about this too late** and have to enter into complex, long and costly legal disputes. Intellectual property law also offers preventive tools and forward-looking methodologies as protective safeguards for companies and territories of all sizes.

Legally protecting one's identity, know-how, products and services means creating not only pride and trust, but also value through cultural influence and economic development potential.

Protecting one's intangible heritage is a unique opportunity to not only preserve one's assets and allow them to flourish, to enhance the value of one's community, and to create desire for one's territory, but also to **develop ecosystems, crafts and jobs**.

Key figures

The protection of intangible assets has become
a major issue in the contemporary world.

- Unifab (French Union of Manufacturers) estimates that counterfeiting causes the loss of roughly **38,000 jobs** each year in France (Unifab 2021).
- **5.64 million is the number of counterfeit items** that French customs intercepted at France's borders in 2022. This is 20% more than in 2019, a year that saw 4.5 million counterfeit products intercepted (Ministry of Public Accounts 2021).
- **3.3%**: the share of **counterfeiting in world trade** (OECD 2021).
- In France, the number of **trademark registrations** hit a new record this year, crossing the significant threshold of **100,000** (INPI 2022)

Six questions to Marie-Gabrielle Plasseraud

- What are the main issues in intellectual property today?

We have entered the era of "made in", with the rise of a **need for local, authentic products that deliver on their promises**. On the subject of the protection of intangible assets, there is still a long way to go to make entrepreneurs, local authorities and all those in a position to act aware of the stakes and of its crucial role.

Counterfeiting, imitation and commercial parasitism are unfortunately commonplace, resulting in economic and reputational losses. The press regularly reports on the coveted nature of prestigious assets, whether it be a brand, a geographical indication or the image of a city.

Let's take the example of **champagne**. Although it is an « appellation d'origine contrôlée - AOC » (registered designation of origin), a recently enacted Russian law reserves the word "champagne" in Russia for use by Russian producers only, thus discrediting the very essence of what true "champagne" is. As for **Gruyère** cheese, an American court in the state of Virginia has just ruled that the word is generic and that American companies are therefore free to market cheese in the United States under this name, far from the Alpine pastures. Another case is that of the world renowned **Laguiole** knives, which are "fighting" to obtain a geographical identification. The designation is confronted with a massive and deceptive production from Chinese manufacturers in particular. Today, the cutlery makers of Laguiole and Thiers both want to protect their expert craftsmanship but they do not agree on the specific geographical area to be designated and labeled... The awareness is there but the alignment of the actors still needs to be structured.

Pandemics and wars disrupting supply chains, as well as the **growing interest in local and responsible consumption make the subject of typicity more relevant than ever**. It is now imperative that both private and public operators commit to the protection of their brands, innovations, designs and geographical designations, in order to inform consumers, enhance the value of their food, craft and industrial products and develop local employment.

- How does the protection of patrimony constitute an economic driver?

By promoting a brand, an appellation, the name of a city, a region, a territory, etc., by including it in a responsible approach to local production, we are helping to create a **virtuous ecosystem**. Beyond the loss of an intangible capital, forged over time or based on an idea, there is an economic risk involved. The French Presidency of the Council of the European Union has recently reiterated/emphasized that "intellectual property represents **a major factor in the emergence of world-class economic champions**, which guarantee the economic and technological independence of Europe and its Member States".

If the image of a territory or a product is well managed, both legally and in terms of marketing, all of the local players benefit. **Throughout the world, great economic successes are based on a geographical identity**. In France, the **Hénaff** company has

capitalized on its know-how and its Breton identity, and its dishes recently accompanied Thomas Pesquet in space with worldwide visibility. In Portugal, the **Port and Douro wine route** attracts many tourists each year and has contributed to the renaissance of the city of Porto and local craft. Thanks to the creation of the geographical indication **Sel de Guérande**, producers sell their salt at twice the price of a traditional salt.

● What tools are available today?

Trademarks, geographical designations & indications (AOC, AOP...), local and regional authority names and titles: the **legal tools relating to these intangible assets exist** but are still too rarely or poorly exploited. It is time to become more aware of them in order to promote them and **include them in development strategies** in a relevant and efficient way and, if necessary, defend them before the competent jurisdictions!

● Are governments involved in this issue?

Yes, they play an important role. Let's remember, for example, that in France the Consumer Law known as the "Hamon Law" has extended geographical designations & indications to craft and industrial products since 2014, whereas they were initially reserved for agricultural and wine products. **Too few companies have seized the opportunity, unaware of the semantic and commercial power of this instrument.**

The subject is also emerging on a continental scale. Based on the model of geographical indications & designations applied to food products, local and regional leaders are now **calling for the creation of a European label to protect industrial and artisanal excellence, part of Europe's cultural heritage**. Discussions on this subject are underway in Strasbourg and Brussels. In the words of the European Committee of the Regions, *"the great diversity of Europe's craftsmanship can be seen everywhere in its cities, provinces and regions, which are the sites of local production, rich in knowledge often passed down from generation to generation"*.

● Who is concerned?

All economic actors linked to a local region. **Small and medium-sized businesses, large agri-food operators, producers' associations, tourism and local service operators, local authorities from cities to regions...** They can benefit from the protection of their brands, the internationalization of their intangible assets, and the implementation of brand licensing policies.

Think of the recent "territorial marketing" campaigns of the Oise region or the city of Alès in the Paris metro, which invited tourists to discover the area, or even to move there; or the obtaining of labels and geographical designations & indications, which can often increase the selling price, and therefore the profitability, of a product.

● You use the concept of Typicity.

What can you tell us about it?

Gevrey-Chambertin wines, Scottish Whisky, Tuscan landscapes... Territorial anchoring has always been one of the structuring elements of the identity of products, landscapes or even experiences. Typicity is the result of characteristics linked to the terroir that give an added value to a product or an activity. It is an essential vector of trust.

You will find in my book, published in 2018, many other examples of situations where typicity is a key factor of development and dynamism. Initially used in oenology in the 1990s to qualify the representativeness of a wine in terms of its region and grape variety, **I use the term typicity to raise awareness of the marked characteristics of a product, a place, a tradition... in relation to a territory, and to activate this identifiable and value-creating element as part of a specific image and marketing strategy.**

With the growing interest in local and responsible consumption, a solid local anchoring combined with the enhancement of a regional identity is also **a storytelling tool** within the framework of territorial marketing and thus constitutes an important intangible asset.

The firm and its expertise

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Profile



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After having practiced in major law firms in France and abroad - Hogan Lovells, EGYPT (now Groupe Plasseraud IP), De Gaulle Fleurance & Associés -, she founds Marie-Gabrielle Plasseraud Avocats, specializing in intellectual property law and in the defense of intangible assets of companies and territories.

Marie-Gabrielle Plasseraud teaches at the School of Public Affairs at Sciences Po Paris. She is available for any clarification or intervention in her fields of expertise. She regularly publishes in the specialized press and has co-written, in collaboration with Yves Plasseraud, a leading expert in intellectual property, the book *Typicité*, which focuses on the enhancement of the unique identity and heritage of territories as a key factor in their development and economic growth.

Excerpts

from *Typicity - Valorization of patrimony / Typicité - Valorisation du patrimoine* by Marie-Gabrielle Plasseraud and Yves Plasseraud, 2018, ISBN 9782917681404

"As a result of a gradual broadening of the notion of national heritage, water, natural spaces, animal species, plant varieties, language and even certain food products (...) have become part of the heritage."

"In the current context of stalled globalization, there are many indications that a new page is being written. Recently, more and more observers believe that the situation is not hopeless and that, in the future, the identity of the 'terroirs'/local regions, particularly rich and diverse in our countries, will provide an essential resource for economic recovery on new bases."

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