

IN THE SENATE

SENATE CONCURRENT RESOLUTION NO. 102

BY AGRICULTURAL AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

1 STATING FINDINGS OF THE LEGISLATURE AND URGING THE REPUBLIC OF TURKEY AND THE
2 TURKISH PATENT INSTITUTE TO HONOR IDAHO'S OPPOSITION AND DENY THE RE-
3 QUEST FOR REGISTRATION OF APPLICANT BETA ZIRAAT VE TICARET A.S. TO CLAIM
4 THE MARK "IDAHO" FOR USE IN IDENTIFICATION OF PRODUCTS NOT ORIGINATING
5 IN THE STATE OF IDAHO.
6

7 Be It Resolved by the Legislature of the State of Idaho:

8 WHEREAS, Idaho highly values its rich agricultural history; and

9 WHEREAS, it is the policy of the State of Idaho to protect the identity
10 of its agricultural products as originating in Idaho; and

11 WHEREAS, only agricultural products from Idaho should be registered or
12 referred to with Idaho's state name; and

13 WHEREAS, the First Regular Session of the Sixty-first Idaho Legisla-
14 ture, through Senate Resolution 102, recognized that the Republic of Turkey
15 and the United States of America are long-standing allies and that Turkey
16 is a valued trading partner with the State of Idaho and resolved to develop
17 and enhance further long-standing Idaho-Turkey relations, building upon
18 time-honored friendships, as well as promoting the cultural, educational,
19 academic, political and economic relations between Idahoans and the Turkish
20 people; and

21 WHEREAS, it has come to the attention of the Idaho Potato Commission
22 through the Worldwide Watch services of Thomson Reuters that on March 16,
23 2012, as published on November 12, 2012, a Turkish company known as applicant
24 "Beta Ziraat Ve Ticaret A.S.," the English translation being Beta Agricul-
25 ture and Trade Company, filed for registration of the selected mark "IDAHO"
26 for International Class 31, filing number 201224978, with the Turkish Patent
27 Institute; and

28 WHEREAS, International Class 31 includes, inter alia, agricultural
29 products, horticultural products and seeds, live animals, eggs, live and
30 dried plant and weed and malt; and

31 WHEREAS, if the applicant is allowed to register the mark "IDAHO," it is
32 highly likely that there will be consumer confusion in that purchasers will
33 assume that products, over which Idaho will have no quality standards con-
34 trol whatsoever, originated in Idaho and that if such products are of low
35 quality or contaminated, the purchaser will avoid Idaho labeled products as
36 a result, including products legitimately originating in the State of Idaho;
37 and

38 WHEREAS, an attorney has been retained in Turkey to oppose the request,
39 and the deadline for all opposition papers is February 12, 2013; and

40 WHEREAS, it is critical for the Legislature of the State of Idaho to
41 voice opposition to the filing so the opposition can be included in materials
42 filed with the Turkish Patent Institute; and

1 WHEREAS, Idaho values all Idaho agricultural products and takes pride
2 in the high quality of the products that are sold worldwide and the use of
3 Idaho's name in any product not originating in the State of Idaho will have
4 the effect of diminishing the recognition and value of Idaho products in com-
5 merce and diluting the value of the Idaho brand.

6 NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Ses-
7 sion of the Sixty-second Idaho Legislature, the Senate and the House of Rep-
8 resentatives concurring therein, that we urge the Republic of Turkey and the
9 Turkish Patent Institute to honor Idaho's opposition and deny the request
10 for registration of applicant Beta Ziraat Ve Ticaret A.S. to claim the mark
11 "IDAHO" for use in identification of products not originating in the State of
12 Idaho.

13 BE IT FURTHER RESOLVED that we urge the Governor of the State of Idaho to
14 review the matter and take all necessary steps to oppose the application for
15 registration of the mark "IDAHO" for use in identification of products not
16 originating in the State of Idaho.

17 BE IT FURTHER RESOLVED that an official copy of this resolution be dis-
18 tributed to the Republic of Turkey, the Turkish Patent Institute and the con-
19 gressional delegation representing the State of Idaho in the Congress of the
20 United States.