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MUNICH HIGHER REGIONAL COURT CONFIRMS THAT NAMES SUCH AS "CUBA" AND "HAVANA" ARE INADMISSIBLE FOR CIGARS FROM A DIFFERENT ORIGINS

La Habana, June 22nd, 2023

Corporación Habanos, S.A., also known as Habanos, S.A., a world leader in the marketing of premium cigars, welcomes the decision of the **Munich Higher Regional Court** which, like the court of first instance, ruled that **"Cuba"**, **"Havana"** and their derivatives are geographical appellations of origin with a distinct reputation in relation to cigars and therefore, enjoy correspondingly extended protection under trademark law.

The legal dispute was triggered by the indiscriminate use of terms such as **"Habano Seed"**, **"Piloto Cubano"**, **"Habano wrapper"**, **"Habano wrapper from Ecuador"**, **"Habano seed wrapper from Ecuador"** or **"Binder Habano Jalapa - Nicaragua"** to publicize cigars from other origins, which is why Habanos, S.A. filed a lawsuit in 2020 to defend the protected appellations of origin of its emblematic products.

The appeal ruling confirmed that the use of such terms is inadmissible because a seed originally grown in Cuba that has multiplied elsewhere over several growing cycles does not have the genetic characteristics and

climate and soil conditions that influence the properties and quality of Cuban tobacco.

The Court also stated that the island of Cuba and its capital, Havana, have a strong reputation connected to the quality of cigars and their components, due precisely to the conditions that the island possesses, the selection of processed tobaccos and the method of production. Smokers and non-smokers around the world associate appellations of origin with prestigious products, and this is confirmed by the Munich Court in its ruling.

Both courts agreed that expressions such as **"Semilla de Habano"**, **"Piloto Cubano"** or **"Habano Deckblatt"** unfairly undermine this distinctive reputation, even if they are accompanied by terms such as **"from Ecuador"** or **"Jalapa - Nicaragua"**.

The Court of Appeal concluded that the use of such expressions in dispute referring to the protected appellations of origin "Cuba" and "Havana" is intended to take advantage of their reputation and prestige, and thus transfer the idea of quality to products from a different origins.

Habanos, S.A. claims that Cuban seeds are grown exclusively in Cuba for tobacco production and their export is prohibited. In addition to the seeds, other factors such as climate, soil, traditional craftsmanship and the unique knowledge of Cuban tobacco growers give Habanos their special reputation.

An appeal was brought to the Supreme Court of Justice, which is the final court of appeal. However, Habanos, S.A. expects this Court to uphold the two previous rulings.

Corporación Habanos, S.A.

Corporación Habanos, S.A. is a world leader in the commercialization of Premium cigars both in Cuba and in the rest of the world. For this purpose, it has an exclusive distribution network present in the five continents and in more than 150 countries. For more information, please visit www.habanos.com

Habanos, S.A. commercializes 27 Premium brands Totally handmade and identified as **Protected Appellations of Origin (P.A.O.)**, including **Cohiba, Montecristo, Romeo y Julieta, Partagás, Hoyo de Monterrey and H. Upmann**, among others. Habanos have been made Totally handmade for more than 500 years and since then they have become a benchmark worldwide.

* Protected Appellations of Origin

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