

## Marketplace

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### Berlin tries to trademark its currywurst



Now that Berliner currywurst is in danger of being made with cheap sausage available from Eastern Europe, Berlin is seel on its beloved sidewalk snack. Brett Neely reports.

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Plate of currywurst and french fries.  
(IStockphoto)

#### *TEXT OF STORY*

**KAI RYSSDAL:** Wendy's reported fourth-quarter profits today. The burger chain made money -- just not as much as analysts thought they would. High gas prices and a slowing economy have cut into consumers' tastes for Frosties and square hamburgers. We'll hear from Yum Brands tomorrow. It's the parent company of Pizza Hut and Taco Bell -- those "think outside the bun" guys. In this country there are brand names and slogans galore to help consumers find their way around fast food nation. Some German marketers of a particular kind of sausage wish they were so lucky. From Berlin, Brett Neely reports.

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**BRETT NEELY:** In Berlin, you're rarely more than five minutes walk from a stand selling currywurst. It's basically fried sausage, ketchup and curry powder. There's usually two serving options: with or without intestines.

It's an acquired taste. But at \$2 or less, it's a cheap snack.

This stand a few blocks from my apartment has been serving currywurst since 1961. Owner Oskar Lange tells me how it's done:

**OSKAR LANGE (VOICE OF INTERPRETER):** First spiced, grilled, spiced, then cut up, then ketchup over it, Worchester and whatever else you like.

Berliners claim that currywurst was invented here in the post-war 40's, when food was scarce. It quickly became a German tradition.

**SIMONE SCHILLER:** You can eat it before the theater, after the opera, with a dinner jacket, with a ball robe, and so on. And everybody eats currywurst.

Simone Schiller runs the Berlin butchers guild. Even Germany's former Chancellor, Gerhard Schroeder, used to stop his limo in front of a currywurst stand on his way home from work.

But Schiller says the traditional Berlin currywurst is in danger.

**SCHILLER:** Producers from outside can produce Berliner currywurst in another country or in another town and bring it to Berlin, and then you can sell it as Berliner currywurst.

She says there's been an influx of cheap sausage from the new Eastern European members of the European Union. So Berlin butchers have applied to trademark the term "Berliner Currywurst." Essentially, a geographic trademark. Think Champagne, from the Champagne region of France, or Serrano ham from Spain. You can only sell those products if they're from that region.

European law protects hundreds of such products, and it's one of the few loopholes out of Europe's open markets. If the butchers' application is approved, it would mean that only butchers from Berlin would be allowed to sell meat for any product called Berliner currywurst anywhere in the E.U.

Or maybe not:

**AXEL NORDEMANN:** The sausage itself is not a Berliner currywurst, it needs something additionally to become a currywurst. You see, you can take this ground sausage for the currywurst, you can take it and eat it with mustard, and then it's certainly not a Berliner currywurst.

Axel Nordemann is an attorney with Boehmert and Boehmert, one of Germany's top intellectual property law firms. He says it's the sauce, not the sausage, that makes the dish. And trademark law won't protect the sauce.

This issue won't be resolved until the German Patent Office makes it's final decision. That's at least two years away.

Nordemann says for the average consumer, this isn't a cliffhanger. He sites a German idiom to make his point:

**NORDEMANN:** Es ist mir wurst, ja!

It literally translates as, "It's all sausage to me."

**NORDEMANN:** It somehow expresses that you don't care.

The question is, even if Berlin's butchers succeed in protecting their sacred sausage, will German consumers care enough to buy Berliner currywurst?

In Berlin, I'm Brett Neely for Marketplace.