


Geographical Indications for Non Agricultural Products

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Geographical Indications

- ▶ 1. Concept of GI
 - ▶ 2. Geographical Indications of Goods (Registration & Protection) Act, 1999
 - ▶ 3. Main Features of Indian Act, special reference to Registration process & Definition of GI;
 - ▶ 4. Why India extended its GI protection to Handicrafts
 - ▶ Case Study – Pochampally Ikat & Kota Doria
 - ▶ Conclusion
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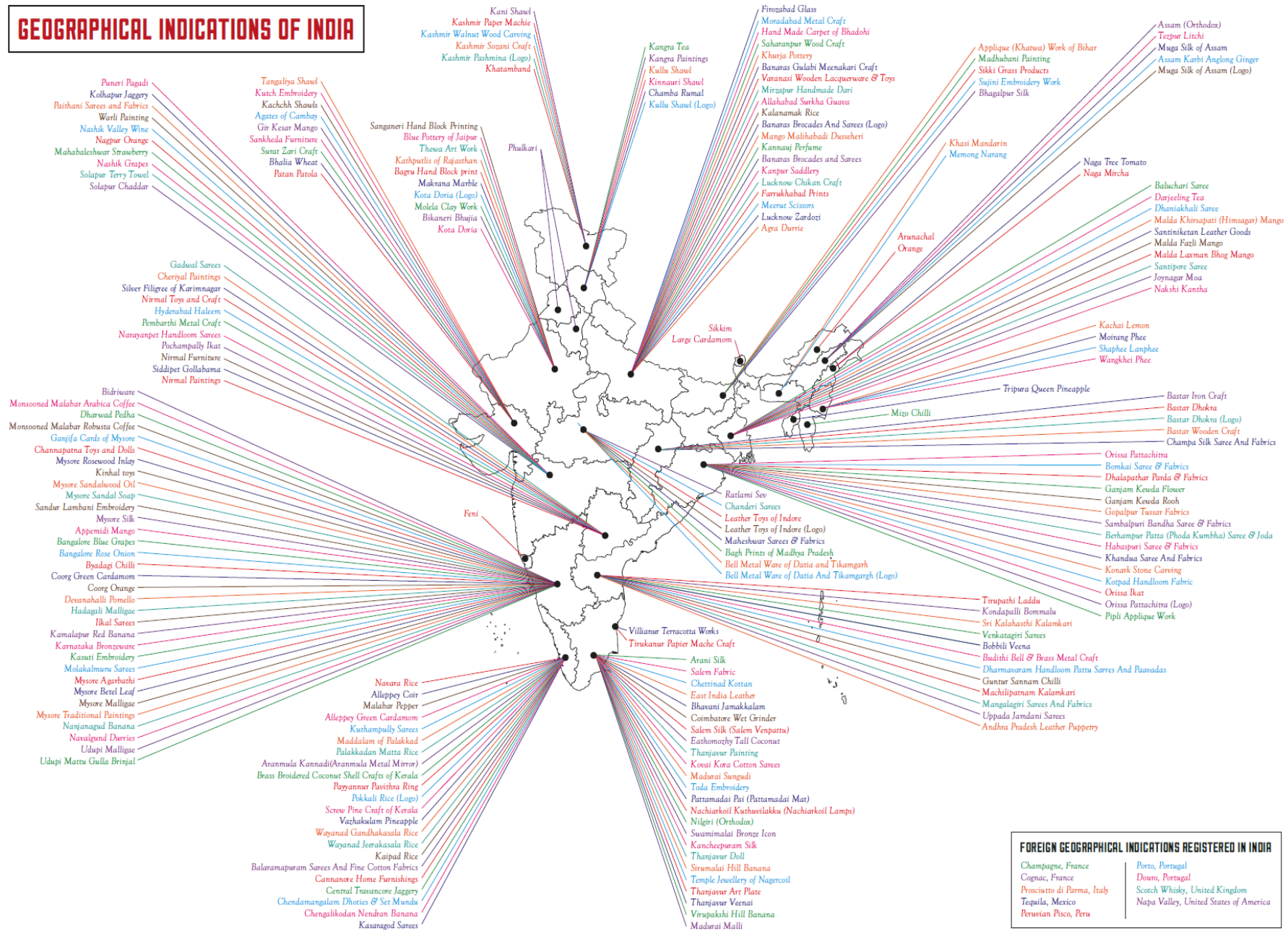
Concept of GI

- ▶ “The desire of mankind for quality and genuine premium products such as silk, cotton, spices, wines having distinct characteristics originating from a particular region, have over centuries created an impact on human civilization which has resulted in discovery of new sea routes and new continents. These identifications became so important that these regions started specializing in producing these unique products, which led to identifying such goods as originating from a particular region, which over a period of time has become renowned globally.
- ▶
- ▶ Rising demand for such products among the consumers, gave rise for counterfeit products, which began to tarnish the image of genuine products. An effort to safeguard the interest of the producers and consumers led to evolution and conceptualization of “Geographical Indications”.
- ▶
- ▶ With the whole idea revolving around that, ‘A product originating from a particular place with some unique quality or characteristic should not be falsely represented as originating from some other place.’

Geographical Indications of Goods (Registration and Protection) Act, 1999.

- ▶ A Sui Generis Legislation
Consequent upon India joining as a member state of the TRIPS Agreement a sui -generis legislation for the protection of Geographical Indications was enacted in 1999.
- ▶ Geographical Indications of Goods (Registration and Protection) Act, 1999. Was enacted in 1999, it came into force on September 15, 2003
- ▶ **Registration and protection of Geographical Indications in India is governed by this legislation in India.**

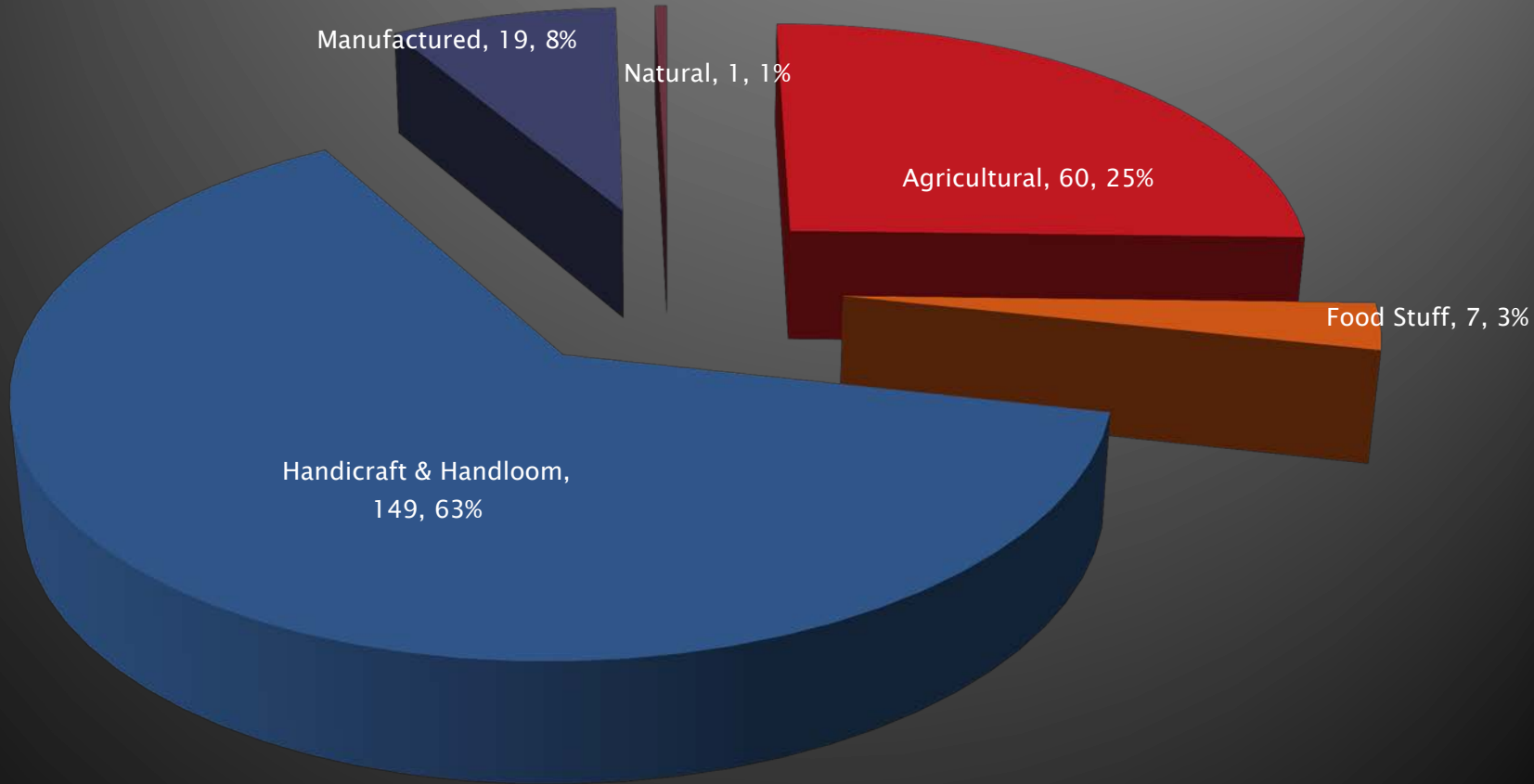
GEOGRAPHICAL INDICATIONS OF INDIA



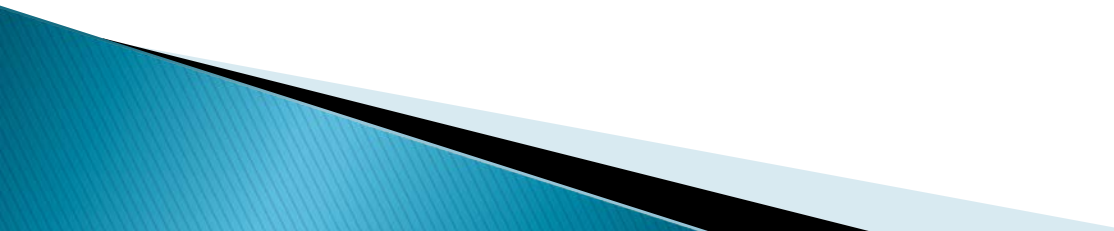
FOREIGN GEOGRAPHICAL INDICATIONS REGISTERED IN INDIA

Champagne, France	Porto, Portugal
Cognac, France	Douro, Portugal
Prosciutto di Parma, Italy	Scotch Whisky, United Kingdom
Tequila, Mexico	Napa Valley, United States of America
Peruvian Pisco, Peru	


Break up of Registered GI's in India



Main Feature of the Indian Act

- ▶ Registration Procedure
 - ▶ Definition of GI:
 - ▶ Concept of Authorised User
 - ▶ Higher level of Protection
 - ▶ Prohibition of assignment or transfer of GI
 - ▶ Same Protection for Foreign GI's
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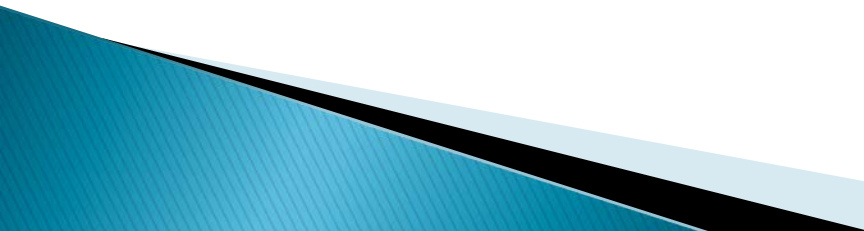
Registration Procedure

- Allotment of application number
 - Issue Preliminary Examination Report / Formality check report and compliance with in one month, If not complied abandon the application,
 - Meeting of consultative group to ascertain the correctness of application,
 - Issue of Examination Report.
 - Accepted application shall be published in the GI journal,
 - If not accepted, show cause hearing for final adjudication
 - Opposition if any,
 - Registration certificate
 - Renewal
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Definition of GI:

- ▶ As per Section 2 (1) (e) of the **Geographical Indications of Goods (Registration and Protection) Act, 1999**.
- ▶ Geographical Indications in relation to goods, means an indication which identifies such goods as agricultural goods, natural goods or manufactured goods as originating, or manufactured in the territory of country, or a region or locality in that territory, where a given quality, reputation or other characteristics of such goods is essentially attributable to its geographical origin and in case where such goods are manufactured goods one of the activities of either the production, or processing or preparation of the goods concerned takes place in such territory, region or locality as the case be.
- ▶ As per Section 2 (1) (f) of the **Geographical Indications of Goods (Registration and Protection) Act, 1999**.
- ▶ ‘Goods’ means any agricultural, natural or manufactured goods or any goods of handicraft or of industry and includes foodstuff.

Why India extended its Geographical Indications protection to Handicrafts?

- ▶ Traditional Indian crafts are innovations of yesterday, the craftsmen derive their inspiration, innate wisdom and skills not from books, but from nature and their surroundings.
 - ▶ The beauty of these products and the skill and ingenuity they represent have few parallels anywhere in the world. However, the major challenge which confronted the produces was rise of counterfeit and inferior quality products, which began to tarnish the image of genuine products, which affected their livelihood of the producers..
 - ▶ In order to safe guard the producers and to set a benchmark of quality and excellence that is characteristically Indian, it was necessary to bring these intangible assets under the purview of Geographical Indications Act, which has helped the Indian craft sector reinvent itself to face the world of tomorrow.
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Case Study

- ▶ **Pochampally Ikat**
- ▶ 'Pochampally Ikat' in Telangana, India, which was registered in December 2004.
- ▶ Pochampally Ikat are popular for the traditional geometric patterns in **ikat** style of dyeing i.e. the diffused diamond or chowka design, and the use of natural fibers of cotton and silk by Handloom weaving, this traditional weaving style is a part of **UNESCO**'s tentative list of world heritage sites under 'iconic saree weaving clusters of India'.
- ▶ Study conducted by a Government organisation show that,
- ▶ Weaver's Income increased by 27% in 2005 - 2006;
- ▶ Increase Consumer base by 20% the producers were able to get orders from reputed companies & brands.
- ▶ The producers who had migrated to other cities shifted back to Pochampally,
- ▶ Establishment of First Handloom park at Pochampally

Kota Doria

- ▶ Kota Doria is a textile product from Rajasthan was registered in July 2005
- ▶ Kota Doria is a unique blend of cotton and silk in a square check pattern, Kota Doria is a light weight fine weave, with silk providing the shine and cotton providing the strength to the fabric. The checked pattern is one of the most distinguishing features of the fabric.
- ▶ Study by an NGO reveals that:
 - ▶ Increase in income of weavers tripled from Rs 700 per PAN (30 yards) in 2005 to Rs 2000 in 2008
 - ▶ Increase in employment for women by 30 %;
 - ▶ Women self help groups & training centres were established,
 - ▶ Presently 10,000 families are engaged;
 - ▶ Establishment of Hospitals & Schools,

Conclusion

- ▶ “Each Indian GI has an assurance of distinctiveness and quality, attributable to its origin in the defined geography. Be it the famed Darjeeling Tea ‘loved worldwide’, or Makrana Marble that created the undisputable ‘edifice of eternal love – the Taj Mahal’ to the Banaras Brocades and Sarees that epitomize ‘sheer poetry on Cloth’, The revered Tirupathi Laddu comes from the ‘Sri Vari Temple on Tirumala hills, the fragrance of Kannauj Perfume and intricate Mysore Rosewood Inlay work captivates millions, even as they relish the mouth watering Bikaneri Bhujia, show case the richness of India’s heritage and culture”.

Thank You

