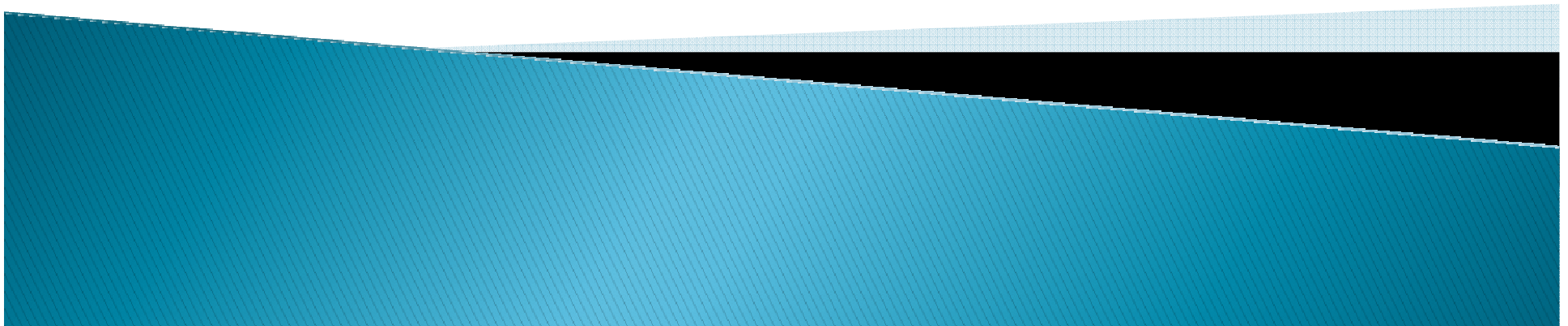


# Registration and Protection of Geographical Indications in China

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# Introduction

**I .**

- **Progress made by China on legal protection of geographic indications**

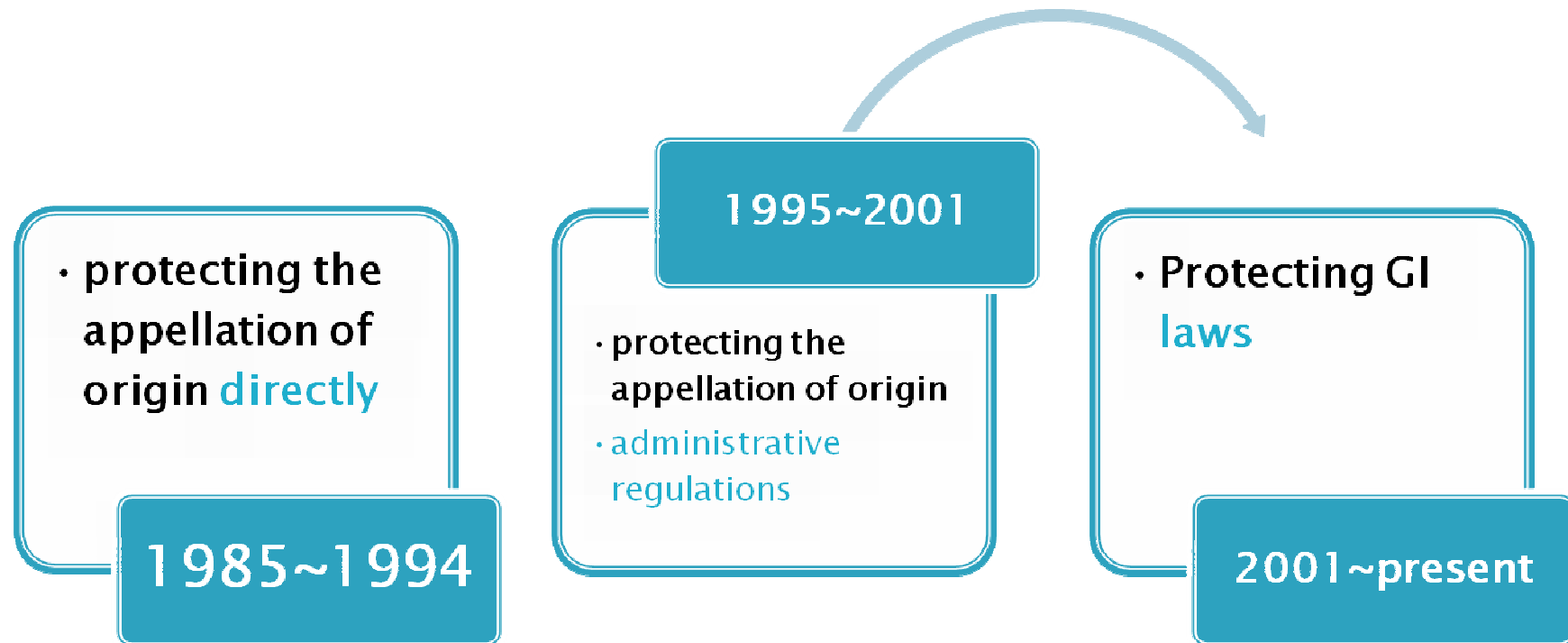
**II.**

- **Information on China's registrations and protection for geographical indications**

**III.**

- **China's geographical indication policy and its achievements**

# I . Progress made by China on legal protection of geographic indications



A. The phase of protecting the appellation of origin directly in accordance with the Paris Convention for the Protection of Industrial Property (1985~1994)

- ▶ March 1985, China acceded to the *Paris Convention for the Protection of Industrial Property*.
- ▶ In 1980s:

**Denmark  
Butter  
Cookies**

**Longkou  
Vermicelli**

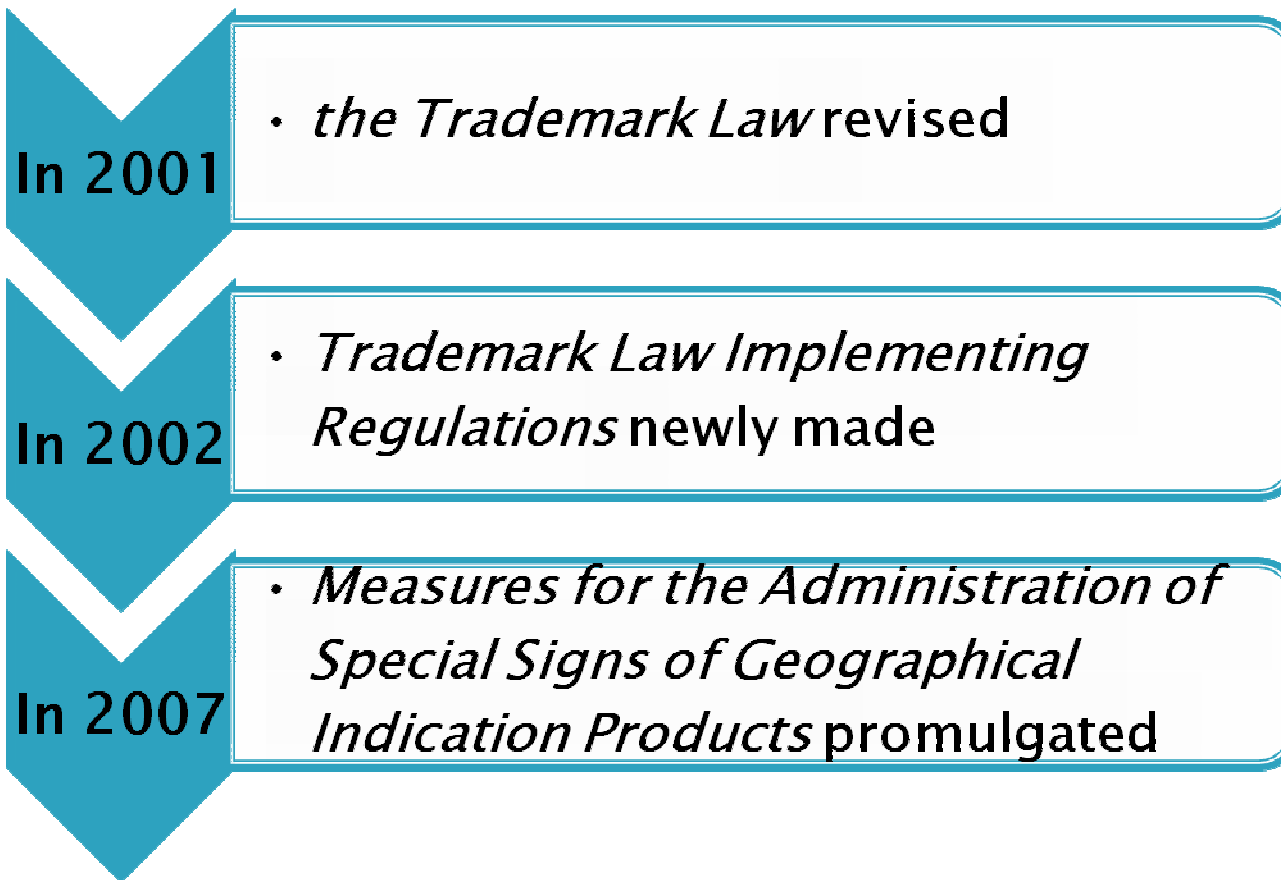
**Champagne**

## B. The phase of protecting GI in accordance with the administrative regulations and rules (1995~2001)



- ▶ In July, 1993, China amended *the Regulations for the Implementation of the Trademark Law* for the second time

## C. The phase of protecting geographic indications in accordance with laws, administrative regulations, and rules. (2001~Present)



# China Prepares for the Third Revision of *PRC Trademark Law*

- Limited Grounds for Opposition
- Punitive Damages against Intentional Infringement
- Increased Statutory Damages



## II. Information on China's registrations and protection for geographical indications

- ▶ China, a nation with 5000 years' history of civilization, boasts large landmass, diverse geographical and climatic environments, and a rich variety of species.



Tang Dynasty



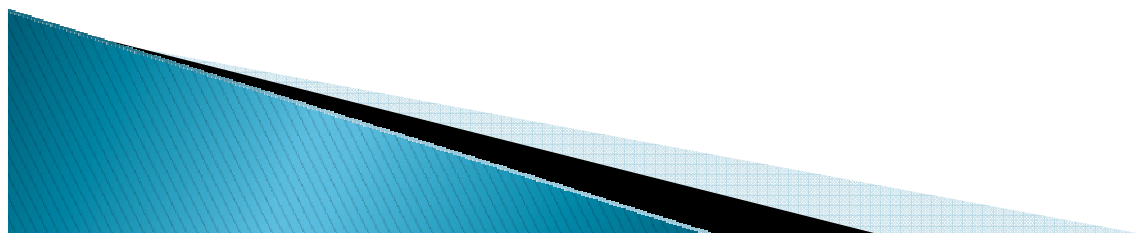
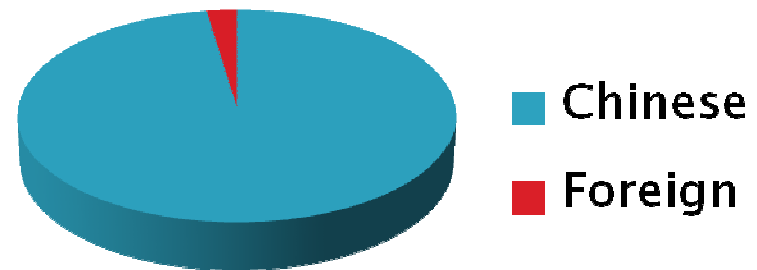
Chinese Tea



# Registration of Geographical Indications in China

- ▶ The Trademark Office totally registered and preliminarily approved 1754 GIs from March 1995 to the end of December 2012, including 42 GIs from abroad.

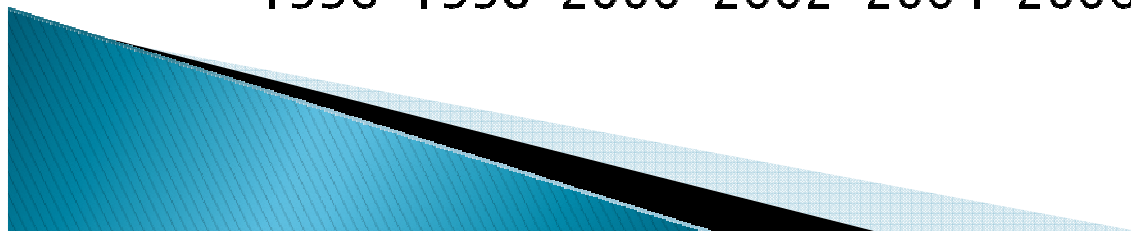
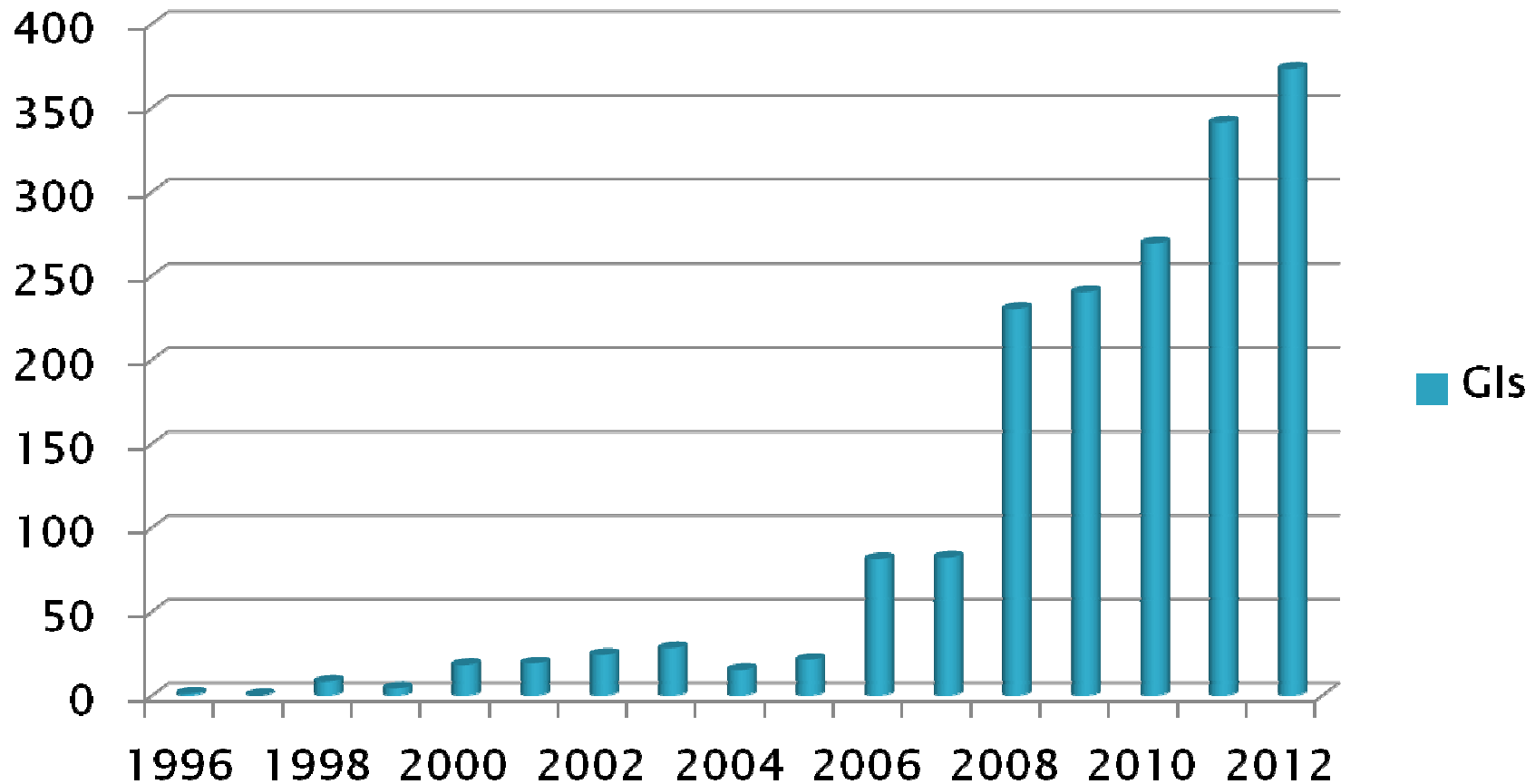
**registered and preliminarily approved GIs**



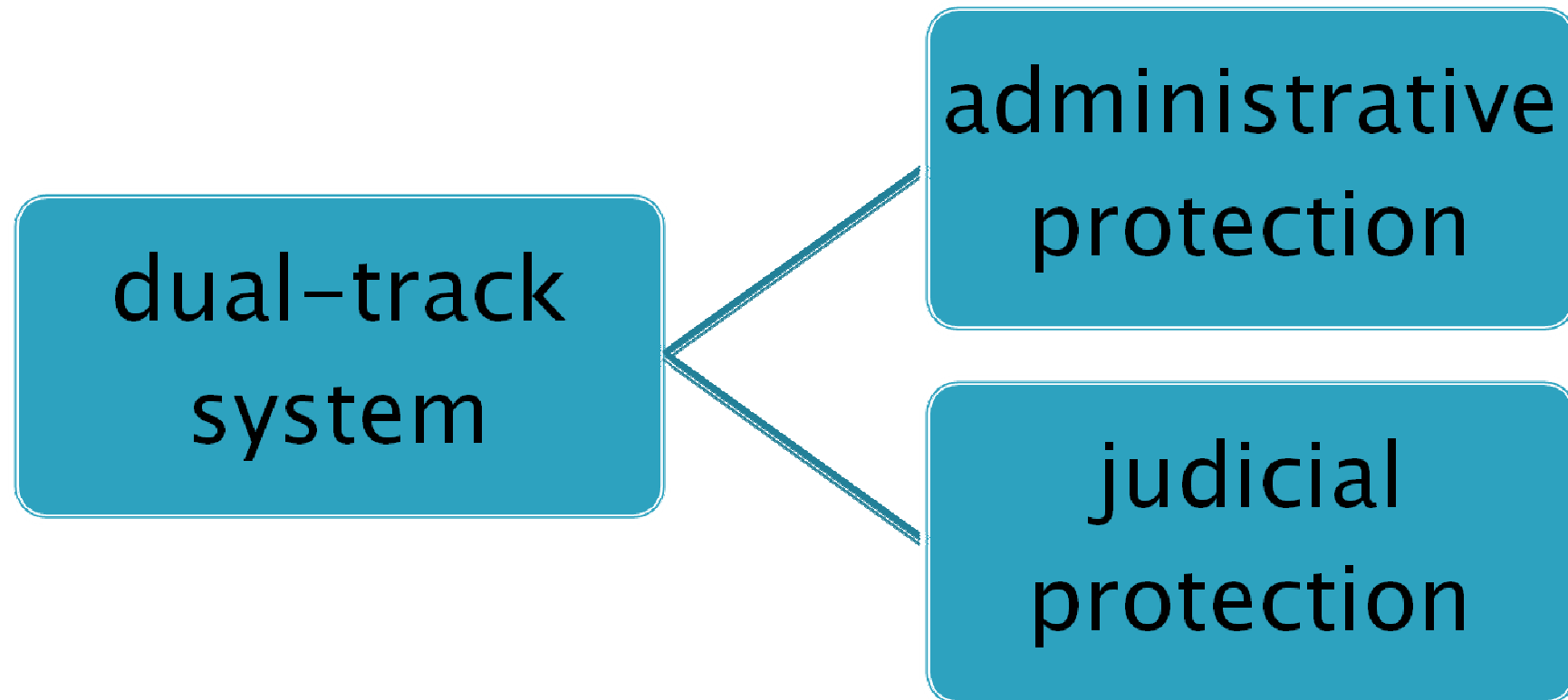
# Examples of Foreign GIs



# 1996–2012 totally registered and preliminarily approved geographical indications



## B. Protection of Geographical Indications in China



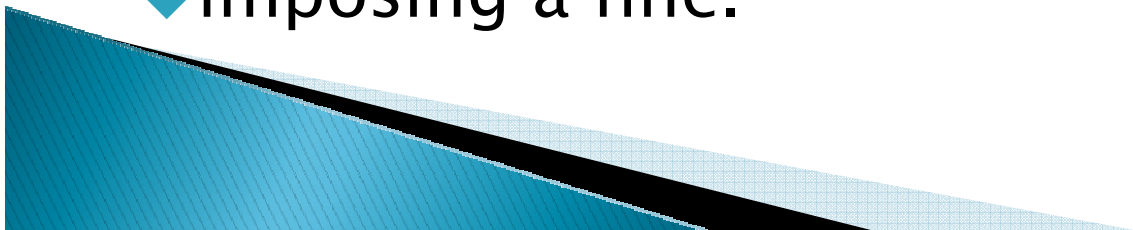
# Administrative Protection

- ▶ The administrative protection system with Chinese characteristics for trademarks protects the geographical indications effectively.



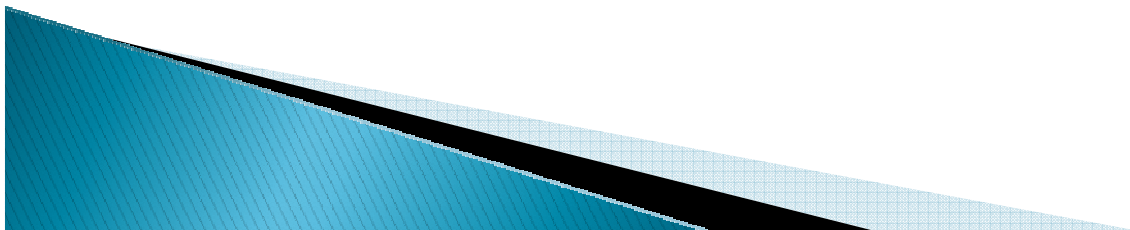
# Administrative Protection

- ▶ The authorities for trademark administrative protection are local Administrations for Industry and Commerce (AICs).
- ◆ ordering the infringer to cease its infringing activity immediately;
- ◆ confiscating and destroying the infringing goods and any instruments specifically used to manufacture the infringing goods and counterfeit registered trademark
- ◆ imposing a fine.



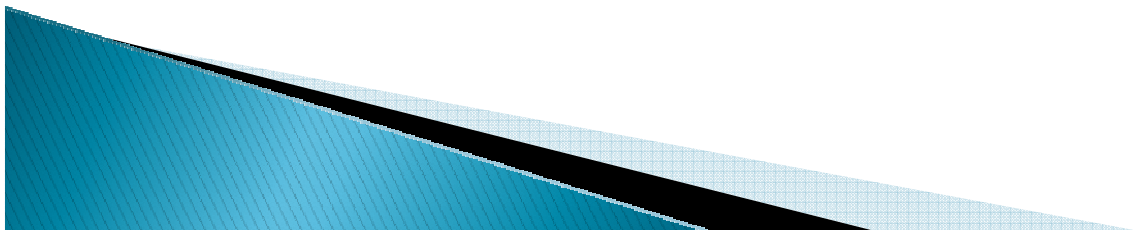
# Judicial Protection

- ▶ The Court can judge the trademark infringer
  - to stop the infringement action
  - to remove the effect
  - to compensate the loss of trademark right owner



### III. China's GI policy and its achievements

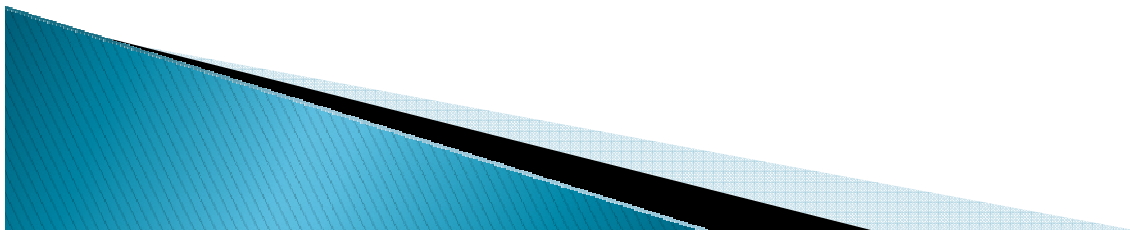
- ▶ Geographical indication, as an important means
- ▶ to increase the income of Chinese farmers, promote the development of rural area
- ▶ and the standardization of agriculture,
- ▶ receives great support from the Chinese governments at all levels.





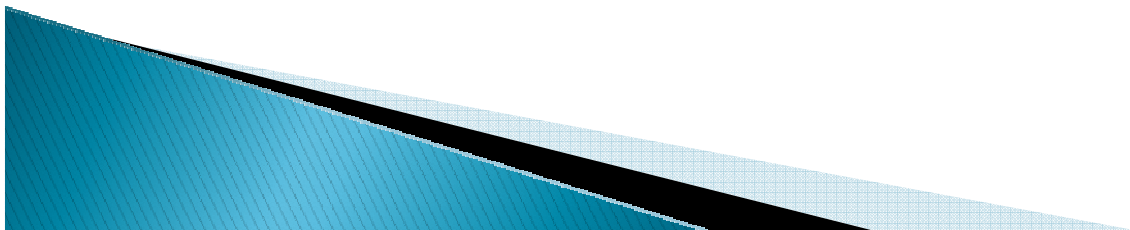
# China's GI policy

- ▶ *Opinions of Actively Developing Modern Agriculture and Promoting Gradually a Socialist New Country Construction* (Jan 2007)
- ▶ the registered trademarks, geographical indications and famous brands shall be protected in accordance with law and agricultural product exporting enterprises shall be supported to register their marks in the foreign markets.



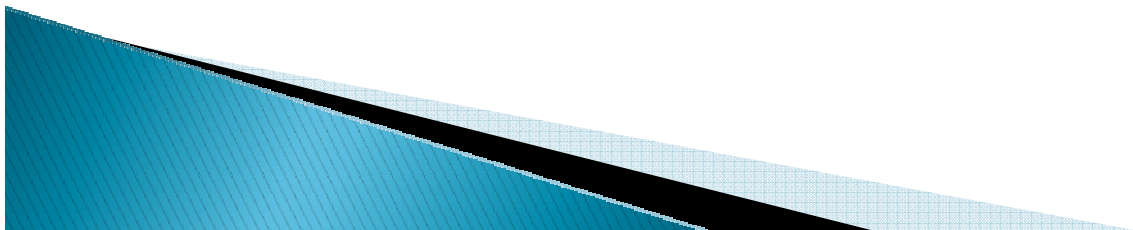
# China's GI policy

- ▶ *Outline of National Intellectual Property Strategy*  
(June 2008)
- ▶ perfect the GI protection system...support GI product development, promote the turning of local advantages of natural and human resources into real productivity.

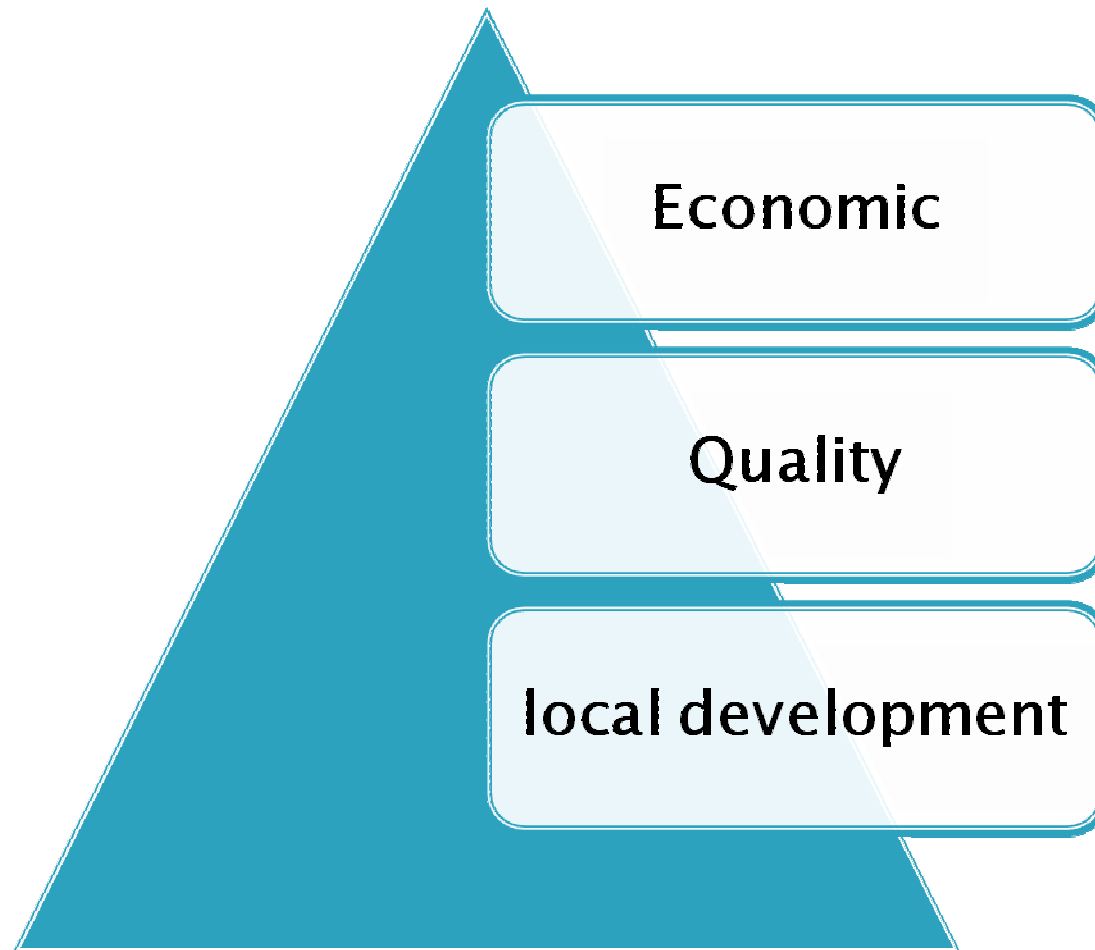


# China's GI policy

- ▶ *Decision of the Central Committee of the Communist Party of China on Some Issues Concerning the Improvement of the Socialist Market Economy (Oct 2008 )*
- ▶ promote the strategic restructuring of Chinese agriculture .....  
and to enhance the protection of farm product trademark and geographical mark.



# The benefits of GIs in China



# *Economic Benefits*



expansion of production scale

constant rise of product's pricing level

continuous increase in the income of practitioners

# *Economic Benefits*

- ▶ “Fuding White Tea” GI, registered in 2008, up to the end of 2011
- the total yield reached to 5.1 million
- 400 thousand people engaged in Fuding White Tea industry
- Each farmer obtains an annual net income of 2,300 Yuan from tea industry



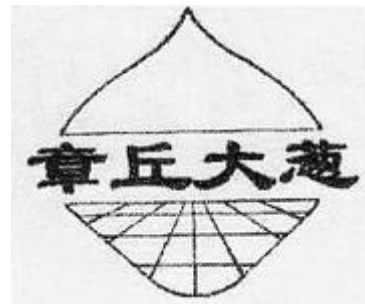
# *Economic Benefits*

- ▶ “Jianning Lotus Seeds”
- ▶ 5,600 rural households
- ▶ 20,000 mu of Jiangning Lotus Seeds with an annual yield of 2,000 tons.
- ▶ The income of each household increased 23,000 Yuan on average
- ▶ a social benefit of 150 million Yuan.



# Product Quality

- ▶ After acquiring the GIs protection, the products which use GIs have to be in line with the quality criteria concerned. The method of management is transformed from the past extensive decentralization pattern to intensive standardization pattern, significantly improving the product quality.



Zhangqiu Scallion





# Local development

- ▶ Promoting development of industries relevant to the GIs and creating employment opportunities.
- ▶ Bringing in positive ecological benefits
- ▶ Promoting development of local tourism



Zhanhua Jujube



**Thank you**

