

Geographical Indication (GI)

February 15, 2021

Certain communities depend entirely on the market success of their indigenous products, and a GI tag provides recognition and protection of economic livelihoods. Products also become synonymous with cultural and geographical identity over time, embodying a history of craftsmanship, community, and civilisation.

In news: The Jammu and Kashmir Government recently sought GI tag for Gucchi mushroom.

Placing it in syllabus: Economy

Dimensions

- What is GI?
- Recent recognition for Indian products
- Branding and packaging
- Means of value addition to rural economy
- Authorities involved in India and the World

Content:

What is Geographical Indication?

- A geographical indication (GI) is a sign used on products that have a specific geographical origin and possess qualities or a reputation that are due to that origin.
- GIs have traditionally been considered to be Intellectual Properties (IP).
- In order to function as a GI, a sign must identify a product as originating in a given place.
- In addition, the qualities, characteristics or reputation of the product should be essentially due to the place of origin.
- Since the qualities depend on the geographical place of

production, there is a clear link between the product and its original place of production.

- The use of a geographical indication, as an indication of the product's source, acts as a certification that the product possesses certain qualities, is made according to traditional methods, or enjoys a good reputation due to its geographical origin.

Recent recognition for Indian Products:

- Presently, there are 370 registered GIs in India.
- Darjeeling tea became the first GI tagged product in India, in 2004–2005.
- **Gucchi Mushroom** from Jammu and Kashmir is in the news as GI Tag is sought for it. It belongs to the agriculture sector; while there are a few others from the handicraft sector for which GI tags are sought for. Those are – Basohli Pashmina & Painting, Tweed fabric, Loi blankets from Kishtwar and Chikri craft. Hence, aspirants should know what is a GI Tag and what is its significance.
- Government has allotted GI Tags to **Kashmir Saffron** and **Manipuri Black Rice (Chak Hao)** recently.
- The Government of India recently provided GI Tag to **Telia Rumal of Telangana** and **Sohrai Khovar painting** of Jharkhand.
- GI tags to 4 new products from 3 different states in August 2019.
 - Palani Panchamirtham in Palani Town, Tamil Nadu
 - Tawlhlohpuan from Mizoram
 - Mizo Puanchei from Mizoram
 - Tirur Betel leaf from Kerala
- Bangalore rose onions were given a Geographical Indication tag in 2015.

Branding & Packaging:

- GI helps in establishing effective brands for traditional crafts, agriproducts etc. This helps

producers gain a competitive advantage in 'buyer-driven' global markets.

- Some globally recognised brands (California almonds, Chilean wines, Swiss chocolates) enjoy a high stature in their respective product groups.
- Branded items usually fetch better prices and can lead to brand loyalty, and are seen as a move towards a strong customer base.
- Branding adds value by differentiating the product and also because of the consumer perception that such products are of superior quality than unbranded ones.
- Two of India's well-known GIs are Darjeeling tea and Basmati rice.
- A geographical indication right enables those who have the right to use the indication to prevent its use by a third party whose product does not conform to the applicable standards.
- For example, in the jurisdictions in which the Darjeeling geographical indication is protected, producers of Darjeeling tea can exclude use of the term "Darjeeling" for tea not grown in their tea gardens or not produced according to the standards set out in the code of practice for the geographical indication.
- However, a protected geographical indication does not enable the holder to prevent someone from making a product using the same techniques as those set out in the standards for that indication.
- Protection for a geographical indication is usually obtained by acquiring a right over the sign that constitutes the indication.

Difference between a geographical indication and a trademark

- Geographical indications and trademarks are distinctive signs used to distinguish
- goods or services in the marketplace.
- Both convey information about the origin of a good or

service, and enable consumers to associate a particular quality with a good or service.

- **Trademarks** inform consumers about the source of a good or service. They identify a good or service as originating from a particular company.
- Trademarks help consumers associate a good or service with a specific quality or reputation,
- based on information about the company responsible for producing or offering it.
- A trademark often consists of a fanciful or arbitrary sign that may be used by its owner or another person authorized to do so.
- A trademark can be assigned or licensed to anyone, anywhere in the world, because it is linked to a specific company and not to a particular place.
- **Geographical indications** identify a good as originating from a particular place.
- Based on its place of origin, consumers may associate a good with a particular quality, characteristic or reputation.
- The sign used to denote a GI usually corresponds to the name of the place of origin of the good, or to the name by which the good is known in that place.
- A GI may be used by all persons who, in the area of origin, produce the good according to specified standards.
- However, because of its link with the place of origin, a GI cannot be assigned or licensed to someone outside that place or not belonging to the group of authorized producers.

Means of value addition to Rural Economy:

- A number of studies indicate that GIs can contribute to development in rural areas.
- The entitlement to use a GI generally lies with regional producers, and the added value

- generated by the GI accrues therefore to all such producers.
- Because GI products tend to generate a premium brand price, they contribute to local employment creation, which ultimately may help to prevent rural exodus.
- In addition, GI products often have important spin-off effects, for example in the areas of tourism and gastronomy.
- Geographical indications may bring value to a region not only in terms of jobs and higher income, but also by promoting the region as a whole. In this regard, GIs may contribute to the creation of a **“regional brand.”**
- Products identified by a GI are often the result of traditional processes and knowledge carried forward by a community in a particular region from generation to generation.
- Similarly, some products identified by a GI may embody characteristic elements of the traditional artistic heritage developed in a given region, known as “traditional cultural expressions”.
- The mere fact of developing a GI for a product does not guarantee automatic success or development for the region.
- For GIs to contribute to development, several conditions must be present in the region and in the way in which the specific GI scheme is designed.

Authorities involved in India and the World:

Geographical Indications Registry:

- India enacted the Geographical Indications of Goods (Registration and Protection) Act, 1999. It came into force with effect from 15 September 2003.
- This act was enacted in India so as to comply with the TRIPS Agreement of the World Trade Organisation (WTO).
- This act is administered by Controller General of Patents, Designs and Trademarks of India (who is under

Department for Promotion of Industry & Internal Trade, which is in turn under the Ministry of Commerce & Industry).

- Geographical Indications Registry (hq: Chennai, TN) gives the GI tags in India.
- This registry is directly under the Controller General of Patents, Designs and Trademarks (CGPDTM) of India. So, in other words, CGPDTM gives the GI tags in India.

WTO and TRIPS

- GIs have been defined under Article 22 (1) of the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement
- TRIPS addresses the international protection of GIs within the framework of the World Trade Organization (WTO).
- The three main features of the Agreement are Standards Enforcement Dispute Settlement

Mould your thought: What is Geographical Indication? How can it help in Rural development in India?

Approach to the answer:

- Introduction
- Define GI and discuss its features
- Write about the potential of GI in rural economy
- Conclusion