

PROCEEDINGS



59

National Seminar

on

IPR Management in Biodiversity Conservation: Implications of Access Benefit Sharing, TRIP/CBD and Biodiversity Acts

January 17-18, 2020



In collaboration with
GOVERNMENT OF RAJASTHAN
Rajasthan State Biodiversity Board



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Proceedings of the
National Seminar

on

**IPR Management in Biodiversity Conservation:
Implications of Access Benefit Sharing, TRIP/CBD
and Biodiversity Acts**

17-18 January, 2020

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Geographical Indication in Intellectual Property Rights

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Abstract

Geographical Indication is a name or sign used on goods which represents its origin in a given geographical area and exhibits its characteristics of that particular place of origin. It is a mechanism that helps and strengthen the producers in today's competitive market and establishing goodwill a reasonable price. It enables join competition and prevent mislead of the public in common. The use of geographical indicators is a certification that the product possesses certain qualities, is made according to traditional methods of a particular space, its regulation varies from country to country. The present paper aims at studying and creating awareness about the legal and geographical importance with special reference to handicrafts in Jaipur.

Keywords: Geographical Indication, Rajasthan, TRIP, WTO Agreement

Introduction

A geographical indication (GI) is a name or sign used on certain products which corresponds to a specific geographical location or origin i.e. town, region or country. GI's have been defined under Article 22(1) of world Trade Organisation Agreement on Trade Related Aspects of Intellectual Property Rights (TRIPS).¹ It is registered for an initial period of ten years, which may be renewed from time to time. India, member of WTO enacted the geographical indications of goods (registration and protection) Act, 1999 in India. The act came into force with effect from 15th September, 2003. Geographical Indication precedes similar rights and production to holder. In ensures no other law use the name.

Each and every geographical region had one or something having distinguished characteristics in terms of species. Preparation, texture, design and method that speaks of its region world over that is known by the characterisers. It is important because it enables those who

have the right to use the indication to prevent its use by a third party whose product does not confirm to the applicable standards. In India, we have 618 registered Geographical Indications, where we have from Rajasthan also under the category of handicrafts, foodstuff, natural, logo, pokaran pottery and bagru hand block print. Some of them are as follows:

- Sanganeri Hand Block Print Under (Handicraft)
- Kota Doria
- Maheshwar Sarees and Fabric (Natural Goods)
- Thava Art Work (Handicraft)
- Makrana Marble (Natural)
- Molela Clay Work (logo) (handicraft)
- Blue Pottery (logo)
- Kathputlis (logo) (handicraft)
- Khijuria Sweets (foodstuff)
- Bikaneri Bhujia (foodstuff)

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