Geographical Indications

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Geographical Indications

A form of Intellectual Property Protection

and for

Culture
Tradition
Environment
Geographical Indications

- GIs are defined differently in different places
- A GI identifies a good as originating in a delimited territory where a noted quality, reputation or other characteristic of the good is essentially attributable to its geographical origin and the human or natural factors there.
- When formal, they may be protected in different forms:
  - trademarks, certification marks, collective marks, *sui generis* systems such as denominations of origin.

The Guide to GIs

**Objectives:**

- Distills relevant lessons for developing regions - review of nearly 200 pubs. and original cases.
- Outlines pros / cons of different choices & assesses instruments and approaches i.e. public benefits, costs, etc.

**Co-authors:**

- Tim Josling (Prof. Emeritus Stanford), William Kerr (Editor, Journal of International Law & and Trade Policy), Catarina IUllsley (Head, GEA), Bernard O’Connor (EU Attorney - author of *The Law of GIs*), Dwijen Rangnekar (Sr. Fellow Centre for Study of Globalisation and Regionalisation Warwick U.), et al.
Success factors determining “+” outcomes

- Commercially successful GIs will not simply emerge
- There is no one-size-fits-all approach
- Success is often measured in decades - requires social, commercial and political patience
- Critical to consider equitable participation among those in a GI region, and not easy to accomplish
- Legal Protection including a strong domestic GI system

GIs & developmental characteristics

- emphasize the local.
- value cultural aspects and traditional methods that are intrinsic to product.
- value the land and its particular agro-ecological characteristics
- integrate standards and traceability
- integrated form of endogenous rural development
GIs may not always make sense

- Establish organizational and institutional structures.
  - to create, maintain, market, and monitor GI
- All start with popular product and controls.
- Most successes built with strong marketing partners.
- Sustained commitment of resources for ongoing operational costs.
Caveats

- **Where is the value in the supply chain?**
  - Mozzarella di Bufala Campana PDO mfrs receive premiums but producer dairies do not vs. Parmigiano
  - Darjeeling vs. Kona vs. Antigua vs Jamaica vs Colombia

- **Failure of institutions** - GI a danger to the environmental & cultural assets (Mezcal)

Potential of Geographical Indications

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GI questions

What difference will it make in my supply chain?
- Costs, Legal requirements, Control…
- Quality, Producer benefits, Consumer value…

What are my options as a business?
- Disregard, Challenge, Undermine i.e. similar name…
- Ask for exclusive, Facilitate market access …

What are my options as an origin?
- There are better and worse ways - learn the lessons

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