

AN INSIGHT TO THE CONCEPT OF GEOGRAPHICAL INDICATION

What is a Geographical Indication?

A geographical indication (GI) of goods is an element of Intellectual property that relates to a geographical reference to a country, a place within a country, to identify the country's origin of a product. It protects collective community rights retain its right to perpetuity and the pre-existing goodwill of the goods. The protection granted is initially for a term of 10 years and has to be renewed for every ten years . Some of the goods that have acquired GI tag in India are Darjeeling Tea, Kancheepuram Silk, Madurai Malli, Kashmir Saffron etc.

Benefits of GI tags to different groups

The GI tag is a form of quality assurance thereby giving the customers' assurance and certainty on product's authenticity and quality as the GI tag helps promote the local industries to develop products that are unique and manufactured by the Producer as well the Authorized User and protect them from unfair competition. The GI tag can help generate income through product taxes, royalties, and licensing fees. GI tag can help in protecting traditional knowledge and skills that are passed down through generations, as well preserve local knowledge.

Indian GIs in conflict with other countries

Although the majority of GIs are essentially located within the territory of a state, there are also a number of GI products across the world that have originated from the territory of two or more countries. In 2016, India obtained GI status for Basmati rice (that grows mainly in India and Pakistan) which means that only rice grown in certain regions of India can be called Basmati. The issue has been a subject of dispute between India and Pakistan since Pakistan also been producing basmati rice and obtained GI status. Similarly there is a conflict between India and US farmers for Alphonso mangoes for which GI status has been provided to India way back in 2018. In 2011, the European Union granted GI status to India for



Darjeeling tea . However, Nepal, which also produces tea in the same region, has been trying to obtain GI status for its tea under the name Himalayan tea.

Tamil Nadu's active participation

Being the unique sui generis for India , the Govt of India is crusading to help revive the traditional Knowledge and Culture of the artisans, in agriculture and textile with the mission of Made in India and the project of one district one product and has thus help the states gain momentum by filing more GI, which has come to see Geographical Indications as a matter of pride and culture upholding the rich heritage of culture and its protection . One of the leading state pioneering in the filing of GI, Tamil Nadu which has already got 44 items registered, and 34 GI tags in the anvil for various classes of products from agricultural to handlooms, Tamil Nadu will become the leading state with the most no of GI tags.

A protected GI, being a communal mark does not permit the holder to forbid anyone from making a product using the same approaches as those set out in the standards for that indication. Legal protection to the products prevents unauthorized use of a GI tag products by others, prevents monopoly in the market, helps in product differentiation, and enhances economic growth.