



The Environmentally Safe Disposal of Intellectual Property-Infringing Goods

In the case of Geographical Indications (GI)

22 November 2013

UNCC

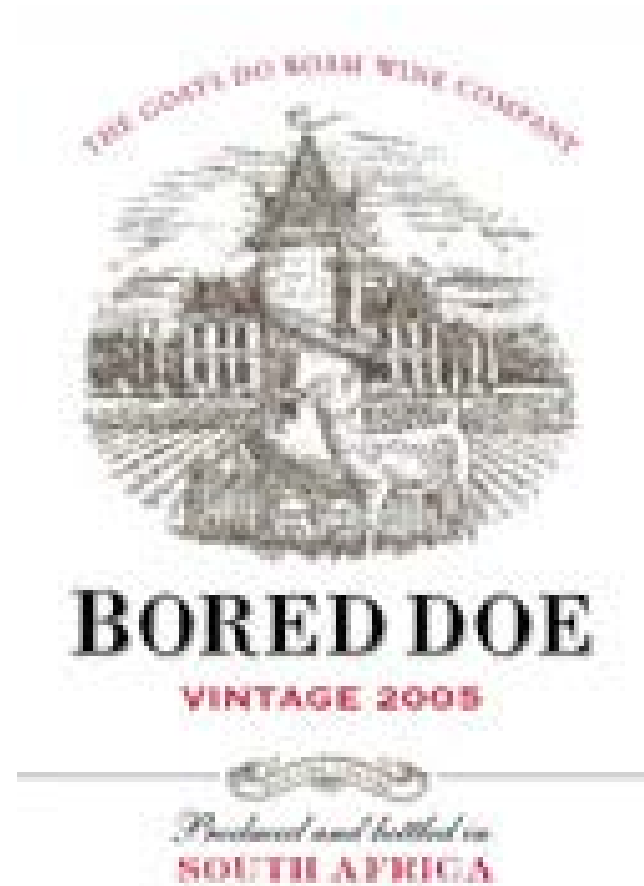
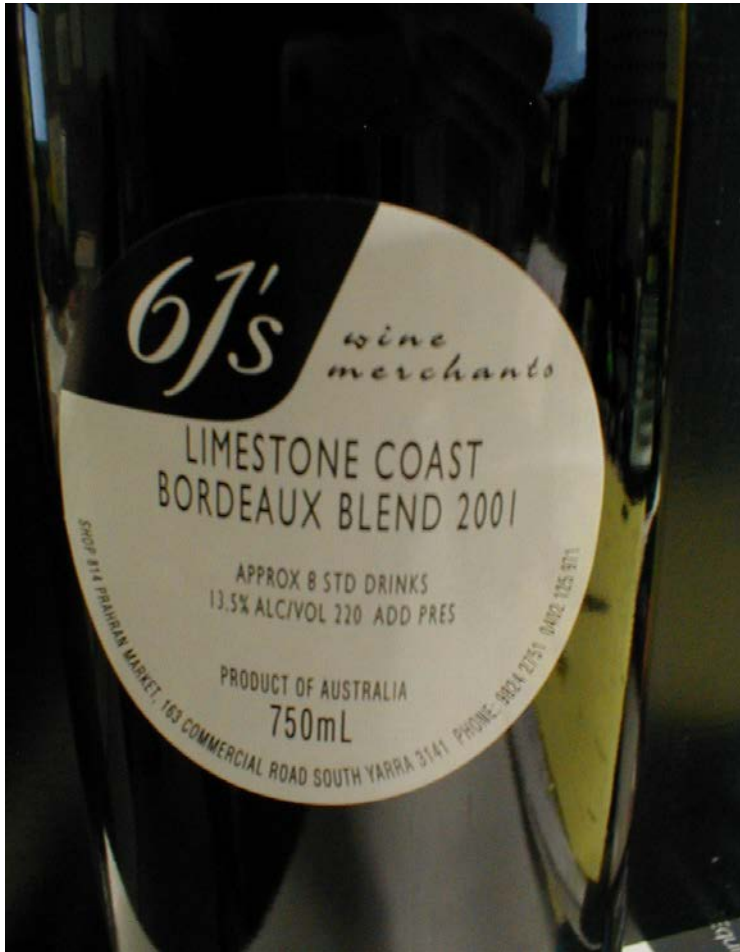
Bangkok, Thailand

GI, an intellectual property right

- The GI is a specific, distinctive intellectual property right
 - Copyright and related rights.
 - Trade marks.
 - Geographical Indications.
 - Industrial designs.
 - Patents.
 - Plant Varieties protection
 - Etc.
- It is an intellectual property right to be protected in over 150 countries (WTO TRIPS Agreement)
- It is a collective right of use.

To protect the consumer and the producer

Ex: Bordeaux



A GI differs from an indication of provenance

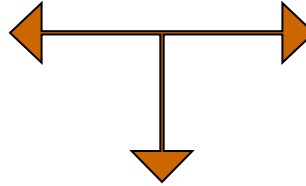
Because an indication of provenance :

- simply provides information on the country or region from which the product comes,
- does not indicate any link between the place of origin and the characteristics of that product. A GI does.

GI: Relations between the product, the producers and the production area



Production area
(climate, soils, height, ...)



Producers
(know how, tradition, organization...)



Product
(superior quality, specificity, reputation...)

GI specifications

- **Name** : the name of the product, including the GI
- **Description** : raw materials to be used, the principle physical (shape; color, weight; etc.); chemical (minimum fat content, maximum water content, etc.); biological or microbiological, etc.
- **Method of Production** : a description of the method of obtaining the product or/and the authentic and unvarying local methods (as well as information concerning the packaging in origin if important for the product),
- **Geographical Area** : the definition of the geographical area
- **Proof of Origin** : traceability (evidence that the product originates in that area)
- **Link**: the effect of geographical environmental or other local conditions on the quality of the product should be emphasized
- **Control system** : details of the organisation/body in charge of the control system and system of control of the specifications
- **Labeling** (for the recognition by consumers) : the specific labeling details related to the GI



**BUKU PERSYARATAN
INDIKASI GEOGRAFIS**



**Masyarakat Perlindungan Indikasi Geografis (MPIG)
Kopi Arabika Flores Bajawa**

Buku persyaratan ini merupakan bagian yang tidak terpisah dengan



**BUKU PERSYARATAN
INDIKASI GEOGRAFIS**



Badan Pengelolaan Pengembangan dan Pemasaran
Lada (BP3L) Prov. Kepulauan Bangka Belitung
Komplek Taman Kota Blok C No. 22,
Kel. Air Item, Kec. Pangkal Pinang

Buku persyaratan ini merupakan bagian yang tidak terpisah dengan
Sertifikat IG No. ID G 000 000 004

**BUKU PERSYARATAN
PERMOHONAN INDIKASI GEOGRAFIS
VANILI KEPULAUAN ALOR**



ASOSIASI PETANI VANILI KEPULAUAN ALOR
KALABAHU, JUNI 2012



**BUKU PERSYARATAN
INDIKASI GEOGRAFIS**



Asosiasi Pengembangan Susu Kuda Sumbawa (APSKS)

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**BUKU PERSYARATAN
INDIKASI-GEOGRAFIS**

KOPI ARABIKA KINTAMANI BALI



**MASYARAKAT PERLINDUNGAN INDIKASI-GEOGRAFIS (MPIG)
KOPI ARABIKA KINTAMANI BALI**



**BUKU PERSYARATAN
INDIKASI GEOGRAFIS**



Jaringan Madu Hutan Sumbawa

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Setting up the system

- Legislation.
- Joint definition of mandatory product specifications (“*book of requirements*”) by sector organisation (producers, traders, etc.), local authorities.etc.
- GIs verified and approved by the authorities.



Economical Benefits for Doi Chaang

- Coffee Cherry Price

4.50 baht/kg → 15 baht/kg → 28-32 baht/kg
Before → Doi Chaang Start → Now

- Green Bean Price

12 USD/kg → 65 USD/kg

- Applied for GI protection in EU

Source: Department of Intellectual Property, Ministry of
Commerce of Thailand, 2013



Chiang Rai Phulae Pineapple



Price Comparison

year 2004 (before GI registration) → now

➤ Price at Farm

8 baht/kg → 23 baht/kg

➤ Retail Price

35 baht/kg → 50 baht/kg

Reaching 60 baht/kg soon

Source: Department of Intellectual Property, Ministry of
Commerce of Thailand, 2012



**Khao Hom Mali Thung Kula
Rong Hai (Rice)**



Khao Hom Mali Surin (Rice)



Trang Roast Pork



Sangyod Maung Phatthalung Rice



**Khao Leuang Patew
Chumphon (Rice)**



**Khao Jek Chuey
Sao Hai (Rice)**



Surat Thani Oyster

GI: a concept in rapid expansion in Asia

Thai GIs (59)



Nakonchaisri Pomelo



**Chainat Khaotangkwa
Pomelo**



**Phetchabun Sweet
Tamarind**



Sriracha Pineapple



Phuket Pineapple



**Kafe Doi Chaang
(coffee)**



**Kafe Doi Tung
(coffee)**



**Phurua Plateau
Wine**



**Chiangrai Phulae
Pineapple**



NangLae Pineapple



Chiang mai Celadon (Pottery)



Lamphun Brocade Thai Silk



Mae Jaem Teen Jok Fabric



Praewa Kalasin Thai Silk



Yok Mlabri Nan



Chonnabot Mudmee Thai Silk



Ban Chiang Pottery

Foreign GI Products registered in Thailand



Pisco
(Peru)



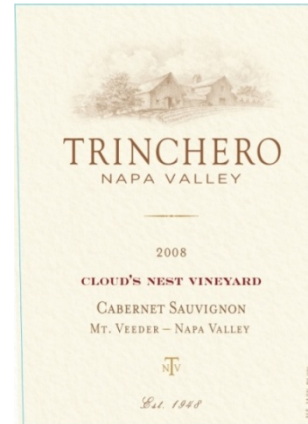
Prosciutto
di Parma
(Italy)

Brunello di
Montalcino (Italy)



Cognac
(France)

Scotch
Whisky
(Scotland)



Napa Valley
(USA)



Champagne
(France)

Tequila
(Mexico)



Barolo
(Italy)

Barbaresco
(Italy)



GI: a concept in rapid expansion in Asia

Examples of Asian GI

- **Indonesia (23)**: Arabica coffee Kintamani Bali, Jepara Carving Furniture, White pepper Muntok, MPKG Gayo Arabica coffee, Tobacco Black Sumedang Sumedang, Tobacco Mole Sumedang, Horse milk Sumbawa Sumbawa, Kale Lombok, Sumbawa honey, Adan rice Krayan, Arabica coffee Flores, Bajawa Flores Bajawa, Dieng Purwaceng, Carica Dieng, Kep vanilla. Alor, Arabica coffee Kalosi Enrekang, Ubi Cilembu Sumedang , Pondoh Sleman Jogja Sleman Yogyakarta, Patchouli oil Aceh, Arabica Coffee Java Preanger , Arabica Coffee Java Ijen-Raung Ijen-roar, etc.
- **Malaysia (22)**: Sarawak Pepper; Sabah Tea; Borneo Virgin Coconut Oil; Tenom Coffee; Sabah Seaweed, Bario Rice, Limau Bali Sungai Gedung, etc.
- **Vietnam**: Phu Quoc (fish sauce); Coffee Buon Me Thuot, Pamelon Doan Hung, Hoi Lang Son, fish sauce Phan Thiet, Orange Vinh, Tea Tan Cuong, Tea Shan Tuyet Moc Chau, Rice Hong Dan, Litchi Luc Ngan, Dragon fruit Binh Thuan, Rice Tam Xoan Hai Hau, Litchi Thanh Ha, etc.
- **Cambodia**: Khampot Pepper; Kampong Speu Palm Sugar.

GI: a concept in rapid expansion in Asia

- **China**: Longjing Cha, Jinxiang Da Suan; Dongshan Bai Lu Sun; Guanxi Mi You; Lixian Ma Shan Yao; Pinggu Da Tao; Shaanxi Ping Guo; Longkou Fen Si; Yancheng Long Xia; Zhenjiang Xiang Cu; etc.
- **India**: Darjeeling, Kangra Tea, etc.
- **Sri Lanka** : Ceylon Tea
- **Japan** : Yamanashi wine

The promotion of national products

Creation of National labels for GI

Ex: Thailand



Ex: Cambodia





ผ้าไหมยกดอกลำพูน

LAMPHUN BROCADE

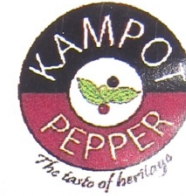
THAI SILK



GI 03563010



Protected Geographical
Indication of Cambodia



Kampot Pepper
Promotion Association



Organic Certification
Organization

KAMPOT PEPPER

C-018

The taste of heritage



Protected Geographical Indication

Red 100g



FAO/AFD

**Project on the Promotion of Rural Development
through the Development of Geographical
Indications in Asia**

The Project

- **Overall Objective:**

“To increase incomes of smallholder farmers through the development of GI value chains, improved market access and increased recognition of GI by consumers”

The development goal looks at ensuring environmental sustainability by contributing to develop sustainable approach into policies and strategies related to voluntary standards



GI System, a global perspective



Infringement



Disposal/destruction

Level of Infringement?

Within or outside GI operators framework?

GI , other IP rights, other legislations (consumer protection, labeling, etc. ?

Categories of products ?

Possible correction?

Voluntary /compulsory?

National legislations provisions

Different problematic/category of products, judiciary/customs legislations implementation

For more information:

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FAO/AFD Project on the Promotion of Rural Development
through Development of Geographical Indications at
Regional Level in Asia

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