

Geographical Indications in India: International protection for Indigenous Arts



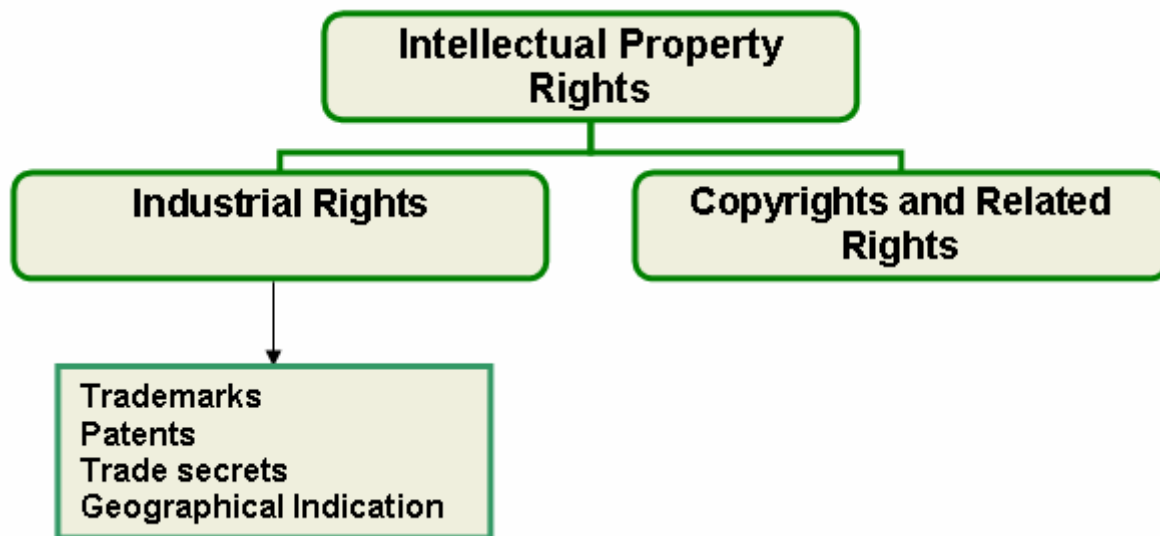
By: www.Fibre2fashion.com

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Introduction to Geographical Indication (GI)

GI is an important feature under the regime of Intellectual Property rights (IPR) that supports the weavers by giving them an exclusive right over their creative minds.



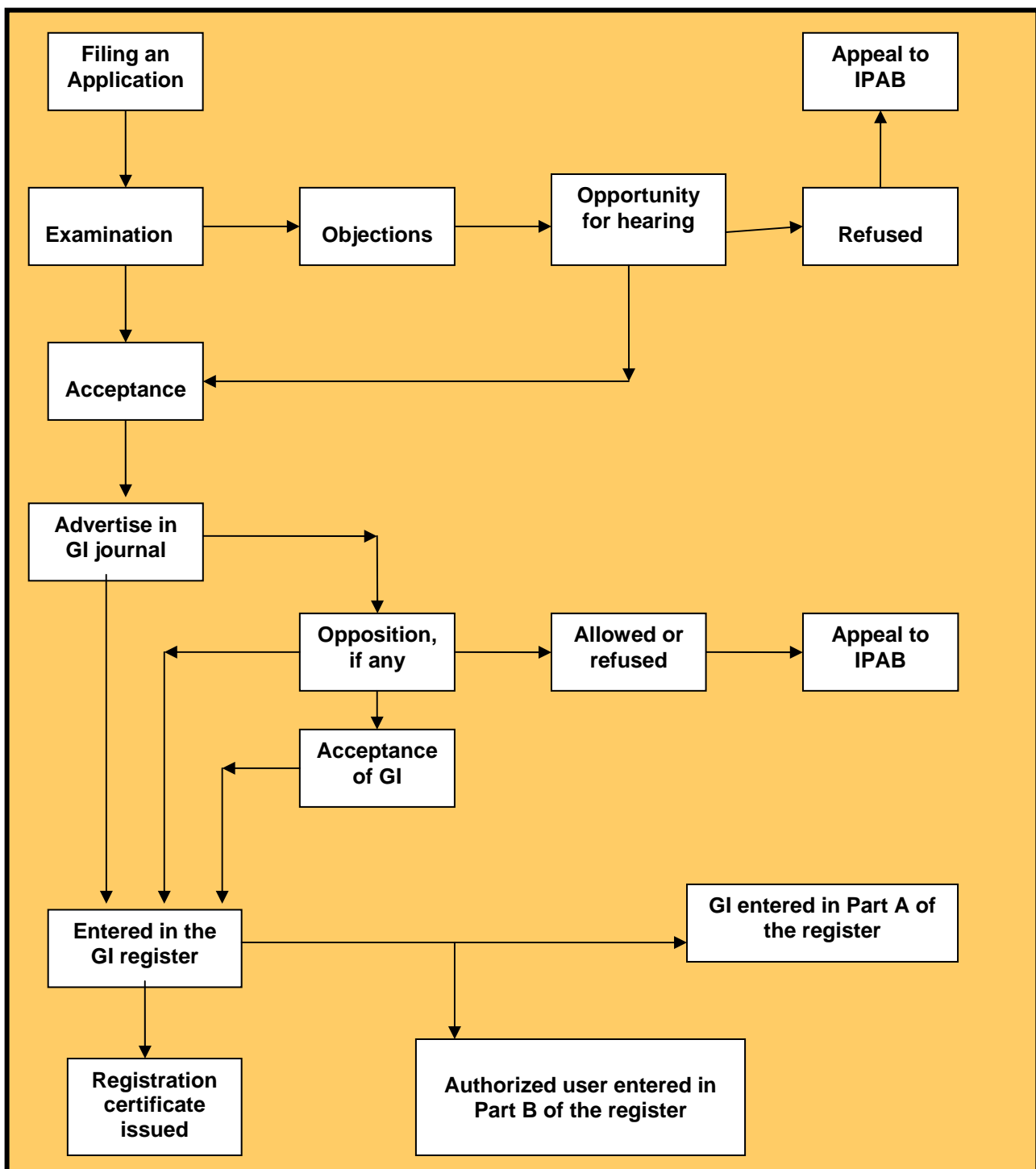
GI tag is an indication that authenticates the origin of a product to a particular region of India. The product needs to have a special characteristic related to the geographical climate or unique production technique that makes it distinct and provides it a differentiated identity among rest of them. This registration not only provides lawful security but also curbs illegal use of GI registered. It also helps the producers' prosperity and the exports are ascends. The registration is valid for 10 years after which the producers can again apply for registration. If it is not re-registered after every 10 years, it is removed from the list.

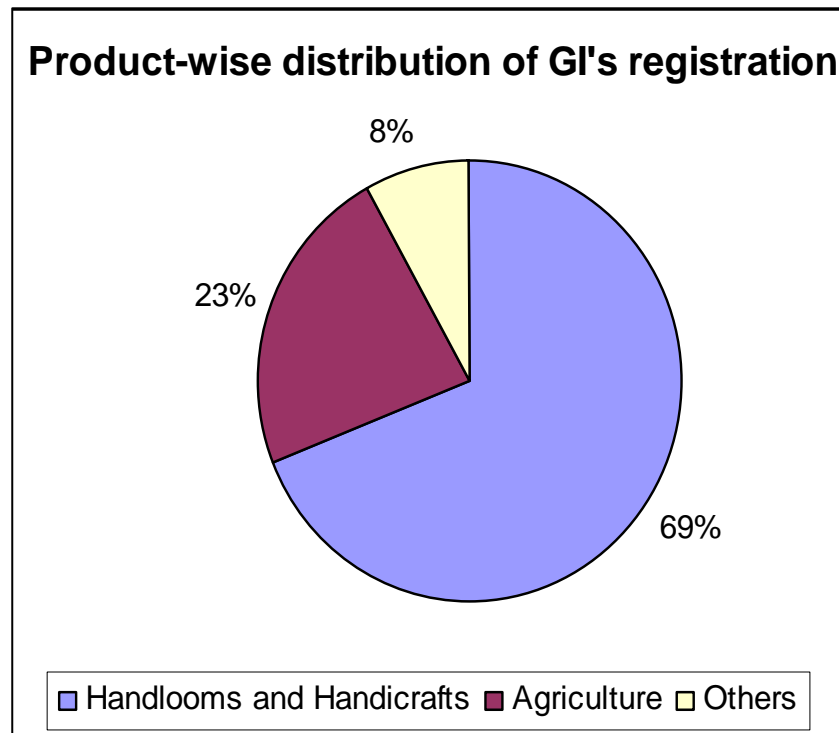
Geographical Indication Act was passed in December 1999 by the Parliament which came into force on 15th September, 2003, for the registration and protection of special goods of different geographical locations in India. GI is a recognized Intellectual Property PR under the World Trade Organization's (WTO) TRIPS agreement. The Controller of Patents and Trademarks is the governing body for Registrar of Geographical Indications which is located in Chennai. Till the end of March 2010, a total of 120 products have been registered under the GI Act, which include agricultural products, handicrafts, manufactured products and textiles. Whilst, Patents belong to individuals, the GI is a collective right of the community protected either by their group or state, helping art and artisans to survive.

Advantages of GI Registration

- It provides legal protection against any act of contravention
- The registered producers or the users can file a complaint against the contravention
- It helps to increase exports and opulence of the producers
- It helps in seeking protection in other WTO registered nation
- The registration safeguards the interests of the manufacturers and shields the consumers from frauds and deceptions
- The GI tag secures consumers from uncertainty of imitations.
- Artisans are protected from gratuitous competition.

Registration process





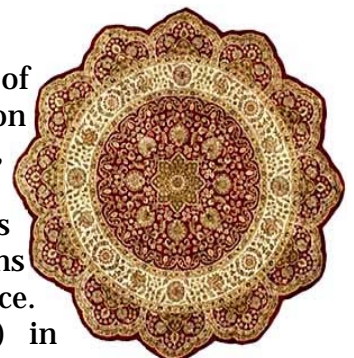
Trademark versus GI

- A trademark is a symbol that differentiates a good or a service from another on the basis of enterprise or company while GI distinguishes one product from other based on its unique characteristic and the geographical location.
- G.I can not be created, Trade Marks can be created
- G.I is the Common property of the producers of the particular region, while Trade Marks indicate the personal property of commercial enterprise
- G.I cannot be rescinded for non use, while trade marks can be rescinded for non use
- Licensing of G.I is not allowed whereas trademarks can be licensed

Registrations in 2010

Bhadohi carpet

Bhadohi is the exporter of carpets worth ₹25 billion to other nations of the world and this region employs workforce of about 3.2 million workers. The industry uses eco-friendly raw materials like cotton, natural wool and silk. They are also recyclable. The hand-woven carpet helps in creating exclusive designs and colours. The patterns in the carpets convey different meanings like the rounded patterns suggest eternity and the zigzag pattern indicates water and radiance. The Bhadohi carpet obtained the Geographical Indication (GI) in September, 2010.



Kathampully Sarees

At present the Kuthampully Sarees are manufactured Kuthampully as well as villages of Palakkad district also. The making of these Sarees is done with superior cotton fabrics. Due to the profitability derived out from the production and sale of cotton handloom

clothes in Kuthampully, the weaving activity has reached the zenith and is now not restricted to limited boundaries but to a wider region. The handloom industry for Kathampully sarees provides employment to a large number of families providing handful of support to feeble segments of the society.

Paithani Sarees

Paithani Sarees is known for its elaborate designs on pallu and edgings. Images on pallu are inspired from the caves of Ajanta. Traditional ingenious creativity and meticulous artistry blends together to form this exclusive cloth. The adept hands of the weavers of Paithan, Yeola and regions of Aurangabad and Nasik districts of Maharashtra not only produce brocades and sarees but they also create amazing products of dress materials, bed linens and home textiles. More than 35,000 weavers have been employed in the manufacturing of these conventional assets of the country. The product has been granted with GI Tag in September, 2010.



Kasargod sarees

Kasaragod cluster products differ from products made out of fine cotton yarn to coarser yarn. Kasaragod Sarees both Cotton and Silk are the most famous hand-woven item produced here. The traditional Kasargod Sarees are woven with dyed cotton fine yarn or silk yarn. The Sarees either have check design with broad and bright border or unadorned Saree with simple Butta designs.

Sanganeri hand block printed textiles



Sanganeri hand block printed textiles received its GI certificate on 19 March 2010. It has a unique Sanganeri hand block prints on dress material as well as home furnishing. The floral or animal motif is engraved on to a wooden block. The imprinted block is pressed on to a piece fabric dipped in dye and the motif is printed on fabric at regular intervals. The same method is

recurred to make different prints on the fabric. GI certificate jointly with brand building and suitable promotional ideas can perk up earnings of the producers.

Impact of the registration

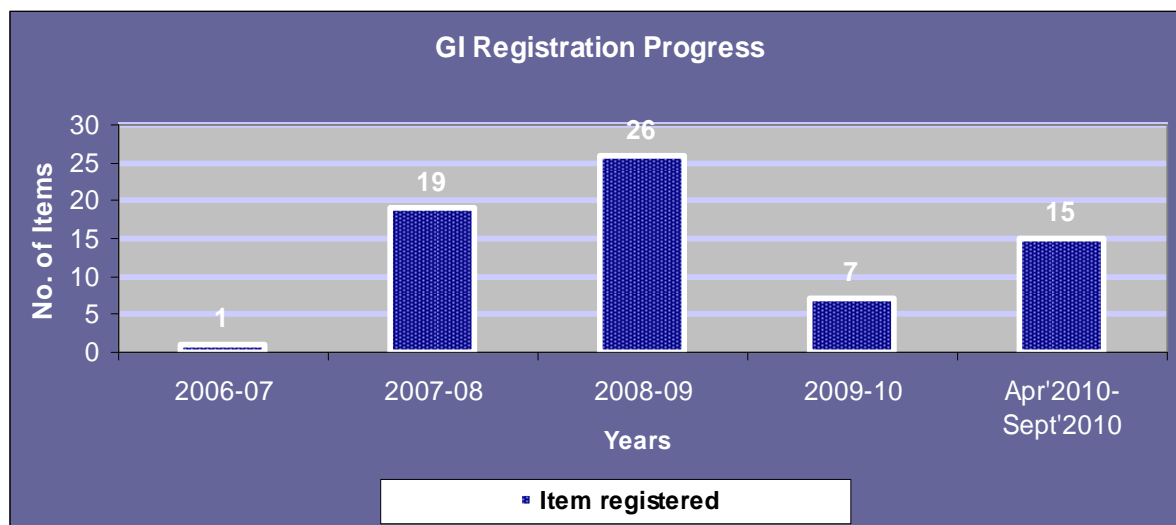
- Brand building is essential for commercially influencing the GI
- Increase in prices and vending of GI products
- Momentous increase in income of producers of GI products
- Kota Doria weavers' income has tripled during last one and half year
- Product assortment of GIs keeping in mind the preservation of product uniqueness and superiority

Limitations

- Potential products in rural areas
- Lack of awareness
- Stakeholders with little or no education
- Producers belong to socially and economically deprived groups

- Lack of Motivation

Conclusion:



Source: www.ipindia.nic.in

Here is the graphical representation showing the number of Handicraft items registered under GI year on year. We can clearly see in the graph that the registrations have increased. We are well known with the comprehensive problems, Handlooms and Handicrafts sector in India is dealing with. It is pretty improbable that GI registration alone would be able to make momentous opportunity for growth in the livelihood of the artisans, especially in view of the significant post-registration challenges.

However, when GI registration and its management is envisioned as a component of a pronged strategic intervention aimed at an overall development of a handloom or handicraft cluster, GI may turn out to be a useful instrument in adding towards the renaissance of this catastrophic segment of the Indian economy.

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