



Geographical Indications

Protecting “**territory brands**” for the benefits of rural producers

“The protection and enforcement of GIs around the world an update on recent cases and lessons learnt”

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I. Legal and Institution Development in Cambodia

- a) Law on “**Geographical Indications**” promulgated on 20th January 2014 (17 chapters and 41 articles)
- b) Ministerial Regulation on Implementation of GI Law “**GI Regulation**” on 29 December 2016
- c) Prakas (Ministerial Regulation) on **the Establishment and Use of National GI Logo for Certifying and Affixing on GI goods** on August 16, 2010





Nº	COUNTRY OF REGISTRATION	DATE OF REGISTRATIO N	TYPE OF REGISTRATIO N	DURATION OF PROCESS UNTIL REGISTRATION
	KAMPOT PEPPER			
1	<i>EU</i>	<i>18/02/2016</i>	<i>PGI</i>	<i>10/2014-02/2016</i>
2	<i>Vietnam</i>	<i>28/12/2016</i>	<i>PGI</i>	<i>06/2015-12/2016</i>
3	<i>Thailand</i>	<i>17/03/2017</i>	<i>PGI</i>	<i>06/2015-03/2017</i>
4	<i>Geneva Act on Lisbon agreement on Appellation of origin and Geographical Indication</i>			<i>14 December 2020</i>
	KAMPONG SPEU PALM SUGAR			
1	<i>EU</i>	<i>20/12/2019</i>	<i>PGI</i>	<i>07/2016-12/2019</i>
2	<i>Vietnam</i>	<i>28/12/2016</i>	<i>PGI</i>	<i>06/2015-12/2016</i>
3	<i>Thailand</i>	<i>17/03/2017</i>	<i>PGI</i>	<i>06/2015-03/2017</i>
	Koh Trung Pomelo			25 June 2018
4	Mondulkiri Wild Honey			10 December 2020



Protected Geographical Indication

► Protection of local value

Geographical indication is not the only intellectual property right that can be used to protect local and traditional products. Some countries use trademark regimes and/or passing off actions or on the basis of unfair competition and consumer protection acts. Based on their experience in trying to secure protection of their IP rights.

It is important to first understand why producers choose the GI route to protect local value. In fact, producers around the world share a common belief: a geographical indication is the best tool to protect the property rights on their product's name.



Protected Geographical Indication

The use of a trademark regime to protect a GI name does not provide for a Protection as comprehensive as the one offered by a sui generis GI system. GI producers must pay attention to the scope of the protection given.

➤ Article 23: Protection of Cambodian and Foreign Geographical Indication





THE PROTECTION OF GEOGRAPHICAL INDICATIONS AT THE INTERNATIONAL LEVEL

Bilateral Agreements: Typically concluded between two countries on the basis of reciprocity in order to increase protection of the countries' respective geographical indications, independent or within a wider trade agreement.

Multilateral Agreements: The Geneva Act of the Lisbon Agreement on Appellations of Origin and Geographical Indications, adopted May 20, 2015, entered into force on February 26, 2020.





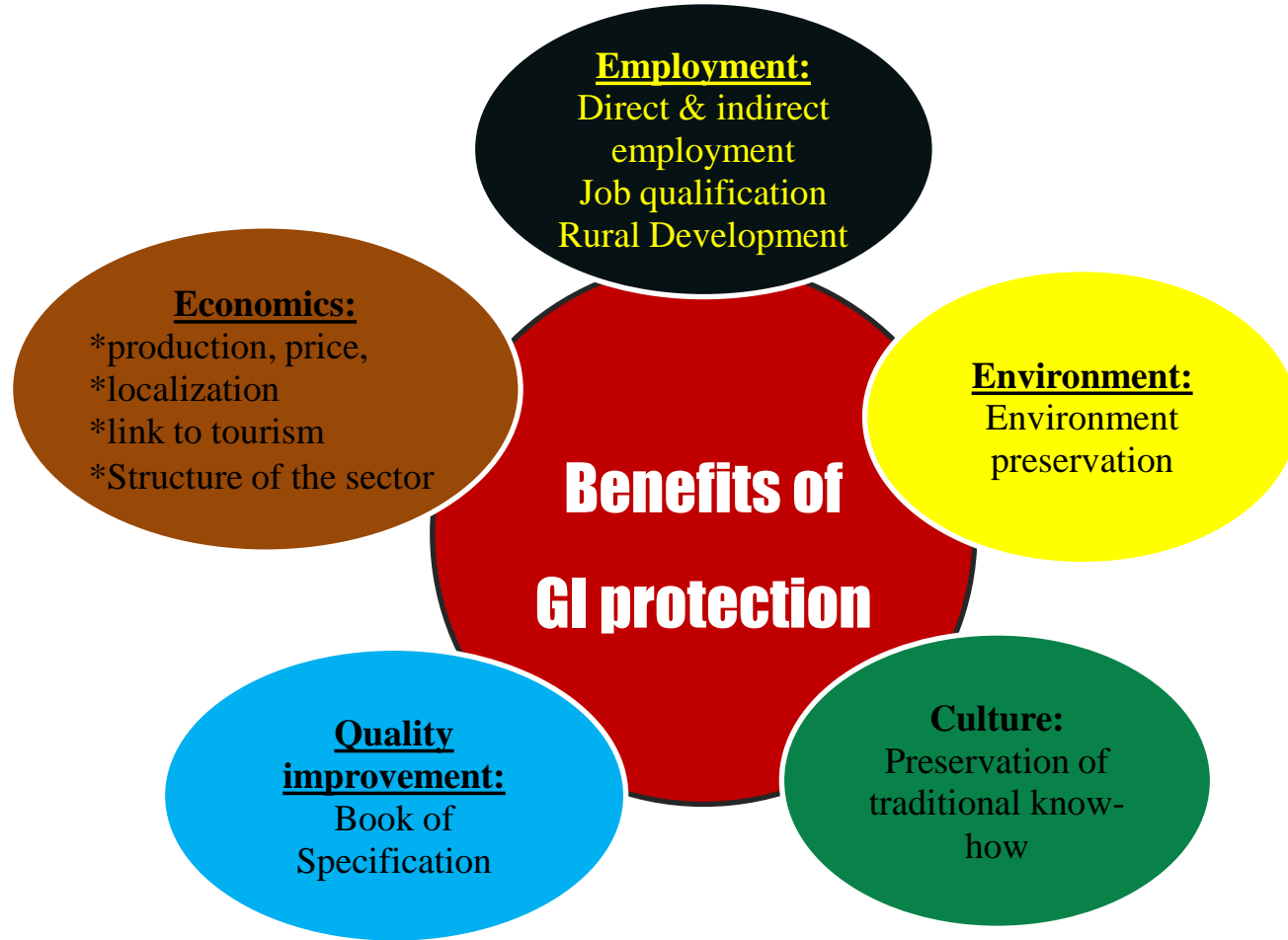
THE PROTECTION OF GEOGRAPHICAL INDICATIONS AT THE INTERNATIONAL LEVEL

Gview:

A new database 'Gview' for Geographical Indications (GIs) was launched in November 2020 by the Directorate-General for Agriculture and Rural Development of the European Commission and the European Union Intellectual Property Office.

'Gview' is a worldwide public searchable database on the internet, for all GIs registered and protected in the EU (including non-EU GIs) which responds to a clear need from enforcement authorities and stakeholders to have better and easier access to GI information. It provides a single, searchable entry point for consumers, producers and IP professionals.







No	Country	Green pepper (Kg)	Black pepper (kg)	Red pepper (kg)	White pepper (kg)	Total
1	France	5,526.50	36,631.88	14,707.96	7,429.88	64,296.22
2	England	26.00	456.30	186.50	138.00	806.80
3	USA	790.10	726.25	536.50	214.25	2,267.10
4	Russia	1,166.16	854.48	312.24	165.16	2,498.04
5	Germany	2,260.00	4,775.00	5,840.00	1,225.00	14,100.00
6	Japan	2,323.00				2,323.00
7	S. Korea		4,062.00	276.00	3,246.00	7,584.00
8	Czech	2,015.50	4,575.50	2,900.00	2,700.00	12,191.00
9	Sweden	150.00	600.00	40.00	140.00	930.00
10	Malaysia		600.00			600.00
11	Canada	350.00				350.00
12	Switzerland		410.00	87.50	60.00	557.50
13	Kazakhstan		87.20	44.80	44.80	176.80
14	Taiwan		20.00	2.00	20.00	42.00
15	Australia		149.60	104.80	2.40	256.80
16	Lithuania	39.20	158.20	45.10	43.10	285.60
17	Belgium	750.00	2,410.00	1,150.00	760.00	5,070.00
18	Singapore		100.00			
		15,396.46	56,616.41	26,233.40	16,188.59	
			Total exports as of 2021		114,434.86	



Case study: Kampot Pepper

- Kampot pepper first protect as collective mark at EU
- Establishment of Enforcement: Committee on counterfeit
- Promotion campaign
- And raising awareness

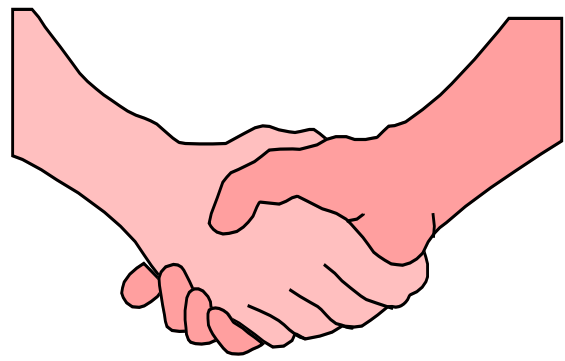




Conclusion

GI development has positive impacts on local economic Development

- ❖ NICE top association tend to be immune to the effect by market changes and risk from price competition because they have unique product
- ❖ Increase the price of goods/products
- ❖ Have impact on identify and image of territory (Tourist)
- ❖ Help to increase quantity and improve quality of products
- ❖ Help developing structure of product value chain (GI association is an Inter-professional Association)



THANK YOU

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