Geographical Indications – Where Do We Stand Today?

Mrs. Pajchima Tanasanti
Director General
Department of Intellectual Property
Thailand
Geographical Indications Protection Act 2003

- To prevent the public from being confused or misled as to geographical origins of the goods.

Ministerial Regulation 2004
Ministerial Notification 2004
DIP Notification 2004
Qualification for GI Registration
Geographical Indication Act 2003

3

- Name symbol or any other thing which is used for calling or representing a geographical origin
- The goods originating from such geographical origin
- Details of the particular quality, reputation or other characteristic of the goods is attribute to the geographical origin
Geographical Indication

A product called by its geographical origin with specific quality, reputation, and characteristic.

Geography + Know-how = Quality
Thai GI Protection

Goods

- Agricultural products
- Industrial products
- Handicrafts
Pre-registration Activities

- Workshop
- Field studies
- Follow up Registration
- Brainstorm for Manual
• Qualification GI producer must possess:
  ➤ Working Manual
  ➤ Internal Control Plan to ensure compliance with the establish criteria

• Who can use GI symbol?
  ➤ Producers of the goods in the geographical origin of the goods
  ➤ Traders related to the goods
# GI Registration in Thailand

## Registered GI

<table>
<thead>
<tr>
<th>Thai Registered GI</th>
<th>Foreign Registered GI</th>
<th>Total Registered GI</th>
</tr>
</thead>
<tbody>
<tr>
<td>38 products</td>
<td>8 products</td>
<td>46 products</td>
</tr>
</tbody>
</table>

## GI Applications

<table>
<thead>
<tr>
<th>Thai GI Applications</th>
<th>Foreign GI Applications</th>
<th>Total GI Applications</th>
</tr>
</thead>
<tbody>
<tr>
<td>79 products</td>
<td>14 products</td>
<td>93 products</td>
</tr>
</tbody>
</table>

Numbers from year 2004 to year 2013
Thai GIs

Khao Hom Mali Thung Kula Rong Hai (Rice)

Khao Hom Mali Surin (Rice)

Sakon Dhavapi Haang Golden Aromatic Rice

Sangyod Maung Phatthalung Rice

Khao Leuang Patew Chumphon (Rice)

Khao Jek Chuey Sao Hai (Rice)

Trang Roast Pork

Chaiya Salted Eggs

Surat Thani Oyster
Thai GIs

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

Thai GIs
Thai GIs

- Nakonchaisri Pomelo
- Chainat Khaotangkwa Pomelo
- Phetchabun Sweet Tamarind
- Sriracha Pineapple
- Kafae Doi Chaang (coffee)
- Kafae Doi Tung (coffee)
- Phuket Pineapple
- Phurua Plateau Wine
- Chiangrai Phulae Pineapple
- NangLae Pineapple
Foreign GI Products

- Pisco (Peru)
- Cognac (France)
- Prosciutto di Parma (Italy)
- Brunello di Montalcino (Italy)
- Scotch Whisky (Scotland)
- Napa Valley (America)
- Tequila (Mexico)
VARIOUS INITIATIVE

IN THE FIELD OF GI
International Level

- GI multilateral system for wines and spirits
- GI extension
  - to extend higher level of protection (Article 23) to other products beyond wines and spirits

- Lisbon System
  - review of Lisbon System to explore possible improvements for the Lisbon System
ASEAN Level

ASEAN Working Group on Intellectual Property Co-operation (AWGIPC)
- Thailand is the champion country in Geographical Indication
- ASEAN adopted the Action Plan on GI for 2012-2015

The ASEAN Project on Intellectual Property Rights (ECAP III)
- approved by the European Union and ASEAN in 2009, has entered Phase II in December 2012
- “to further integrate ASEAN countries into the global economy and world trading system to promote economic growth and reduce poverty in the region” through intellectual property

Regional Cooperation Project on Geographical Indications
- Supported by French Development Agency (AFD) and Food and Agricultural Organization of the United Nations
- Thai, Laos, Vietnam, and Cambodia
Bilateral Cooperation

- Thailand has bilateral cooperation regarding GI with Vietnam
  MOU 2005, implementation plan from 2010

- Laos
  MOU 2013, implementation plan from 2013

- FTA negotiation with various countries has involved issues of GI, such as, EU, Peru, Chile
Thailand is selected as a pilot country to join WIPO Product Branding Project.

3 products is selected to join the project.

- Mae Jaem Teen Jok Fabric (GI)
- Lamphun Brocade Thai Silk (GI)
- Bang Chao Cha Wicker
1. Promote registration of Thai GIs
2. Promote recognition of GIs in Thailand
3. Promote mechanisms for control and traceability system
4. Support Thai GIs for overseas market
5. Registration of Thai GI in foreign country
Thailand’s Initiative

1. Promote registration of Thai GIs
   - Disseminate information on GI law and registration system to local community in every province (75 provinces)
   - Promote potential GI products of each province

2. Promote recognition of GIs in Thailand
   - Holding exhibition in Thailand
   - Distributing booklets on GI of each province
   - Promote GI products on TV, radio, newspaper and magazine
3. Promote mechanisms for control and traceability system

- Developing the manual for producing GI products.
- Developing methods for tracing the origin of the GI products.
- Developing “GI Control System of Thailand” with responsible national authorities; MOU between DIP and TISI + ACFS.
Geographical Indication Control System of Thailand

**Scheme Owner CA**
Department of Intellectual Property (DIP)
(example: INAO in France)

**DUTY**
1. Validation of Specifications and Inspection method (manual)
2. Approve & Supervise CB

**GI Board**

**CB**
External Control (Control Body / Certification Body)
**DUTY**
- to perform GI control on behalf of the CA
- on the producers to verify compliance with specifications laid down and check the running of autocontrols
- on the group to check the running of the internal controls.

**Internal Control**
( GI Committee at Provincial Level )
**DUTY**
- to check the running of autocontrol on the producers processors farmers industries.

**Self Control / Autocontrol**
(Producers Processors Farmers Industries)
**DUTY**
- to control their product according to specification (manual) which can be modified by group members

**AB**
(Accreditation Body)
Thai Industrial Standards Institute (TISI)
National Bureau of Agricultural Commodity and Food Standard (ACFS)
(example: Cofrac in France)
**DUTY**
- Accredits CB According to ISO Guide 65 and Specific requirements define by DIP

**Consumer**
**Retailer**
**Distributor**
**Exporter**

**Approval**
**Accreditation**
Thailand’s Initiative

4. Support Thai GIs for overseas market
Twinning products project; Champagne + Lamphun Brocade Thai Silk

Overseas Exhibition; Japan, Vietnam, Hong Kong etc.
5. Registration of Thai GI in foreign country

- European Union PGI Registration
  - Khao Hom Mali Thung Kula Rong-Hai (rice):
  - applied on 20\textsuperscript{th} November 2008
  - registered on 4\textsuperscript{th} March 2013
5. Registration of Thai GI in foreign country

- European Union PGI Registration
  - Kafae Doi Chaang (Coffee) : applied in May 2010
  - Kafae Doi Tung (Coffee) : applied in May 2010
  - Khao Sungyod Muang Phattalung (Rice) : drafting application

- Vietnam GI Registration
  - Thai- Isan Indigenous Silk Yarn : drafting application
Why Thailand has these initiatives?

There are a lot of opportunities created when we use GI

- Add value to existing products; create niche market; moving toward blue ocean strategy
- Enhance food quality
- Create job opportunities
- Maintain traditional knowledge
- Environment-friendly
- Support other industries such as tourist industry
- Enhance networking among producers and suppliers in the supply chain
Economical Differences for Doi Chaang

- **Coffee Cherry Price**
  
  Before: 4.50 baht/kg
  
  Doi Chaang Start: 15 baht/kg
  
  Now: 28-32 baht/kg

- **Green Bean Price**
  
  Before: 12 USD/kg
  
  Doi Chaang Start: 65 USD/kg

- **Contract Farming**
  
  Coffee Contract of 5 year + 5 year + 5 year from all over the world

- **Applied for GI protection in EU**
Chiang Rai Phulae Pineapple

Price Comparison Between year 2004 (before registered as a GI) → year 2012 (now)

- **Price at Farm**
  - 8 baht/kg → 23 baht/kg

- **Retail Price**
  - 35 baht/kg → 50 baht/kg
  - Going to be 60 baht/kg soon
The enforcement of the protection of GI

- The name
- The symbol
Thank you

Department of Intellectual Property

www.ipthailand.go.th

Tel. 662-5474700
Fax. 662-5474681