MANAGING GEOGRAPHICAL INDICATIONS: ROLE OF PRODUCERS & OTHER PARTIES IN AFRICA

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INTRODUCTION

- GI a useful marketing tool used by producers in a number of countries
- Potential in using GI in Africa but little is done
  - Distinctive products that have link to geographical origins
  - Products and unique characteristics known at the international market and fetch a higher price
    - Little benefit
    - Cases of misuse and misappropriation of GI
- Recent encouraging developments
ENCOURAGING DEVELOPMENTS

- Increasing awareness of GI
- Countries/ producers have embarked on or are in the process of protecting and managing GI. Examples include:
  - Ethiopian fine coffee
  - Kenyan tea
  - Uganda vanilla
  - Zanzibar clove
- Ongoing initiatives include Uganda cotton, Tanzania Arabica coffee and OAPI program
ETHIOPIAN FINE COFFEE

- Ethiopia produces some of the finest coffee in the world that are well recognized and demanded at the international coffee market
- Developed and implemented an IPS involving stakeholders
- Quality control & traceability mechanisms
KENYAN TEA

- Kenya produces some of the finest tea that commands a demand at the international market
- Demand relates to distinctive characteristics that are linked to geographical origin
- No or inadequate recognition
- KTB developed a mark, secured CM and defined requirements and standards
- Eligible users include tea producers
UGANDAN VANILLA

○ Distinctive characteristics of the Product linked to geographical origin
○ No or inadequate recognition, little benefit
○ IPS including rules and requirements developed involving producers and other stakeholders
○ Application filed for protection of the geographical origin
○ Ownership and use of GI
○ Management of GI
ZANZIBAR CLOVES

- Major export earner
- Means of livelihood of people
- Has unique characteristics and demand
- Distinctive characteristics linked to the geographical origin of the product
- Framework Proposals developed & Accepted
- Follow up measures taken
ROLE OF PRODUCERS & OTHER PARTIES IN DEVELOPMENT OF IPS, MANAGEMENT & PROMOTION OF GI

- Identification of distinctive characteristics of the product, determination of the link with geographical origin and demarcation of territory
- Choice of appropriate IP tools
- Determination of countries where protection will be sought for
- Development of rules and standards
- Filing of application
- Overcoming challenges such as opposition
ROLE OF PRODUCERS, PAS & OTHER PARTIES IN DEVELOPMENT OF IPS, MANAGEMENT & PROMOTION OF GI

- Maintenance of Title
- Definition of eligible users including rights and obligations
- Monitoring compliance/ensuring product conformity
- Maintain and enhance quality/Quality control and inspection at different levels
- Promotion of GI and product
- Monitoring infringement and taking enforcement actions
CHALLENGES IN PROTECTING, MANAGING & PROMOTING GI

- Lack of awareness of the significance of GI, need for protection, management & promotion
- Lack of or inadequate knowledge of legal regimes by producers and relevant stakeholders
- Inadequate capacity to identify distinctive characteristics of products, understand supply & value chains, develop and implement IP/GI strategy
- Lack of organization of producers, weak or non-inclusive organizations
CHALLENGES IN USING RELEVANT IP TOOLS IN PROTECTING, MANAGING & PROMOTING GI

- Difficulty in bringing together and unifying diverse stakeholders
- Lack of or inadequate resource in protecting, managing and promoting GIs - Cost involved in the protection, management, promotion of GI
- Lack of capacity to monitor infringement and enforce IPR
- Expectations that GI will bring change soon
CONCLUSION

- Huge potential to use, protect and manage GI but…
- Role of producers critical but not organized/weak organizations
- Need to:
  - Create and strengthen awareness
  - Organize and strengthen producers Associations
  - Build producers capacity in managing and promoting GI
  - Strengthen national legal framework & link it with Int.IPS
- Need for government, International organizations & development partners support
Thank you very much for your attention!!