GOVERNMENT OF INDIA
GEOGRAPHICAL INDICATIONS
JOURNAL NO. 126

NOVEMBER 29, 2019 / AGRAHAYANA 08, SAKA 1941

INDEX

OFFICIAL NOTICES

Sub: Notice is given under Rule 41(1) of Geographical Indications of Goods (Registration & Protection) Rules, 2002.

1. As per the requirement of Rule 41(1) it is informed that the issue of Journal 126 of the Geographical Indications Journal dated 29th November, 2019 / Agrahayana 08, Saka 1941 has been made available to the public from 29th November, 2019.

PUBLIC NOTICE

No.GIR/CG/JNL/2010 Dated 26th February, 2010

WHEREAS Rule 38(2) of Geographical Indications of Goods (Registration and Protection) Rules, 2002 provides as follows:

"The Registrar may after notification in the Journal put the published Geographical Indications Journal on the internet, website or any other electronic media."

Now therefore, with effect from 1st April, 2010, The Geographical Indications Journal will be Published and hosted in the IPO official website www.ipindia.nic.in free of charge. Accordingly, sale of Hard Copy and CD-ROM of GI Journal will be discontinued with effect from 1st April, 2010.

Registrar of Geographical Indications

G.I. APPLICATION NUMBER – 602
Application Date: 26-12-2017

Application is made by Consortium of Producers of Chak-Hao (Black Rice), Manipur, Office of the Nodal officer, MOVCDNER Agri, Directorate of Agriculture, Sanjenthong, Imphal Manipur-795001, India for Registration in Part A of the Register of Chak - Hao under Application No. 602 in respect of Rice falling in Class – 30 is hereby advertised as accepted under Sub-section (1) of Section 13 of Geographical Indications of Goods (Registration and Protection) Act, 1999.

A) Name of the Applicant : Consortium of Producers of Chak-Hao (Black Rice), Manipur,

B) Address : Office of the Nodal officer, MOVCDNER Agri, Directorate of Agriculture, Sanjenthong, Imphal Manipur-795001, India

Facilitated By:
1. Department of Agriculture, Government of Manipur; and
2. North Eastern Regional Agricultural Marketing Corporation Limited (NERAMAC),

C) Name of the Geographical Indication:

CHAK-HAO

D) Types of Goods : Class 30 – Rice (Black Rice)

E) Specification:

Chak-Hao, is scented glutinous rice which is cultivated since centuries and characterized by its mild rusty taste and special aroma. The grain of this aromatic rice are large and according to length / breadth ratio, it has dark purple hue in its outer bran layer that are so intense that the rice appears to be black. Once cooked, the black colour usually turns deep purple. It has high concentration of anthocyanin, which are flavonoids that perform, as antioxidants in the body. It owes its dark colour to the high concentration of Anthocyanin. It is stickier than regular rice due to lower amylase content and higher amylopectin content. The rice is glutinous, but it contains no gluten. Due to very low amylase content it is sticky and moist after cooking. Chak-Hao takes the longer cooking time of 40 to 43 minutes due to the presence of the fibrous bran layer and higher crude fiber content. Chak-Hao is famous for its characteristic aroma and high concentration of minerals, fiber, vitamins and antioxidants.

It is traditionally improved variety which is cultivated in many pockets of the State of Manipur & Nagaland. In the past, it is not cultivated on commercial scale as it is not used as a staple food. However, at present it is grown in larger areas. Chak-Hao is normally eaten during community feast and also served as Chak-Hao *kheer*. Chak-Hao has also been used by the traditional medical practitioners of Manipur as part of traditional medicine.

The rice is drought tolerant but low yielder. The farmers grow the rice variety in many pockets of the state in traditional way without applying any agro-chemicals. Although it is not a staple food the rice has now emerged as a super food in recent time due to its high nutritional value.

i. Chak-hao maintains its characteristics only when grown in the agro-eco situation of the state of Manipur.
ii. It is highly aromatic and glutinous though it contains no gluten. The rice of Chak-Hao is colorful with deep purple colour even after cooking also.
iii. The grain colour of Chak-Hao is reddish purple, waxy with aroma.
iv. The amylase content is low and that of amylopectin is high in Chak-Hao.
v. The Anthocyanin content imparting dark colour in Chak-Hao is very high.
vi. Chak-hao takes longer cooking time than others due to presence of the fibrous bran layer and higher crude fibre content.
vii. Test report indicated that the content of total Anthocyanin to the tune of 1.62 gm per 100 gm in Chak-Hao while indigenous brown & white rice viz. Phouren, Langphou, Kakchengphou, Moirangphou Khokngangbi, Phourenmubi and Kumbi recorded nil Anthocyanin content
viii. The genotype Chak-Hao has kernel with reddish purple colour. This distinct cultivar having unusual kernel length also recorded as 6.98 $\pm$ 0.09 mm of kernel being the longest in the group.

The standard benchmark of Chak-Hao is as follows:

Grade Designation

Grade designation	Maximum limit of tolerance (percent by mass							Kernel Breadth (mm) (Minimum)	Kernel Length (mm) (Minimum)
	Foreign matter		Broken and fragments	Damaged discoloured & Chalky grains	Other varieties of rice	Red strips/ Red & Green Paddy grains	Moisture		
	Organic	Inorganic							
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Special	Absent	Absent	5.0	2.0	0.5	Nil	12.0	2.0	5.0
Standard	0.10	0.10	10.0	4.0	2.0	3.0	13.0	2.3	
General	0.20	0.10	20.0	8.0	5.0	6.0	14.0	2.5	

F) Description:

Chak-Hao, the Black rice of Manipur belongs to Asian cultivated rice *Oryza sativa* L. subspecies *Indica*. It belongs to the tribe *Oryzeae* under the sub-family *Pooideae* in the grass family Gramineae (Poaceae). Chak-Hao having large grain is traditional variety which is cultivated in many pockets of the State of Manipur and Nagaland has almost 10 % of its paddy area under black rice.

Chak-Hao is a scented glutinous rice of Manipur which is in cultivation over centuries and characterized by its special aroma. Chak-Hao has been cultivated by the farmers since time

immemorial. It is mostly used for the community feast as well as ceremonial purposes as a delicacy. Nutty in taste, the glutinous scented rice is excellent in rice pudding. Chak-Hao is normally eaten during community feast and served as Chak-Hao *kheer*. Chak-Hao has also been used by the traditional medical practitioners as part of traditional medicine. The rice water too used to wash hair to make it stronger.

Chak-Hao has dark purple hue in its outer bran layer that are so intense that the rice appears to be black. Once cooked, the black colour usually tums deep purple. It owes its dark colour to the high concentration of anthocyanin which are flavonoids that performs as antioxidants in the body It is stickier than regular white rice or brown rice due to a lower amylase content and a higher amylopectin content. Amylose and amylopectin are the two components of starch. The rice is glutinous, though it contains no gluten, due to very low amylase content it is sticky and soft after cooking.

Chak-Hao takes the longer cooking time of 40 to 45 minutes due to the presence of the fibrous bran layer and higher crude fibre content. It has a mild nutty taste and a special aroma due to the soil condition and the pristine environment of Manipur.

It is high in nutritional value with high concentration of fibre and is a rich source of B vitamins, niacin, vitamin E, iron, calcium manganese and zinc. The physical characteristics and chemical composition of two Chak-Hao varieties is as under.

Physical characteristic of Chak-Hao

Variety	Weight of 1000 kernel (gm)	Volume of 1000 grains (ml)	Length (mm)	Breadth (mm)
Chak-Hao Poireiton	19.45	60.16	6.77	2.09
Chak-Hao Amubi	22.14	58.83	6.24	2.25

Proximate composition of Chak-Hao

Variety	Moisture (%)	Protein (%)	Fat (%)	Ash (%)	Total Carbohydrates (%)
Chak-Hao Poireiton	12.10	10.40	2.94	1.90	72.50
Chak-Hao Amubi	10.80	9.05	1.90	2.80	75.30

Dietary fibre content of Chak-Hao

Variety	Insoluble dietary fibre (%)	Soluble dietary fibre (%)	Total dietary fibre (%)
Chak-Hao Poireiton	7.92	1.23	9.15
Chak-Hao Amubi	7.95	1.43	9.38

Mineral content of Chak-Hao

Variety	Content in mg / 100g on dry weight basis			
	Zinc (Zn)	Iron (Fe)	Manganese (Mn)	Copper (Cu)
Chak-Hao Poireiton	4.30	2.66	2.56	0.53
Chak-Hao Amubi	6.20	3.43	2.36	0.53

Phyto-nutrient content of Chak-Hao

Variety	Phytate (mg / gm) dry weight basis	Polyphenol (mg GAE / 100g) on dry wt. basis	Antioxidant activity (% DPPH)
Chak-Hao Poireiton	27.36	62.33	72.52
Chak-Hao Amubi	19.56	19.75	59.02

The chemical composition and nutrient contents of two varieties of Chak-Hao:

Parameter	Chak-Hao Amubi	Chak-Hao Poireiton
Moisture (%)	11.40	12.05
Ash content (%)	0.83	1.79
Protein content (%)	8..75	7.77
Fat content (%)	3.33	3.73
Carbohydrate content (%)	74.67	74.38
Amylose content (%)	3.16	1.98
Ca (mg / kg)	136.2	114.6
Iron (mg / kg)	88.8	47.2
Potassium (mg / kg)	1606.6	1843.6
Magnesium (mg / kg)	377.2	387.6
Manganese (mg / kg)	38.8	42.7
Phosphorus (mg / kg)	2062.1	2529.7
Sulphur (mg / kg)	976.1	916.5
Zinc (mg / kg)	53.9	42.4

G) Geographical area of Production and Map as shown in page no: 19, 20, 21, 22 & 23

The Chak-Hao is cultivated in the State of Manipur and parts of Nagaland in the following areas:

Manipur:

Sl. No.	Name of District
1	Imphal East
2	Imphal West
3	Bishnupur
4	Thoubal

In Nagaland

Sl. No	Name of District
1	Peren District

H) Proof of Origin (Historical records):

The Chak-hao rice came into existence in the state since the reign of King Meitinggu Nongda Lairen Pakhangba (33 AD-154 AD) of Manipur mentioned that Chak-Hao Poireiton is named after King Poireiton in his book 'Meitei Ningthourol" recorded that King Poireiton was made settled by King Meitinggu Nongda Lairen Pakhangba in Lamteng Village, a plain area where rice cultivation was found most suitable during that time. Lamteng is now called Lamdeng in the south west of the Imphal about 15 km from the State Capital of Manipur. It is also mentioned in page 16-17 of the book that King Poireiton offered his sister Laisna and King Pakhangba one packet each of the paddy. After eating the cooked rice, King Pakhangba asked Laisna the name of the paddy gifted

by her brother King Poireiton. As the original name of the rice was not known even by King Poireiton himself, King Pakhangba, called it after the name of King Poireiton as Chak-Hao Poireiton. Since then, the same had been under cultivation by our forefathers till now.

I) Method of Production:

Chak-Hao is famous not only for its characteristics but also due to its cultivation mostly in the agro-ecological situation of Manipur. The soil, in general is moderate to slightly acidic, high in soil organic carbon and available nitrogen, low in available phosphorus and medium to high in available potassium. The texture is clay to clay- loam in the valley and red soil in hills.

Rain fed agriculture is the only occupation of majority of rural masses for their livelihood both in hills and in valley of Manipur. In the valley there exists settled agriculture and rice is the pre dominant crop. In the hills, shifting cultivation is common and semi-permanent terraced agriculture is practiced in the mild hill slopes with rice and other crops.

At present, the traditional system of Chak-Hao cultivation at large, is practiced with conventional system in some pockets in Manipur. Direct sowing of pre-soaked seed and also transplanting of rice seedlings raised in nurseries in puddled fields are widely practiced in wetlands of the state.

Under good agricultural practices of Chak-Hao, the optimal time for direct seeding is during second fortnight of June while for transplanting and System of Rice Intensification, it is during the first fortnight of July.

Sl. No	Method of cultivation	Optimal time of	
		Seeding/Nursery	Harvesting
1	Direct seeding	2nd fortnight of June	Last of November
2	Transplanting & System of Rice Intensification	1st fortnight of July	Last of November

Under good agricultural practices, the method of harvesting involves harvesting either by sickles (manual) or by harvester (machine) with threshing (traditionally manual using cheirong/threshing stick on louphak/mat) or thresher (machine). Storage of paddy for grain is done in storage locally known as Kot or Kei. But for seeds, it is done in the jute or plastic bags after properly drying, cleaning and grading.

The use of agro-chemicals viz. fertilizers, pesticides, weedicides, hormones, etc. is avoided in the production of Chak-Hao. Plant nutrition in Chak-Hao is managed with organic on-farm and off-farm inputs viz. FYM, compost, recycled crop residues,Neem cake, cow urine, vermi-waste, liquid compost, bio-fertilizers, microbial solutions and crop rotation with soil enriching crops viz., pulses and fallow management. The pest and disease management of Chak-Hao is taken care of cultural, mechanical, biological and botanical measures. Care is taken to avoid contamination from non-organic fields by selection, bunding, isolation, etc.

J) Uniqueness:

i) Chak-Hao is indigenous black rice which is grown in the plains and hills of Manipur and Nagaland where the soil quality is rich and cropping can be sustained.
ii) They are grown in traditional method without using any agro- chemicals.
iii) It is rich-in protein, carbohydrates, and dietary fibre in addition to the excess of vitamins and minerals that promote good health and nutrition.
iv) It is extremely rich in iron.

v) It owes its colour to powerful natural black colouring pigments called anthocyanin which boasts an impressive antioxidant activity adding to the health benefits of this rice variety.
vi) It is very rich in Polyphenol content (upto 62.33mg Gallic acid equivalent / l00g).
vii) It has a mild nutty taste and a special aroma due to the soil condition and the pristine environment.
viii) It contains low amylase but is sticky (glutinous) in nature due to high content of amylopectin.
ix) It is naturally gluten free.
x) It has anti-inflammatory properties, and has the ability to help stop the development of diabetes, cancer, heart disease and even weight gain.
xi) Chak-Hao can be considered as nutraceutical rice for food and medicinal purposes.
xii) Chak-Hao has potential to be utilized in nutritional medicine for improving the health status of the people and as a potential source of dietary antioxidant.

Composition	Chak-Hao Amubi	Chak-Hao Poireiton
Energy (kcal/100 gm)	331.27	344.20
Carbohydrate (g/100 g)	58.84	63.82
Total dietary fiber (g/100g)	17.7	14.98
Protein (g/100 g)	10.29	9.63
Fat (/100g)	2.35	2.44
Total Anthocyanin (g/100g)	1.57	1.63
Fe (mg/100g)	1.62	2.82

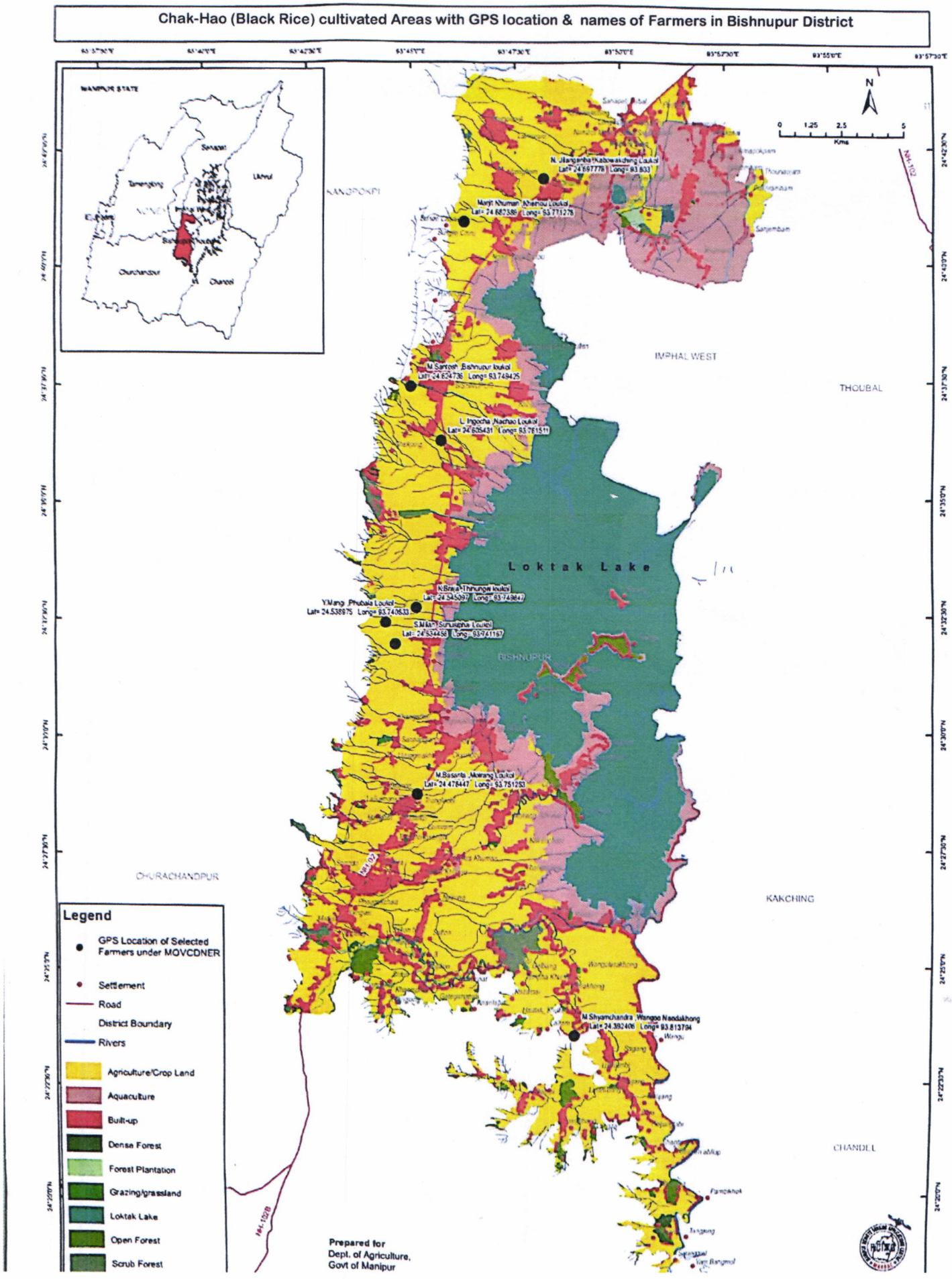
K) Inspection Body:

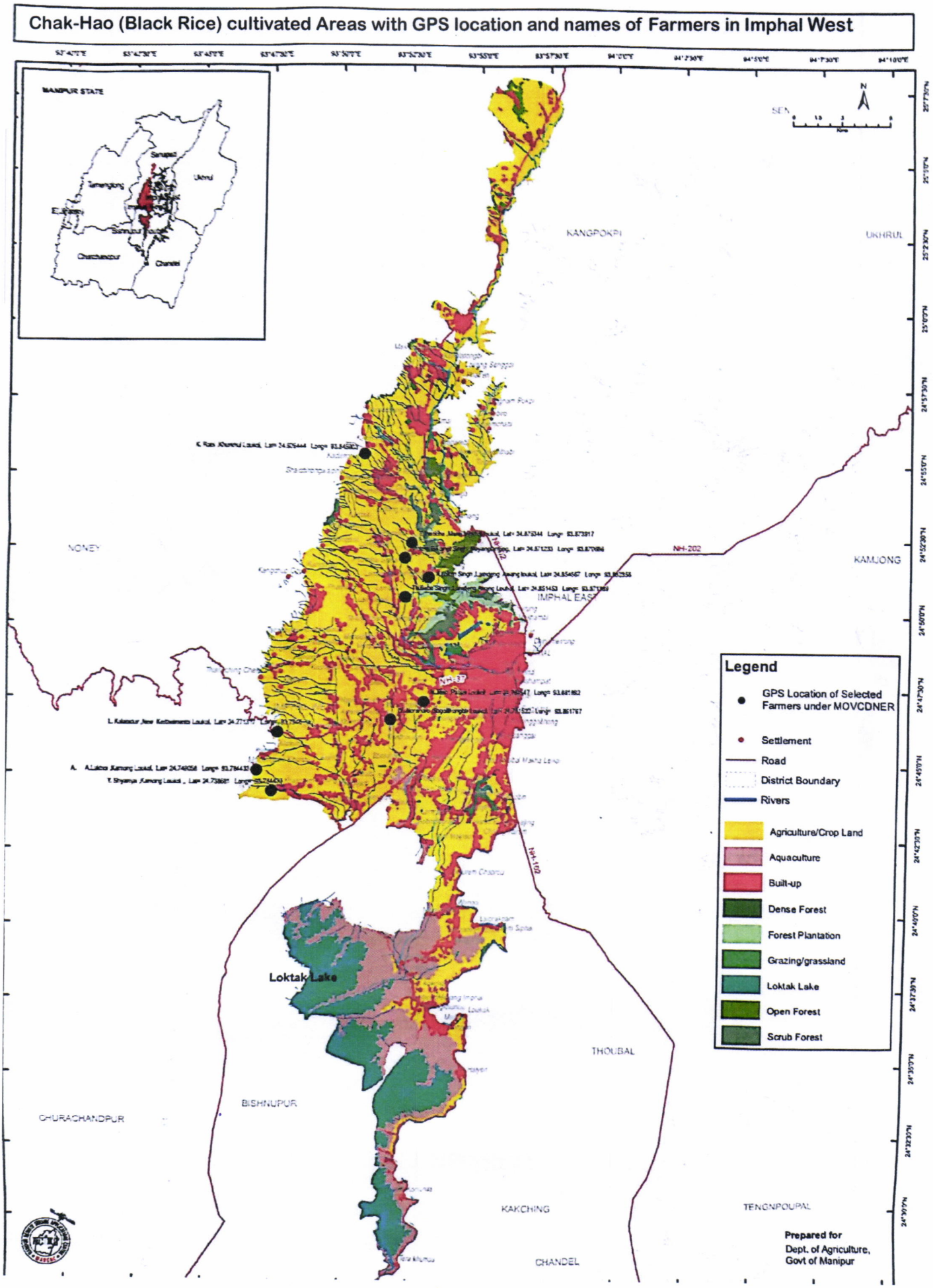
Chak-Hao Monitoring Committee (CMC) shall be the body for monitoring and evaluation of the GI produce of Chak-Hao. The committee is empowered to monitor, evaluate and control of quality in the production of Chak-Hao, and regulate the use of Geographical Indications of Chak-Hao produce by marketing agency for welfare of its local producers as per GI registration. Guidelines of MOVCDNER shall be adhered to by the producers/Consortium for quality control mechanisms of GI produce Chak-Hao. The CMC shall act as an internal inspection body.

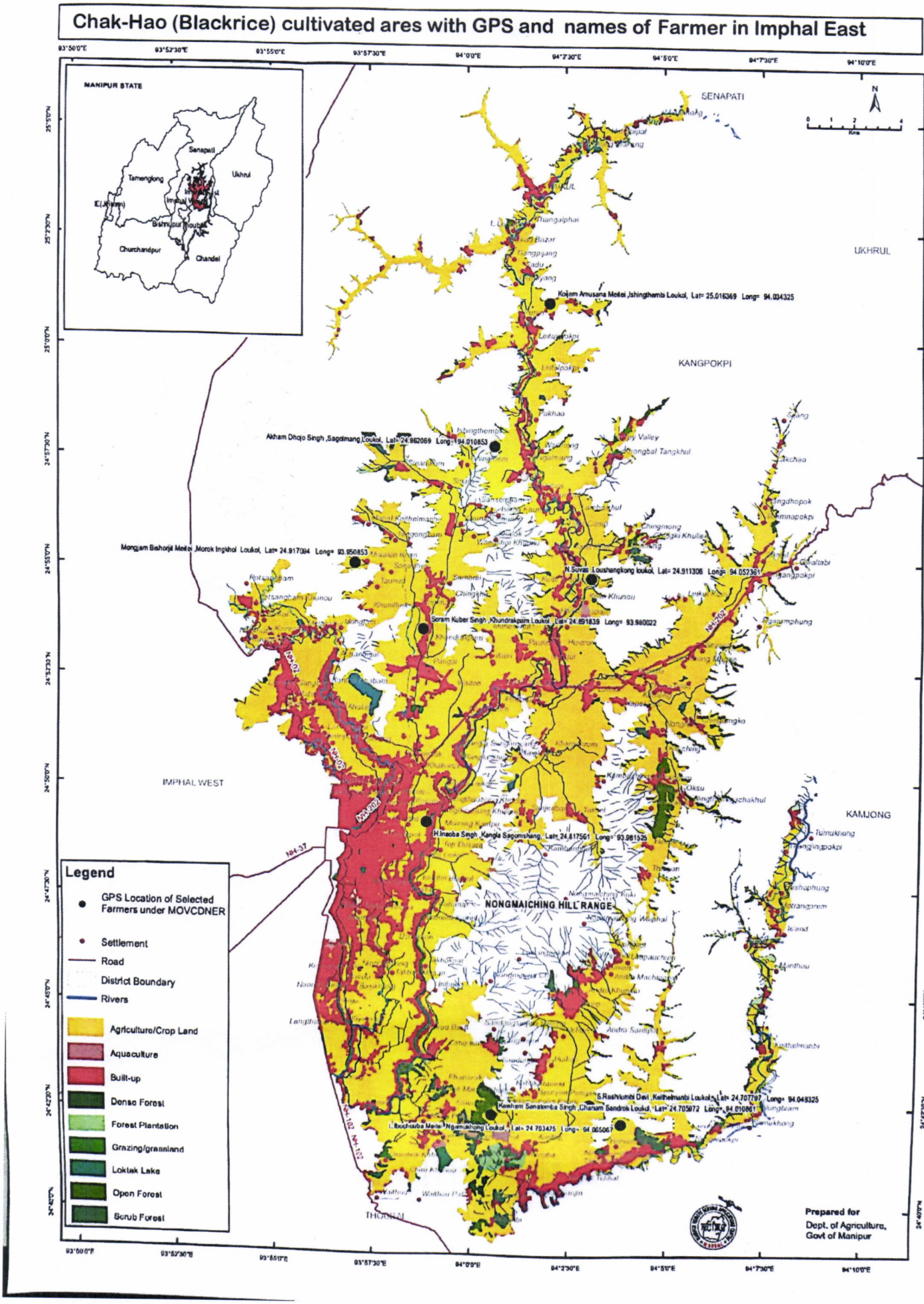
The Inspection Committee shall comprises of the following Members:

- The Director of Agriculture, Government of Manipur - as Chairperson
- The Joint Director, ICAR, R C Manipur Centre - as member.
- The Head, Department of Agronomy, CoA, CAU, Imphal- as member
- The Head, Department of Plant Breeding & Genetics, CoA, CAU, Imphal- as member
- The Project Co-coordinator, Manipur SFAC – as member
- The Project Director, Manipur Mission Organic Agency (MOMA - as member
- The Nodal Officer, MOVCDNER(Agri) - as member secretary

L) Others:


Chak-Hao (Black Rice) cultivated Areas with GPS location & names of Farmers in Bishnupur District
MANIPUR STATE
Senapati
Ukhrul
Tamenglong
Kangpokpi
Imphal West
Thoubal
Churachandpur
Chandel
Loktak Lake
Bishnupur
Kakching
N
0 1.25 2.5 5
Kms
N. Jilangamba Kabowakching Laokai
Lat= 24.697778 Long= 93.803
Manjit Khuman Khamlou Loukol
Lat= 24.682388 Long= 93.771278
M.Santosh Bishnupur loukol
Lat= 24.624736 Long= 93.748425
L.Ingocha Nachao Loukol
Lat= 24.635431 Long= 93.761511
N.Binota Thinungei loukol
Lat= 24.545097 Long= 93.748647
Y.Mang Phubala Loukol
Lat= 24.538975 Long= 93.740633
S.Milan Surungpha Loukol
Lat= 24.534438 Long= 93.741167
M.Basanta Moirang Loukol
Lat= 24.478447 Long= 93.751253
M.Shyamchandra Wangoo Naodakhong
Lat= 24.392406 Long= 93.813794
NH-102
NH-102B
Legend
GPS Location of Selected Farmers under MOVCDNER
Settlement
Road
District Boundary
Rivers
Agriculture/Crop Land
Aquaculture
Built-up
Dense Forest
Forest Plantation
Grazing/grassland
Loktak Lake
Open Forest
Scrub Forest
Prepared for
Dept. of Agriculture,
Govt of Manipur


Chak-Hao (Black Rice) cultivated Areas with GPS location and names of Farmers in Imphal West
MANIPUR STATE
KANGPOKPI
UKHRUL
NONEY
KAMJONG
IMPHAL EAST
THOUBAL
BISHNUPUR
CHURACHANDPUR
KAKCHING
TENGNOUPAL
CHANDEL
NH-202
NH-37
NH-102
Loktak Lake
Legend
GPS Location of Selected Farmers under MOVCDNER
Settlement
Road
District Boundary
Rivers
Agriculture/Crop Land
Aquaculture
Built-up
Dense Forest
Forest Plantation
Grazing/grassland
Loktak Lake
Open Forest
Scrub Forest
Prepared for
Dept. of Agriculture,
Govt of Manipur


Chak-Hao (Blackrice) cultivated ares with GPS and names of Farmer in Imphal East
MANIPUR STATE
Senapati
Ukhrul
Tamenglong
Churchandpur
Chandel
SENAPATI
UKHRUL
KANGPOKPI
IMPHAL WEST
KAMJONG
THOUBAL
NONGMAICHING HILL RANGE
Koijam Amusana Meitei ,Ishingthembi Loukol, Lat= 25.016369 Long= 94.034325
Akham Dhojo Singh ,Sagolmang Loukol, Lat= 24.982069 Long= 94.010853
Mongjam Bishorjit Meitei ,Morok Ingkhol Loukol, Lat= 24.917084 Long= 93.950853
N.Suvas Loushangkong loukol, Lat= 24.911306 Long= 94.052361
Soram Kuber Singh ,Khundrakpam Loukol, Lat= 24.891839 Long= 93.980022
H.Inaoba Singh ,Kangla Sagolmshang, Lat= 24.817561 Long= 93.981525
S.Rashkumbi Devi ,Kaithelmanbi Loukol, Lat= 24.707797 Long= 94.048325
Keeiham Senatomba Singh ,Chanam Sandrok Loukol, Lat= 24.705872 Long= 94.010861
L.Ibochouba Meitei ,Ngamukhong Loukol, Lat= 24.703475 Long= 94.065067
Legend
GPS Location of Selected Farmers under MOVCDNER
Settlement
Road
District Boundary
Rivers
Agriculture/Crop Land
Aquaculture
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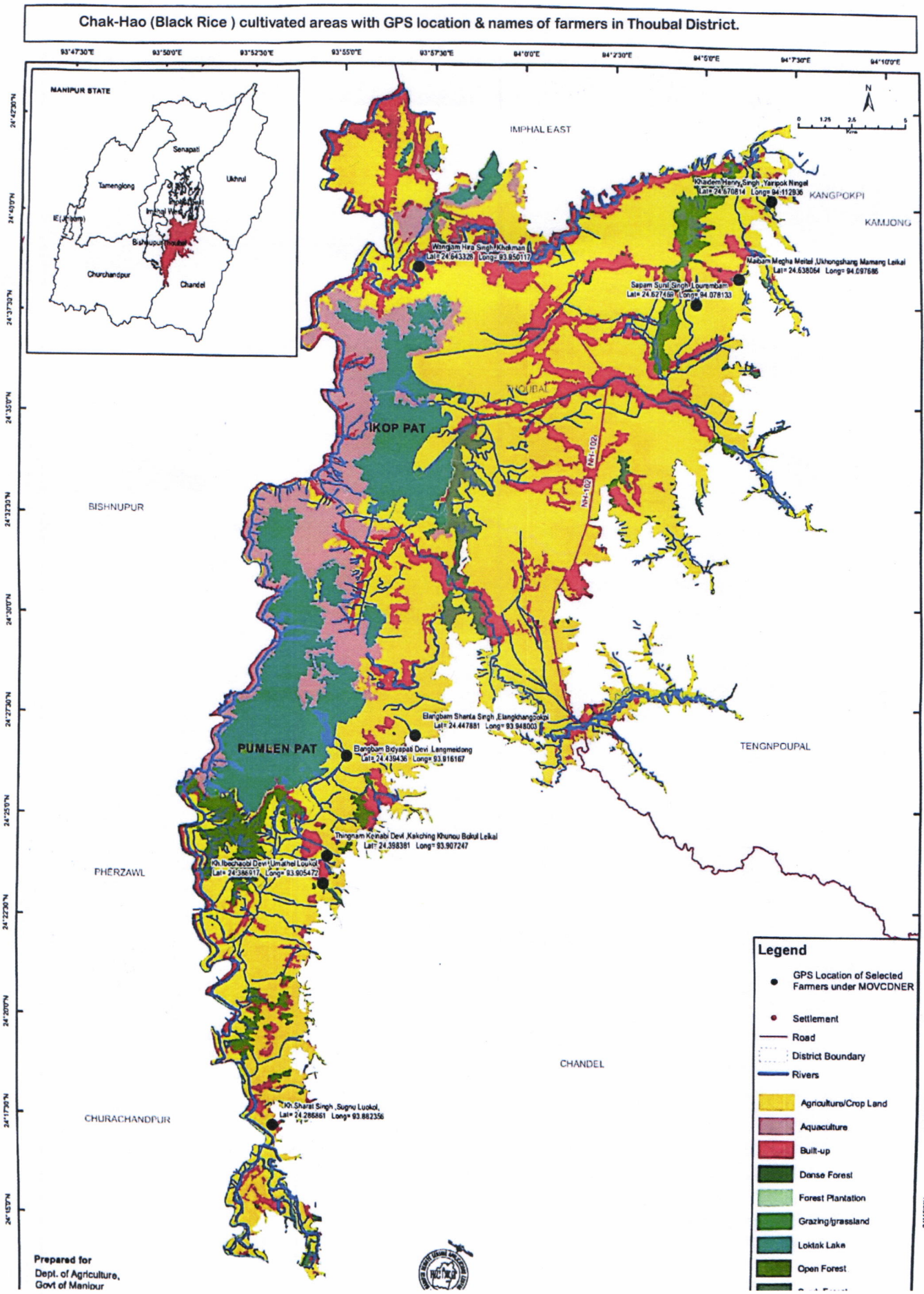
Chak-Hao (Black Rice) cultivated areas with GPS location & names of farmers in Thoubal District.
MANIPUR STATE
Senapati
Ukhrul
Tamenglong
Churchandpur
Chandel
IMPHAL EAST
KANGPOKPI
KAMJONG
THOUBAL
IKOP PAT
PUMLEN PAT
BISHNUPUR
PHERZAWL
CHURACHANDPUR
CHANDEL
TENGNOUPAL
NH-102
Khadem Henry Singh ,Yaripok Ningel
Lat= 24.670814 Long= 94.112936
Wangam Hiro Singh,Khekman
Lat= 24.643328 Long= 93.950117
Maibam Megha Meitei ,Ukhongshang Mamang Leikai
Lat= 24.638064 Long= 94.097686
Sapam Sunil Singh,Lourembam
Lat= 24.627469 Long= 94.078133
Elangbam Shanta Singh ,Elangkhangpokpi
Lat= 24.447881 Long= 93.948003
Elangbam Bidyapati Devi ,Langmeidong
Lat= 24.439436 Long= 93.916167
Thingnam Kemabi Devi ,Kakching Khunou Bokul Leikai
Lat= 24.398381 Long= 93.907247
Kh.Ibochaobi Devi ,Umathel Loukol
Lat= 24.386917 Long= 93.905472
Kh.Sharat Singh ,Sugnu Loukol,
Lat= 24.286861 Long= 93.882356
Legend
GPS Location of Selected Farmers under MOVCDNER
Settlement
Road
District Boundary
Rivers
Agriculture/Crop Land
Aquaculture
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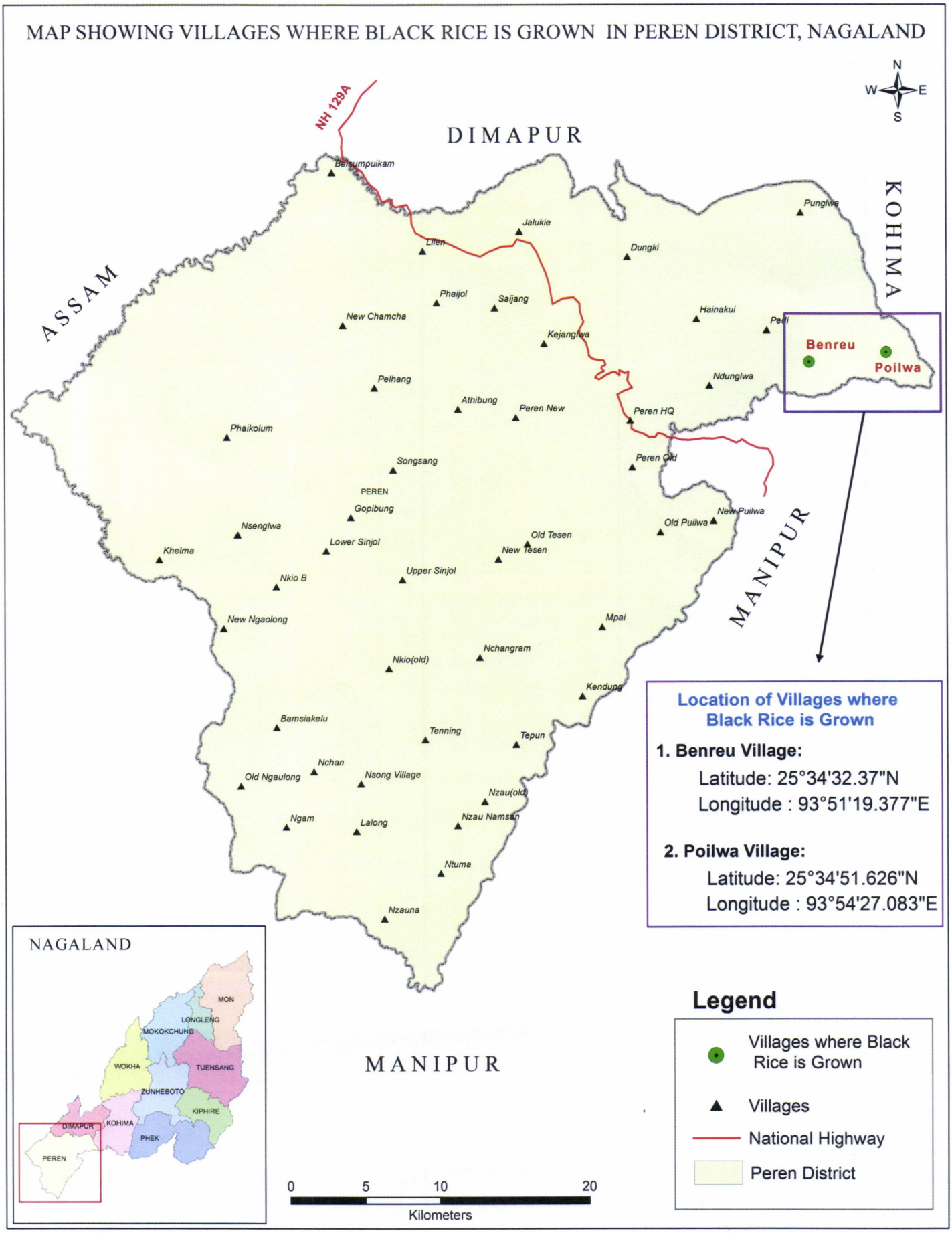
MAP SHOWING VILLAGES WHERE BLACK RICE IS GROWN IN PEREN DISTRICT, NAGALAND
N
W
E
S
NH 129A
DIMAPUR
KOHIMA
ASSAM
MANIPUR
MANIPUR
Benreu
Poilwa
Benreu Village
Poilwa Village
Begumpuikam
Jalukie
Pungiwa
Dungki
Liten
Phaijol
Saijang
Hainakui
Peli
New Chamcha
Kejanglwa
Ndunglwa
Pelhang
Athibung
Peren New
Peren HQ
Phaikolum
Songsang
Peren Old
PEREN
Gopibung
New Puilwa
Old Puilwa
Nsenglwa
Old Tesen
Lower Sinjol
New Tesen
Khelma
Upper Sinjol
Nkio B
New Ngaolong
Mpai
Nchangram
Nkio(old)
Kendung
Bamsiakelu
Tenning
Tepun
Nchan
Old Ngaulong
Nsong Village
Nzau(old)
Ngam
Lalong
Nzau Namsan
Ntuma
Nzauna
Location of Villages where Black Rice is Grown
1. Benreu Village:
Latitude: 25°34'32.37"N
Longitude : 93°51'19.377"E
2. Poilwa Village:
Latitude: 25°34'51.626"N
Longitude : 93°54'27.083"E
NAGALAND
MON
LONGLENG
MOKOKCHUNG
WOKHA
TUENSANG
ZUNHEBOTO
KIPHIRE
DIMAPUR
KOHIMA
PHEK
PEREN
0
5
10
20
Kilometers
Legend
Villages where Black Rice is Grown
Villages
National Highway
Peren District

General Information

What is a Geographical Indication?

- It is an indication,
- It is used to identify agricultural, natural, or manufactured goods originating in the said area,
- It originates from a definite territory in India,
- It should have a special quality or characteristics unique to the geographical indication.

Examples of possible Geographical Indications in India:

Some of the examples of Geographical Indications in India include Basmati Rice, Darjeeling Tea, Kancheepuram silk saree, Alphonso Mango, Nagpur Orange, Kolhapuri Chappal, Bikaneri Bhujia etc.

What are the bebefits of registration of Geographical Indications?

- It confers legal protection to Geographical Indications in India,
- It prevents unauthorized use of a registered Geographical Indication by others.
- It boosts exports of Indian Geographical indications by providing legal Protection.
- It promotes economic Prosperity of Producers.
- It enables seeking legal protection in other WTO member countries.

Who can apply for the registration of a Geographical Indication?

Any association of persons, producers, organization or authority established by or under the law can apply.
The applicant must represent the interest of the producers.
The application should be in writing in the prescribed form.
The application should be addressed to the Registrar of Geographical Indications along with prescribed fee.

Who is the Registered Proprietor of a Geographical Indication?

Any association of persons, producers, organization or authority established by or under the law can be a registered proprietor. There name should be entered in the Register of Geographical Indications as registered proprietor for the Geographical Indication applied for.

Who is an authorized user?

A producer of goods can apply for registration as an authorized user, with respect to a registered Geographical Indication. He should apply in writing in the prescribed form alongwith prescribed fee.

Who is a producer in relation to a Geographical Indication?

A producer is a person dealing with three categories of goods

- Agricultural Goods including the production, processing, trading or dealing.
- Natural Goods including exploiting, trading or dealing.
- Handicrafts or industrial goods including making, manufacturing, trading or dealing.

Is registration of a Geographical Indication compulsory?

While registration of Geographical indication is not compulsory, it offers better legal protection for action for infringement.

What are the advantages of registering?

- Registration affords better legal protection to facilitate an action for infringement.

- The registered proprietor and authorized users can initiate infringement actions.
- The authorized users can exercise right to use the Geographical indication.

Who can use the registered Geographical Indication?

Only an authorized user has the exclusive rights to use the Geographical indication in relation to goods in respect of which it is registered.

How long is the registration of Geographical Indication valid? Can it be renewed?

The registration of a Geographical Indication is for a period of ten years.
Yes, renewal is possible for further periods of 10 years each.
If a registered Geographical Indications is not renewed, it is liable to be removed from the register.

When a Registered Geographical Indication is said to be infringed?

- When unauthorized use indicates or suggests that such goods originate in a geographical area other than the true place of origin of such goods in a manner which misleads the public as to their geographical origins.
- When use of Geographical Indication results in unfair competition including passing off in respect of registered Geographical indication.
- When the use of another Geographical Indication results in a false representation to the public that goods originate in a territory in respect of which a Geographical Indication relates.

Who can initiate an infringement action?

The registered proprietor or authorized users of a registered Geographical indication can initiate an infringement action.

Can a registered Geographical Indication be assigned, transmitted etc?

No, A Geographical Indication is a public property belonging to the producers of the concerned goods. It shall not be the subject matter of assignment, transmission, licensing, pledge, mortgage or such other agreement. However, when an authorized user dies, his right devolves on his successor in title.

Can a registered Geographical Indication or authorized user be removed from the register?

Yes, The Appellate Board or the Registrar of Geographical Indication has the power to remove the Geographical Indication or authorized user from the register. The aggrieved person can file an appeal within three months from the date of communication of the order.

How a Geographical Indication differs from a trade mark?

A trade mark is a sign which is used in the course of trade and it distinguishes good or services of one enterprise from those of other enterprises. Whereas a Geographical Indication is used to identify goods having special Characteristics originating from a definite geographical territory.

THE REGISTRATION PROCESS

In December 1999, Parliament passed the Geographical Indications of Goods (Registration and Protection) Act 1999. This Act seeks to provide for the registration and protection of Geographical Indications relating to goods in India. This Act is administered by the Controller General of Patents, Designs and Trade Marks, who is the Registrar of Geographical Indications. The Geographical Indications Registry is located at Chennai.

The Registrar of Geographical Indication is divided into two parts. Part 'A' consists of particulars relating to registered Geographical indications and Part 'B' consists of particulars of the registered authorized users. The registration process is similar to both for registration of geographical indication and an authorized user which is illustrated below: