

Understanding the GI Regime in Singapore

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16 December 2024

Overview

1. Legislation – past & present
2. Registered GIs in Singapore
3. Registration Process
4. Clarifying the Scope of a GI

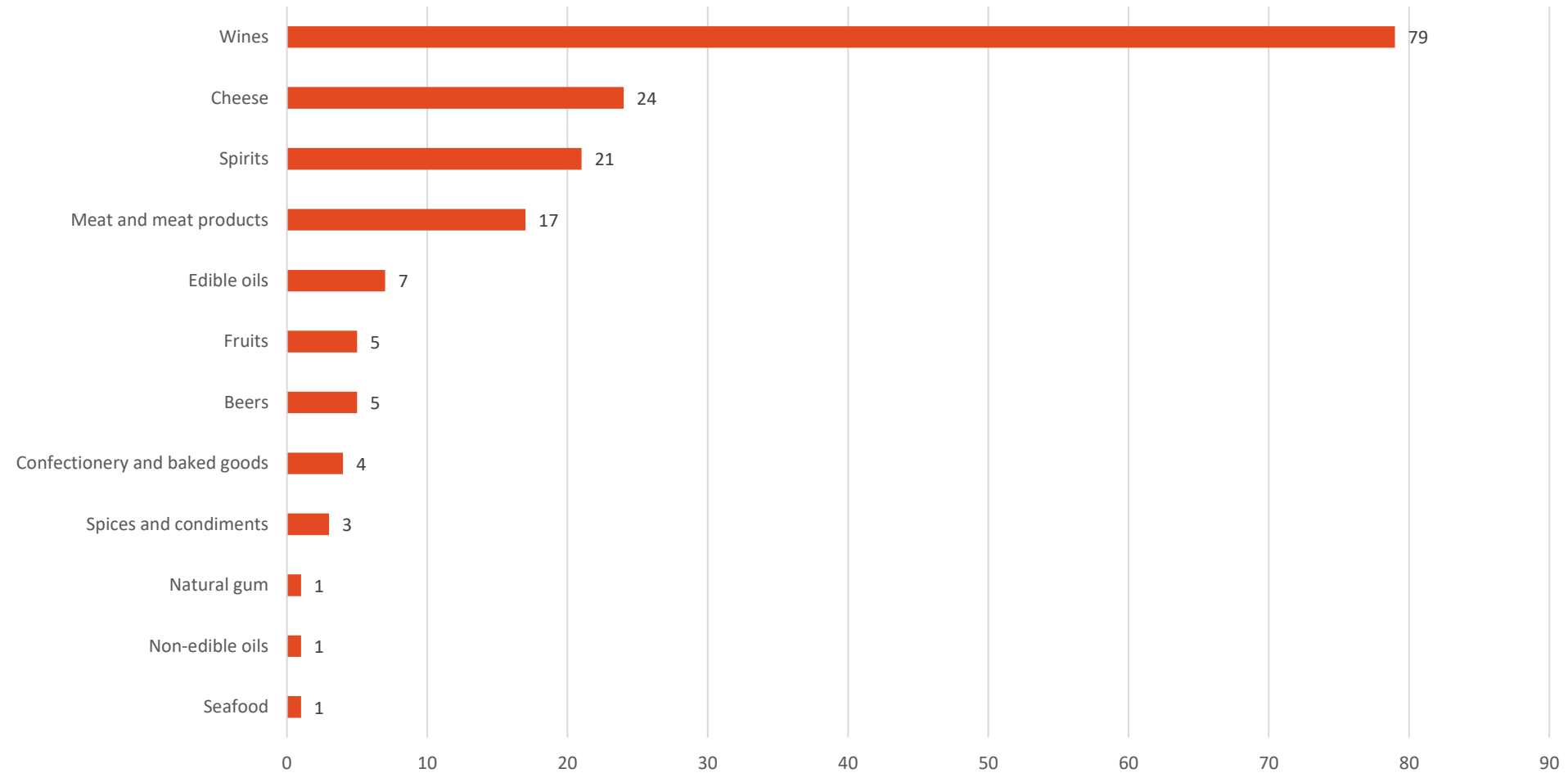
Before 1 April 2019

- GI Act 1998 implements Singapore's obligations under TRIPS (Article 22 – 24)
- No registration required for GIs
- Two-tiered scheme of protection
 - Basic level (all GI goods) – cannot be misleading
 - Enhanced level (wines and spirits) – cannot be used even if consumers are not misled

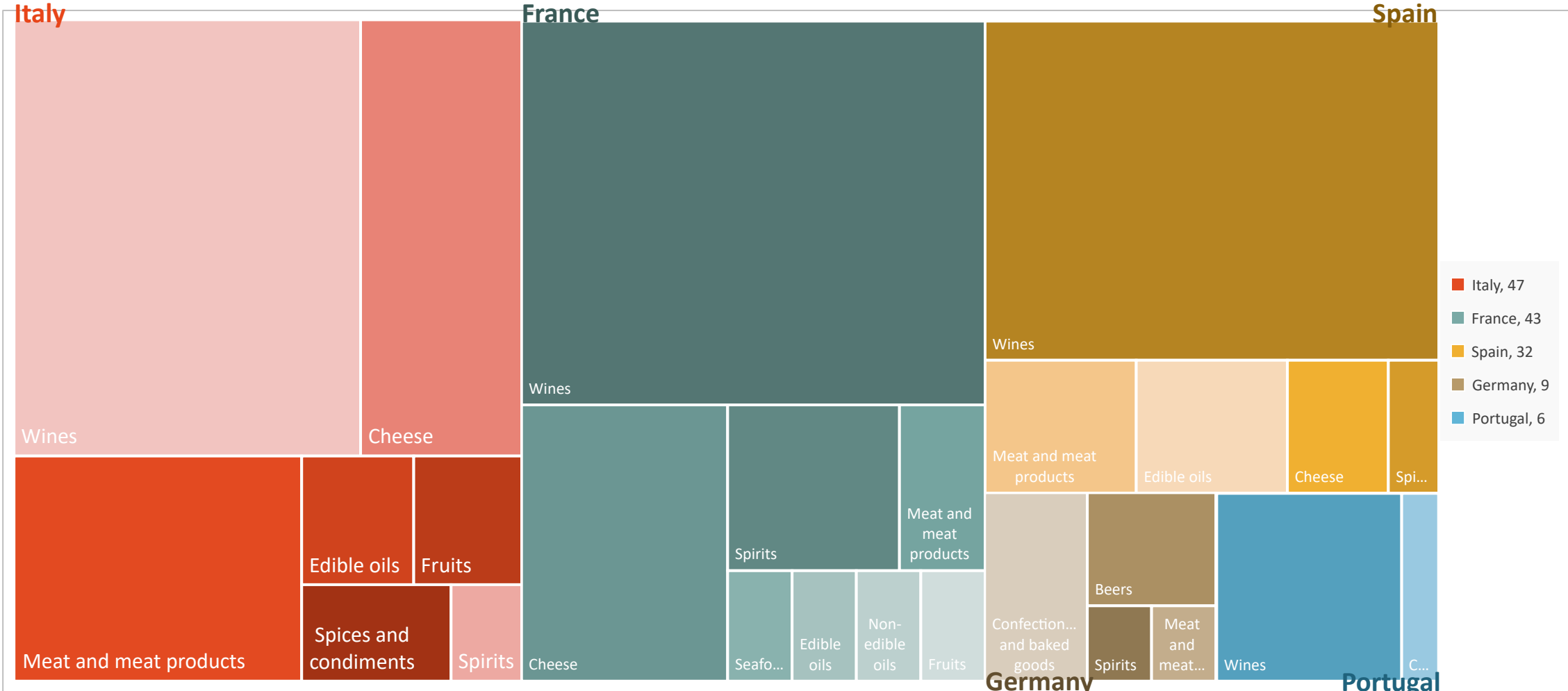
From 1 April 2019

- EU-Singapore Free Trade Agreement
- GI Act 2014 and GI Rules 2019
- Establishment of a Registry of Geographical Indications
- System of registration for geographical indications
- Enhanced protection for registered GIs

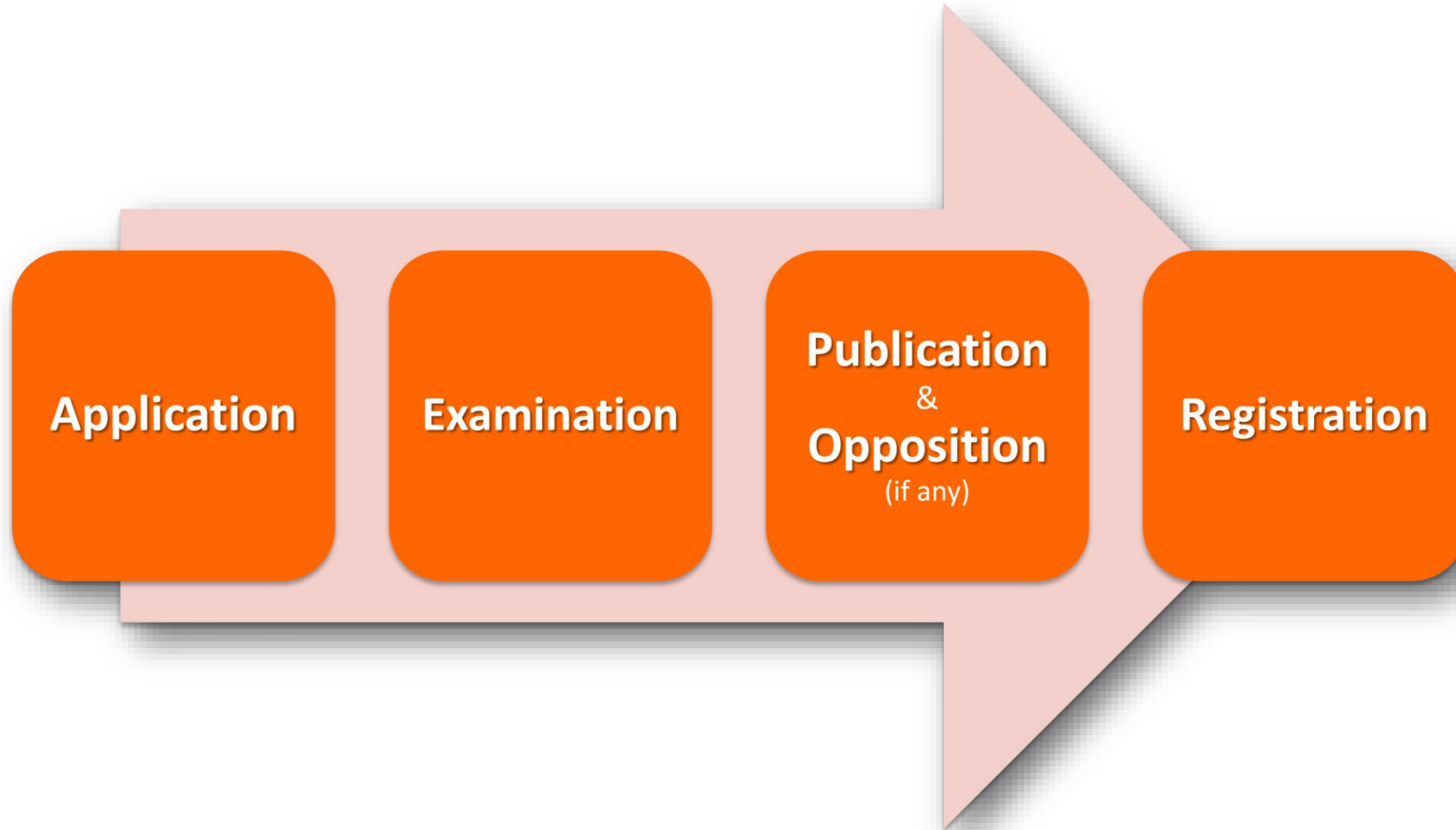
168 Registered GIs in Singapore



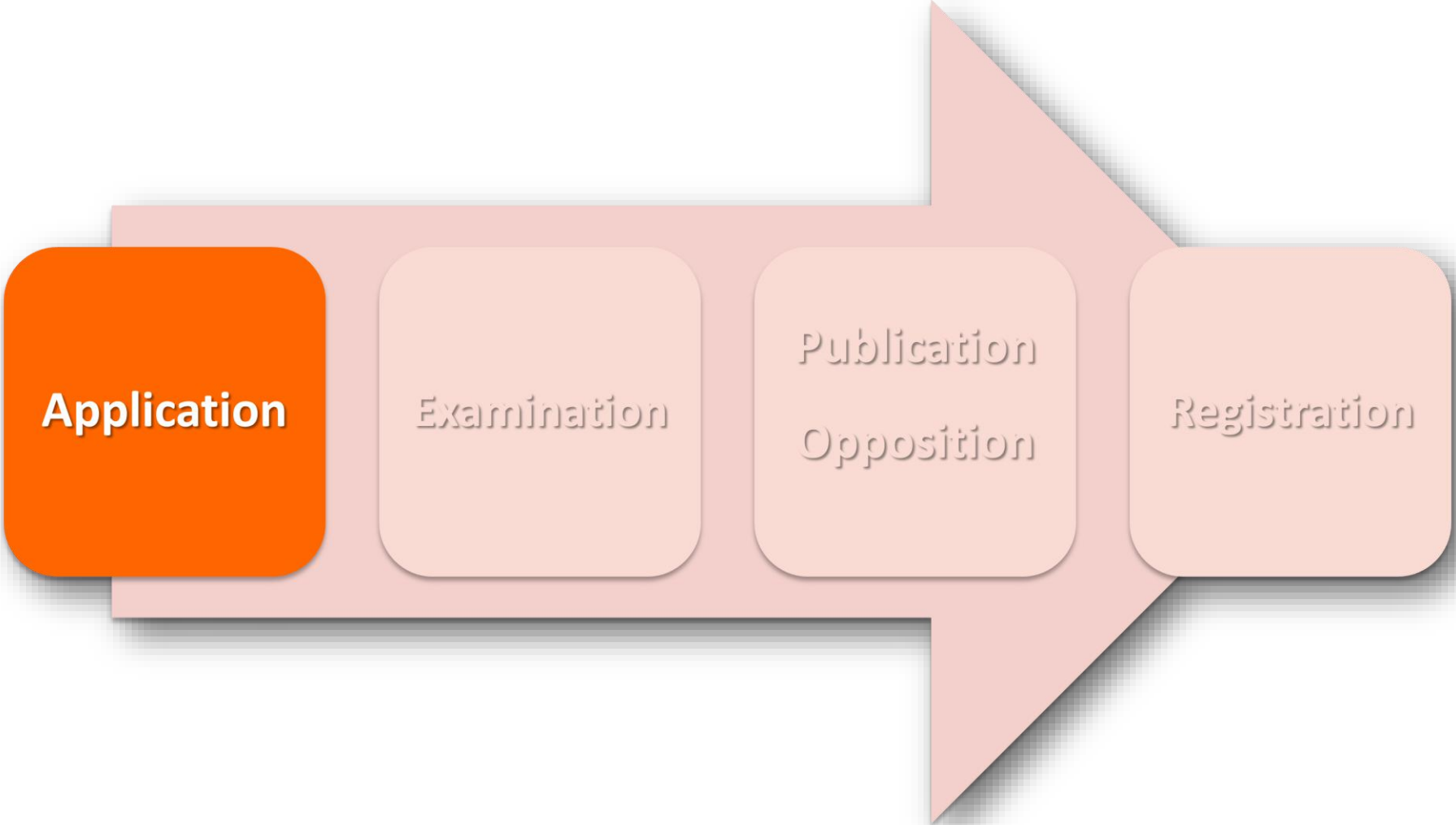
Top 5 Countries



Overview of Registration Process



Stage 1: Application



Application

GI1: Application to Register a Geographical Indication

Instructions ^

Estimated Time:

- This form takes approximately 7 - 15 minutes to complete.

General:

- * denotes mandatory fields.
- Amendments to the application are only allowed under limited circumstances as set out in section 47(2) of the Geographical Indications Act 2014.

1. Geographical Indication Description	2. Country/Territory of Origin	3. Category of Goods	4. Applicant Details	5. Contact Details	6. Summary & Declaration
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1.1 My Reference ⓘ

1.2 Geographical Indication (GI) for which registration is sought ⓘ

If the good is known by more than one name ("variant"), you may indicate the different variants and separate each variant with " / ".

Please select an option

- Upload Image as GI Insert Text as GI

Upload an image for your Geographical Indication



Upload your Image



Size limit: 2 MB. Format: jpg, jpeg, png, gif, tif, tiff, bmp.

Application: GI

- GI for which registration is sought


1.2 Geographical Indication (GI) for which registration is sought

If the good is known by more than one name ("variant"), you may indicate the different variants and separate each variant with " / ".








Please select an option

Upload Image as GI Insert Text as GI

Upload an image for your Geographical Indication



Upload your Image

Size limit: 2 MB Format: .jpg, .jpeg, .png, .gif, .tif, .tiff, .bmp

Text appearing in your Geographical Indication

Language	Text
English or coined word(s) ▼	<input type="text"/>

Add Language +

Application: Categories of Goods

- Wines
- Spirits
- Beers
- Cheese
- Meat and meat products
- Seafood
- Edible oils
- Non-edible oils
- Fruits
- Vegetables
- Spices and condiments
- Confectionery and baked goods
- Flowers and parts of flowers
- Natural gum



Application: Other Details

- Geographical area to which the GI applies
- Evidence that the GI has obtained recognition or registration as a GI in the qualifying country of origin
- Quality, reputation, or characteristics of the goods in question and how that is attributable to the geographical origin

2.1 Country/Territory of Origin

Country/Territory *

Please Select

Evidence of Recognition or Registration as a Geographical Indication in Country of Origin *

S/N	File Name	File Type	Action
1	Evidence.pdf	Evidence of Recognition or Registration	

Drag files here or click to upload

Maximum size per file : 100 MB
Allowable file extension: doc, pdf, docx, avi, mp3, wav, png, gif, jpeg, aac, m4a, mp4, wmv, mpeg, mpeg, txt, xml, bmp, msg, tif, tiff, xls, xlsx, mov

Annex A: Geographical Area *

S/N	File Name	File Type	Action
1	Annex A.pdf	GI1 Annex A - Geographical area	

Drag files here or click to upload

Maximum size per file : 100 MB
Allowable file extension: doc, pdf, docx, avi, mp3, wav, png, gif, jpeg, aac, m4a, mp4, wmv, mpeg, mpeg, txt, xml, bmp, msg, tif, tiff, xls, xlsx, mov

Annex B: Description of goods to which the Geographical Indication applies *

S/N	File Name	File Type	Action
1	Annex B.pdf	GI1 Annex B - Description of goods	

Drag files here or click to upload

Maximum size per file : 100 MB
Allowable file extension: doc, pdf, docx, avi, mp3, wav, png, gif, jpeg, aac, m4a, mp4, wmv, mpeg, mpeg, txt, xml, bmp, msg, tif, tiff, xls, xlsx, mov

Annex C: Quality, reputation, or other characteristics essentially attributable to the geographical origin *

S/N	File Name	File Type	Action
1	Annex C.pdf	GI1 Annex C - Characteristics of goods attributable to geographical origin	

Drag files here or click to upload

Maximum size per file : 100 MB
Allowable file extension: doc, pdf, docx, avi, mp3, wav, png, gif, jpeg, aac, m4a, mp4, wmv, mpeg, mpeg, txt, xml, bmp, msg, tif, tiff, xls, xlsx, mov

Application: Applicant Details

- Name, address and nationality of the applicant

Entity Type *

Corporate Individual

If the retrieved information is not up to date, please click on "Clear" to manually enter details.

UEN (Not applicable for foreign companies)

Name *

Address Type *

Singapore Foreign

Address Line 1 *

Address Line 2

Address Line 3

Email

Country / Territory of Incorporation *

Application: Who may Apply



Producers



**Associations of such
producers**



**Relevant competent
authorities**

Application: Fee

Checkout Confirmation

S/N	Item Description	eFile Ref. No.	Applicant Name	Application No.	My Reference	Payment Details	Fee (incl GST)
1	Application to Register a Geographical Indication	E202411180259XGI1WP	GI Association			1 x \$1500.00	\$1500.00

Payment Method

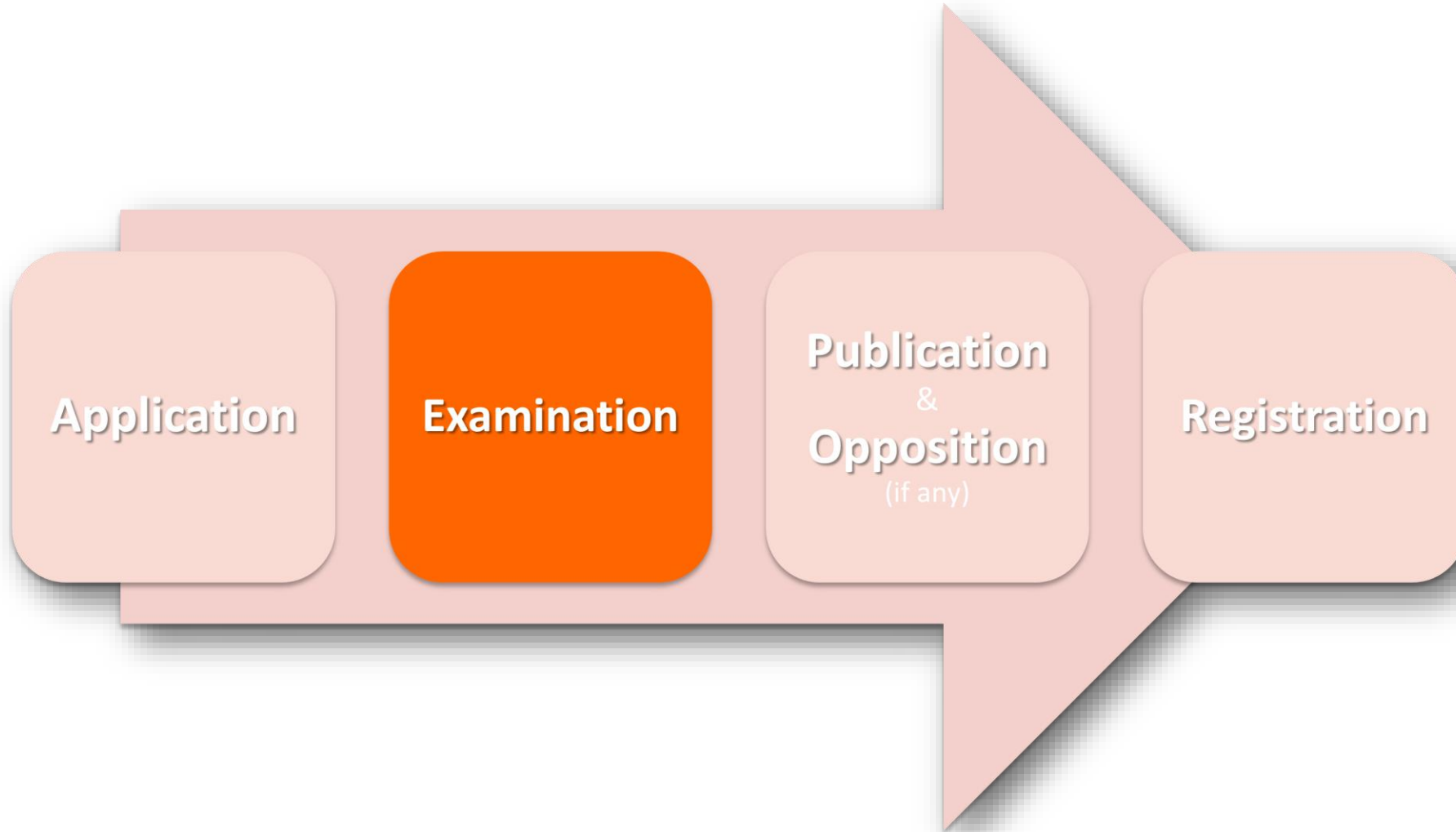
- VISA/MasterCard Credit and Debit cards
 Internet Direct Debit (IDD - Internet Banking)

Total Fee:
S\$1500.00
incl \$0.00 GST

[Back to Payment Cart](#)

[Checkout](#)

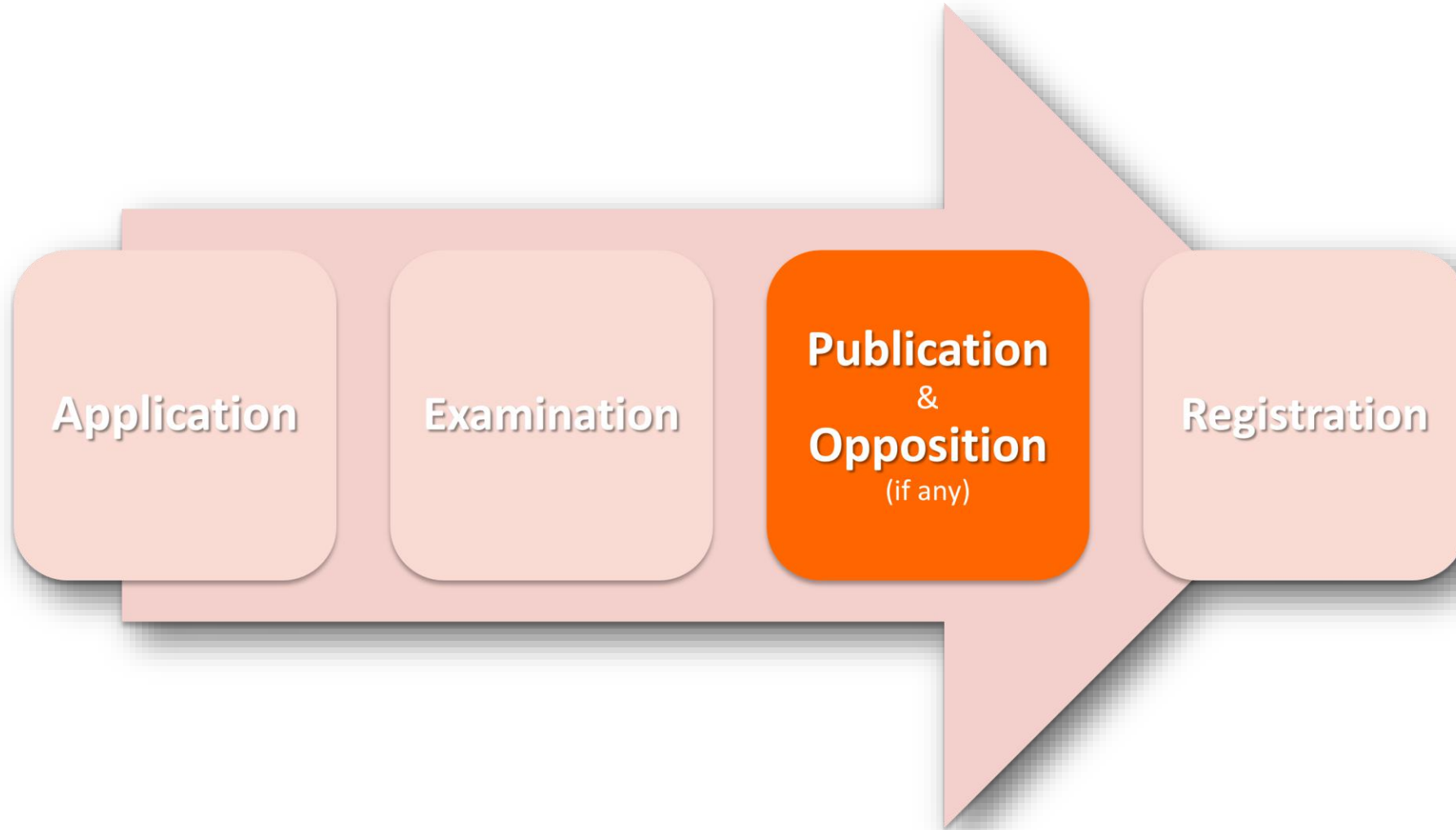
Stage 2: Examination



Examination

- Whether the proposed GI is contrary to **public policy** or **morality**
- Whether the proposed GI is **protected in its country or territory of origin**
- Whether the proposed GI contains the **name of a plant variety** or an **animal breed** and is likely to **mislead the consumer as to the true origin** of the product
- Whether the proposed GI is **identical with or similar to a trade mark**

Stage 3: Publication & Opposition



Publication

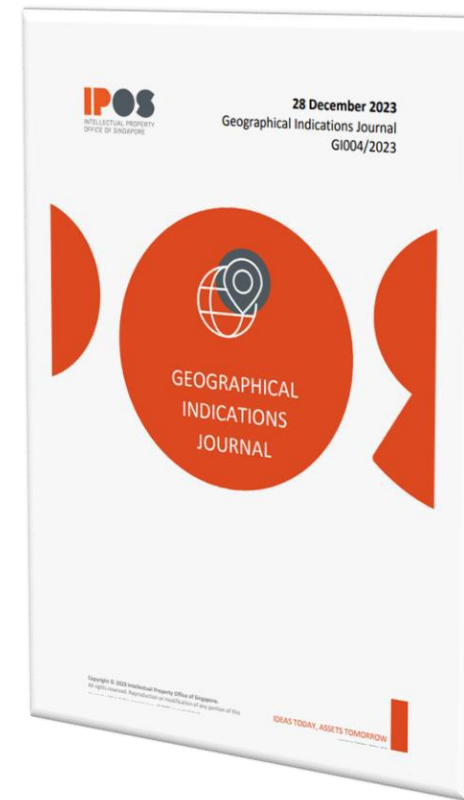
- Accepted applications will be published in the Geographical Indications Journal
- The journal may be downloaded at **IPOS Digital Hub**

List of Journals

Show 25 entries

Search:

S/N	Journal Date	Journal No.	Journal Type
1	28 December 2023 (Thursday)	GI004/2023	Geographical Indications
2	30 March 2023 (Thursday)	GI003/2023	Geographical Indications
3	2 March 2023 (Thursday)	GI002/2023	Geographical Indications
4	9 February 2023 (Thursday)	GI001/2023	Geographical Indications
5	17 November 2022 (Thursday)	GI002/2022	Geographical Indications
6	6 October 2022 (Thursday)	GI001/2022	Geographical Indications
7	14 January 2021 (Thursday)	01/2021	Geographical Indications
8	28 January 2020 (Tuesday)	02/2020	Geographical Indications



Opposition

- During the period of publication of 6 weeks, third parties may object to the registration of the GI

“Prosecco” to be registered as a Geographical Indication in Singapore after first ever Court of Appeal decision on GIs

- Bird & Bird, November 2023

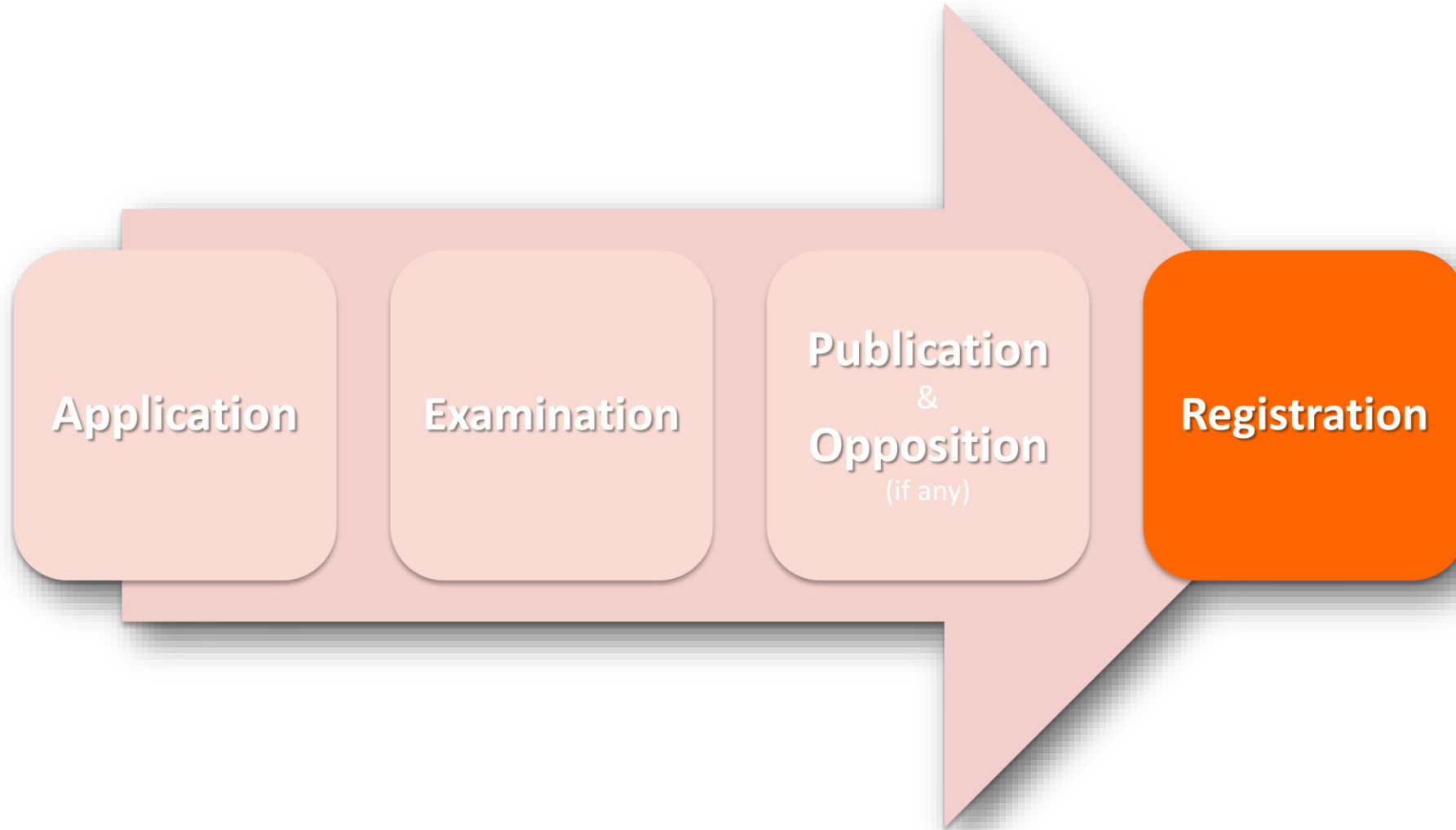
<https://www.twobirds.com/en/insights/2023/singapore/prosecco-to-be-registered-as-a-geographical-indication-in-singapore>

Apex court clears way for ‘Prosecco’ to be used for wines only from Italian region

- The Straits Times, November 2023

<https://www.straitstimes.com/singapore/courts-crime/apex-court-clears-way-for-prosecco-to-be-used-for-wines-only-from-italian-region>

Registration



Registration

- 10 years of protection once registered
- May be renewed for further periods of 10 years

Clarifying the Scope of a GI



- Qualification of Rights (QoR)
- Limitation of Scope (LoS)

Qualification of Rights (QoR)

- Addresses the issue where the objection is not about the GI itself, but for
 - specific terms within the GI, or
 - its purported translation
- Example: a word within a multi-component GI (e.g. “*Mozzarella*” in “*Mozzarella di Bufala Campana*”)
- Useful to clarify the boundary between what is protected by the GI registration and what is available for use by third parties in relation to the GI
- Can be filed by any person
- Filed with IPOS, after the publication of the application for registration of the GI but before the registration of the GI

Qualification of Rights (QoR)

- Decision is appealable to the High Court

Court of Appeal of Singapore rules that Parmesan and Parmigiano Reggiano are not the same cheese

- CNA, November 2024

<https://www.channelnewsasia.com/singapore/parmesan-parmigiano-reggiano-cheese-italy-geographical-indication-4764646>

Limitation of Scope (LoS)

- Can only be filed after the GI has been registered
- Filed in the High Court
- Limitation on the rights conferred in relation to
 - Any name contained in the GI, or
 - Any term which may be a possible translation of the GI

Key Differences (QoR vs LoS)

Qualification of Rights

- Filed with IPOS
- After the publication of the application for registration of the GI but before the registration of the GI

Limitation of Scope

- Filed in the High Court
- After GI has been registered

Recap

- **Fair and transparent 3-stage process**
 - Application
 - Examination
 - Publication and Opposition
- **Clarify scope of GI through**
 - Qualification of Rights
 - Limitation of Scope



INTELLECTUAL PROPERTY
OFFICE OF SINGAPORE

THANK YOU



IPOS website

<https://www.ipos.gov.sg/resources/geographical-indication>