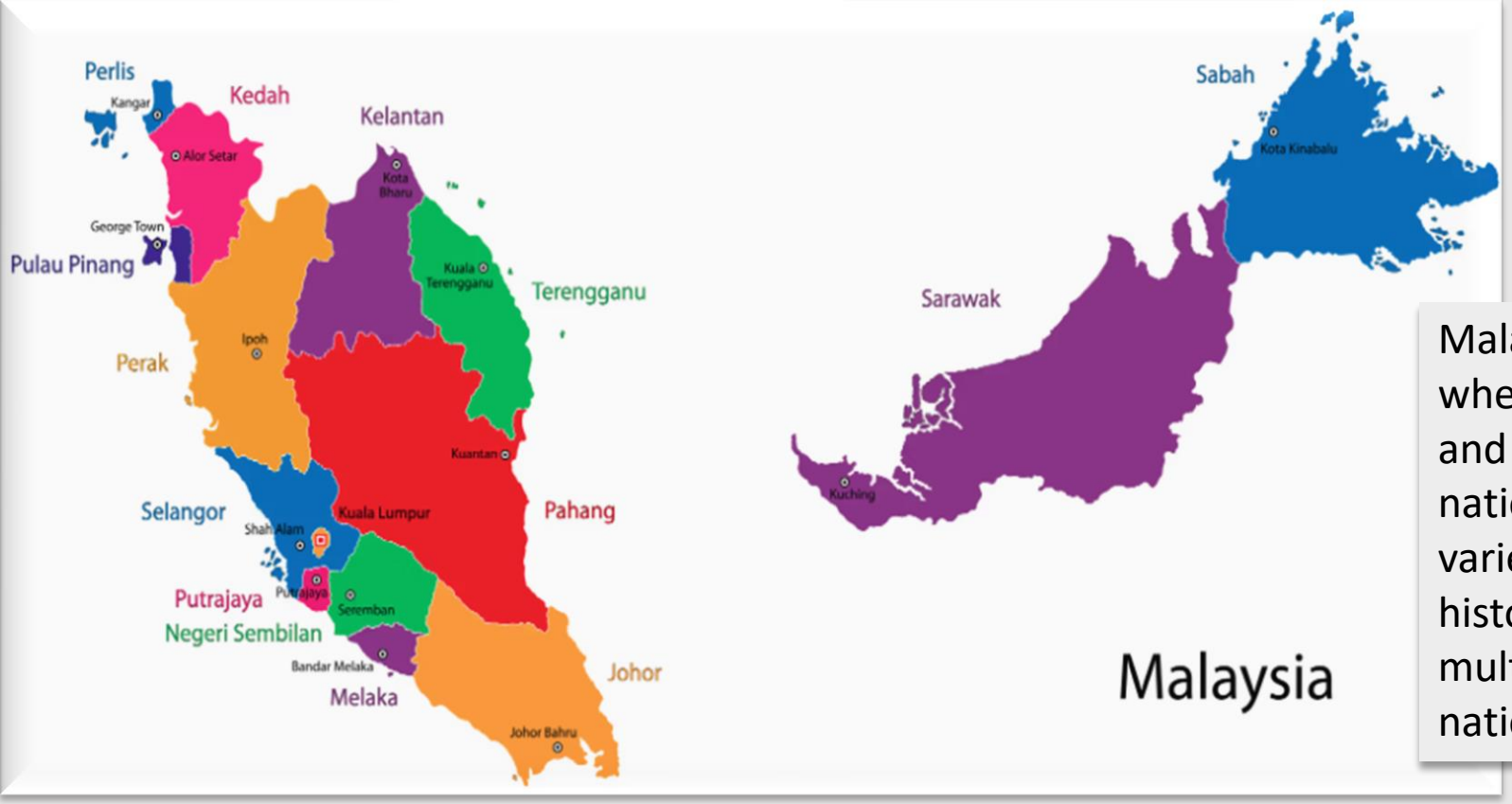
GIs for ASEAN Countries: Prospects and Challenges

Marketing plans and branding strategies for origin-linked products

Luang Prabang, Laos
16 December 2024

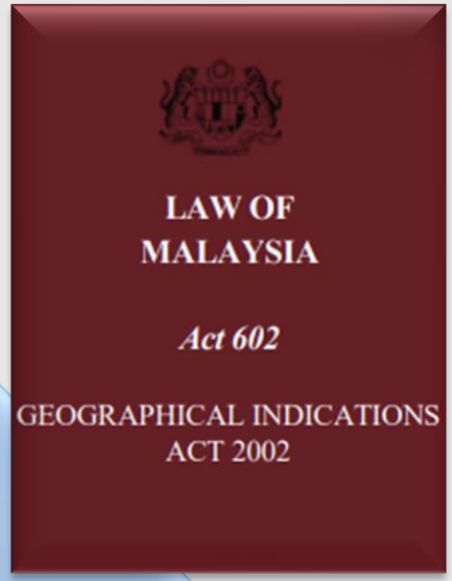
OVERVIEW OF GEOGRAPHICAL INDICATION (GI) IN MALAYSIA



Malaysia is an incredibly diverse country, where the interplay of geography, culture, and ethnicity creates a unique and rich national identity. The combination of its varied landscapes, strategic location, and historical influences has given rise to a multicultural society that is reflected in the nation's way of life, traditions, and values.

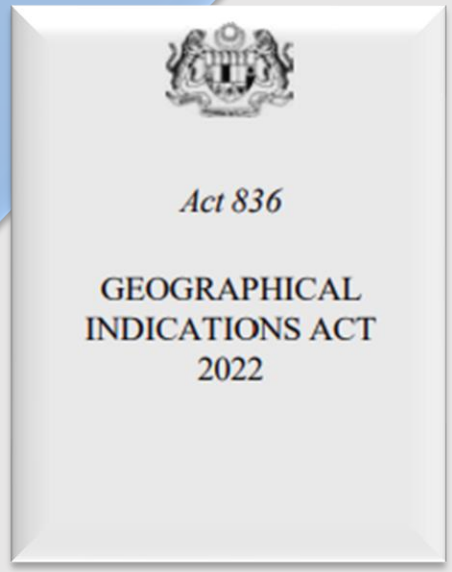
Malaysia's geography is not just a physical feature; it is a key factor in shaping the nation's cultural identity. The lush rainforests, towering mountains, beautiful beaches, and vibrant cities each contribute to the country's incredible cultural diversity, making Malaysia a truly unique and dynamic nation where geography and culture are intertwined. The natural environment influences everything from cuisine and customs to art and architecture, resulting in a diverse yet harmonious blend of traditions and practices across the nation.

HISTORICAL BACKGROUND OF GEOGRAPHICAL INDICATIONS LAW IN MALAYSIA



GEOGRAPHICAL INDICATION ACT 2000

- Passed by the Parliament in 2000
- Contained 7 parts, 32 sections and 1 schedule
- Authoritative Text was in Bahasa Malaysia
- Came into force on 15 August 2000



GEOGRAPHICAL INDICATION ACT 2022

- Act 602 was repealed and replaced by Act 836
- Contained 15 parts, 101 sections and 1 schedule
- Tabled and passed by Parliament in December 2021
- Came into force on 18 March 2022
- Subsidiary legislations : Geographical Indications Regulations 2022, Guidelines of Geographical Indication 2022
- Authoritative Text is in Bahasa Malaysia

RATIONAL AND MAIN OBJECTIVES OF HE REPEAL OF GIA 2000

- Strengthen the geographical indications protection system according to international and local development and needs
- Expand the scopes of protection of GI in Malaysia
- Introduce new and comprehensive internal procedures in the Geographical Indications Office
- Introduce provisions of offences and criminal jurisdiction to enforce the rights obtained under the act and expend the scope of civil action
- Expand the level of protection given to registered geographical indications in Malaysia
- Refine the procedures of filing application for registration of geographical indications including examination, opposition proceeding, registration and cancellation procedures

GI IN MALAYSIA

There is a strong link between the geographical indication of a product and the region or locality of its origin, which confers on the product specific qualities, reputation or other characteristics attributable to that geographical origin. Thus, geographical indications provide information to consumers of the important characteristics of the goods and these may be important in their decision to purchase the goods.

Examples of geographical indications in Malaysia include:

- **Bario rice**, which is grown in the **Kelabit Highlands in Sarawak**
- **Sarawak pepper**, which is produced in **Sarawak**
- **Sabah Tea** which is from **Sabah**

Besides, geographical indications are not confined to agricultural and food products but can extend to natural products and handicrafts as well.

GI REGISTERED IN MALAYSIA

HALIA BENTONG

DURIAN
BALIK PULAU

TENUN DI RAJA
PAHANG

TENOM
COFFEE

KAYU MANIS
KENINGAU

KASUT MANIK
MELAKA

HARUMANIS PERLIS

KEK LAPIS SARAWAK

RINAGO
KUDAT

UMAI
SARAWAK

KEROPOK LEKOR
LOSONG

BOT
PULAU DUYONG

SCOTCH WHISKY

PARMIGIANO
REGGIANO

COGNAC

TEQUILA

PISCO

CHAMPAGNE

TOTAL OF REGISTERED GEOGRAPHICAL INDICATION as at Oct 2024

FOREIGN

COUNTRY	TOTAL
CHINA	2
FRANCE	2
IRELAND	1
ITALY	5
JAPAN	1
MEXICO	1
PERU	1
SOUTH KOREA	1
THAILAND	3
UNITED KINGDOM	1

MALAYSIA

STATES/COUNTRY	TOTAL
JOHOR	2
KEDAH	3
KELANTAN	3
MALAYSIA	2
MELAKA	8
PAHANG	5
PERAK	6
PERLIS	1
PULAU PINANG	2
SABAH	**31**
SARAWAK	**32**
SELANGOR	2
TERENGGANU	11
NEGERI SEMBILAN	1

MARKETING PLANS AND BRANDING STRATEGIES FOR ORIGIN-LINKED PRODUCTS

Marketing plans and branding strategies for origin-linked products in Malaysia should focus on the rich cultural heritage, diversity, and authenticity tied to local products. Malaysia's identity is deeply rooted in its ethnic diversity (Malay, Chinese, Indian, and indigenous groups) and its unique landscapes and resources, which can be leveraged for effective branding.

Brand Identity

- **Highlight Malaysia's Multicultural Heritage**: Malaysia's identity is defined by its diverse cultures, languages, and traditions. This can be leveraged by creating stories around the origins of products, linking them to the diverse cultural roots, like the Malay heritage of batik, Chinese tea culture, or Indian spices.
- **Promote Traditional Craftsmanship**: For artisanal products like batik fabrics, wood carvings, and pottery, the narrative should emphasize traditional craftsmanship passed down through generations. This ties into Malaysia's history and the pride of preserving these techniques.

- **Connect to Nature and Sustainability**: Malaysia is home to diverse natural resources, such as tropical fruits, palm oil, and rubber. Products like durian, mangosteen, or even handmade coconut-based products should emphasize the connection to Malaysia's lush landscape and commitment to sustainable farming practices.

- **Celebrate Local Communities**: Promote the people behind the products—whether it's farmers from the Cameron Highlands, artisans from Penang, or fishermen in Sabah. Share personal stories that resonate with consumers and highlight the pride of producing something unique to Malaysia.

In Malaysia, the states of Kelantan and Terengganu are recognised as the cradle where Malaysia batik grew. The most popular motifs are leaves and flowers

Example : Batik Kelantan

Brand Positioning Statement: Batik Kelantan is a cultural icon that embodies the rich heritage and traditions of Kelantan, Malaysia. Our mission is to preserve and promote the art of Batik-making while showcasing the unique identity of Kelantan to the world.

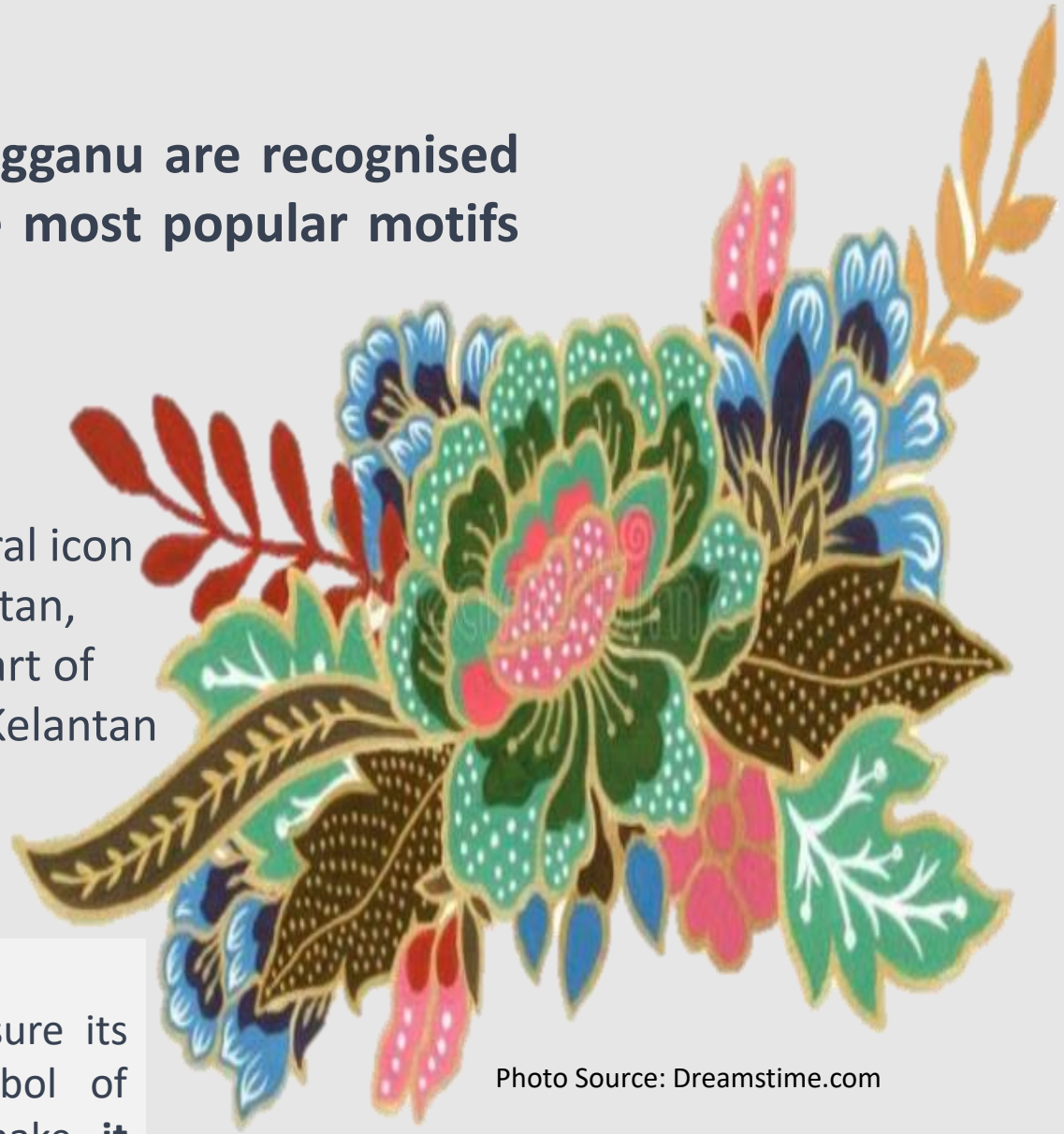


Photo Source: Dreamstime.com

Note :
To further support the Malaysian batik industry and ensure its continued relevance as a national heritage and symbol of Malaysian identity, the government has decided to make **it compulsory for all civil servants to wear Malaysian batik on Thursdays** and encouraged its wear on other working days.

Product Line:

1. Traditional Batik: Classic designs and motifs, made using traditional techniques and natural dyes.

2. Modern Batik: Contemporary designs and patterns, incorporating modern materials and techniques while maintaining traditional craftsmanship.

3. Batik-inspired Products: Accessories, home decor, and souvenirs featuring Batik Kelantan designs and motifs.

Target Audience:

1. Local Kelantanese: To rekindle pride and appreciation for their cultural heritage.
2. Malaysian tourists: To experience the authentic beauty of Kelantan's Batik.
3. International tourists: To discover the unique cultural significance of Batik Kelantan.
4. Fashion enthusiasts: To appreciate the artistry and craftsmanship of Batik Kelantan.

Geographical indications, much like trademarks, **are highly valued as marketing tools in the global economy**, as they effectively **promote goods from a specific geographic area** and hold considerable business significance.

4 THE BORNEO POST Tuesday, December 1, 2009 HOME

Protecting state's rice brand names

By Lim How Pim

KUCHING: Sarawak's 'Beras Bajong' and 'Beras Biris' are expected to receive the Geographical Indications (GI) Certificate of Registration from the Intellectual Property Corporation of Malaysia (MyIPO) in April next year.

With the certification, the brand names of local rice, like 'Bario Rice', will be protected and therefore cannot be used on similar rice grown outside the state.

'Bario Rice' is among the first six products granted the GI certification across the country in April this year.

The other products are Sarawak Pepper, Sabah Tea, Tenom Coffee, Borneo Virgin Coconut Oil and Sabah Seaweed.

Recently, 'Buah Limau Bali' was added to the list.

'Beras Bajong' is a fragrant rice variety planted by the traditional rice farmers of Lubok Nibong in Betong.

It is a traditional tall variety that is photoperiod sensitive and only a single crop can be planted in a year.

'Beras Biris' originates from the rice farms of Simunjan in Samarahan Division.

It is a fragrant traditional rice variety and was known as 'Beras Wangi Simunjan' in view of its strong aroma.

Speaking at a press conference here yesterday, Deputy Chief Minister Datuk Patinggi Tan Sri Dr George Chan said GI protection would provide entrepreneurs and consumers the assurance of authenticity and consistent product quality.

"Beras Bajong' and 'Beras Biris' were two very promising rice varieties, he said, adding that the Department of Agriculture would concentrate on certification of rice and later expand to vegetables and fruits.

Dr Chan, who is Modernisation of Agriculture Minister, pointed out that GI protection would boost the country's image and the location's visibility via 'GI tourism' such as promoting GI location as a tourist destination.

"GI protection will add value to products and effectively increase farmers' income and inadvertently create greater demands for our exotic rice varieties at home and abroad," he said.

He thus asserted that farmers in the state had to be well trained to not only maintain product quality, but also to increase production of various products.

For the time being, he said expert of 'Bario Rice' was still at the planning stage, adding that the authorities would go all out to integrate the existing facilities and personnel (farmers) to hike up production to meet the demand.

"After we have integrated our farmers and other things, then we will talk about export. At the moment, there is no volume of production and we do not have enough to sell," he added.

He was, however, confident that the state would be able to double the production of 'Bario Rice' following enhanced planting techniques and irrigation system.

To date, the state produces 400 metric tonnes of 'Bario Rice' per annum.

Originating from the Kelabit Highlands, 'Bario Rice' is known for its soft and slightly sticky texture, fine grains and gastronomical experience.

It is sold for RM10 per kg.

Dr Chan said there was a plan to turn 'Bario Rice' into an organic product.

While assuring that the certification would not cause any hike in the price of the product, he said the price would be reviewed once it became an organic product.

'Bario Rice' is famous for its excellent taste and texture. It is unique for it is homegrown, hand selected and harvested to ensure its excellent taste and quality.

It has also earned a name and is regarded as one of the finest rice grains in the world.

QUALITY ASSURED: Director of Agriculture Department Paul Vincent (second right) presents the Geographical Indications (GI) Certificate of Registration for 'Bario Rice' to Dr Chan as others look on.

GI protection will add value to products and effectively increase farmers' income and inadvertently create greater demands for our exotic rice varieties at home and abroad.

Datuk Patinggi Tan Sri Dr George Chan, Deputy Chief Minister

Besides, it may also contribute to **development in rural areas**. This is because geographical indications can bring value to a certain region by in relation to the products launched and will also **bring more jobs opportunity** and higher incomes to the area. In addition, geographical indications can also be a means to **preserve traditional knowledge and traditional cultural expressions**.

Photo Source: Ryzul Osman

Ba' Kalalan, Sarawak

SUCCESSFUL STORY

Malaysian Pepper Board as a registered proprietor of Geographical Indication has the exclusive rights to exploit the geographical indication and gains recognition at domestic and international level for **Sarawak Pepper**.

Nowadays pepper production in Malaysia almost entirely takes place in Sarawak (99%).

- Both black and white pepper are produced in Sarawak.
- The other producing areas are Johor and Sabah about 1% of pepper production.
- Pepper is mainly grown intensively as a smallholder monoculture crop on holdings from 0.1 to 0.4 hectare (200 to 800 vines).

ISSUES

1. One of the primary challenges facing producers of GI products is the lack of awareness about their unique qualities and characteristics. A recent survey revealed that more than half of small and medium-sized enterprises (SMEs) are unfamiliar with the concept of GI.

2. Two significant challenges faced by GI producers are maintaining consistent compliance with GI specifications and developing effective packaging and labeling. Unfortunately, many associations and producers struggle with the latter due to limited capacity and competence in this area.

3. Effective enforcement of GI products is essential to prevent unauthorized parties from capitalizing on the goodwill and reputation of genuine GI products, which can lead to unfair competition and undermine the integrity of the GI system.

4. One of the most critical aspects of the GI application process is the preparation of a well-crafted application and GI specification, as this document serves as the foundation for the entire registration process.

SOLUTION AND IMPLEMENTATION

1. The office is taking a proactive approach to raising GI awareness by launching the GI Tour Program, which aims to identify and register potential GI products across the country, with the support of MyIPO.

2. GI producers should form a registered association, which is regulated/overseen by the government, to coordinate the marketing and sales of their products, ensuring authenticity and quality control.

3. To collaborate with trade organizations to promote GI products and elevate them to a national level, thereby fostering a unified effort to support and develop these unique products.

4. Offering IP Funds to support GI owners in registering their GI applications, thereby reducing the financial burden and promoting the protection of their intellectual property

ACTIVITIES

TEMBAGA TERENGGANU

In an effort to promote and preserve Terengganu's rich heritage of traditional craft art, particularly copper craft, and to propel the Terengganu copper industry onto the global stage, the Royal Foundation Sultan Mizan has taken the initiative to register the "Tembaga Terengganu" Geographical Indication (GI). The primary objective of this registration is to enhance the value and authenticity of Terengganu's copper products, thereby enabling them to compete effectively in the international market.

Photo Source: Ryzul Osman

GULA APONG SARAWAK

The MyIPO delegation visited the traditional production site of gula apong in Kampung Pingan Jaya, Kuching, Sarawak. They also toured the SPL Foods Industries factory in Samariang, where they learned about the manufacturing and production process of gula apong sugar syrup. The factory manager provided a comprehensive briefing on the production process, marketing, and branding of the gula apong-based syrup, which was attended by MyIPO officers and researchers from UiTM.

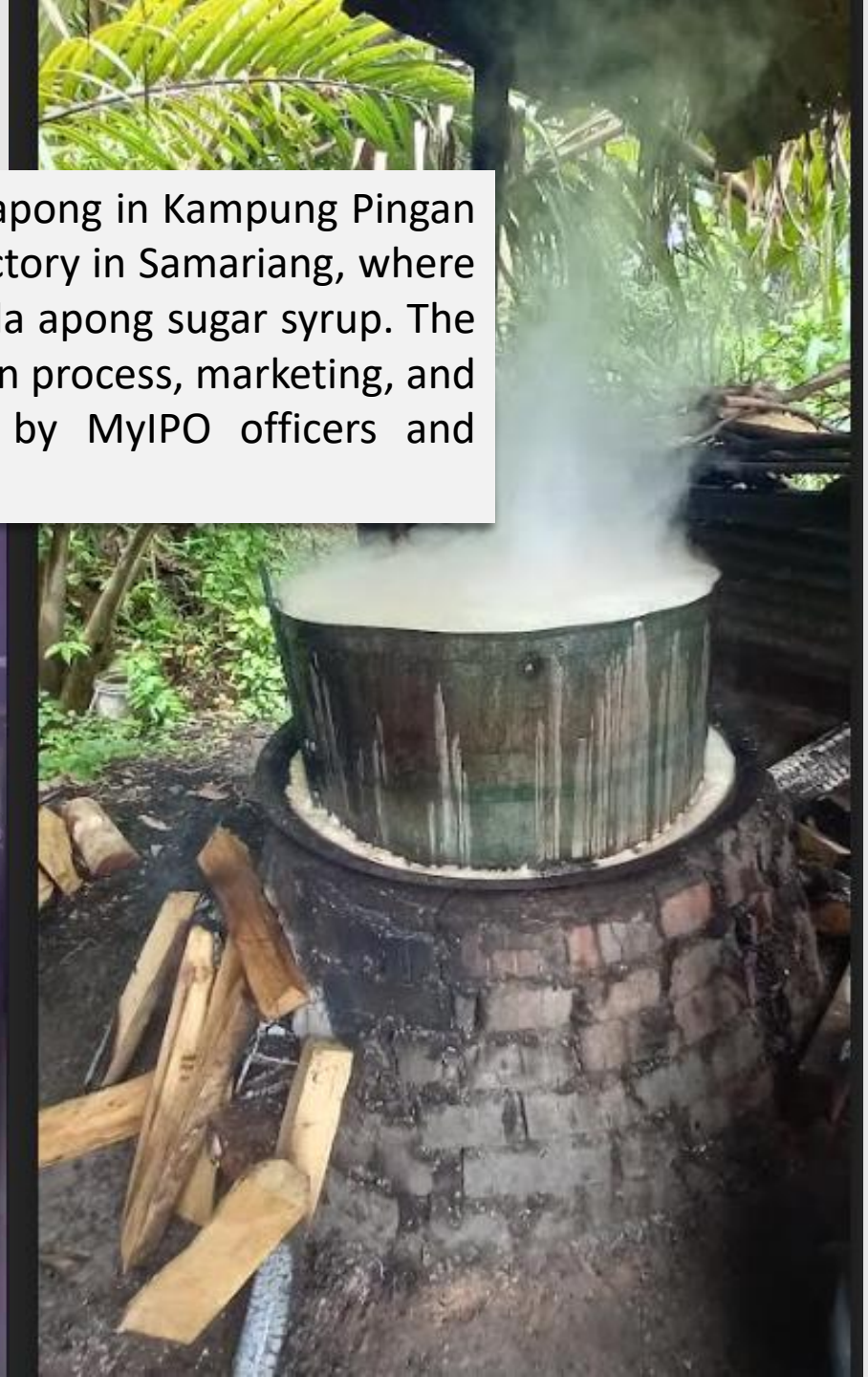


Photo Source: Ryzul Osman

MANGROVE CHARCOAL, KUALA SEPETANG

Photo Source: Ryzul Osman

Visit to the Perak State Forestry Department and Matang Mangrove Eco Centre.

BA' KELALAN, SARAWAK
ADAN RICE FESTIVAL

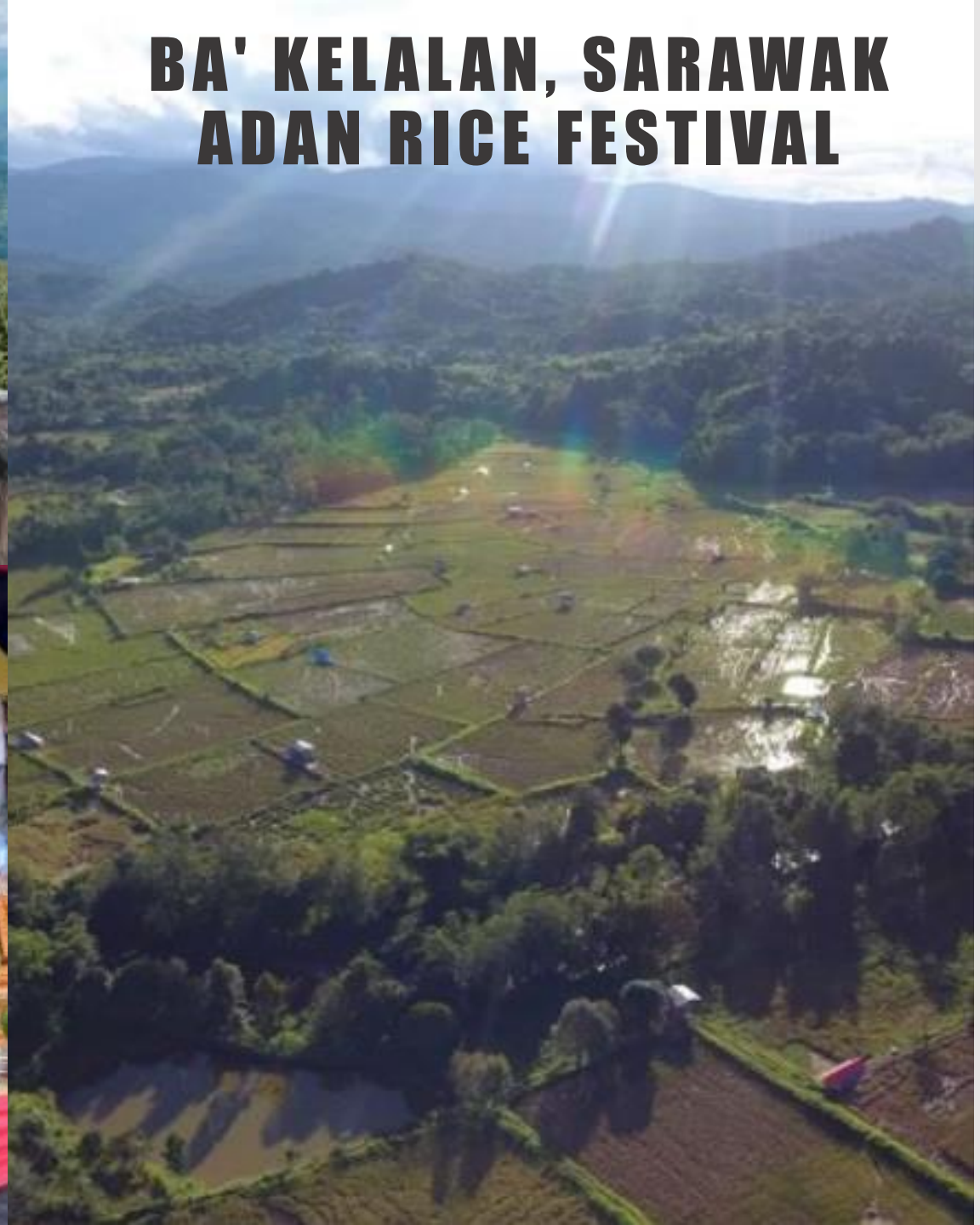


Photo Source: Ryzul Osman

terima kasih

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